



Agenda

Oxford City Council

Court House

TUESDAY, OCTOBER 2, 2018

EXECUTIVE SESSION

6:30 p.m.

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

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

REGULAR MEETING

7:30 P.M.

PLEDGE OF ALLEGIANCE

2. Approval of Agenda.

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

3. Public Participation.

- A. Appointments to Boards and Commissions.
- B. Notice to Legislative Authority – New permit for Fridge & Pantry Inc. DBA Fridge & Pantry Uptown Market 35 E. Church Street Oxford, Ohio 45056. (Alan Kyger, Economic Development Director)



Notice

- C. Public Comments.

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

4. Consent Agenda.

- A. Minutes of the September 18, 2018 City Council Work Session (Mary Ann Eaton, Clerk of Council)



Minutes

- B. Minutes of the September 18, 2018 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

- C. Report regarding the September 11, 2018 Recreation Board Meeting. (Casey Wooddell, Parks and Recreation Director)



Report

- D. Report regarding the September 11, 2018 Planning Commission Meeting. (Sam Perry, Community Development Director)



Report

- E. Report regarding the September 12, 2018 Historic and Architectural Preservation Commission Meeting. (Sam Perry, Community Development Director)



Report

5. Resolutions.

- 1. A Resolution of Council accepting the petition as required by Oxford Codified Ordinance Section 1146.03 to establish a Neighborhood Conservation Overlay District for parcels on McKee Avenue, Peabody Drive, Tenney Court and Thomson Court as set forth on Exhibit “A” attached hereto and referring the petition to the Oxford Planning

Commission for recommendations to City Council. (Sam Perry, Community Development Director)



Staff Report/Resolution

2. A Resolution authorizing the City Manager to enter into an agreement with Peter M. Reising to perform consulting services and to function as the Butler County OVI Task Force coordinator for the 2019 grant funded through the Ohio Department of Public Safety. (John Jones, Police Chief)



Staff Report/Resolution

3. A Resolution authorizing the City Manager to enter into a Law Enforcement Mutual Assistance Agreement with Miami University. (John Jones, Police Chief)



Staff Report/Resolution

6. Ordinances.

A. First Reading.

1. An Ordinance Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment For Approximately One Acre Of Land Located At 5111 Morning Sun Road Oxford, Ohio, And Rezoning The Property From Office and Light Industrial, (OI) District To Neighborhood Business District. (Sam Perry, Community Development Director)



Staff Report/Ordinance

2. An Ordinance Accepting The Recommendation Of The Planning Commission And Approving A Conditional Use Permit For A Banking Facility With A Drive-Through Window In The General Business (GB) District To Be Located At 31 Lynn Avenue Oxford, Ohio 45056 With Conditions. (Sam Perry, Community Development Director)



Staff Report/Ordinance

B. Second Reading.

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



Staff Report/Ordinance

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

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

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

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

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

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

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

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

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

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

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

8. Adjourn.

CITY OF OXFORD

STAFF SUMMARY REPORT

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

Police

Originating Department

Council Meeting Of: October 2, 2018

Account Code No. #:

John A. Jones

Prepared By

Budgeted Amount:

September 18, 2018

Date Prepared

Agenda Title: Resolution authorizing the City Manager to enter into a Mutual Aid Agreement with Miami University.

Recommendation: Approve the Resolution

Discussion: The proposed Resolution authorizes an Agreement for mutual aid between the City of Oxford and Miami University. This agreement would replace the existing Agreement which expired on June 30, 2018.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

JAE 9-18-18

DRE 9-28-18

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A LAW ENFORCEMENT MUTUAL ASSISTANCE AGREEMENT WITH MIAMI UNIVERSITY.

WHEREAS, the City Manager and the Police Chief recommend the City enter into a Law Enforcement Mutual Assistance Agreement with Miami University to enhance the safety and security of persons and property throughout the City.

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

SECTION 1: Council accepts the recommendation of the City Manager and the Police Chief and hereby authorizes the City Manager to enter into a Law Enforcement Mutual Assistance Agreement with Miami University as set forth on Exhibit "A" attached hereto on behalf of the City for a period of three (3) years with the right to cancel the Agreement upon a sixty (60) day written notice of intent to terminate.

SECTION 2: The City Manager and the Chief of Police are further authorized to present to Miami University, the signed Law Enforcement Mutual Assistance Agreement for approval by the University.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

**CITY OF OXFORD AND MIAMI UNIVERSITY
LAW ENFORCEMENT MUTUAL ASSISTANCE AGREEMENT**

WHEREAS, the City of Oxford, Ohio maintains a police department pursuant to Sections 3 and 7 of Article XVIII of the Ohio Constitution and Miami University maintains a police department pursuant to Ohio Revised Code 3345.04; and

WHEREAS, the City of Oxford and Miami University are both parties to the Butler County Intra-County Mutual Police Aid Agreement; and

WHEREAS, the City of Oxford and Miami University are authorized by Ohio Revised Code 3345.041 to enter into a Law Enforcement Mutual Assistance Agreement authorizing Miami University to perform police functions on behalf of the City of Oxford and, authorizing the city of Oxford to perform police functions on behalf of Miami University; and

WHEREAS, the City of Oxford and Miami University have previously entered into law Enforcement Mutual Assistance Agreements; and

WHEREAS, the current Law Enforcement Mutual Assistance Agreement between Miami University and the City of Oxford terminated on June 30, 2018; and

WHEREAS, the City of Oxford and Miami University now desire to enter into a new law Enforcement Mutual Assistance Agreement;

NOW THEREFORE, in consideration of the mutual promises and undertakings set forth below, the City of Oxford and Miami University (hereinafter referred to individually as "Party" and collectively as "Parties") agree as follows:

1. Effective Date and Scope of Agreement

- A. This Agreement is effective on July 1, 2018, and supersedes and replaces the Law Enforcement Mutual Assistance Agreement effective July 1, 2015.
- B. This Agreement supplements the Butler County Intra-County Mutual Police Aid Agreement, attached hereto as Exhibit A and incorporated herein, to which both City of Oxford and Miami University are signatories. This Agreement further defines the terms and conditions pursuant to which the Parties shall provide mutual law enforcement assistance to each other. All terms and conditions of the Butler County Intra-County Mutual Police Aid Agreement are applicable to this Agreement.

2. Definitions

For the purposes of the Agreement, the following terms shall have the following meanings.

- A. Law Enforcement Authority is defined as either the police department {including its sworn officers) of Miami University (herein "Miami University Police Department" or "MUPD") or the police department {including its sworn officers) of the City of Oxford (herein "Oxford Police Department" or "OPD").

- B. Concurrent Law Enforcement Authority is defined as the geographical area where both Law Enforcement Authority have the legal right and obligation under this Agreement to provide law enforcement services pursuant to this Mutual Assistance Agreement.
- C. Law Enforcement Services is defined as the performance of any police function, the exercise of any police power or the rendering of any police services.

3. Concurrent Law Enforcement Authority

Pursuant to this Agreement, MUPD and OPD shall have concurrent law enforcement authority over the entire rights of way of the following blocks and/or streets, including the intersection at either end of the specified right-of-way and all intersections contained within the described rights-of-way:

- A. The "Square Mile", defined as the area bordered by Chestnut Street, Locust Street, Sycamore Street and Patterson Avenue;
- B. State Route 73 from Patterson Avenue to the City of Oxford limits;
- C. Bonham Road from Sycamore Street and Tallawanda Street to the Miami University property limit; and
- D. Streets north of Sycamore Street and east of State Route 732, namely North Poplar, North Campus, North University, Homestead Avenue and Bouden Lane

Each Law Enforcement Authority is authorized by this Agreement to perform any law enforcement services in any area of concurrent law enforcement authority. Whenever a traffic accident occurs in any of the areas described in this section, the law enforcement authority with the first officer on the scene shall assume responsibility. MUPD shall issue citations under the Oxford City Code for all parking and moving violations that occur in the areas described in this section.

Implicit in this section is the mutual understanding that OPD retains primary responsibility for enforcement on City of Oxford streets and MUPD retains primary responsibility for enforcement on Miami University streets and property.

During each year of this Agreement, a mutual aid workgroup comprised of two (2) members from each department shall meet semi-annually (June and December) to review the enforcement practices on the streets enumerated in this section. The workgroup findings for the preceding year will be compiled into a report that shall be submitted to the Chiefs of Police of MUPD and OPD no later than January 14th of each year. The Chiefs of Police will submit a detailed summary report to the Vice President for Finance and Business Services at Miami University and the City Manager of Oxford.

OPD acknowledges the University has certain obligations to issue Crime Alerts to provide a timely warning for crimes required to be reported under the Clery Act (including criminal homicide, sex offenses-forcible and non-forcible, robbery, aggravated assault, burglary, and motor vehicle theft) that occur on campus, on the public property surrounding campus, and on property owned or controlled by registered student organizations (e.g., fraternities). OPD further acknowledges that the University has an additional obligation to issue an emergency notification in those situations that pose an immediate threat to the health or safety of students

or employees on campus or for the dosing of the entire Oxford campus (i.e., severe weather, chemical spills, fires, and crimes). In those instances in which a Clery Act reportable crime or other event posing a significant risk of harm to the Oxford campus has been reported to OPD, OPD agrees to use its best efforts to immediately notify MUPD so that MUPD may activate its timely warning or emergency notification system as appropriate.

4. Additional Law Enforcement Assistance

A. Major Events

Command level personnel (as designated by their respective Chief of Police) shall regularly coordinate planning for significant community or university events (i.e., concerts, athletic events, parades, etc.). Command level personnel are empowered to request the law enforcement assistance of the other department. When a request for law enforcement assistance is made, each Chief of Police shall be notified as soon as practicable. MUPD will coordinate traffic control with Oxford Police and will assist in the off-campus control of traffic related to significant campus events.

B. Maintenance of Law and Order

Whenever either the OPD or MUPD determines that it does not have sufficient law enforcement resources to meet a particular situation or set of circumstances effectively and expeditiously, the senior officer of the police department on duty and in charge of the police department is authorized to request law enforcement assistance from the other police department. This authorization includes responding to a significant crime which includes homicide, aggravated assault, rape, robbery, burglary, breaking and entering, and civil disorder (riot, attempted riot, and disruptive crowds).

C. Major Case Investigation

Members of the CI (Criminal Investigation) Units from MUPD and OPD interact on a regular basis and are expected to share equipment and investigative expertise. Command level personnel are empowered to request the law enforcement assistance of the other police department's CI Unit. When a request for temporary law enforcement investigative assistance is made, each Chief of Police shall be notified as soon as practicable. Extended joint investigations must be approved by the chiefs of each law enforcement authority prior to the start of the investigation.

D. Witness to Offense/Traffic Violation or Accident

1. An officer witnessing potentially life-threatening, substantial property damage, traffic violations or criminal violations outside the officer's area of concurrent law enforcement authority but within the other agencies jurisdiction is empowered to stop the violator and take enforcement action. As soon as practicable, the agency with primary jurisdiction will be notified and provided with the nature of the incident, location and the unit number(s) of the officer(s) managing the enforcement action. The responsible department will respond in one of the following manners:

- a. Relinquish authority over the incident to the witnessing officer, or

- b. Dispatch an officer or officers to the scene who will take charge of the incident.
2. In the event that police personnel and equipment are involved in providing assistance under this Agreement, and such responding personnel and equipment are required by their own department, each party to this Agreement reserves the right to withdraw such personnel and equipment for such purposes.
3. In any situation in which assistance is provided pursuant to a request for mutual aid, the officer in charge of the Requesting Department shall have full charge of and authority over any assisting equipment and personnel responding to such call. No oath of office need be administered to police officers of the Responding Department when the performance of such officers' duties is pursuant to this Agreement.
4. No charge shall be made for services rendered pursuant to the terms of this Agreement, it being understood that the mutual promises contained herein serve as adequate consideration.
5. All personnel of the Responding Department, while providing assistance or utilizing concurrent law enforcement authority as specified in this Agreement, shall at all times be acting within the scope of their employment by the Responding Department, and will not be considered employees of the Requesting Department. Each Party to this Agreement will continue to be responsible for all forms of compensation and benefits related to the employment as well as equipment, uniforms and other tangible articles, which it would otherwise pay or furnish while any of its officers is (are) providing assistance under this Agreement. Under no circumstances will either party be required to assume any of such employment-related obligations or expenses by virtue of having made one or more request for, or received, assistance under this Agreement.

E. Warrants, Subpoenas, and Other Legal Process

The service of warrants, subpoenas and other legal process shall be coordinated by a command staff member or bureau from MUPD and OPD as designated by the respective Chief of Police. Generally, MUPD will provide service on-campus and OPD will provide service off-campus; however, this is a unified effort and the MUPD/OPD commanders will work together to ensure the prompt, efficient service of all legal documents. The serving department will maintain the appropriate control documentation. As part of the semi-annual evaluation process (see No. 3), the mutual aid workgroup will evaluate the effectiveness of this process. Their findings shall be included in the annual report to the Vice President for Finance and Business Services at Miami University and the City Manager of Oxford.

5. Liability Between the Parties

Neither the City of Oxford nor Miami University shall be obligated to reimburse the other for loss or damage to equipment while law enforcement officers are engaged in activity in accordance with this Agreement, nor shall there be any reimbursement, indemnity award, or premium contributions assessed against the other for workers compensation benefits arising by reason of injury or death to an employee of either while engaged in rendering services under this Agreement.

Each party shall be responsible for any claim or cause of action made against the party of its law enforcement officers arising out of the performance of duties under this Agreement and neither party shall be required to indemnify, defend, or hold harmless the other for any such claim or cause of action.

6. Duration of Agreement

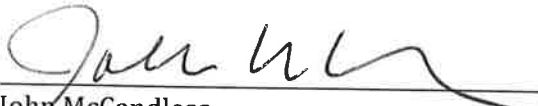
- A. This Agreement shall expire on June 30, 2021.
- B. The Oxford City Manager and the Vice President for Finance and Business Services at Miami University may enter into such additional Memoranda of Understanding, setting forth additional procedures, not inconsistent with the terms hereof, for implementing this Agreement. The parties agree to be bound by the terms of any such memoranda as fully as if it were part of this Agreement.
- C. This Agreement may be terminated by either party with a 60-day written notification of intent to terminate.

Miami University

The City of Oxford

David Creamer
Senior Vice President for Finance and
Business Services

Doug Elliott
City Manager



John McCandless
Chief of Police

John A. Jones
Chief of Police

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to City Manager

Council Meeting Of :

Account Code No. :

Budgeted Amount :

9/18/2018

see below

Finance
Originating Department

Joe Newlin
Prepared By

9/7/2018
Date Prepared

Agenda Title: 2018 Supplemental Budget #5

Recommendation: Approve

Issue 1

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

Action Needed:

Revenue Side

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

Expense Side

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

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

Issue 2

To make adjustment to budget for continuing legal expenses from the unencumbered balance

Action Needed:

Revenue Side

N/A

Expense Side

General (110) 15,000.00 Continuing legal expenses

Net Effect on Fund Balance/(s)
Increase/(Decrease) (15,000.00)

Total Net Effect on Fund Balance/(s)
Increase/(Decrease) (15,000.00)

Breakdown by Fund

General (110) (15,000.00)
Board of Building Standards (414)

Net Effect on Fund Balance/(s)
Increase/(Decrease) (15,000.00)

Approved By:

Department Head:

City Manager:

Initials

Date

9/27/18

DRE 9/28/18

ORDINANCE NO.

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

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

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

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

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

Board of Building Standards Fund 414	2,250.00
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SECTION 3: The following increase/(decrease)in appropriations from unencumbered balances be made:

Board of Building Standards Fund 414	2,250.00
General Fund 110	15,000.00

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

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

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: October 2, 2018

Sam Perry
Prepared By

Account Code No. #:

September 23, 2018
Date Prepared

Budgeted Amount:

Agenda Title: Planning Commission Meeting Report- September 11, 2018

PC-2018-23, ZONING MAP AMENDMENT, 5111 Morning Sun Road, from an OI (Office Industrial) District to a NB (Neighborhood Business) District, **Scott Webb, Applicant, Agent**

This application was a follow-up to an earlier re-zoning request for the same parcel that was not approved. Following that denial Mr. Webb applied for the new Neighborhood Business district designation for this approximately one acre vacant parcel of land. The option for a NB district was created in 2016 for small businesses close to residential areas. The Commission reviewed the case with the four decision criteria and voted 7-0 to recommend approval to City Council.

PC-2018-24, CONDITIONAL USE, Miami University & Community Federal Credit Union, 31 Lynn Avenue, to allow for the construction of a banking facility with drive through service, in a GB (General Business) District, **Maria Schertler, The Architectural Group, Applicant, Agent**

This was a proposal for a new bank with drive-through service to be built on a now vacant lot. The drive-through aspect of the project requires the conditional use because of potential impacts on surrounding properties. A review determined that any negative impact of the drive through could be mitigated with the design proposed. The requested zoning code waivers were determined to be appropriate. Additional conditions of mature tree protection and dumpster screening were added through Commission discussion. Although not a condition it was requested that a good faith effort to make a pedestrian connection (ex: McDonalds/Library) between adjacent properties continue to move forward. The Commission voted 7-0 to recommend approval of the new bank with drive-through to City Council with 6 waivers/conditions.

PC-2018-02, ZONING CODE TEXT AMENDMENT, to amend Chapter 1141.01 Accessory Regulations, adding 1141.01(a)(5) Short Term Rentals, **City of Oxford, Applicant**

This was a follow-up case that resulted from an effort of former Commission members in combination with a request from charitable organizations. Under current code, homeowners that host short-term lodgers are required to file a conditional use request as a bed and breakfast. The process is three+ months. The proposed text would provide an exemption for owners booking stays five times or less per year. Owners of properties in neighborhood conservation overlay districts would be required to own the home as their primary residence. Several members of the public commented on the case expressing both concerns and appreciation. Enjoy Oxford Director Jessica Greene also commented on the case regarding the shortage of hotel rooms during major events. The Commission reviewed the text amendment decision

criteria and voted 5-0 to recommend the proposed text amendments to City Council. Two members were recused. The First Reading is scheduled for October 16 City Council.

Approved By:

Department Head:

SP / 9-23-18

City Attorney:

City Manager:

DRE / 9/28/18

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: October 2, 2018

Sam Perry
Prepared By

Account Code No. #:

Budgeted Amount:

September 23, 2018
Date Prepared

HAPC MEETING REPORT – SEPTEMBER 12, 2018

The Commission welcomed new member, Chad Smith.

The minutes of the August 1, 2018 meeting were approved.

Continued progress on the 2018 Goals & Objectives was discussed:

- The committee/consultant work on the new draft Chapter 1152 Historic Preservation Code was reviewed. This is a replacement of Chapter 1331 and move to the Zoning Code with other land use regulations. The intent is to clarify and update the code to reflect the 2018 Uptown District Inventory. The next steps discussed were public outreach followed by Planning Commission review. The goal is to complete the process by January 2019.
- Historic District boundary signage: The Commission also reviewed proposals from a brick paver company to install signage in the High Street sidewalks marking the boundary of the historic districts. This is an alternative to sign posts. The cost estimate is \$5-7k, which may require outside funding such as donations or grants.

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

The regular monthly meeting recently changed to the 2nd Wednesday of each month. The next one being October 10 at 5:00 p.m. at the Oxford Courthouse at 118 W. High Street.

Department Head: City Attorney: City Manager:	<u>SP</u> / 9-23-18 <u>DRE</u> / 9/25/18
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**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: October 2, 2018

Account Code No. #:

Sam Perry
Prepared By

Budgeted Amount:

September 23, 2018
Date Prepared

Agenda Title:	Resolution Accepting a Petition to Create a Neighborhood Conservation Overlay District for the area of McKee Ave, Peabody Drive, Thomson Court and Tenney Court
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Recommendation: Approval

Discussion:

The legislation of creating the Residential Conservation Overlay District was adopted by the City Council in 2012 to protect residential neighborhoods, maintain an attractive community appearance, and to provide a desirable living environment by restricting residential properties to be rented to no more than two unrelated individuals. The process to establish an overlay district begins with a petition with signatures of at least two-thirds of parcel owners within the proposed district. The petition goes before City Council for acceptance and referral to the Planning Commission as a zoning map amendment. There have been sixteen (16) petitions that have come before the City Council since 2014.

There are a total of 50 parcels contained in the proposed overlay. A map of the proposed area is attached. The overlay includes households in the Juniper Hill Subdivision Sections 1 and 2, which were originally platted in 1957 and 1968. The signatures in this petition exceed the two-thirds requirement at 88% per Oxford Zoning Code Section 1146.03(a)(3). The proposed overlay is the first in this part of Oxford (see attached map).

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

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

Approved by:

	<u>Initial</u>	<u>Date</u>
Department Head:	<u>SP</u>	<u>9-23-18</u>
City Attorney:	/	/
City Manager:	<u>DRE</u>	<u>9-28-18</u>

RESOLUTION NO.

RESOLUTION OF COUNCIL ACCEPTING THE PETITION AS REQUIRED BY OXFORD CODIFIED ORDINANCE §1146.03 TO ESTABLISH A NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT FOR PARCELS ON MCKEE AVENUE, PEABODY DRIVE, TENNEY COURT AND THOMSON COURT AS SET FORTH ON EXHIBIT "A" ATTACHED HERETO AND REFERRING THE PETITION TO THE OXFORD PLANNING COMMISSION FOR RECOMMENDATIONS TO CITY COUNCIL.

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

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

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

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

MAYOR

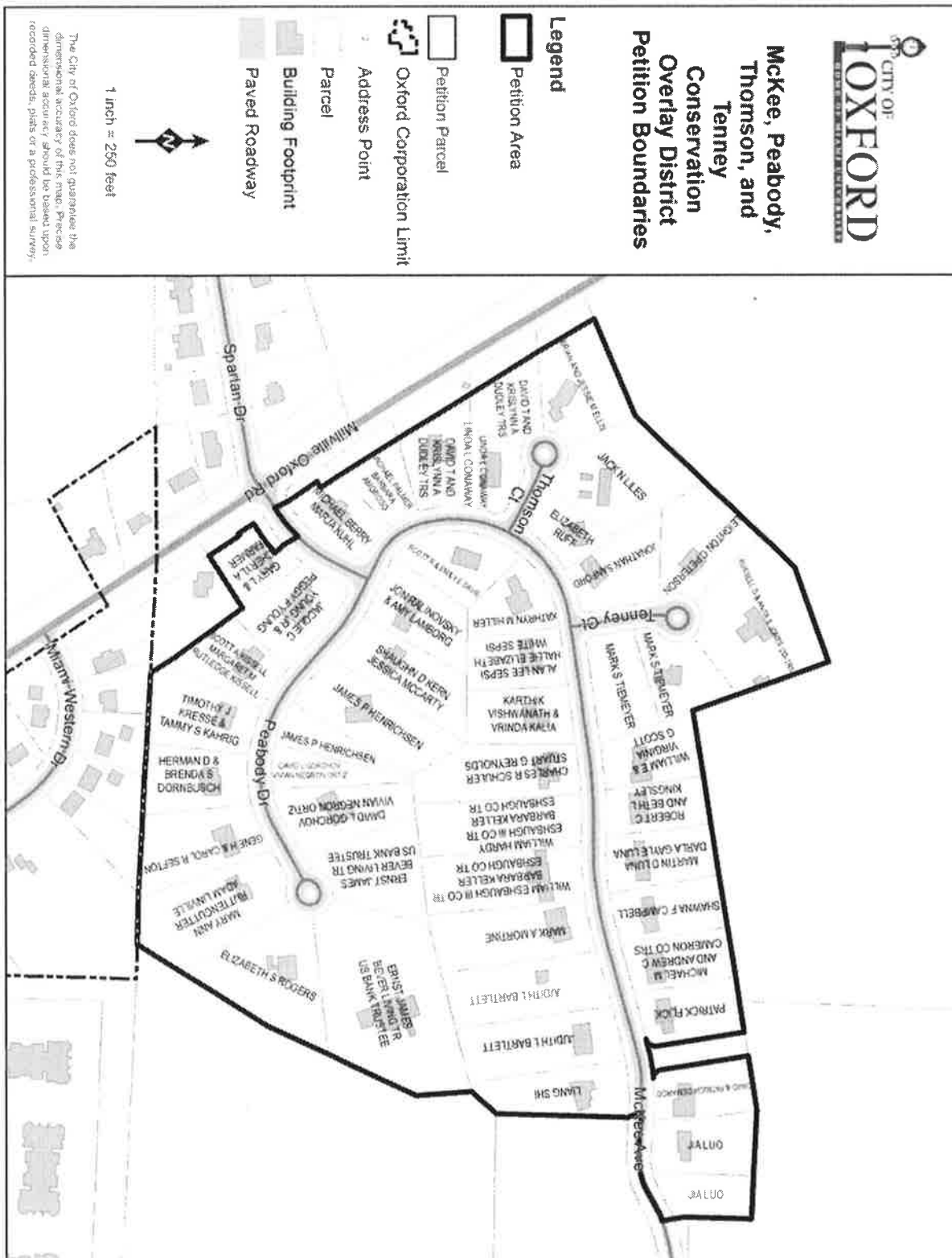
ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)



RECEIVED

9-11-18

City of Oxford

PETITION FOR NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT

FOR

JUNIPER HILL SUBDIVISION AREA, OXFORD, OHIO

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

THIS PETITION, IF ADOPTED, WOULD ALLOW THE PETITIONERS TO INITIATE A ZONING MAP AMENDMENT PURSUANT TO CHAPTER 1146 OF THE CITY'S ZONING CODE TO RESTRICT ANY PROPERTY WITHIN THE DISTRICT TO BE RENTED TO NO MORE THAN TWO UNRELATED INDIVIDUALS. THIS PETITION WILL NOT AFFECT PROPERTIES ALREADY LICENSED.

PLEASE SEE THE BELOW TEXT, AS WELL AS ATTACHED MAP, FOR EXACT BOUNDARIES:

EAST BOUNDARY: THE EAST PROPERTY LINE OF THE TWO PROPERTIES AT THE EAST END OF MCKEE AVENUE AND PEABODY DRIVE THAT BORDER MIAMI UNIVERSITY AND THE CITY OF OXFORD WASTE WATER TREATMENT PLANT PROPERTIES.

NORTH BOUNDARY: THE PROPERTY LINES OF THE TWO NORTHERN MOST PROPERTIES AT THE END OF THOMSON COURT, THE PROPERTY LINES OF THE THREE NORTHERN MOST PROPERTIES AT THE END OF TENNEY COURT AND THE EIGHT PROPERTIES ON THE NORTH SIDE OF MCKEE AVENUE BETWEEN TENNEY COURT AND THE WASTE WATER TREATMENT PLANT.

WEST BOUNDARY: US HIGHWAY 27 SOUTH RIGHT OF WAY LINE (MILVILLE OXFORD ROAD).

SOUTH BOUNDARY: THE SOUTH PROPERTY LINE OF 3 MCKEE AVENUE AS WELL AS THE SOUTH PROPERTY LINES OF THE PROPERTIES ON THE SOUTH SIDE OF PEABODY DRIVE.

OTHER: THERE IS AN EXCLUDED MIAMI UNIVERSITY ROAD EASEMENT PERPENDICULAR TO MCKEE AVENUE BETWEEN 220 AND 300 MCKEE AVENUE.

CIRCULATOR'S FULL NAME: Anita Jones

CIRCULATOR'S ADDRESS: 106 Tenney Court, Oxford, OH 45056

CIRCULATOR'S SIGNATURE: Anita Jones

DATE SUBMITTED: 9/10/18

TO: Juniper Hill property owners

RE: Petition for "Neighborhood Conservation Overlay District"

Date: August 23, 2018

PROPOSED:

That Juniper Hill homeowners petition for making the neighborhood a "Neighborhood Conservation Overlay District." This means a zoning change that will limit the number of persons in a rented residence to no more than **two** unrelated individuals (versus **four**.) This would still allow ownership or rental of a property to a large family, a couple or one person.

PURPOSE:

As outlined in Oxford City Ordinances:

- 1) To maintain an attractive community and a desirable living environment for residents by preserving the **60-year-old, owner-occupied character** of the neighborhood.
- 2) To protect the **privacy** of residents
- 3) To **minimize** traffic and parking congestion as well as noise and **nuisance impact**
- 4) To ensure the **safety** of the **18 children** currently residing there
- 5) To maintain the **integrity** of two Miami University hiking trailheads.

CURRENT ZONING:

The 50 lots in Juniper Hill are presently "**Single Family Residence**" (**R1-A**). By definition, this means no more than 4 unrelated people may live in the dwelling. So far only one of the 50 lots (3 McKee Avenue) has a license to rent the home and may continue renting to up to four unrelated people. The petitioned zoning change will have no impact on existing licensed rental properties unless the rental permit expires.

PETITION PROCESS:

To change Juniper Hill from R1-A to a Neighborhood Conservation Overlay District, we must:

- 1) Provide information packets to all residents
- 2) Acquire signatures from 2/3 of the property owners – more than 33 of 50 lots
 - a. Petition signers must be the homeowner
 - b. Jointly owned properties need only one signer
 - c. Residents with multiple lots need to sign for each lot
- 3) Submit the petition to Oxford City Council for referral to the Oxford Planning Commission (OPC)
- 4) If approved, OPC makes a recommendation to City Council
- 5) City Council has two separate readings of the proposal

This process may take up to three months.

INFORMATION PACKET:

Juniper Hill (JH) residents will receive:

- 1) This cover-letter
- 2) JH Committee Member Contact page
- 3) JH Boundary description
- 4) JH Boundary map
- 5) Signature page (to be retained by JH committee member and forwarded to City Council)

For more details, contact anyone on the attached **JH Committee Member Contact page**. Thank you!

Juniper Hill COMMITTEE MEMBER CONTACTS

Herman and Brenda Dornbusch
10 Peabody Drive
513-646-3578 (Herman)
513-280-6070 (Brenda)
hdorn1010@gmail.com

Barbara Eshbaugh
209 McKee Avenue
513-523-8305
eshbauwh@miamioh.edu

Russ and Anita Jones
106 Tenney Court
513-491-5301 (Russ)
513-491-5302 (Anita)
russ@jones4him.com
anita@jones4him.com

Bill Scott
200 McKee Avenue
513-523-3334
513-255-2336 (c)
scottwe@miamioh.edu

PETITION FOR NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT

FOR

JUNIPER HILL SUBDIVISION AREA, OXFORD, OHIO

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

THIS PETITION, IF ADOPTED, WOULD ALLOW THE PETITIONERS TO INITIATE A ZONING MAP AMENDMENT PURSUANT TO CHAPTER 1146 OF THE CITY'S ZONING CODE TO RESTRICT ANY PROPERTY WITHIN THE DISTRICT TO BE RENTED TO NO MORE THAN TWO UNRELATED INDIVIDUALS. THIS PETITION WILL NOT AFFECT PROPERTIES ALREADY LICENSED.

PLEASE SEE THE BELOW TEXT, AS WELL AS ATTACHED MAP, FOR EXACT BOUNDARIES:

EAST BOUNDARY: THE EAST PROPERTY LINE OF THE TWO PROPERTIES AT THE EAST END OF MCKEE AVENUE AND PEABODY DRIVE THAT BORDER MIAMI UNIVERSITY AND THE CITY OF OXFORD WASTE WATER TREATMENT PLANT PROPERTIES.

NORTH BOUNDARY: THE PROPERTY LINES OF THE TWO NORTHERN MOST PROPERTIES AT THE END OF THOMSON COURT, THE PROPERTY LINES OF THE THREE NORTHERN MOST PROPERTIES AT THE END OF TENNEY COURT AND THE EIGHT PROPERTIES ON THE NORTH SIDE OF MCKEE AVENUE BETWEEN TENNEY COURT AND THE WASTE WATER TREATMENT PLANT.

WEST BOUNDARY: US HIGHWAY 27 SOUTH RIGHT OF WAY LINE (MILVILLE OXFORD ROAD).

SOUTH BOUNDARY: THE SOUTH PROPERTY LINE OF 3 MCKEE AVENUE AS WELL AS THE SOUTH PROPERTY LINES OF THE PROPERTIES ON THE SOUTH SIDE OF PEABODY DRIVE.

OTHER: THERE IS AN EXCLUDED MIAMI UNIVERSITY ROAD EASEMENT PERPENDICULAR TO MCKEE AVENUE BETWEEN 220 AND 300 MCKEE AVENUE.

CIRCULATOR'S FULL NAME: Anita Jones

CIRCULATOR'S ADDRESS: 106 Tenney Court, Oxford, OH 45056

CIRCULATOR'S SIGNATURE: _____

DATE SUBMITTED: _____

Petition for McKee, Peabody, Thomson, and Tenney Neighborhood Conservation Overlay District, Oxford, Ohio

Petition Initiator: Anita Jones, 106 Tenney Court

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	2 MCKEE AVE/ H4100111000022	MICHAEL BERRY MARJA KUHL		
	3 MCKEE AVE/ H4100111000023	GARY L & CHERYL A FARMER		
	6 MCKEE AVE/ H4100111000020	DAVID T AND KRISLYNN A DUDLEY TRS		
	7 MCKEE AVE/ H4100111000041	SCOTT R & EMILY E DAVIE		
	8 MCKEE AVE/ H4000111000018	LINDA L CONAWAY		
	MCKEE AVE/ H4000111000019	LINDA L CONAWAY		
	102 MCKEE AVE/ H4100111000053	ELIZABETH RUFF		
	104 MCKEE AVE/ H4100111000013	JONATHAN SANFORD		
	105 MCKEE AVE/ H4100111000042	KATHRYN M HILLER		Mailed 8/31/18

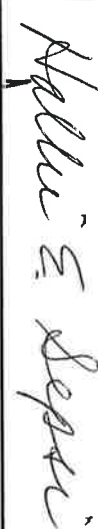
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9/9/18	109 MCKEE AVE/ H4100111000044	KARTHIK VISHWANATH & VRINDA KALIA		
	200 MCKEE AVE/ H4100111000008	WILLIAM E & VIRGINIA G SCOTT		
9/9/18	201 MCKEE AVE/ H4100111000045	CHARLES R SCHULER STUART G REYNOLDS		
	204 MCKEE AVE/ H4100111000054	ROBERT C AND BETH L KINGSLEY		
	208 MCKEE AVE/ H4100111000055	MARTIN D LUNA DARLA GAYLE LUNA		
8/31/2018	209 MCKEE AVE/ H4100111000047	WILLIAM ESHBAUGH III CO TR BARBARA KELLER ESHBAUGH CO TR		Sept 3, 2018
9/21/2018	MCKEE AVE/ H4100111000046	WILLIAM HARDY ESHBAUGH III CO TR BARBARA KELLER ESHBAUGH CO TR		Nov 31, 2018
9/31/18	212 MCKEE AVE/ H4100111000005	SHAWNA F CAMPBELL		Aug 31, 2018
	213 MCKEE AVE/ H4100111000049	JUDITH L BARTLETT		9/21/18

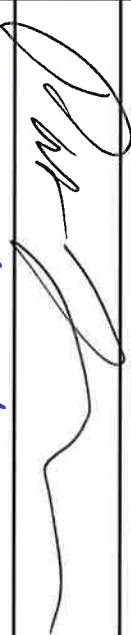
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9/9/18	213 MCKEE AVE/ H4100111000048	MARK A MORTINE ✓		9/9/18
	216 MCKEE AVE/ H4100111000004	MICHAEL M AND ANDREW C CAMERON CO TRS		
8/31/18	220 MCKEE AVE/ H4100111000003	PATRICK FLICK ✓		
	225 MCKEE AVE/ H4100111000050	JUDITH L BARTLETT ✓		9/2/18
	300 MCKEE AVE/ H4100111000001	DAVID & PATRICIA DEMARCO		
9/2/18	301 MCKEE AVE/ H4100111000051	LANG SHI ✓		
	350 MCKEE AVE/ H4100109000014	JIA LUO		
	350 MCKEE AVE/ H4100109000015	JIA LUO		
	3 PEABODY DR/ H4000111000040	JON RALINOVSKY & AMY LAMBORG		
	4 PEABODY DR/ H4100111000026	JACQUE C YOUNG JR & PEGGY F YOUNG		

Petition for McKee, Peabody, Thomson, and Tenney Neighborhood Conservation Overlay District, Oxford, Ohio

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8/31/18	200 MCKEE AVE/ H4100111000008	WILLIAM E & VIRGINIA G SCOTT ✓	Virginia G. Scott	
	201 MCKEE AVE/ H4100111000045	CHARLES R SCHULER STUART G REYNOLDS		
8/31/18	204 MCKEE AVE/ H4100111000054	ROBERT C AND BETH L KINGSLEY ✓	Beth L. Kingsley	
8/31/18	208 MCKEE AVE/ H4100111000055	MARTIN D LUNA DARLA GAYLE LUNA ✓	Darla Gayle Luna	
	209 MCKEE AVE/ H4100111000047	WILLIAM ESHBAUGH III CO TR BARBARA KELLER ESHBAUGH CO TR		
	MCKEE AVE/ H4100111000046	WILLIAM HARDY ESHBAUGH III CO TR BARBARA KELLER ESHBAUGH CO TR		
8/31/18	212 MCKEE AVE/ H4100111000005	SHAWNA F CAMPBELL ✓	Shawna F. Campbell	
	213 MCKEE AVE/ H4100111000049	JUDITH L BARTLETT		

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Aug 31, 18	216 MCKEE AVE/ H4100111000004	MICHAEL M AND ANDREW C CAMERON CO TRS	Michael M. Camero Trustee	
	220 MCKEE AVE/ H4100111000003	PATRICK FLICK		
	225 MCKEE AVE/ H4100111000050	JUDITH L BARTLETT		
8/31/18	300 MCKEE AVE/ H4100111000001	DAVID & PATRICIA DEMARCO	Patricia A. Demarco	
	301 MCKEE AVE/ H4100111000051	LIANG SHI		
8/31/18	350 MCKEE AVE/ H4100109000014	JIA LUO	Jia Luo	
8/31/18	350 MCKEE AVE/ H4100109000015	JIA LUO	Jia Luo	
	3 PEABODY DR/ H4000111000040	JON RALINOVSKY & AMY LAMBORG		
	4 PEABODY DR/ H4100111000026	JACQUE C YOUNG JR & PEGGY F YOUNG		

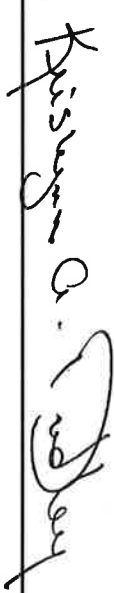
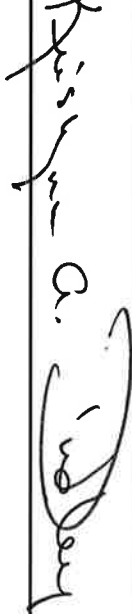
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	3 MCKEE AVE/ H4100111000023	GARY L & CHERYL A FARMER		MAILED 8-27 w/SELF ADD.
9/3/18	6 MCKEE AVE/ H4100111000020	DAVID T AND KRISLYNN A DUDLEY TRS		
	7 MCKEE AVE/ H4100111000041	SCOTT R & EMILY E DAVIE		
	8 MCKEE AVE/ H4000111000018	LINDA L CONAWAY		
	MCKEE AVE/ H4000111000019	LINDA L CONAWAY		
	102 MCKEE AVE/ H4100111000053	ELIZABETH RUFF		
	104 MCKEE AVE/ H4100111000013	JONATHAN SANFORD		
	105 MCKEE AVE/ H4100111000042	KATHRYN M HILLER		

Petition for McKee, Peabody, Thomson, and Tenney Neighborhood Conservation Overlay District, Oxford, Ohio

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	350 MCKEE AVE/ H4100109000015	JIA LUO		
	3 PEABODY DR/ H4000111000040	JON RALINOVSKY & AMY LAMBORG		LEFT PACKET 8-25-18
8/25/18	4 PEABODY DR/ H4100111000026	JACQUE C YOUNG JR & PEGGY F YOUNG	Peggy Young	

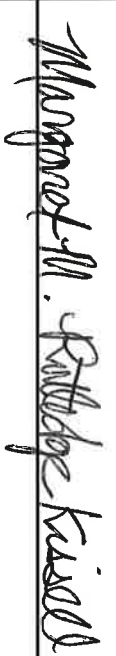
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Date	Address	Name(s)	Signature	Notes
8/25/18	5 PEABODY DR/ H4100111000039	SHAUGHN D KERN JESSICA MCCARTY		
8/25/18	6 PEABODY DR/ H4100111000027	SCOTT A KISSELL MARGARET M RUTLEDGE KISSELL		LEFT PACKET 8-25
	7 PEABODY DR/ H4100111000038	JAMES P HENRICHSEN		LEFT PACKET 8-25
	PEABODY DR/ H4100111000037	JAMES P HENRICHSEN		
8/25/18	8 PEABODY DR/ H4100111000028	TIMOTHY J KRESSE & TAMMY S KAHRIG		
8/24/18	10 PEABODY DR/ H4100111000029	HERMAN D & BRENDA S DORNBUSCH		
8/25/18	101 PEABODY DR/ H4100111000035	DAVID L GORCHOV VIVIAN NEGRON ORTIZ		
8/25/18	PEABODY DR/ H4100111000036	DAVID L GORCHOV VIVIAN NEGRON ORTIZ		
	102 PEABODY DR/ H4100111000030	GENE H & CAROL R SEFTON		LEFT PACKET 8-30
8/25/18	104 PEABODY DR/ H4100111000031	MARY ANN RUTTENCUTTER ADAM LINVILLE		

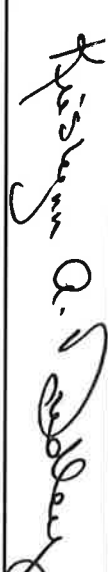
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8/28/18	106 PEABODY DR/ H4000111000032	ELIZABETH S ROGERS		
8/28/18	111 PEABODY DR/ H4100111000033	ERNST JAMES BEVER LIVING TR US BANK TRUSTEE		
8/28/18	101 PEABODY DR/ H4100111000034	ERNST JAMES BEVER LIVING TR US BANK TRUSTEE		
	104 TENNEY CT/ H4100111000012	LEIGHTON C PETERSON		
	106 TENNEY CT/ H4100111000011	RUSSELL D & ANITA S JONES CO-TRS		
	108 TENNEY CT/ H4100111000010	MARK S TIEMEYER		
	TENNEY CT/ H4100111000009	MARK S TIEMEYER		
9/3/18	102 THOMSON CT/ H4100111000017	DAVID T AND KRISLYNN A DUDLEY TRS		
	106 THOMSON CT/ H4100111000016	BRIAN AND JESSIE M ELLIS		
	110 THOMSON CT/ H4100111000052	JACK N LILES		

Petition for McKee, Peabody, Thomson, and Tenney Neighborhood Conservation Overlay District, Oxford, Ohio

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9/6/18	7 MCKEE AVE/ H4100111000041	SCOTT R & EMILY E DAVIE		
09/04/2018	8 MCKEE AVE/ H4000111000018	LINDA L CONAWAY		
09/04/2018	MCKEE AVE/ H4000111000019 (Slivers)	LINDA L CONAWAY		
09/11/18	102 MCKEE AVE/ H4100111000053	ELIZABETH RUFF		
9/10/18	104 MCKEE AVE/ H4100111000013	JONATHAN SANFORD		
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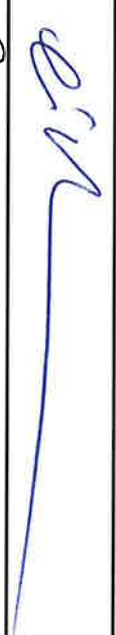
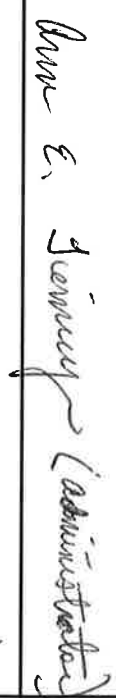
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9-6-18	108 TENNEY CT/ H4100111000010	MARK S TIEMEYER		
9-6-18	TENNEY CT/ H4100111000009	MARK S TIEMEYER		
	102 THOMSON CT/ H4100111000017	DAVID T AND KRISLYNN A DUDLEY TRS		
9-4-18	106 THOMSON CT/ H4100111000016	BRIAN AND JESSIE M ELLIS		
8/28/11	110 THOMSON CT/ H4100111000052	JACK N LILES		

CITY OF OXFORD STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott

Police

Originating Department

Council Meeting Of: October 2, 2018

John A. Jones

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

September 17, 2018

Date Prepared

Agenda Title: Resolution authorizing the City Manager to enter into an agreement with Peter M. Reising to perform consulting services and to function as the Butler County OVI Task Force Coordinator for the 2019 grant funded through the Ohio Department of Public Safety. The Oxford Division of Police is the lead agency responsible for the administration of the grant.

Recommendation: Approve

Discussion: The Oxford Division of Police is the lead agency for a grant from the Ohio Department of Public Safety for the Butler County OVI Task Force for FY2019. Peter M. Reising has been the OVI Coordinator since 2015 and has been coordinating the grant as a contractual employee of the City since his retirement in March 2016. The Police Chief would like to continue this arrangement for the FY2019 grant cycle.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

JAJ \ *9-17-2018*

DRE \ *9-28-18*

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH PETER M. REISING TO PERFORM CONSULTING SERVICES AND TO FUNCTION AS THE BUTLER COUNTY OVI TASK FORCE COORDINATOR FOR THE 2019 GRANT FUNDED THROUGH THE OHIO DEPARTMENT OF PUBLIC SAFETY.

WHEREAS, the City has been designated as lead agency responsible for the administration of a grant received from the Ohio Department of Public Safety to operate the Butler County OVI Task Force; and

WHEREAS, Peter M. Reising has been the OVI Coordinator since 2015 and has been coordinating the grant as a contractual employee of the City since his retirement in March of 2016. The Police Chief recommends this arrangement continue for the FY2019 grant cycle.

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

SECTION 1: Council accepts the recommendation of the Police Chief and hereby authorizes the City Manager to enter into an agreement in a form as approved by the Law Director with Peter M. Reising as a contractual employee acting as the OVI Coordinator for the FY2019 grant cycle.

SECTION 2: A copy of the draft agreement with Peter M. Reising is attached hereto and incorporated herein as Exhibit "A".

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

AGREEMENT

THIS AGREEMENT entered into this 1st day of October, 2018 by and between the CITY OF OXFORD, OHIO, a municipal corporation of the State of Ohio (hereinafter referred to as the "City") and **PETER M. REISING**, 4071 California Road, Okeana, Ohio 45053 (hereinafter referred to as the "Coordinator").

I. RECITALS

The City, in association with a number of Butler County law enforcement agencies has received a FFY 2019 OVI grant funded through the Ohio Department of Public Safety. This grant will be used to fund the Butler County OVI Task Force activities related to enforcement of laws related to operating a motor vehicle while under the influence. The Oxford Police Department has been selected as the lead agency responsible for administration of the grant.

Pursuant to this end, a Management Coordinator is to be hired, and Peter M. Reising has agreed to act as the Management Coordinator (hereinafter referred to as the "Coordinator") to perform the consulting services under the following agreement:

II. TERMS OF THE AGREEMENT

- A. Services to be performed. City agrees to hire the Coordinator to provide all necessary labor, materials and record keeping in order to perform the Coordination Services for the FFY 2019 OVI grant. The Scope of Services to be performed includes compliance with all Terms and Conditions for Ohio Traffic Safety Office (OTSO) Grants as described in the FFY 2018 Competitive Grants Proposal and Award of Grant documents, compliance with any Special Conditions for OVI Task Forces as in the FFY 2019 Competitive Grants Proposal and Award of Grant documents, and submission of all required data and reports as required by this grant.
- B. Term. The Agreement shall become effective **October 1, 2018** and shall continue to be in effective until **September 30, 2019** unless terminated as set forth below.
- C. Compensation. As compensation for the services performed by the Coordinator to City will be at the following schedule.
 - a. All activities and work performed by Coordinator shall be compensated at a rate of **Fifty-six Dollars and .36 cents (\$56.36) per hour**. The entire amount of compensation shall not exceed the total of **Twenty-Nine Thousand and Five Hundred and Eighty-Nine Dollars (\$29,589.00)** dollars for a maximum 525 hours of work to be spread throughout the term of this Agreement.
 - b. Additional Obligations and Covenants of the Coordinator. As part of this agreement, the Coordinator agrees to the following items.
- D. In performing the services under this Agreement, the Coordinator shall comply with, and bear the cost of compliance with all applicable local, state, and federal requirements.
- E. Coordinator shall be responsible for and pay all federal, state and local taxes, including but not limited to all income and withholding taxes.
- F. Except with respect to payment for services, in order to receive the compensation listed above, the Coordinator must submit invoices to the City detailing the amount due, either on a bi-weekly or monthly basis, as may be determined by the City. In no event, shall billing be for a period in excess of 31 days.
- G. Obligations of the City. In the performance of this Agreement, the City agrees to be accessible to the Coordinator, to comply with all reasonable requests of the Coordinator and to provide the

Coordinator reasonable access to documents that may be necessary to perform the services under this agreement.

- H. Status of the Coordinator. It is understood and intended by both parties that the Coordinator, in performing the Services herein and receiving the compensation for such services, shall be acting as an independent contractor for the City and not as an employee or agent of the City. In that regard, no taxes or benefits shall be withheld from the compensation to be paid to the Coordinator, nor shall any such benefits, including, but not limited to unemployment compensation premiums or Workers' Compensation premium accrue to the Coordinator or be paid by the City on behalf of the Coordinator.
- I. Indemnifications. Notwithstanding any provision in this Agreement or any attachment or exhibit hereto, Coordinator shall indemnify and hold harmless against any and all liability imposed or claimed, including reasonable attorney fees and other legal expenses by and person or entity arising directly or indirectly from an act or failure to act by the Coordinator its employees, agents or subcontractors and in which injury or death to any person or damage to property is caused.
- J. Termination
 - a. This Agreement may be terminated upon the delivery of a written notice of termination to the other party at least fifteen (15) days before the effective date of the termination.
 - b. The City may terminate the Agreement effective immediately upon the material breach of this Agreement, including but not limited to, falsification of documents, dishonesty, theft or other intentional breach. In such an event, no further compensation will be due.
- K. Equal Employment Opportunity
 - a. The Coordinator will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The Coordinator will take affirmative action to ensure that applicants are employed and the employees are treated during employment without regard to their race, color religion, sex or national origin. Such action shall include, but not be limited to, the following employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation and selection for training including apprenticeship. The Coordinator agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.
 - b. The Coordinator will, in all solicitations for advertisement for employees place by or on behalf of the Coordinator, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin.
 - c. The Coordinator will comply will all provisions of Executive Order No. 11246 of September 24, 1965 and be the rules regulations and relevant orders of the Secretary of Labor.
 - d. The Coordinator will furnish all information and reports required by Executive Order No. 12246 of September 24, 1965 and by the rules, regulations and relevant orders of the Secretary of Labor, or pursuant thereto and will permit access to books, record and accounts by the contracting agency and Secretary of Labor for purposes of investigation ascertain compliance with such rules, regulation and orders.
 - e. In the event of the Coordinator's non-compliance with the nondiscrimination clauses of this contract or with any of such rules, regulations or orders this agreement may be cancelled, terminated or suspended in whole or in part, and the Coordinator may be declared ineligible for further Government Contracts in accordance with procedures authorized in Executive Order No' 11246 of September 24, 1965 and such other

sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 25, 1965 or by rules, regulations or order of the Secretary of Labor or as otherwise provided by law.

- f. The Coordinator will include the provisions of subparagraphs (a) through (f) in every subcontract or purchase order unless exempted by rules, regulations or order of the Secretary of Labor issue pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor vendor. The Coordinator will take such action with respect to any subcontractor or purchase order as the Contract Agency may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event the Coordinator becomes involved in, or is threatened with litigation with a sub-contract or Coordinator or vendor as a result of such direction by the Contracting Agency, the Coordinator may request the United States to enter into such litigation to protect the interest of the United States.
- L. Segregated Facilities. The Coordinator will not maintain any facility which is provided for their employees in a segregated manner or permit their employees to perform their services at any location under control where segregated facilities are maintained except that separate or single-user toilet and necessary changing facilities shall be provided to assure privacy between the sexes.
- M. Conflict of Interest. The Coordinator will abide by the provision that no member, officer or employees of the grantee, or its designees or agents, no member of the governing body of the locality or localities, who exercises any functions or responsibilities with respect to the program during the tenure or for one year thereafter, shall have any direct or indirect interest in any contractor, subcontractor or the proceeds thereof, financed in whole or in part with Title I grants.
- N. Copeland "Anti-Kick Back Act." The Coordinator agrees to comply with the Copeland "Anti-Kick Back Act" (18 U.S.C. 874) as supplemented in Department of Labor Regulations (29 CFR, Part 3). The Coordinator shall not induce, by any means, any person employed in the construction, completion or in repair of public work, to give up any part of the compensation to which is otherwise entitled.
- O. Termination of Agreement for Cause. If, through any cause, the Coordinator shall fail to fulfill in a timely and proper manner her obligations under this contract, or if the Coordinator shall violate any of the covenants, agreements or stipulations of this contract, the City shall there upon have the right to terminate this agreement by giving written notice to the Coordinator of such termination and specifying the effective date thereof, at least five (5) days before the effective date of such termination. In such event, all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs and reports prepared by the Coordinator under this agreement shall, at the option of the City, become its property and the Coordinator shall be entitled to received just and equitable compensation for any work satisfactorily completed hereunder. Notwithstanding the above, the Coordinator shall not be relived of liability to the Agency for damages sustained by the City, by virtue of any breach of the agreement by the Coordinator, and the City may withhold any payments to the Coordinator for purpose of set off until such time as the exact amount of damages due the City from the Coordinator is determined.
- P. Termination of Contract for Convenience. Either party may terminate this Agreement at any time by giving written notice of such termination and specifying the effective date thereof, at least fifteen (15) days before the effective date such termination. If the Agreement is terminated by the City as provided herein, the Coordinator will be paid an amount based on the time and expenses incurred by the Coordinator prior to the effective date of such termination.
- Q. Miscellaneous Terms.
 - a. This agreement shall comprise the entire agreement and shall supersede any and all other agreements between the parties, whether verbal and written.

- b. The laws of the State of Ohio shall control the validity, effect and interpretation of the Agreement.
- c. If any part, clause, provision or condition of this Agreement is held to be void, invalid or inoperative, such voidness, invalidity or inoperativeness shall not affect any other clause, provision or condition hereof; but the remainder of this Agreement shall be effective as though such clause, provision or condition had not been contained herein.
- d. Any notices of any communication required or permitted by this Agreement to be delivered to or served on either shall be deemed properly delivered to, served on, and received by other party when personally delivered to the party or in lieu of such personal service, when deposited in the United States mail, certified with postage prepaid, addressed to the party. Unless notified in writing otherwise, the following shall be used for notices.

City of Oxford

Chief John A. Jones
Oxford Police Department
11 S. Poplar Street
Oxford, OH 45056

Coordinator

Peter M. Reising
4071 California Road
Okeana, OH 45056

With a Second Copy to:

Lt. Lara Fening
Oxford Police Department
11 S. Poplar Street
Oxford, OH 45056

- e. The parties agree that the approval and acceptance of this Agreement may be executed in any number of counterpart signature pages, all of which taken together shall constitute one and the same instrument, and any party or signatory hereto may execute its approval and acceptance of the Agreement by signing any such counterpart.

R. Prohibition Against Assignment. The duties and obligations under this Agreement may not be assigned by the Coordinator without the prior written consent of the City.

Now therefore, the parties by and through their authorized officers have executed this Agreement on the _____ day of _____, 2018.

Witness:

Witness:

Peter M. Reising:

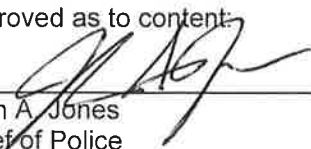
City of Oxford:

Douglas R. Elliott, Jr.
City Manager

Approved as to form:

Stephen M. McHugh
Law Director

Approved as to content:



John A. Jones
Chief of Police

Agreement with Peter M. Reising dated October 1, 2018

CERTIFICATE

The undersigned Finance Director for the City of Oxford, Ohio, hereby certifies that funds to cover payment for services or supplies embodied in this contract are presently available or in the process of collection and that Council has appropriated money for this purpose, and it remains unencumbered.

Joe Newlin
Finance Director

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: October 2, 2018

Sam Perry
Prepared By:

Account Code No. #:

Budgeted Amount:

September 23, 2018
Date Prepared:

PC-2018-23, ZONING MAP AMENDMENT, 5111 Morning Sun Road, from an OI (Office Industrial) District to a NB (Neighborhood Business) District, **Scott Webb, Applicant, Agent**

Recommendation: Approval

Discussion:

This application is a follow-up to an earlier re-zoning request for the same parcel that was not approved. Following that denial Mr. Webb applied for the new Neighborhood Business district designation for this approximately one acre vacant parcel of land. See the original Planning staff report attachment for purpose statement excerpts for both zoning districts.

The option for a NB district was created in 2016 for small businesses close to residential areas. The consensus of the Commission was that this should be tried as a way to encourage some controlled development on this vacant lot. The Commission reviewed the case with the four decision criteria and voted 7-0 to recommend approval to City Council. The Commission discussion identified decision standard B in its recommendation:

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

Map Amendments

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

Approved By:

Department Head:
City Attorney:
City Manager:

SB / 9-23-18
DRE / 9-28-18

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE PLANNING COMMISSION'S RECOMMENDATION AND GRANTING A ZONING MAP AMENDMENT FOR APPROXIMATELY ONE ACRE OF LAND LOCATED AT 5111 MORNING SUN ROAD OXFORD, OHIO, AND REZONING THE PROPERTY FROM OFFICE AND LIGHT INDUSTRIAL (OI) DISTRICT TO NEIGHBORHOOD BUSINESS (NB) DISTRICT.

WHEREAS, in accordance with Section 1135 of the Codified Ordinances of the City of Oxford, the Oxford Planning Commission held a public hearing on September 11, 2018, on the application of Scott Webb, Architect, for a Zoning Map Amendment for approximately one acre of land located at 5111 Morning Sun Road Oxford, Ohio, rezoning the property from Office and Light Industrial (OI) District to Neighborhood Business (NB) District; and

WHEREAS, the Oxford Planning Commission, after due deliberation, recommended granting the Zoning Map Amendment, and found that the proposed rezoning request was in keeping with the intended characteristics of the general vicinity of the property and was the most appropriate use of the property in question; and

WHEREAS, the Planning Commission found the request does comply with the intent of the Oxford Codified Ordinances and with the intent of Oxford Comprehensive Plan.

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

SECTION 1: Council hereby accepts the recommendation of the Oxford Planning Commission, and after due deliberation, finds for the granting of the Zoning Map Amendment rezoning approximately one acre of land located at 5111 Morning Sun Road Oxford, Ohio, from Office and Light Industrial (OI) District to Neighborhood Business (NB) District.

SECTION 2: Council hereby grants the rezoning request to Neighborhood Business (NB) District for the property as requested by the Applicant, incorporating the application and documents submitted by the Applicant as a term and condition of the granting of this Rezoning Request.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2018-23

Date – September 11, 2018

APPLICATION

Applicant:	Architect Scott Webb
Action Request:	Zoning Map Amendment from OI (Office and Light Industrial) to NB (Neighborhood Business)
Location:	5111 Morning Sun Road
Acreage:	Approximately 1 Acre
Owner:	H&P Properties (Shane Coffman)
Current Use:	Vacant/Agricultural/Wooded
Surrounding Land Uses:	Professional Office
Comp Plan Designation:	Developed Area/Neighborhood General 3

DESCRIPTION

This is a map amendment request for a 1 acre parcel at the intersection of Morning Sun Road and Sycamore Street. The parcel is vacant and partially wooded.

The request is to amend the zoning map for this parcel from OI (Office and Light Industrial) to NB (Neighborhood Business). A recent application for re-zone to R2MS was denied. NB is a new designation created in 2016 intended to allow for small-scale retail and services in or near residential areas. It was anticipated that single lots or “spots” could be zoned NB when this designation was studied and created by Planning and Council in 2016. This current OI district is 10 acres total. There is R2MS zoned land to the west and R1MS land to the south, across Sycamore Street. Across the street to the east is OI land, where a hotel is located. The west side of Morning Sun Road is comprised of professional offices.

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

Below is the staff analysis:

SITE BACKGROUND

The farmhouse formerly on this lot was removed around 2005-07, leaving the lot currently vacant of development. The property has changed hands twice in the past 10 years but no development has resulted. City staff has reviewed at least two different development proposals, one including only this lot, one including other lots. Neither resulted in development. The lot is sloping with the general (pre-developed) topography of the area. The lot appears deceptively small from the roadway because the rear half is steeply sloping and wooded. The current setback requirements of the OI district present an obstacle to developing this land without some type of special approval. While a re-zoning could result in development, it is important for Planning and Council to focus on the long term effects of a change in development rights of a property.

COMPREHENSIVE PLAN

The comprehensive plan does not provide specific guidance on this individual parcel. The land is labeled as already developed on the Conservation and Development Map 3.6. This appears to be because it was included in with the surrounding area unless the former house was considered a “developed” condition at the time. The Character Area Map 3.7 labels the land as part of Neighborhood General 3, which is the 2,300 acre residential area outside of the Mile Square.

Although the Comp Plan does not provide specific guidance, it does provide general guidance through the Land Use Principles found on pages 3.8 to 3.12. Some pertinent excerpts of those principles are included below. Italics are staff comments.

Infill development and redevelopment of underutilized sites is a priority

- Reuse of vacant and underutilized sites will be encouraged prior to new development.
Utilizing land already within urbanized areas rather than sprawl is a common theme throughout the Comp Plan. This particular parcel is a vacant parcel and likely has all utilities available to the property; therefore it is a good candidate for development that does not require substantial expenditure.

Future growth at the edge of the city will preserve open space, protect the area's rural character, and be consistent with the other principles.

- New growth on the edge of the community will not compromise the rural landscape or the community's small town character.

Determining that there is a transition is not an issue, but determining where the transition should happen is difficult. Sycamore Street is a natural boundary where the existing urban form changes from larger lot development to smaller residential lots. This is a result of the Mile Square boundary. Rezoning a parcel on the north side of Sycamore Street could result in an alteration to this natural boundary in the near future. The NB district could be an appropriate transition because of the boundary area and also the proximity to residential neighborhoods.

Streets will create an attractive public realm.

- Roads in rural areas will complement the character of rural areas (i.e., width, setbacks, landscaping buffers).

The street is the gateway into the community. The streetscape north of Sycamore street is currently more rural in nature than south of Sycamore Street. There are no curbs, the buildings are set back farther and there are fewer curb cuts. The NB district restricts size and scale of buildings which could serve to maintaining this goal.

Places will be connected to create better opportunities to walk, bike and access public transportation throughout the community.

- Bike paths and walking paths will be integrated into new development and areas undergoing redevelopment

A sidewalk was recently installed along this property in order to provide access to the Oxford Area Trail. Any Rezoning or redevelopment of this land should be done sensitively to avoid creating conflicts or safety issues that do not already exist. The NB district is intended to foster non-motorized commerce because of its scale and strategic location; therefore, it could be a good fit for this site.

AGENCY REVIEWS

Police:	Returned with no comments
Engineering:	Returned with no comments
Econ. Dev.	No comments returned

Fire: Returned with no comments

DECISION CRITERIA

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

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

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

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

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

Excerpts from the Comprehensive Plan above can be used in support of this proposed amendment.

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

*The staff interpretation of this decision criteria is that the substantial change is referring to the time period **since the adoption of the 2008 Comp Plan**. The physical conditions of the area have not changed; the same buildings and roads that surround this lot are the same ones that existed in 2008. However, the enrollment at Miami University has increased, new student residential development has occurred in the community and Miami itself has been in the process of implementing their Housing Master Plan. Additionally, the city rezoned approximately 100 Acres of land in the eastern portion of the Mile Square to increase residential density.*

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

Although there are several neighborhood commercial uses (Johnny's Deli, Paesano's Restaurant, etc), no districts have been established as of yet. This district allows both residential and commercial. As stated by Mr. Webb, a re-zoning would not preclude professional offices. Residential is typically a primary driver of development in Oxford, therefore a small mixed-use development could create much needed small spec commercial space in Oxford for new business starts in appropriate locations.

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

RECOMMENDATION

If the Planning Commission deliberates through the decision criteria, this staff report and any new facts presented will provide an ample record in order for a well-founded recommendation to be forwarded to the City Council. The decision of whether to approve or deny the map amendment request from OI to NB for this 1 acre parcel at 5111 Morning Sun Road should be solely focused on the findings of the four decision standards. Staff recommends that the Commission forward a recommendation of approval to Council.

SUBMITTED

BY:

A handwritten signature in cursive script, reading "Sam Perry", followed by a long horizontal flourish line.

Sam Perry, AICP
Director

DATE: September 7, 2018

ATTACHMENT

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

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

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

Map Amendments

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

FROM:

1143.13 OF OFFICE AND 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

TO:

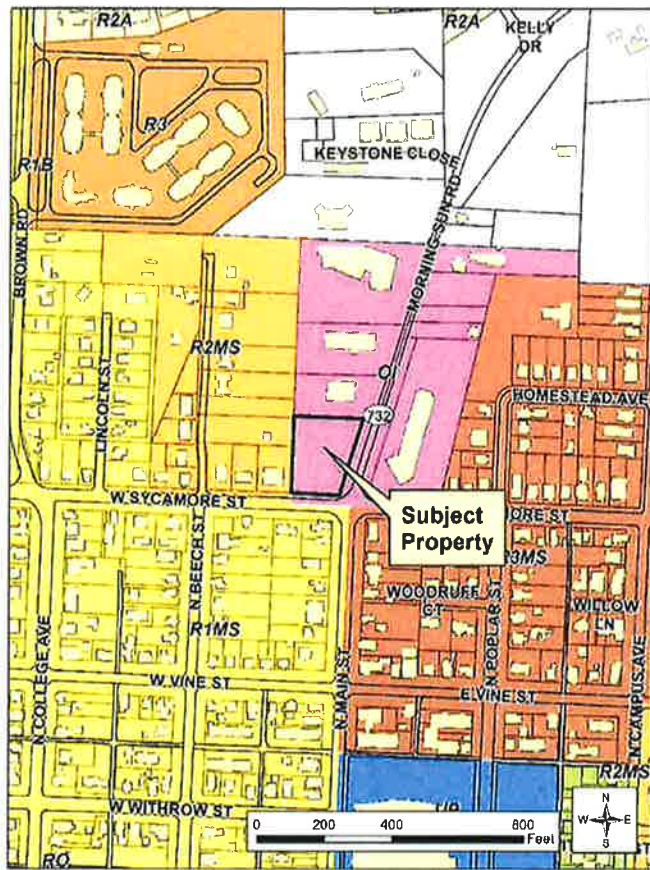
1143.16 NEIGHBORHOOD DISTRICT. NB BUSINESS DISTRICT.

(a) Purpose. This district is intended to provide small-scale retail and services on sites in or near residential areas, while having little impact on them. Uses are limited in scope to promote local orientation. Development is intended to be compatible with the scale of surrounding residential areas development through pedestrian-orientation (or limited auto-orientation when the site is adjacent to collector streets)

(b) Uses.

(1) Permitted Uses.

- A. Two dwelling units of any combination of dwelling types as defined in Section 1159.05(8), A, C and D, on the upper floor.
- B. Professional services limited to 2,500 square feet of gross floor area.
- C. Retail services limited to 2,500 square feet of gross floor area.



- D. Personal services limited to 2,500 square feet of gross floor area.
- E. Child daycare center limited to 2,500 square feet of gross floor area.
- F. Cultural facilities, including museums, art gallery, library limited to 2,500 square feet of gross floor area.
- (2) Conditional Uses: The following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.
 - A. Residential dwelling types as defined in Section 1159.05(8), A, or C or D, on the first floor or basement.
 - B. Restaurant
 - C. Professional, retail, personal services, daycare center, cultural facilities that have more than 2,500 square feet of gross floor area.
 - D. Community-Oriented Residential Social Service Facilities (CORSSF's).
 - E. Shared Housing and Congregate Housing for the Elderly.
 - F. Government owned and/or operated parks and recreation facilities.
 - G. Bed and Breakfast homes.
 - H. Open space recreation areas that are privately or publicly owned, such as golf courses, tennis courts, parks, forests, or wildlife preserves.
 - I. Schools; primary, intermediate, and secondary, both public and private.
 - J. Places of Worship.
 - K. Hotel,
 - L. Animal hospital
 - M. Extended business hours beyond the hours of operation as permitted.

(c) Site Development Regulations. (unless superseded by Conditional Use Requirements)

- (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 20 feet in the Mile Square or the average front yard setback of the block face, whichever is higher. 30 feet outside of the Mile Square.
 - B. Minimum rear yard depth See table below.
 - C. Minimum side yard width See table below.
- (3) Structural requirements.
 - A. Maximum building height 35 feet.

	Minimum building setback from residential zoned properties	
Height of the Building	Lots abutting a side lot line of a residential zoned lot	Lots abutting a rear lot line of a residential zoned lot
20 feet or less in height	7.5 feet	35 feet
More than 20 feet, but less than 35 feet in height	10 feet	40 feet

- (4) Maximum Lot coverage 50 percent

(d) Supplementary Regulations:

- (1) The required front yard shall be landscaped with trees, shrubs and ground cover. A minimum of 1 tree for every 25 feet of linear feet of frontage, with the exception of the area used for vehicle access. The tree spacing shall be consistent with the requirements outlined in Oxford Codified Ordinance Section 935.06. Trees shall be hardwood type, as listed on the City's Tree List maintained by the Environmental Commission. Each tree shall be a minimum 2" caliper in diameter at breast height (DBH). All landscaping

material shall be maintained in good condition, Any missing or dead material shall be replaced in a timely manner.

- (2) The placement of any proposed building shall be consistent with the average setback of the blockface.
- (3) Development should preserve the historic character of Oxford while embracing high quality design that complements existing building.
- (4) New building shall be designed in style, mass, scale and materials compatible with the surrounding properties.
- (5) Addition to an existing building shall be sympathetic to the architectural scale and style of the existing building. The material for the addition shall also be similar and consistent with the existing building.
- (6) The maximum pedestrian walking distance from the street to the entrance of the building shall not be more than 150% of the required front yard setback, or the average front yard setback distance, whichever is larger.
- (7) Buffering shall be provided along the property lines adjacent to residential zoned properties. Such buffering shall consist of a solid green or dense green hedge a minimum of 6 feet tall. Green hedges shall be 6 feet tall at planting and maintain at least 90 percent opacity over time.
- (8) Hours of operation shall be limited to 8 am to 9 pm, or subject to the approval from the Planning Commission.
- (9) All parking shall be located to the side or to the rear of the building. No more than 50% of the frontage upon the street could be used for parking area.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: August 7, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2018-23, ZONING MAP AMENDMENT, 5111 Morning Sun Road, from an OI (Office Industrial) District to a NB (Neighborhood Business) District, **Scott Webb, Applicant, Agent**

 X Review Revisions Other

Please return no later than: **September 5, 2018** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:



PRINTED NAME

Date:

8-14-18

City of Oxford
Inter-Office Review Transmittal Sheet

Date: August 7, 2018

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

From: Community Development Department

PC-2018-23, ZONING MAP AMENDMENT, 5111 Morning Sun Road, from an OI (Office Industrial) District to a NB (Neighborhood Business) District, **Scott Webb, Applicant, Agent**

 X Review Revisions Other

Please return no later than: **September 5, 2018** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

Drawings reviewed by:

V. Popescu

Date: 8-13-18

VICTOR POPESCU

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: August 7, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2018-23, ZONING MAP AMENDMENT, 5111 Morning Sun Road, from an OI (Office Industrial) District to a NB (Neighborhood Business) District, **Scott Webb, Applicant, Agent**

 X Review Revisions Other

Please return no later than: **September 5, 2018** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:  Date: 8/8/18
John A. Jones
PRINTED NAME



PC-2018-23 Surrounding Property Owners Notifications Map

Legend

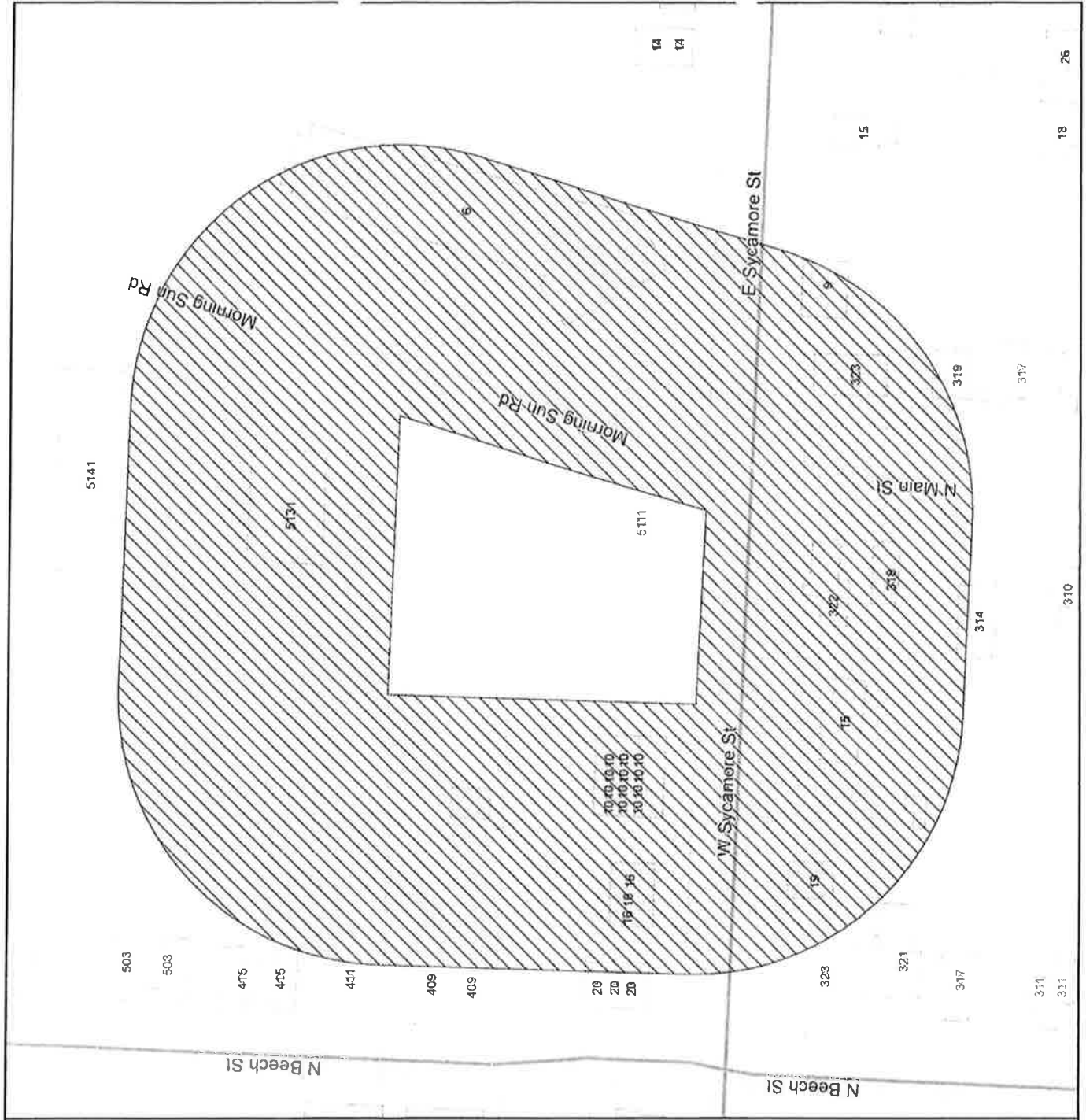
- Subject Parcel
- 200 Ft. Buffer
- Oxford Corp. Limit
- Address Point
- Parcel
- 16.5' Vacated ROW
- Building Footprint
- Paved Roadway



1 inch = 100 feet

Prepared on Monday, August 27, 2018

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





**CITY OF OXFORD
PLANNING COMMISSION
REVIEW AND COMMENT FORM**

CASE NO.: PC-2018-23

DATE OF HEARING: September 11, 2018

ZONING MAP AMENDMENT, 5111 Morning Sun Road, from an OI (Office Industrial) District to a NB (Neighborhood Business) District, **Scott Webb, Applicant, Agent**

If you cannot attend this public hearing being held before the City of Oxford Planning Commission, but would like to comment on this matter, please complete this form and return it at your earliest convenience to Lynn Taylor, 15 S. College Avenue, Oxford, OH 45056.

Name:

(Print)

Address:

Tony MILLER
4721 Riggs Rd. Oxford

Telephone:

Home:

Work: 513-5327566

COMMENT:

Stay OI

Tony Miller
Signature

8-28-18
Date

To whom it may concern;

It seems to me that Mr. Scott Webb could be more creative in his line of work.

He only designs mega apartment buildings, why not focus on a professional business complex.

I'd like to see professional jobs offered here instead of people commuting out of town.

What businesses have interest in being involved in "neighborhood business"?

Is this a scheme to build more student housing or legitimate opportunities for real professionals to establish in Oxford?

Mr. Webb could even help the City of Oxford create a project on the very expensive piece of property they inherited in a law suit many years ago.

Tony Miller

A handwritten signature in cursive script that reads "Tony Miller". The signature is written in black ink and is positioned below the printed name "Tony Miller".

LETTER OF AGENCY

To Whom It May Concern:

Please be advised that Scott Webb, Architect has permission to represent our interest with the City of Oxford's Planning Commission & City Council regarding a proposed Zoning Map Amendment at 5111 Morning Sun Road.

Thank you,

Signed: 
Share Coffman, H & P Properties LLC


Date:



Internal Use Only:	PC-2018- 23
Case No.	
Date Filed	7/27/18

Zoning Map Amendment Application

Applicant Information

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

Name *	Scott Webb, Architect
Mailing Address *	103 West Walnut Street
City, State & Zip Code *	Oxford, Ohio 45056
Telephone Number(s) *	523-3838
Email Address	scott@scottwebbarchitect.com

Location and Lot Information

Location *	5111 Morning Sun Road
General Description of Proposed Amendment *	Map Amendment for the corner of Sycamore and Morning Sun Road
Current Zoning *	OI (Office Industrial)
Proposed Zone(s) *	NB (neighborhood Business)

Submission Requirements and Documentation

From Section 1135.02 Procedure¹.

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

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

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

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

Surrounding Property Owners

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

Decision Process

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

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

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

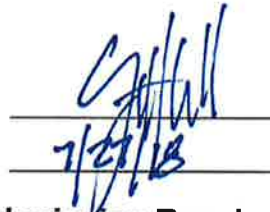
Fees & Receipt

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

Sign and Date

Applicant Signature *

Date *



Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

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

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

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

Sam Perry, Planner
City of Oxford
Municipal Building
15 South College Ave.
Oxford, Ohio 45056



SCOTT
WEBB

ARCHITECT

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

www.scottwebbarchitect.com

Re: Application for Zoning Map Amendment
5111 Morning Sun Road
Oxford, Ohio 45056

May 23, 2018

Dear Mr. Perry,

Thank you for taking the time to meet with Mr. Coffman and I regarding the opportunities a Neighborhood Business District Zoning designation may have for us at the Morning Sun Road property.

After Planning Commission's recommendation for denial of our Map Amendment to R2MS, City Council seemed to have similar reservations, but seemed more inclined toward a mixed-use Zone.

To that end, please accept this letter as a formal request for a review hearing by the City of Oxford Planning Commission and Oxford City Council for a Zoning Map Amendment for the property at 5111 Morning Sun Road, at the corner of Sycamore and Morning Sun Road. The proposed Zoning Map Amendment will change the affected property from OI (Office Industrial) to NB (Neighborhood Business District).

Statement responding to Decision Standards on the Application.

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

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

While this is not an error on the map per Staff's interpretation of this standard, prior to the 2003 Map Amendment, the property was Zoned R4A, Suburban Multiple Dwelling. In 2003, despite being surrounded by residential development, the zoning was changed to OI, Office Industrial, with Planning Commission predicting a future Medical Office use, and eliminating most other opportunities for the property owner.

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

The Comprehensive Plan refers to this area generally as part of the "Neighborhood 3" area on the **Character Map**, described as being on the outskirts of the Mile Square with the lowest residential density, though containing single to multi-family density per the Character Area Matrix. Current Zoning does not allow residential, so change in the map to allow residential would clearly make this conform more closely with the Comprehensive Plan

There are competing objectives and strategies in the **Land Use chapter**,

Objective 4 suggests the need for research, development, and office space, yet further suggesting this should be along the north 27 corridor.

Objective 2 suggests enhancing the neighborhoods in the Mile Square. Neighborhood Business District Zoning "...is intended to provide small-scale retail and services on sites in or near residential areas, while having little impact on them. Uses are limited in scope to promote local orientation."

A Neighborhood Business District designation could allow the combination of uses to share the site, providing businesses, offices with upper level residential.

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

The current zoning was likely decided with the development of a variety of medical offices further north along Morning Sun Road. After 15 years and numerous owners, the site has never produced a viable project fitting within the narrow confines of the OI Zoning District. Grading, access from the intersection and parking requirements for commercial uses on small sites has affected the feasibility of such a project.

A zoning change to Neighborhood Business in this area recognizes the difficulty of developing the property and will provide opportunities for more viable and compatible uses for the neighborhood than an Office Industrial, commercial use.

Planning Commission spent over a year looking for additional density in the Mile Square, particularly in the North quadrant of the Mile Square, adjacent to the University and their parking areas. As residential will likely increase, small localized commercial space to serve this population and reducing car trips.

The change does not preclude the continuation of medical or professional offices, as each would be allowed in the new zoning district.

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

In the context of our previous application to R2MS, Council and Staff expressed interest in using this newly created Zoning District, potentially being the first of its kind in the City.

With no interest in a commercial use for the property and Planning Commission's expressed need for additional residential development adjacent to campus, the Map Amendment would allow the development of a vacant parcel, and take pressure off of other neighborhoods in the City.

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

Respectfully,



Scott Webb, Architect

Zoning Area Map Showing Adjacent Zoning



Enlarged Zoning Area Map Showing Adjacent Zoning

Aerial Photograph Showing Adjacent Development



**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: October 2, 2018

Sam Perry

Account Code No. #:

Prepared By:

Budgeted Amount:

September 23, 2018

Date Prepared:

PC-2018-24, CONDITIONAL USE, Miami University & Community Federal Credit Union, 31 Lynn Avenue, to allow for the construction of a banking facility with drive through service, in a GB (General Business) District, Maria Schertler, The Architectural Group, Applicant, Agent

Recommendation: Approval with conditions

Discussion:

This is a proposal for a new bank with drive-through service to be built on a now vacant lot. The drive-through aspect of the project requires the conditional use because of potential impacts on surrounding properties. The specific decision standards of the bank drive-through code are mostly focused on negative impacts to adjacent residential areas, which is not the case in this situation. Therefore a review determined that any negative impact of the drive-through could be mitigated with the design proposed. The requested zoning code waivers were determined to be appropriate. Additional conditions of mature tree protection and dumpster screening were added through Commission discussion. Although not a condition it was requested that a good faith effort to make a pedestrian connection (ex: McDonalds / Library) between adjacent properties continue to move forward. At the time of the meeting, efforts to connect the new bank directly to the LaRosa's site had not worked out. There are some topographic challenges and owner coordination required. The Commission voted 7-0 to recommend approval of the new bank with drive-through to City Council with 6 waivers/conditions:

1. Reduction of front façade glazing from 60% to 45%
2. Reduction of parking setback on south side from 6 feet to 3.5 feet
3. Reduction of parking setback on north side from 6 feet to 1 foot
4. Reduction of private sidewalk width from 5 feet to 4.5 feet as shown on plans
5. Protection of 5 mature trees during and after construction
6. Visual screening of dumpster enclosure with landscape plantings

Although not required by code, the bank is constructing a public sidewalk along the frontage of the property. This will provide continuity from the north but does not continue to the south at this time.

Approved By:

Department Head:

City Attorney:

City Manager:

 / 9-23-18
 / 9-28-18

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE RECOMMENDATION OF THE PLANNING COMMISSION AND APPROVING A CONDITIONAL USE PERMIT FOR A BANKING FACILITY WITH A DRIVE-THROUGH WINDOW IN THE GENERAL BUSINESS (GB) DISTRICT TO BE LOCATED AT 31 LYNN AVENUE OXFORD, OHIO 45056 WITH CONDITIONS.

WHEREAS, Council finds in accordance with Oxford Codified Ordinance Section 1147.02 the City of Oxford Planning Commission held a public hearing on September 11, 2018 for the purpose of considering the request of Maria Schertler, Applicant, for a conditional use permit for a banking facility with a drive-through window; and

WHEREAS, the Planning Commission, after public hearing and discussion, voted and approved a motion recommending approval of the conditional use permit application for a banking facility with a drive-through window to be located at 31 Lynn Avenue Oxford, Ohio 45056 with the six conditions.

THE COUNCIL OF THE CITY OF OXFORD HEREBY ORDAINS THAT:

SECTION 1: Council hereby accepts the recommendation of the Planning Commission and accepts the recommendation report submitted by the Planning Commission and incorporates the same herein and further grants the conditional use permit application for a banking facility with a drive-through window in the General Business District to be located at 31 Lynn Avenue Oxford, Ohio 45056 with six conditions listed below as recommended by the Planning Commission being incorporated as a requirement of this approval.

1. The front façade glazing shall be reduced from 50% to 45%.
2. The parking setback on the south side shall be reduced from 6 feet to 3.5 feet.
3. The parking setback on the north side shall be reduced from 6 feet to 1 foot.
4. The private sidewalk width shall be reduced from 5 feet to 4.5 feet.
5. Five mature trees shall be protected during and after construction.
6. The dumpster enclosure shall be visually screened with landscaping.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2018-24

Date –September 11, 2018

APPLICATION

Applicant:	Maria Schertler (The Architectural Group)
Location:	31 Lynn Ave
Owner:	Richard Parker (Miami University Community Credit Union)
Action Request:	Conditional Use Permit Application for a drive-through as part of a new bank
Current Use:	Vacant
Zoning:	GB (General Business) District
Surrounding Existing Land	
Uses:	Restaurants, Offices, Retail

GENERAL DESCRIPTION

As noted in the attached narrative letter, Miami University Community Credit Union acquired a 0.5 Acre lot on Lynn Avenue. On behalf of MUCCU, Architect Maria Schertler is requesting a conditional use permit to construct a bank building with drive through service. The lot is in the General Business district parallel to the Locust Street corridor. There are existing retail uses and professional offices in the surrounding area. The Planning Commission needs to review this case and forward a recommendation to City Council. The drive through aspect of the business requires the conditional use review process. The process is intended to determine if the use is an appropriate fit in the location and if there are any adverse effects it would have, that could be mitigated by additional conditions.

PUBLIC COMMENTS

Public notices were mailed to surrounding property owners and a sign was posted at the front of the property. No public comments have been received as of this report.

AGENCY REVIEWS

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

Police:	Returned without comments
Fire:	Returned without comments
Engineering:	Returned with comments regarding storm water management requirements.
Econ. Dev.:	No comments returned

ZONING CODE REVIEW

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

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

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

(1) **Burden of Proof.**

- A. Planning Commission has no obligation to recommend approval and City Council has no obligation to approve a Conditional Use. This Zoning Code assumes that the uses listed in this section are not appropriate unless an applicant proves that the use will not be detrimental to the public health,

safety, or general welfare of the City or the neighborhood in which it is proposed.

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

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

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

(d) Action by Planning Commission.

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

1147.03(b)(8)

Drive-Through Banking and Pharmacy Facilities.

- A. Potential Concerns.
 - 1. Design of vehicle management area.
The design meets the minimum zoning requirements with the exception of the property line setbacks being less than 6 feet.
 - 2. Noise from operations (vehicle and loudspeaker).

Any noise that may be generated to an off-site location would be directed toward a commercial parking lot.

3. Screening from adjacent uses.

The adjacent uses are all commercial in nature.

B. Regulations.

1. Drive-through stations shall not be located in a yard adjacent to a residential zoning district.

N/A

2. Queue spaces shall not be located in a yard adjacent to a residential zoning district.

N/A

ANALYSIS:

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

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

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

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

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

Yes, the proposed use can be satisfied by allowing a new drive through as long as the changes are not negative to the surroundings.

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

One of the objectives of the Comp Plan is to utilize existing land within corporate limits. While the lot is very compact for the proposed use that is automobile-oriented, the Commission may consider this an appropriate use of land.

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

As stated above the site is small for the use; hence the parking lot setback reduction request. Storm water management may have to be underground.

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

None anticipated.

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

Not applicable.

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

No unrelated accessory uses being proposed.

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

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

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

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

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

The building is similar design to the existing MUCCU building on College Corner Pike. The Lynn Ave corridor has a variety of different building materials with this building being a similar size and scale in proportion to the lot size.

- 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.**

Planning staff has expressed some concern to The Architectural Group about the curb cut location in relation to the curb cut on the adjacent property. The designers have attempted to reverse the location but were not able to per the attached narrative letter.

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

The site was cleared of a former home and is currently vacant with several mature trees. There are five mature trees identified on the landscape plan that should be protected during the construction phase as a condition of the approval. Two are on the lot and three are adjacent to the north.

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

Staff is not aware of any obstacles for the applicant or owner to obtain additional licensing or permits. A building permit will be required before the construction commences.

ZONING CODE COMPLIANCE

The applicant supplied a comprehensive letter outlining the conflicts with zoning code:

- Reduction of front façade glazing from 60% to 45%
- Reduction of parking setback on south side from 6 feet to 3.5 feet
- Reduction of parking setback on north side from 6 feet to 1 foot
- Reduction of sidewalk width from 5 feet to 4.5 feet

CONCLUSION/RECOMMENDATION: Based on the above findings, staff recommends approval of the conditional use with the requested waivers above and a condition that the five mature trees shown on sheet C1.3 be protected during construction. The designers took two suggestions from staff: 1) attempting to connect pedestrians with adjacent LaRosa's and 2) to re-locate the curb cut, neither of which were determined to be feasible at this time. Therefore, the case can be recommended for approval with the proposed layout.

SUBMITTED BY:



Sam Perry, AICP
Director

DATE: September 7, 2018

ATTACHMENT

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

(1) **Burden of proof.**

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

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

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

City of Oxford
Inter-Office Review Transmittal Sheet

Date: August 7, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2018-24, CONDITIONAL USE, Miami University & Community Federal Credit Union, 31 Lynn Avenue, to allow for the construction of a banking facility with drive through service, in a GB (General Business) District, Maria Schertler, The Architectural Group, Applicant, Agent

 X Review Revisions Other

Please return no later than: **September 5, 2018** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

See memo dated 8/30/18

Drawings reviewed by:

Scott Otto

Date:

8/30/18

Scott Otto

PRINTED NAME



Memo

Service Department
Engineering Division

513/524-5208 fax 513/524-5267

TO: Community Development Department

FROM: Scott Otto, P.E.
Engineer

RE: PC-2018-24
Conditional Use
31 Lynn Avenue – Miami Univ. & Community Federal Credit Union

DATE: August 30, 2018

The following is our comment:

- The proposed development shall include storm water management, including storm water detention design, per the City of Oxford Stormwater Management Design Manual.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: August 7, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2018-24, CONDITIONAL USE, Miami University & Community Federal Credit Union, 31 Lynn Avenue, to allow for the construction of a banking facility with drive through service, in a GB (General Business) District, Maria Schertler, The Architectural Group, Applicant, Agent

 X Review Revisions Other

Please return no later than: **September 5, 2018** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:  Date: 8/20/18
John A. Jones, Police Chief
PRINTED NAME



PC-2018-24

Surrounding Property Owners Notifications Map

Legend

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



1 inch = 100 feet

Prepared on Monday, August 27, 2018

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





improving lives
everyday

LETTER OF AGENCY

To Whom It May Concern:

Please be advised that The Architectural Group, Inc., Norm Butt Principal, and Maria Schertler has permission to represent our interest with the City of Oxford and act on our behalf for the Planning Commission hearing meeting on September 11, 2018, regarding the Miami Community Credit Union, Branch at our property located at 31 Lynn Ave., Oxford, Ohio 45056.

Thank-you,

Signed:

Richard A. Parker
President/CEO

July 24, 2018

Miami University and Community Federal Credit Union

5120 College Corner Pike • Oxford, Ohio 45056 • phone 513-523-8888 • fax 513-523-1718 • cumemservice@muccu.org • www.muccu.org



Internal Use Only:	PC-2018-24
Case No.	
Date Filed	7/30/18

Conditional Use Permit Application

Applicant Information

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

Name * Maria Schertler

Mailing Address * 135 N. Main St.

City, State & Zip Code * Dayton, OH 45402

Telephone Number(s) * (937) 223-2500

Email Address schertlerm@taguit.com

Owner Information

Name * Miami University Community Federal Credit Union

Mailing Address * 5120 College Corner Pike

City, State & Zip Code * Oxford, OH 45056

Telephone Number(s) * (513) 529-2739

Email Address rick@muccumail.org

Location and Lot Information

Location of Property * 31 Lynn Street, Oxford, OH 45056

Legal Description * Parcel No: H4100.016.000.074; Lot#3076

Zoning District * GB

Total Area * 0.476 → Check One * Acres ☒ Square Feet ☐

Existing Use Description * Single Family Residence til 2015 when the house was demolished for future credit union.

Proposed Use Description * Miami University Community Federal Credit Union office and bank facility with drive-thru.

Submission Requirements and Documentation

From Section 1147.02(a)¹.

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

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

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

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

Fees & Receipt

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

Sign and Date

Applicant Signature *

Maria E. Schuttles

Date *

07-27-18

Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

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

For Staff Use Only	7/30	212930
Fee Paid Date *		Receipt Number *

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

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



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

July 26, 2018

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

TAG COMMISSION NO.: 1752

RE: Conditional Use Application

Miami University and Community Federal Credit Union new building
31 Lynn Avenue
Oxford, OH 45056

Dear City of Oxford Planning Commission,

We are pleased to submit these documents to you in support for the new building for Miami University Community Federal Credit Union (MUCFCU) in the City of Oxford. We hope that this application, and the documentation contained within can aid and assist you in making your decision in support of our project. We look forward to your review and welcome any commentary from the Planning Commission or the Community at large.

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

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

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

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

Please see the attached Agent Authorization Letter dated 7/24/2018.

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

Parcel Number: H4100.016.000.074; Lot #3076.

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

The existing site had a 2500SF single family residence with a basement and an attached one car garage. MUCFCU bought the lot in 2014 and after extensive design studies to maintain the existing structure as the credit union offices it was deemed ineffective use of the building and site with excessive renovation cost, therefore in 2015 the residence was demolished and the basement infilled in preparation for their new building.

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

The zoning district is GB.

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

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The Miami University and Community Federal Credit Union serves all of the Butler County community. As an industry leader, the credit union assist member-owners in realizing personal financial success by providing competitive, value oriented products and services delivered in the tradition of excellence. The credit union provides both personal and commercial banking services inclusive of saving & checking accounts, loans, mortgages, and financial-planning. The new facility will have inside walk-up teller services, (6) loan officers, (2) drive-thru teller lanes, located on the north side of the building, and an exterior 24HR drive up ATM machine. Business at the credit union will vary from day to day but on average serving between 200-300 members for banking or financial services. Approximately 25%-40% of this business is via the drive thru. Truck deliveries will include USPS mail, Fed-Ex/UPS shipping and office and banking supplies with weekly front loading trash and recycling service vehicles.

B. The hours of operation

The credit union will be open six days a week 9AM-5:30/6PM, with the exception of Saturday (1PM) and is closed on Sunday. The ATM will be operational 24HR/day.

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

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

Adjacent area uses include food service, banking, animal care, car service, retail and other such commercial service businesses. The credit union fits clearly into the existing service oriented business fabric of the surrounding blocks and easily could be one of several stops for clientele in the area. Not only will the credit union be serving patrons to the surrounding businesses but they are there to offer commercial banking services for all businesses in the area and county wide.

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

The new MUCFCU building is designed to fit comfortably on the 0.476 acre lot. The site design is a compact and efficient use of the lot with both driveway access and connecting lot sidewalk access; this enables members' safe and easy vehicular, cycle or pedestrian access to the building. The credit union is designed to add to the current aesthetic character of the General Business zoning district with a rich masonry exterior and shingled hip and gable roof line that relates well to adjacent buildings. The varied roofline helps to minimize the impact of the 3600 square foot building by reducing its mass and providing greater human scale. The masonry base and central glazed entry piece offer a level of permanence and importance to the structure inherent in the community oriented financial institution.

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

The new use of the site will create no excessive nuisances. Noise, lights and emissions common to a public service facility with a drive-thru will be created. This is not uncommon in the neighborhood with drive-thru businesses and car service bays adjacent to the property on the north, northwest, west, and southwest and a proposed drive-thru to be added at the LaRosa's to the northeast. With the credit union operating hours limited to

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typical business day hours (8AM-6PM) traffic will be less than neighboring businesses which have longer operating hours. No excessive noise, lighting, odor, et cetera is expected.

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

MUCFCU is about community and will provide neighboring businesses and patrons valuable financial opportunities. The building will add to the aesthetic character of the neighborhood. A well thought out site design will have a positive effect on adjacent land by being conscious of and controlling storm water via a retention area and permeable surfaces, tasteful signage, controlling waste management via an enclosure and providing exterior lighting that provides a safe yet non obtrusive lit environment for patrons and passersby alike.

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

The credit union's current Wells-Mill location will no longer be an option starting in 2020. The College Corner location is approximately 6 miles to the northwest and not convenient for members that have come to count on an in town location for banking and financial services. The 31 Lynn Ave location offers prime visibility and visitability for the credit union and its members, current and future. The adjacency to shopping, food service and retail will allow end users to minimize trips while maximizing efficiency of time in completing errands. For forty-nine years MUCFCU has served the Miami University community and it is important they invest in the Oxford community itself by maintaining an office and a presence in the heart of Oxford.

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

MUCFCU has served the Miami University community for 49 years. As a strong supporter of community success and growth for the good of the community itself and not for the financial success of the banking institution it is desirable that MUCFCU maintains a strong tie to the community. The new building and credit union location will allow MUCFCU to remain a part of Oxford and an asset for the continued growth and development of Oxford and the people that call Oxford home. With the new location and building the credit union will remain at the heart of the economic development area and their services to the community will be expanded and enhanced.

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

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

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

Respectfully,



Maria E Schertler, AIA
Senior Project Architect

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

July 26, 2018

Planning Commission
City of Oxford
101 E. High St.
Oxford, OH 45056

TAG COMMISSION NO.: 1752

RE: Conditional Use Application variances

Miami University and Community Federal Credit Union new building
31 Lynn Avenue
Oxford, OH 45056

Dear City of Oxford Planning Commission,

We submit this required Conditional Use application for the new building for Miami University and Community Federal Credit Union (MUCFCU) in the City of Oxford, per Section 1147 Conditional Use; drive-through banking. Included in this submission are areas of noncompliance with the City of Oxford Zoning Code and we request the following variances as part of the Conditional Use Application.

1. Chapter 1143 Districts

Section 1143.12 GB General Business

c. Site Development Regulations

4A Windows and transparent doors must occupy a minimum of 60% of the entire building wall area between 2.5' and 7' above grade plane along the front façade.

The front façade provides for 35% transparent glazing in the required area and height of the front façade. A spandrel window is located at the safe room, for security and safety reasons this should not be a transparent window. The spandrel window increases the percentage of total glazing to 45% of the front façade. Additionally the design for the entry includes a 2-story high glazed entry space which will flood the interior space with light. The total percentage of transparent glazing on the front façade, for its full height and area is 37%.

2. Chapter 1149 Vehicle Management

Section 1149.05 Non-Residential Regulations

a. Location

2: All paved areas shall be a minimum of 6'-0" off any lot line.

The 173' north lot line is within 6" to 1'-0" of the north drive-through paved lanes for a length of 78'. The adjacent lot to the north provides a minimum of a 17' wide green space along the length of the north lot line. The 173' south lot line is within 3'-7" to 5'-0" of the south paved area, for a length of 104'. This green space is planted the length with evergreen and deciduous shrubs and perennial prairie grasses to help buffer the adjacent building, which sits approximately 3' to 10' from its north lot line. The east and west paved areas are 6'-0" off their respective lot lines.

3. Chapter 1149 Vehicle Management

Section 1149.05 Non-Residential Regulations

a. Access Management

1D: All paved areas shall be a minimum of 30 feet from any other curb cut (measured from the lot line).

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The existing curb cut for the adjacent property to the south (the Animal Clinic) is within 30' of the south lot line. The new curb cut for the credit union is located 7'-0" from the south lot line. Site layouts were studied that located the drive-through on the south side of the building and the curb cut on the north side of the site but these layouts resulted in even greater areas of paved access roads, difficult traffic patterns for the drive-through, a smaller and tighter building and less green space. The distance between the south edge of the new curb cut and the north edge of the Animal Clinic curb cut is approximately 30' at the lot line.

The proposed site design locates the less desirable drive-through traffic along the adjacent parking lot and keeps the walk in traffic to the south and thus towards the adjacent Animal Clinic. We feel this is a more desirable traffic pattern for the adjacent properties.

4. Chapter 1149 Vehicle Management

Section 1149.05 Non-Residential Regulations

e. Additional Requirements

4: Parking Lot Design

R: Material and width of walkways at least 5'-0" wide.

The side walk along the south elevation of the building, adjacent to parking spaces #3, #4 and #5 is 4'-6" wide. The reduction of side walk width occurs for 26', the remainder of this sidewalk is 5'-6" wide and the accessible parking space is adjacent to the 5'-6" wide length. The parking spaces at the east of the lot will primarily serve employees who will enter at the east rear entry door. The sidewalk width reduction is a result of the varying depth of the south elevation to allow for the interest in the roof line and helps to reduce the massing of the building and fit with the adjacent building fabric.

Site sidewalks extend along the west lot line at Lynn Avenue connecting to the existing side walk to the north, there is no existing sidewalk at the south property to connect to but the sidewalk extends to the lot line. The east west sidewalk/path extends from the front sidewalk to the rear parking area, all but 6'-0" of the site length. We would like to note that MUCFCU has made attempts to coordinate with the property owner to the east (LaRosa's and shops) regarding extending the sidewalk to the eastern property and has offered to pay for the continuation of the sidewalk on their property to the paved area in order to increase pedestrian and bicycle traffic ways. The property owner to the east has not agreed to any joining sidewalk or connecting path.

We hope that this application, and the documentation contained within can aid and assist you in making your decision in support of our project. We look forward to your review and welcome any commentary from the Planning Commission or the Community at large.

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

Respectfully,

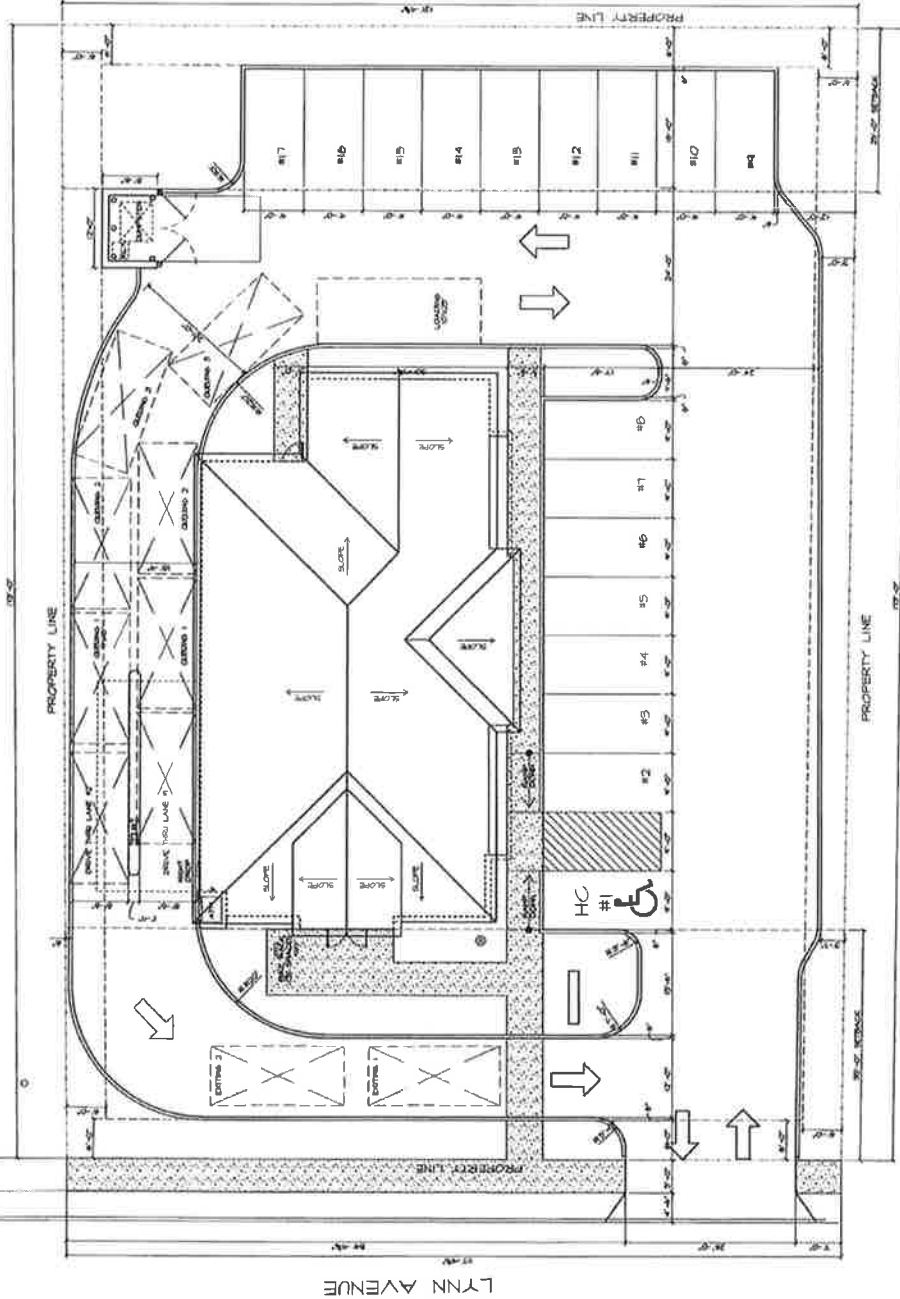


Maria E Schertler, AIA
Senior Project Architect

A NEW WORK SITE PLAN



PARKING REQUIREMENT	
5100 SF USABLE FLOOR AREA	
1345 SF FIRST FLOOR	
1645 SF BASEMENT FLOOR	
14 (210) PARKING SPACES MINIMUM	
17 (210) BICYCLE SPACES PROVIDED	
(12.5% OF MINIMUM)	
3 BICYCLE PARKING SPACES MINIMUM	



LYNX AVENUE

NEW CREDIT UNION
31 LYNN AVENUE
OXFORD, OHIO 45056

the architectural group
105 north main street
oxford, ohio 45056
tel: 517.223.0866
fax: 517.223.2500
www.agg.com

1702 - MERCURY LYNN
1702 - DRA\1650732 - C1.2.DGN



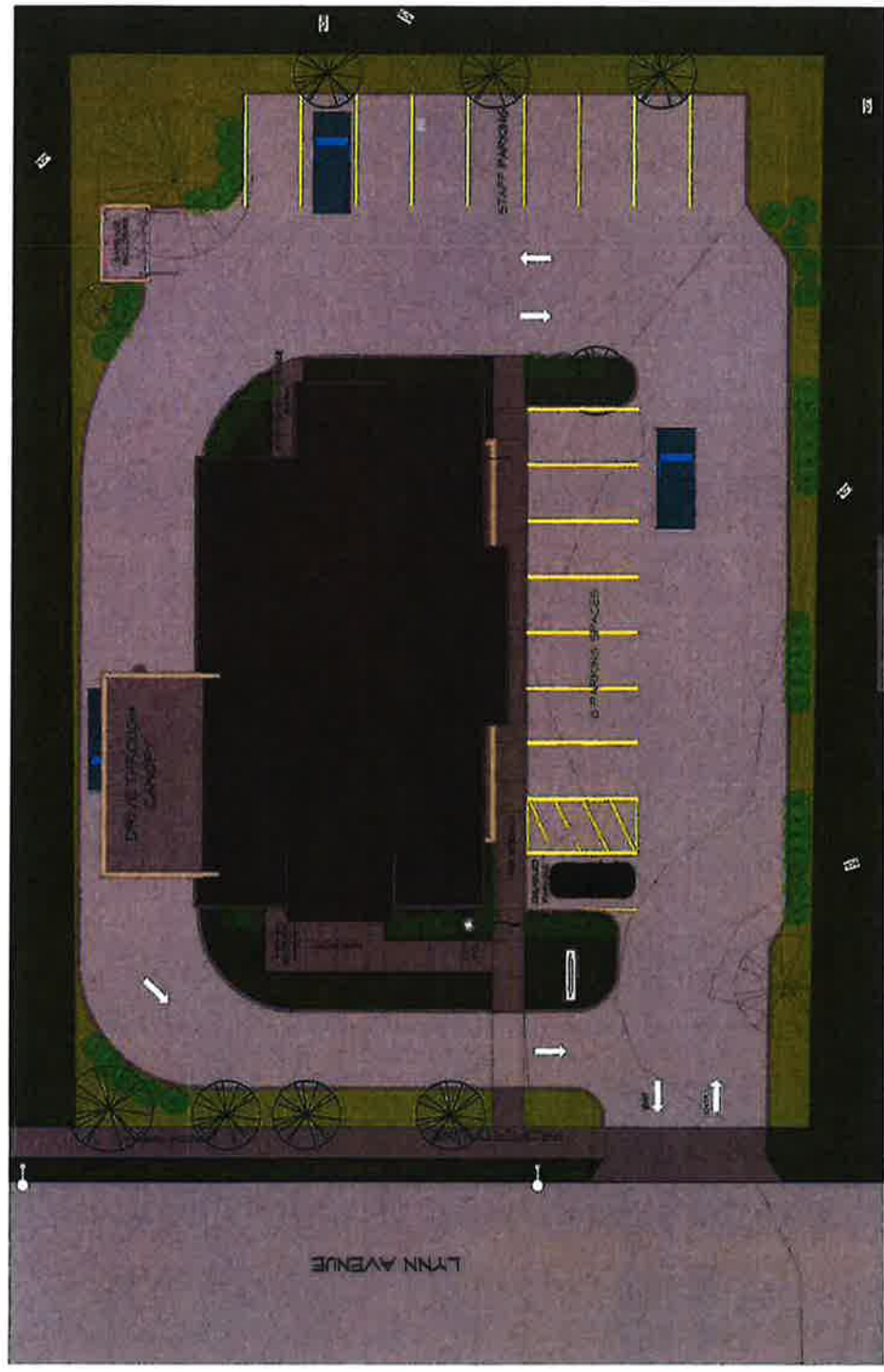
THE ARCHITECTURAL GROUP
1325 N. KIRKWOOD AVE. SUITE 100
OXFORD, OHIO 45056
TEL: 937.233.2500
FAX: 937.233.0800
WWW.THAGROUP.COM

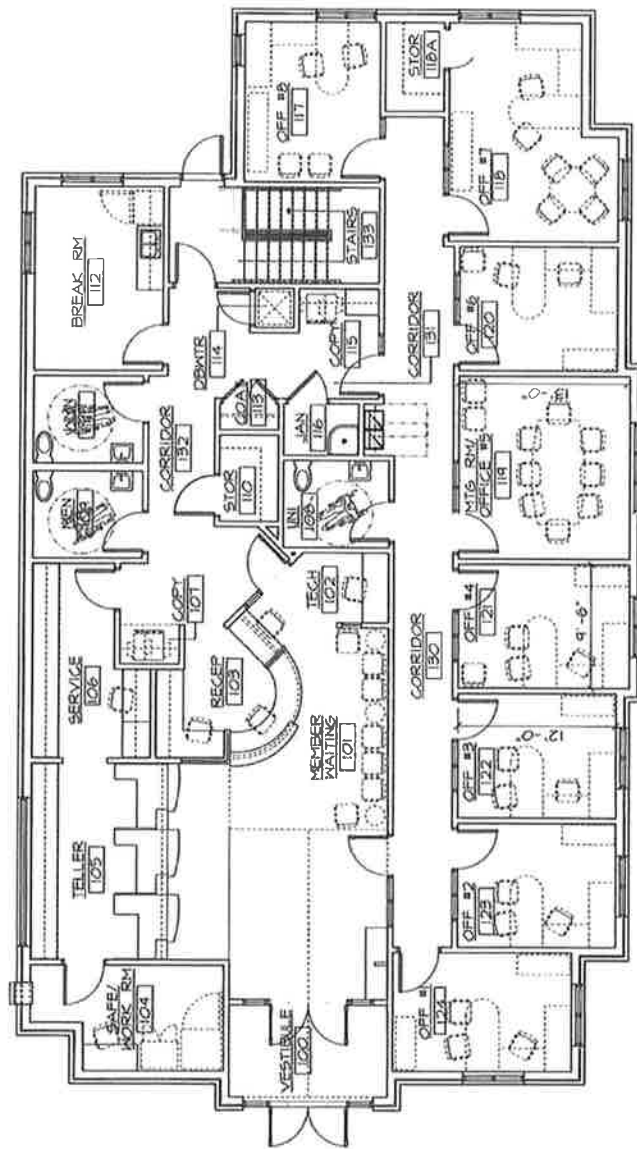
NEW CREDIT UNION
31 LYNN AVENUE
OXFORD, OHIO 45056

DATE: 01.14	SCALE: 1"=20'
DRAWN BY: J. B. BROWN	CHECKED BY: J. B. BROWN
DESIGNED BY: J. B. BROWN	APPROVED BY: J. B. BROWN
PROJECT NO: 1325	PROJECT NAME: NEW CREDIT UNION
CLIENT: NEW CREDIT UNION	LOCATION: 31 LYNN AVENUE, OXFORD, OHIO
DATE: 01.14	SCALE: 1"=20'

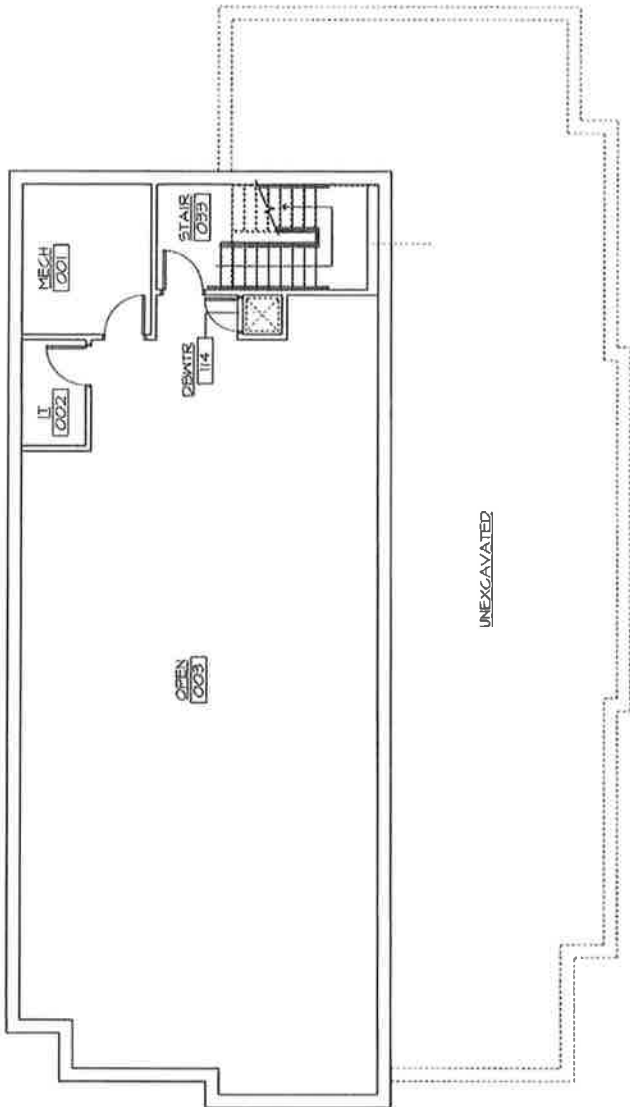


1 SITE PLAN



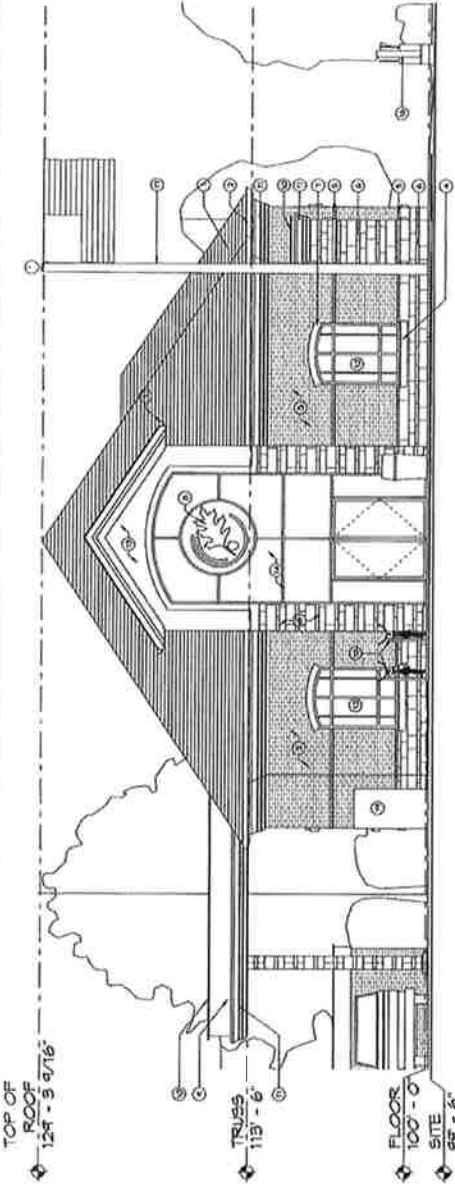


CONCEPTUAL FIRST FLOOR PLAN



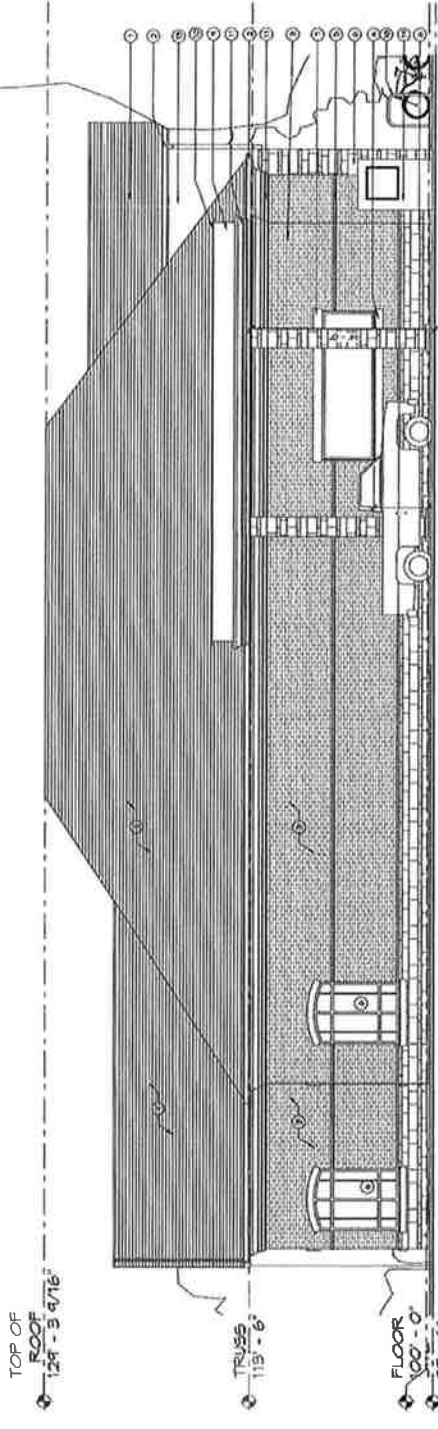
O NEW WORK NOTES:

1. ASPHALT COMPOSITION ROOF SHINGLES
2. CONTINGUOUS ALUMINUM SUTTER
3. BRICK VENER
4. PRECAST CONCRETE SILL
5. 4" BRICK SOLIDLOCK CHAINING
6. 8" SPAT PALE MASONRY
7. PRECAST CONCRETE ROOFER
8. BRICKWORK APPLIED WITH LUGS
9. BRICK CHIMNEY
10. CONTINGUOUS METAL CORNER
11. CONTINGUOUS EPS CORNER WITH INSULATION
12. INSULATED GLASS IN ALUMINUM STOREFRONT
13. EPS CLADDING
14. PRECAST CONCRETE CURTAIN WALL
15. HOLLOW METAL DOOR AND FRAME
16. NEW EXTERIOR BUILDING FINISHES
17. NEW FLAT ROOF
18. BRICK MAJOR
19. AIR CURTAIN



1 EAST BUILDING ELEVATION

1" = 2'
1/4" = 1'



4 SOUTH BUILDING ELEVATION

1" = 2'
1/4" = 1'



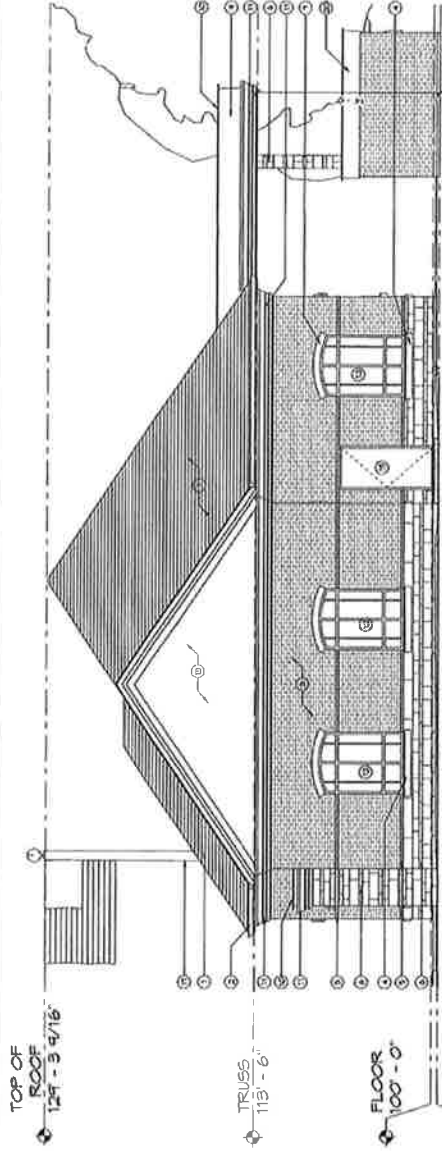
135 North Main Street
Oxford, Ohio 45056
Tel: 419.222.2200
Fax: 419.222.2201
Web: www.bjgk.com

NEW CREDIT UNION
31 LYNN AVENUE
OXFORD, OHIO 45056

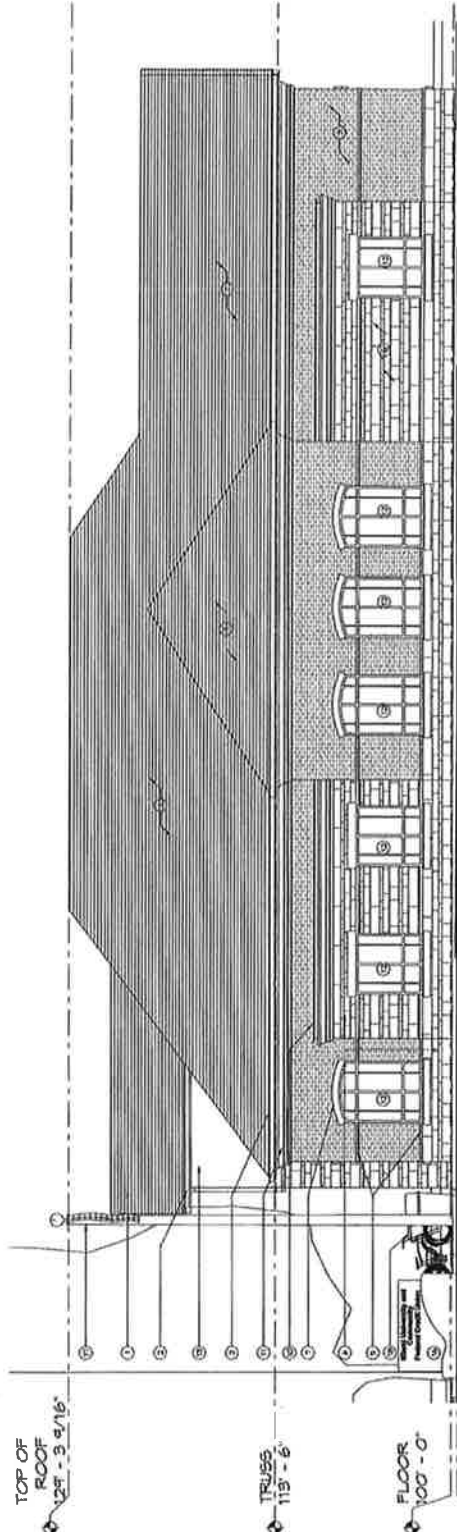
PROJECT	NEW CREDIT UNION
DATE	07/26/10
DESIGNER	SPK, HES, NOB
ARCHITECT	SPK, HES, NOB
SCALE	1/4" = 1'-0"
DATE	07/26/10
EAST & SOUTH ELEVATIONS	
A2.1	

0 NEW WORK NOTES:

1. ADHESIVE COMBINATION ROOF MEMBRANE
2. CONTINUOUS ALUMINUM SUTTERS
3. BRICK VENEER
4. PRE-CAST CONCRETE ALL
5. 4" BRICK NON-LOGS BATTERY
6. 8" SPILT FINE MASONRY
7. PRE-CAST CONCRETE HEADERS
8. SURFACE APPLIED FIRM LOGS
9. EPS CANSOL
10. CONTINUOUS METAL CORNER
11. CONTINUOUS EPS CORNER TRIM
12. TRIMMED INSULATED GLASS IN ALUMINUM STOREFRONT
13. EPS GLAZING
14. TRIMMED INSULATED GLASS IN ALUMINUM STOREFRONT
15. HOLLOW METAL DOOR AND FRAME
16. NEW EXTERIOR BUILDING SHIMMER
17. NEW LEAD PILE
18. BRICK MASON
19. AIRY CORNER
20. SHIMMER ENVELOPE



2 WEST BUILDING ELEVATION



1 NORTH BUILDING ELEVATION

NEW CREDIT UNION
31 LYNN AVENUE
OXFORD, OHIO 45056

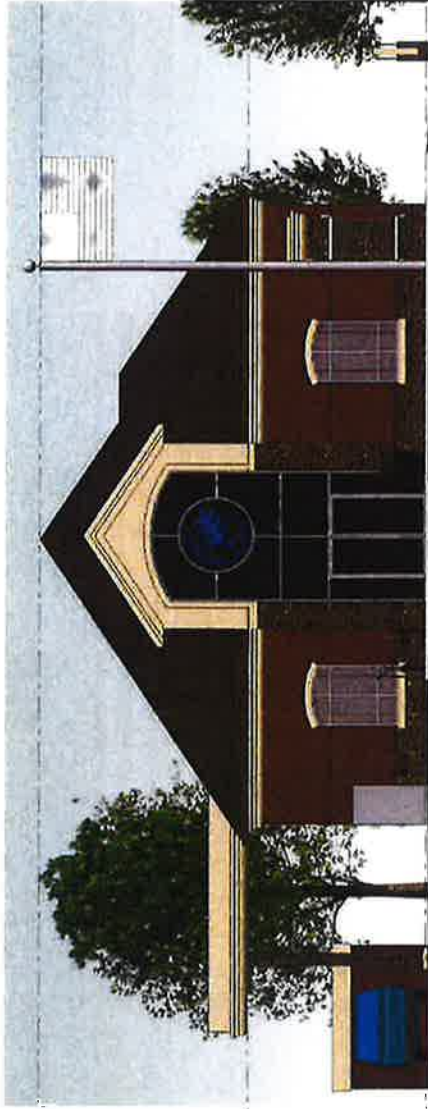
115 SOUTH MAIN STREET
OXFORD, OHIO 45056
TEL: 513.222.2200
FAX: 513.222.2200
WWW.NCBK.COM

DATE: 07/26/16
BY: JES NCB
CHECKED BY: JES NCB

THE ARCHITECTURAL GROUP
115 SOUTH MAIN STREET
OXFORD, OHIO 45056
TEL: 513.222.2200
FAX: 513.222.2200
WWW.NCBK.COM

DATE: 07/26/16
BY: JES NCB
CHECKED BY: JES NCB

A2.2



TOP OF
ROOF
129' - 3 9/16"

TRUSS
13'-6"

FLOOR
100 - 0

SITE
99' - 6"

2 EAST BUILDING ELEVATION RENDERED

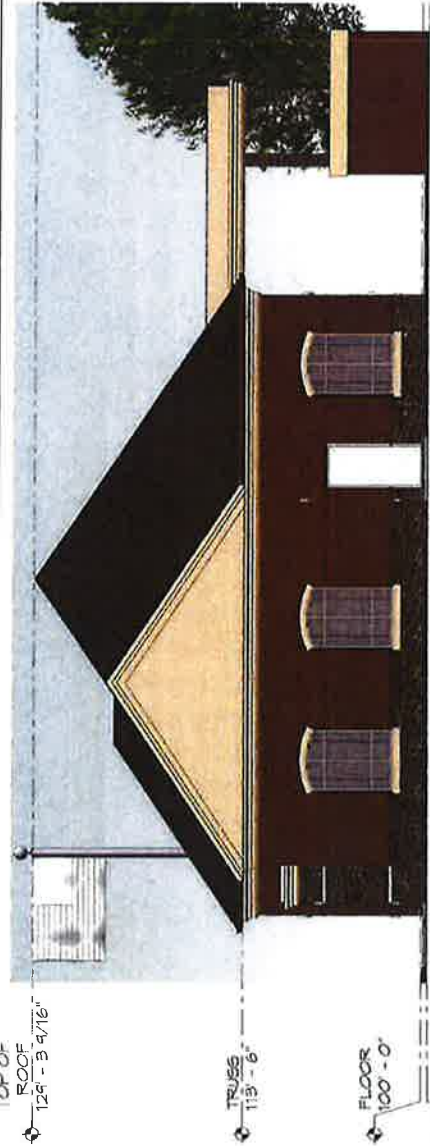


TOP OF
ROOF
- 12' - 3 9/16"

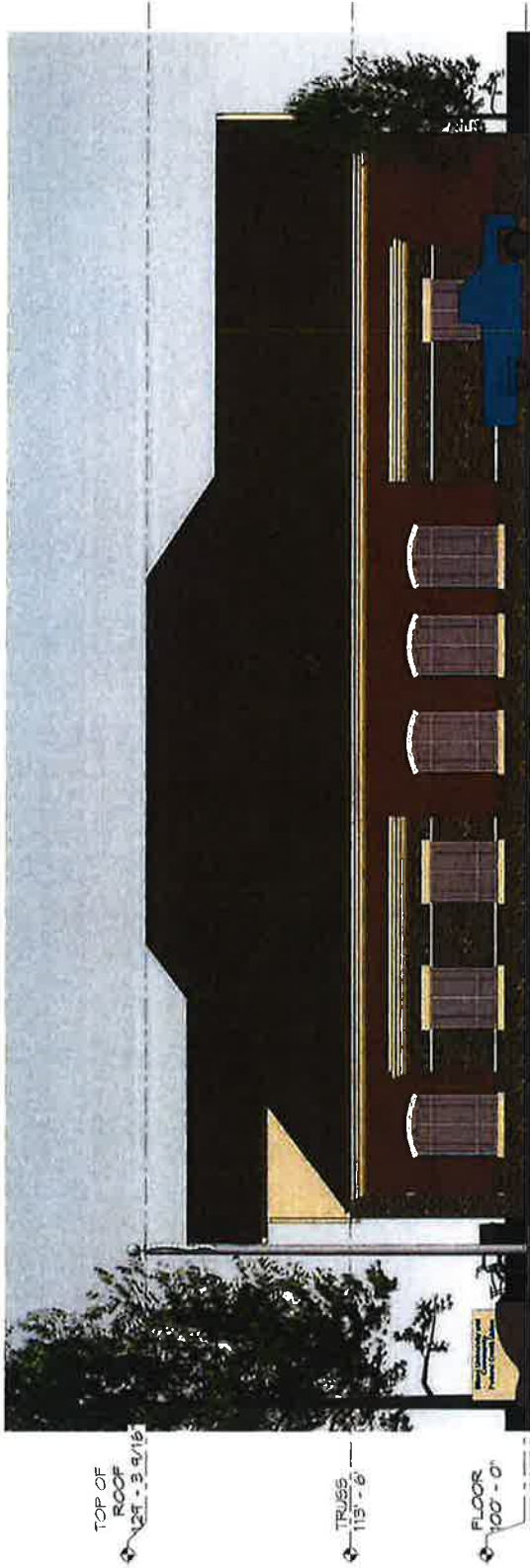
②—附錄五

FLOOR - 0000 - 0000
SITE - 0000 - 0000

SOUTH BUILDING ELEVATION RENDERED



2 WEST BUILDING ELEVATION RENDERED



1 NORTH BUILDING ELEVATION RENDERED



The Architectural Group
 125 North Main Street
 Dayton, Ohio 45402-1730
 Tel: 937.223.2500
 Fax: 937.223.0888
 Web: www.thegroup.com

125 North Main Street
 Dayton, Ohio 45402-1730
 Tel: 937.223.2500
 Fax: 937.223.0888
 Web: www.thegroup.com

NEW CREDIT UNION
 31 LYNN AVENUE
 OXFORD, OHIO 45056

Client: NEW CREDIT UNION	Project: 125
Architect: THE ARCHITECTURAL GROUP	Scale: 3/4" = 1'-0"
Engineer: M.E.S. NPB	Notes: SEE PLAN
Contractor: M.E.S. NPB	Revision: 1/16
Owner: NEW CREDIT UNION	Drawn: 1/16
Architect: THE ARCHITECTURAL GROUP	Project: 125
Engineer: M.E.S. NPB	Scale: 3/4" = 1'-0"
Contractor: M.E.S. NPB	Notes: SEE PLAN
Owner: NEW CREDIT UNION	Drawn: 1/16
Architect: THE ARCHITECTURAL GROUP	Project: 125
Engineer: M.E.S. NPB	Scale: 3/4" = 1'-0"
Contractor: M.E.S. NPB	Notes: SEE PLAN
Owner: NEW CREDIT UNION	Drawn: 1/16

A2.4

RENDERED VIEW FROM NORTH WEST CORNER



NEW CREDIT UNION
31 LYNN AVENUE
OXFORD, OHIO 45056

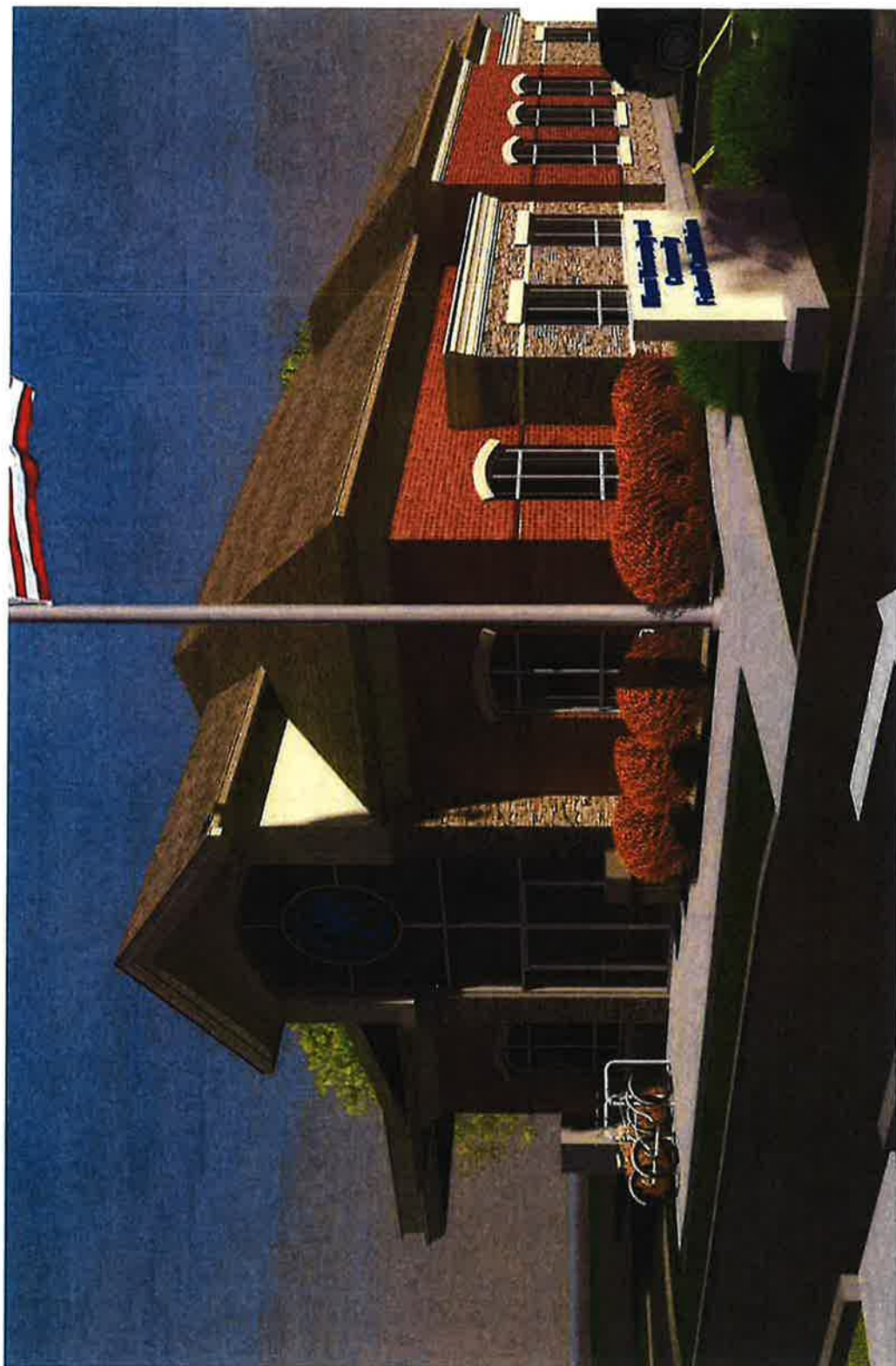
130 North Main Street
Dayton, Ohio 45402-1720
TEL 937-222-2500
FAX 937-222-0908
WWW.222-2500.COM

the architectural group



NEW CREDIT UNION
31 LYNN AVENUE
OXFORD, OHIO 45056

the architectural group
125 North Main Street
Bryn Mawr, PA 19002
Tel: 484-727-2500
Fax: 484-727-0918
www.theagroup.com





NEW CREDIT UNION
31 LYNN AVENUE
OXFORD, OHIO 45056

the architectural group
135 North Main Street
Dayton, Ohio 45402-1730
Tel 937 223 2800
Fax 937 223 0088
Web www.iaugr.com





RENDERED VIEW FROM SOUTH EAST CORNER



RENDERED VIEW FROM NORTH EAST CORNER

NEW CREDIT UNION
31 LYNN AVENUE
OXFORD, OHIO 45056

15.
A3.

EXTERIOR RENDERING

01/27/10

1752
SPK

the architectural group

10000 Wilshire Blvd., Suite 1000
Beverly Hills, CA 90210
Tel: 310.277.0000
Fax: 310.277.0000
www.thearchgroup.com





125 NORTH MAIN STREET
OXFORD, OHIO 45056
TEL: 614.222.0688
FAX: 614.222.0688
WWW.A36.COM

NEW CREDIT UNION
31 LYNN AVENUE
OXFORD, OHIO 45056

DATE: 01/27/10
DRAWN BY: ESK/MS/NDP
CHECKED BY: TSD
PROJECT NO: 1002
SHEET NO: A3.6
SCALE: 1/8" = 1'-0"



RENDERED ARIEL VIEW

NEW CREDIT UNION
31 LYNN AVENUE
OXFORD, OHIO 45056

the architectural group
135 North Main Street
Oxford, Ohio 45056
Tel: 527 223 0500
Fax: 527 223 0506
Web: www.thegroup.com

pedestrian
bicycle

DATE: 07/27/19
PROJECT NAME: NEW CREDIT UNION
CONTEXT PHOTOS
DRAWN BY: [blank]
CHECKED BY: [blank]
1752

A4.1



PHOTO #1



PHOTO #2

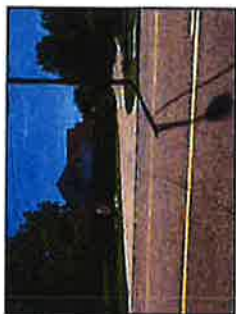
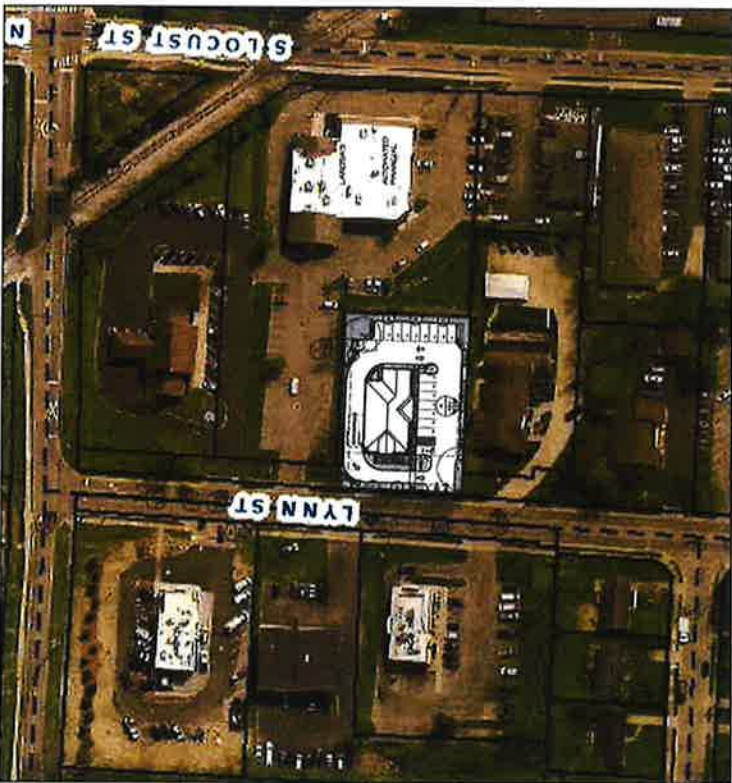


PHOTO #3



PHOTO #4



A PHOTO KEY PLAN

SCALE: NOT TO SCALE



PHOTO #5



PHOTO #6



PHOTO #7

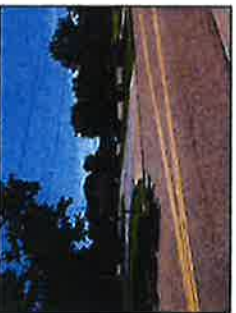


PHOTO #8



PHOTO #9



PHOTO #10

A Work Session of the Oxford City Council was called to order by Mayor Kate Rousmaniere on Tuesday, September 18, 2018 at 6:30 p.m. Council members present were Steve Dana, Glenn Ellerbe, David Prytherch, Chantel Raghu and Mike Smith. Edna Southard was excused.

Staff members present: Doug Elliott, City Manager; Mike Dreisbach, Service Director; Alan Kyger, Economic Development Director; Sam Perry, Community Development Director; David Treleaven, Environmental Specialist, Amy Blankenship, Assistant Law Director and Mary Ann Eaton, Clerk of Council.

APPROVAL OF AGENDA

Mr. Dana moved to approve the agenda. Mr. Smith seconded. The motion carried 6-0-0.

PURPOSE

The purpose of the Work Session was for Council to discuss the proposed “Tree Ordinance”.

PRESENTATION

Mr. Elliott referred to the documents he provided to Council in advance of the Work Session to discuss Tree Preservation and Protection and provided the background for this proposed initiative. Mr. Elliott noted after several revisions and input from the former Community Development Director, the Environmental Commission recommended to the Planning Commission in January of 2018 that new Chapter 1111 Tree Preservation and Protection be adopted. Mr. Elliott advised in April of 2018, the Planning Commission reviewed and recommended to Council amendments to Chapter 1145 Planned Developments, Chapter 1159 Definitions, and Section 1101.4 of the Subdivision Regulations entitled Design Standards and Construction Standards. Mr. Elliott noted the Environmental Commission wanted the proposed regulations to apply to any lot of one acre or more to avoid clear cutting and to provide greater protection of trees. Mr. Elliott advised the former Community Development Director preferred to limit the provisions only to one acre or more sites slated for development through the Subdivision or Planned Development process due to having a limited staff to oversee the new provisions. Mr. Elliott recommended that Council consider adopting the Environmental Commission’s recommendation as he felt it was less confusing and easier to identify a property owner’s responsibility as a separate chapter rather than included throughout several chapters of the zoning code. Mr. Elliott advised he also felt the Environmental Commission’s recommendation was less repetitive and saves paper when printing agendas (7 verses 66 pages). Mr. Elliott noted he felt Council should consider whether or not they want the provisions of this proposal to apply to individual property owners of one or more acres of land who do not plan to develop the land and advised there were currently 312 parcels which are over one acre. Mr. Elliott noted he also felt Council should consider the impact the proposed regulations will have on future single family non student residential development including affordable housing projects.

Mr. Elliott recommended replacing the reference to tree caliper with 4.5 feet which is referenced to as Diameter at Breast Height (DBH) which is found in Chapter 935 of the Oxford Codified Ordinances. Mr. Elliott advised the replacement fee for each tree which can not be replaced must be determined by Council and a Tree Fund will need to be established as well.

Council discussed several issues including whether or not to include private property owners, how the Environmental Commission came up with the designation of one acre, whether prohibiting clear cutting would solve a lot of the problem, whether the provisions would apply to new and existing land and how to determine tree replacement quantities. After discussion it was determined that Mr. Elliott and Mr. Treleaven would work on the language for 1111.03 entitled Definitions and Section 1111.13 entitled Tree Preservation on Private Property and bring revised language back to Council.

ADJOURN

Mr. Dana moved to adjourn at 7:23 p.m. Mr. Smith seconded. The motion carried 6-0-0.

A regular meeting of the Oxford City Council was called to order by Mayor, Kate Rousmaniere on Tuesday, September 18, 2018 at 7:30 p.m. Those members present were Steve Dana, Glenn Ellerbe, David Prytherch, Chantel Raghu and Mike Smith. Edna Southard was excused.

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

PLEDGE OF ALLEGIANCE

Mayor Rousmaniere requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Dana moved to approve the agenda. Mr. Smith seconded. The motion passed 6-0-0.

PUBLIC PARTICIPATION

PROCLAMATION **'NATIONAL HISPANIC HERITAGE MONTH'**

Mayor Rousmaniere read the Proclamation and presented it to Ms. Jacqueline Rioja-Velarde.

Ms. Jacqueline Rioja-Velarde, Center for American and World Cultures at Miami University, thanked Council and all City Departments for always welcoming the Hispanic community noting she felt today more than ever it is important to create this kind of space for welcoming and for the inclusion of everyone. Ms. Rioja-Velarde advised this year the UniDiversity Festival would be very special with the theme of "Families Belong Together". Ms. Rioja-Velarde noted the night would be full of beautiful performances, children's activities and a variety of Latin American and Latino cuisine. Ms. Rioja-Velarde encouraged everyone to attend the festival in the Uptown Parks on Friday, September 22 from 5:30 to 9:00 p.m.

Mayor Rousmaniere noted the UniDiversity Festival was a great tradition in Oxford.

PROCLAMATION **'CAROLINE SCOTT HARRISON DAY'**

Mayor Rousmaniere read the Proclamation and presented it to Ms. Kathleen Fox.

Ms. Kathleen Fox, noted this year the sculpture of Caroline Scott Harrison would sit in the backyard of the Oxford Community Arts Center for the celebration of Caroline Scott Harrison Day. Ms. Fox advised it had been a labor of love for her and had taken 5 years to obtain the sculpture. Ms. Fox encouraged everyone to attend the October 14, 2018 event at 3:00 p.m.

Mayor Rousmaniere thanked Ms. Fox for all of her efforts on this initiative.

**NOTICE TO
LEGISLATIVE AUTHORITY**

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

Mr. Kyger explained that Rapid Fired Pizza has had a beer permit since the restaurant opened and they would like to offer the sale of wine as well. Mr. Kyger advised there had been no problems or complaints about this establishment with respect to their beer permit.

Mr. Ellerbe moved to accept the notice without comment. Mr. Smith seconded. The motion passed 6-0-0.

PUBLIC COMMENTS

Mr. David Prytherch advised last year the City of Oxford entered into a Sister City agreement with the City of Differdange in Luxembourg. Mr. Prytherch noted he participated in a Sister City event in Differdange in June and they presented to the City of Oxford a beautiful carved plaque which marks the one year anniversary of the Sister City relationship. Mr. Prytherch showed the plaque to Council and to the audience and asked for a photo of it with Council and the City Manager to let the folks in Luxembourg know it was received and appreciated. Mr. Prytherch advised the plaque would be displayed at City Hall.

Mayor Rousmaniere advised members of the Differdange City Council will visit Oxford in March.

Mr. Charles Kennick, 311 ½ W. Church Street, advised he was a senior at Miami University where he served as Secretary for the Associated Student Government. Mr. Kennick noted he wanted to bring public notice to Council and to the City of Oxford of the student support for shared electric bikes, scooters or any other personal transportation device that may be used within the City and on campus. Mr. Kennick advised today, the Student Senate passed unanimously a resolution supporting a program of this type, it supported recommending a policy change which currently prohibits e-scooter use on campus and it also encouraged continued and strengthened joint planning between the university and the City on matters such as this and others. Mr. Kennick asked for Council's continued support in working with the university and negotiating something that would work in favor of the university and the City to allow the safe operation of electric scooters, electric bikes and any other type of device that would be used under these types programs. Mr. Kennick advised the students were looking for safe regulations not a stone walled "no" answer and noted the students would like Council's continued support. Mr. Kennick advised he wanted the public to know what was going on behind the scenes.

Mayor Rousmaniere asked Mr. Kennick to speak to the upcoming SCRC meeting. Mr. Kennick advised he served on the Student Community Relations Commission (SCRC) and noted representatives from a company that submitted an application for an e-scooter program in the City of Oxford (Bird Rides, Inc.) would present at the SCRC meeting on Friday and demonstrate their product at 3:00 p.m. in the Community Room at the LCNB.

Mr. Kennick advised this was a public meeting and noted anyone was welcome to attend. Mr. Kennick advised if anyone had questions about Bird's process or what they do to ensure safety they would be happy to answer those questions.

Mr. Prytherch thanked Mr. Kennick and other students for their leadership in this matter noting when Miami underestimates their students it does so at its own peril.

CONSENT AGENDA

MINUTES

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

REPORT

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

Mr. Dana moved to approve the Consent Agenda. Mr. Smith seconded. The motion passed 6-0-0.

RESOLUTIONS

RESOLUTION

TUESDAY FARMERS MARKET

A Resolution No. 7015 authorizing the City Manager to close a portion of Lot 52 each Tuesday from 2:30 p.m. until 8:00 p.m. to permit the operation of the Farmers Market within Lot 52 from September 25, 2018 through December 31, 2018. (Doug Elliott, City Manager)

Mr. Elliott advised the Farmers Market would like to expand to Tuesday in addition to the Saturday Market and noted staff supported the request. Mr. Elliott advised Larry Slocum was in attendance to answer any questions.

Mr. Larry Slocum, advised the Farmers Market wanted to provide more local good food for Oxford. Mr. Dana inquired how the hours were determined. Mr. Slocum advised some students would like to visit the market in the late afternoon or early evening rather than on Saturday mornings and noted it would also serve people who work at the university but do not live in Oxford.

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

Mr. Prytherch advised there was a Tuesday market when he first came to Oxford and he was happy to see it come back. Mr. Prytherch inquired why Lot 52 was chosen for a smaller market and not an area adjacent to the Uptown Parks. Mr. Slocum advised at Lot 52 the vender can pull in and set up their tent without having to move and re-park their vehicle.

Mr. Elliott noted the lot would be closed at 2:30 p.m. for set up and reopen at 8:00 p.m. and the market would run from 4-7 p.m.

Mr. Smith moved to adopt Resolution No. 7015. Mr. Dana seconded. The motion passed 6-0-0.

RESOLUTION
LIQUOR PERMIT

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

Mr. Kyger advised 30 days ago, Fridge & Pantry approached the Division of Liquor Control to obtain a beer and wine permit to provide beer and wine tastings along with their deli products and there were no permits available. Mr. Kyger noted permits were issued on a quota basis and the state decides how many are available. Mr. Kyger advised last Friday the City received a traditional beer permit transfer for Fridge & Pantry. Mr. Kyger referred to the Active Oxford Liquor Permit chart he provided to Council and advised the beer, wine and liquor permits from Kona Bistro were recently returned to the state which made them available for Fridge & Pantry and noted there was no reason to move a permit from another town into Oxford. Mr. Kyger advised Fridge & Pantry can obtain exactly what they want using the state quota system. Mr. Kyger asked Council to vote against the Resolution.

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

Mr. Prytherch moved to deny the Resolution. Mr. Ellerbe seconded. The motion passed 6-0-0.

ORDINANCE
FIRST READING
SUPPLEMENTAL BUDGET

An Ordinance Amending Ordinance 3449. Supplemental Budget Ordinance Number 5 To Make Supplemental Appropriations For Fiscal Year 2018. (Joe Newlin, Finance Director)

Mr. Newlin discussed the proposed Supplemental Budget as presented on pages 44-45 of Council's packet.

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

Mayor Rousmaniere advised Council would vote on this matter at the next meeting.

ORDINANCES
SECOND READING

ORDINANCE
CONDITIONAL USE

An Ordinance No. 3484 Accepting The Recommendation Of The Planning Commission And Approving A Conditional Use Permit To Allow A Single Level Hotel Use Within A New Four Story Building In The UP (Uptown) District To Be Located At 22 S. Beech Street With One Condition. (Sam Perry, Community Development Director)

Mr. Perry advised the only reason Council was reviewing a proposed condition use permit was that hotel use was part of this project. Mr. Perry noted the project consisted of a 4 story building and based on the preliminary plans it would almost meet the zoning requirements and it would not meet the gross floor area ratio limit of 3 to 1, it would exceed that by 1,250 square feet. Mr. Perry advised the Planning Commission reviewed the proposal as a hotel conditional use and noted Council questioned whether the floor area can be exceeded and if that was related to the conditional use. Mr. Perry noted the Planning Commission reviewed the conditional use as a hotel, not as exceeding the gross floor area ratio as a separate conditional use. Mr. Perry advised the Planning Commission recommended approval of the proposal to City Council. Mr. Perry noted the site currently consisted of a non-conforming use and a non historic building which would go away with the proposed project.

Mr. Scott Webb, Architect, noted the conditional use for the hotel was the primary consideration and advised all of the square footage was being used that is allowable except for 1,200 square feet. Mr. Webb noted on the hotel use the increase in the additional commercial area in the building that was requested would create an opportunity to have a rooftop bar or a secondary use.

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

Mr. Prytherch questioned the functionality of the extra square footage and inquired if the extra 1,200 feet were granted would it realistically become a commercial space given there is only one elevator for all of the uses. Mr. Webb advised his clients were still investigating the logistics of the 4th floor restaurant. Mr. Webb noted the floor area ratio requirement calls for a minimum of 70% of the land area dedicated to a commercial use although up to 100% was allowed. Mr. Webb advised without the additional square footage his clients would not build the 4th floor restaurant. Mr. Prytherch noted he could not see the functionality of a rooftop restaurant without a second elevator since the residential uses needed one elevator. Mr. Webb advised if he and his clients felt the rooftop restaurant would not be feasible it would not be built.

Mr. Ellerbe advised he looked forward to a restaurant and noted he was sure the applicant would work out the elevator service.

Mr. Dana moved to adopt Ordinance No. 3484. Mr. Smith seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Prytherch, Ms. Raghu, Mr. Smith, Mr. Dana, Mr. Ellerbe, Mayor Rousmaniere (6)

NAY: None (0)

ABS: None (0)

ORDINANCE
FINAL PLAN APPROVAL

An Ordinance No. 3485 Accepting The Recommendation Of The Planning Commission And Approving The Final Planned Development Application For Phase I Of A Planned Development At 5728 College Corner Pike To Allow A Self Storage Facility With Conditions And Phase II To Be Determined. (Sam Perry, Community Development Director)

Mr. Perry advised the proposed Planned Development would be built on a 14 acre tract of land at the corner of College Corner Pike and Todd Road. Mr. Perry noted the proposal from Teamwork Property Group, LLC is intended to be a catalyst project for the northern half of the 14 acres to spur the southern half to be retail.

Mr. Dana referred to the City Engineer's comments on page 105 of Council's packet and inquired if his concerns were resolved. Mr. Perry advised they will be resolved through the administrative review process.

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

Mr. Dana moved to adopt Ordinance No. 3485. Mr. Smith seconded. The Ordinance was adopted by the following roll call:

AYE: Ms. Raghu, Mr. Smith, Mr. Dana, Mr. Ellerbe, Mr. Prytherch, Mayor Rousmaniere (6)

NAY: None (0)

ABS: None (0)

ORDINANCE
ZONING MAP AMENDMENT

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

Mr. Perry noted this proposal garnered a lot of comments both at the Planning Commission Meeting and at the First Reading at the last Council Meeting.

Mr. Perry advised there were two Ordinances for the same project because it involved two different zoning districts. Mr. Perry noted approximately 1 ½ acres is currently zoned RO (Residential Office) and approximately 2 acres is currently zoned GB (General Business). Mr. Perry advised the property in question was located between the railroad tracks and S. Elm Street and there were two rights-of-way in the proposed area. Mr. Perry noted the application was from Opus Development and advised a concept review was requested although it was not heard by the Planning Commission based since their vote was 3-3-0 which by default was a recommendation to deny. Mr. Perry advised some members of the Planning Commission found the proposal met some of the Decision Standards and some did not. Mr. Perry noted the Zoning Code requires that at least one or more Decision Standards are met before an Ordinance can be adopted. Mr. Perry advised staff recommended some conditions for approval if Council was inclined to approve the request. Mr. Perry noted Council members may have received letters regarding this matter from members of the public and there was also a letter to Council from the applicant since the first reading of the proposed Ordinance.

Mr. Ben Angelo, Opus Development Company, LLC, advised on behalf of the Opus group he sent a letter to City Council yesterday as a follow up to the first reading to highlight some key points and facts that he felt further support the request for a zoning map amendment and further support the decision criteria that needs to be met. Mr. Angelo reiterated that the Planning Commission review resulted in a split decision where 3 of the 6 members that voted found that 2 of the decision criteria had been met. Mr. Angelo referred to what was presented at the last meeting and noted he felt that further demonstrates that at least two of the decision criteria if not 3 had been met. Mr. Angelo noted one concern he has heard is that if Council rezones the property to R3MS, and Opus walks away, anybody can walk in and develop whatever they want under R3MS. Mr. Angelo advised staff recommended a condition which would prevent that from happening which was to consolidate all 14 parcels. Mr. Angelo noted if the lot consolidation was not done the zoning would revert back to its current zoning. Mr. Angelo advised with that along with a Planned Development process through the Planning Commission and Council he felt Council should be reassured they are not just adopting a zoning map amendment for anybody and everybody to come in and do whatever they want.

Mayor Rousmaniere reminded the public and Council that Council was considering a zoning map amendment request from GB and RO to R3MS.

Ms. Rosalyn Benson, 6090 Contreras Road, noted she firmly believed the rezoning of this parcel of land to R3MS is not appropriate for several reasons. Ms. Benson advised rezoning should be done for a specific perceived need and she felt there was no documented need for a large housing complex for students. Ms. Benson noted the proposal by the developer is for student housing and it has been stated very specifically by some of the owners of the property. Ms. Benson advised as of September 13, 2018 there was immediate vacancy in several upscale apartments which the developer has claimed are preferred by students. Ms. Benson noted there was also available housing in other units in the Mile Square. Ms. Benson advised if the rezoning is approved and the property is allowed to become a large 300 person student housing development the entire City would be surrounded by student housing developments in every direction. Ms. Benson noted the City has already rezoned areas closer to the university in an effort to keep student housing closer to campus.

Ms. Benson advised she felt a student housing development or a rezoning of this property significantly changes the perception of the Oxford Community Arts Center, its gardens, the potential pavilion, and the perceived way the space is used for community celebrations. Ms. Benson noted she felt the development would significantly change the way Oxford looks and advised right now the Oxford Community Arts Center was located in a neighborhood. Ms. Benson advised as a community we needed to decide how Oxford looks. Ms. Benson noted currently there seemed to be a trend toward denying neglect of current Mile Square residential properties and some university properties and she felt the solution to this neglect was to demolish the properties and build new multiple unit dwellings available to anyone and designed by rental cost to be for students. Ms. Benson advised she understood the desire of the current property owners to sell their space and noted she felt it should be possible to develop the space without changing the zoning. Ms. Benson advised she felt the City's Economic Development Director needs to find other ways to attract other kinds of development to Oxford and noted smart growth strategies can help communities achieve their goals for growth and development while maintaining their distinctive character. Ms. Benson advised planning where development should or should not go can help a community encourage growth in town where businesses can thrive on a main street that is walkable and families can live close to their destinations. Ms. Benson noted to be successful small towns need to identify their unique assets, create and implement a strategic plan and be proactive in maintaining a community. Ms. Benson advised rezoning this property does not help that.

Mr. Steve Gordon, 5289 Hillcrest Drive, thanked Mayor Rousmaniere and members of Council for the opportunity to make a brief statement. Mr. Gordon advised he was coming before Council this evening as an advocate for preserving the distinctive and irreplaceable architecture and history of the community. Mr. Gordon noted for the past 10 years along with others present this evening McGuffey House and Museum, Smith Library of Regional History and the City's Historic and Architectural Preservation Commission have hosted waking tours of Oxford's Historic Districts and Neighborhoods. Mr. Gordon advised each year interest and response to the waking tours has grown and noted residents want to learn more about Oxford's history and special small town character. Mr. Gordon advised the tours provide an opportunity to come together and celebrate community. Mr. Gordon noted everyone has stories of visitors and tourists to Oxford frequently remark on the historic character, human scale and friendliness of Oxford's Midwestern College Town. Mr. Gordon advised much of Oxford's fabric is based on the ordered rhythm, compact, walkable, human scale and tree-lined streets of the marvelous 1810 Mile Square Plan. Mr. Gordon noted at the center of the residential Mile Square is a clearly definable business district flanked by a connective tissue of modest dwellings and small apartment buildings located on similar sized lots that respect one another. Mr. Gordon advised in contrast to many college towns the university adjoins the town center fostering a feel of urban intimacy and connectivity. Mr. Gordon advised today the Mile Square is witnessing changes not seen in recent memory noting Oxford has the expertise and resources to foster positive preservation of the City's remaining historic properties. Mr. Gordon advised he was optimistic the City working with community partners can preserve the special character of the Mile Square. Mr. Gordon noted as a Tree City USA Community Oxford should work to protect existing mature trees while replanting lost trees. Mr. Gordon respectively asked City Council to advocate for and pass ordinances of zoning overlays that will help protect the historic resources, green spaces and community fabric that visually enhance the Mile Square noting it was a wise investment in Oxford's future.

Mr. Don Smith, College Corner Pike, advised he wanted to address some of the comments made at the last meeting. Mr. Smith noted the historic preservation of the houses involved with the proposed project were mentioned and advised if those houses are required to stay there was no chance to have business infill behind the property in question. Mr. Smith advised at least 3 Council members said they wished they could see plans before committing to a zoning change and noted at both the Planning Commission and Council Meetings it was stressed that this legislation is only about zoning. Mr. Smith advised Mr. Webb mentioned the oversight of the actual plan could be possible at other steps throughout the process. Mr. Smith noted spot zoning was mentioned and advised while the Comprehensive Plan was important as a guide he did not think it should be looked at as infallible. Mr. Smith advised R3 was clearly not thought of during the plans construction. Mr. Smith noted while spot zoning was not desirable it should be available to remedy unforeseen possible uses. Mr. Smith advised Ms. Raghu mentioned there was no evidence of prices coming down and noted if that was true it shows there is a strong demand for housing. Mr. Smith advised Ms. Southard mentioned wanting a good neighbor for the arts area and noted right now there was an abandoned building across the street. Mr. Smith advised Councilor Smith mentioned that R3MS never came up for this location when the up-zoning occurred and noted he felt that was an oversight by the consultant given that the proposal for R3MS came up within a year. Mr. Smith advised with a major goal of the Comprehensive Plan being to infill needed areas it would have been better to have evaluated that property beforehand for the pros and cons. Mr. Smith noted consideration should be given now for the many pros for this site rather than just saying the Comprehensive Plan does not allow it and it is spot zoning for bids consideration. Mr. Smith advised Mr. Snavelly said it looked like a very nice development and that this was a very weak area. Mr. Smith noted in his mind it comes down to allowing a nice development in a very weak area that is sorely in need of development or deciding to keep multiple vacant buildings, a brownfield site and a large sewer problem which could all be repaired with this project.

Mr. Robert Benson, 6090 Contreras Road, advised as an Architectural Historian and having been a member of the Planning Commission as well as the HAPC he can not help but speak against the two ordinances proposed for rezoning. Mr. Benson noted as it has already been pointed out zoning is very tricky by its very nature and advised it may seem to be easy to understand but it is frequently misunderstood. Mr. Benson noted zoning needs to comply with the Comprehensive Plan of Oxford with the larger vision for what the City is about and advised it needs to be understood in terms of the long term effects that the Comprehensive Plan projects and promotes. Mr. Benson noted changes in zoning are particularly dangerous when they are requested because of their immediate value to the applicant and perhaps to a group of people who would benefit from what the applicant is asking for. Mr. Benson advised such a zoning request rarely has the community in mind and noted in this case a number of historic buildings would be lost and the west edge of the Mile Square would be changed. Mr. Benson advised the fact that the houses in question are not in the best repair he felt it was a superficial excuse for tearing them down. Mr. Benson inquired this should be a reason for Council to find ways as other cities have found to insist that owners repair and maintain historically valuable properties. Mr. Benson advised he felt the fact that the loss of these buildings would be accompanied by the construction of multi residential dwellings is an equal if not greater problem. Mr. Benson noted no such housing design for the tastes and budgets of the increasingly number of wealthy students who attend Miami University can begin to be sympathetic to the historic character of the town.

Mr. Benson advised local citizens have spent hours of time and work as well as thousands of donated dollars to create the very successful Oxford Community Arts Center in the former Ox-College Building that Miami was willing to see bite the dust. Mr. Benson noted the impact of student housing directly adjacent to the OCAC would have an adverse impact on the center and its activities especially outdoor and ballroom events. Mr. Benson agreed that Miami should be called on the boarded up university building next to the property in question and it was something Miami should do for the City of Oxford for a change in order to improve that part of the City. Mr. Benson advised beyond the site under examination tonight being the location of investment the main question has to be what is the impact of a planned development on Oxford as a place there is local citizenry that will be here much longer than the university students who will matriculate and graduate after 4 or 5 years and leave Oxford with only memories of it. Mr. Benson noted he believed Council had the obligation to protect the community of Oxford especially those who live here year round and for long periods of time, over erosion of the town's heritage. Mr. Benson urged Council to reject the proposed zoning changes and urged Council to mandate the Planning Commission and HAPC to make good on their promise to create a viable historic plan for the Mile Square so the kind of venture being debated now will be less likely to be proposed in the future. Mr. Benson noted he felt Council owed this to the citizenry and advised he did not believe Council owes anything to the developer who has proposed a zoning change.

Mr. Dana read the following into the record in part: "We must respect the work of previous studies and actions of Oxford citizens as we weigh our conclusions with respect to development. This means citizens with different views on this issue especially as has been pointed out the Planning Commission with Council's agreement concluded that R3MS should be right next to campus and this up-zoning was massive, about 100 acres. The Comprehensive Plan led the Planning Commission and Council to up-zone residential land closest to Miami University. This decision spoke to the necessity of having a careful plan that would demonstrate where the highest density should be located, a plan for the Mile Square as a whole. Would this proposal overturn this vision for Oxford, I submit that it would do so. Further, this development would change to the detriment of Oxford, the current nature of the development one characterized by single-family homes and spacious trees, and note the nature of these homes are historic, constructed by local firms similar in form, massing, materials and historic feel. As for the Comprehensive Plan, the Urban Design Chapter states that buildings in the Mile Square should be preserved as staff advises in this staff report 'The proposed Map Amendment would likely mean that the existing historic buildings would be lost'. Oxford's Economic Development Director himself states that 'he prefers a commercial/residential mixed use development and available land in Oxford for general business use is dwindling. To the best of his knowledge neither the Whistle Stop or Oxford Farm Service had been for sale so the desirability of redevelopment has not been tested'. Such rezoning of 5 more acres that is further away from the university staff says, would likely lead to a need for bolstering transportation policy and infrastructure to support the impact. Won't the university as well as the City play a leading role in addressing enhancement of transportation? Do you know if the university will take these steps? Because there has been substantial change in area conditions does not mean that this particular development is the best option for addressing the site. The citizen's control of zoning is our control over the nature of development."

Mr. Raghu inquired where Opus was with the purchase of Miami's food service building.

Mr. Ben Angelo, advised Opus had a fully executed purchase agreement with the university to purchase the property and noted the closing had not taken place yet.

Ms. Raghu inquired what happens if Council does not rezone the property. Mr. Angelo advised he was not prepared to comment on that right now.

Mr. Prytherch noted he felt Council had done a relatively good job in the City of Oxford of balancing what can seem like competing goals noting the Comprehensive Plan was very clear about prioritizing infill over greenfield redevelopment. Mr. Prytherch advised at the same time urban design criteria says honor and preserve the historic character and quality of Oxford while embracing high quality which complements existing development. Mr. Prytherch noted he felt that was a difficult balance and Council had worked very hard to do that. Mr. Prytherch advised he was proud of the work Council had been able to do with infill on vacant or underutilized sites such as the former Wal-Mart site. Mr. Prytherch noted portions of property had been rezoned to fulfill the greater goal. Mr. Prytherch advised he felt the balance with this project was not right as the site was not completely vacant or underutilized and it would damage the historic preservation goals. Mr. Prytherch noted demolishing whole blocks was not in the City's plan. Mr. Prytherch advised he appreciated the attempts by the applicant to try to talk the language of Oxford's plan although he thought they got the meaning wrong as Council would interrupt it. Mr. Prytherch noted he could see redevelopment on this site in the future and he felt to rezone this much land with historic structures adjacent to one of the most valuable properties in the community (the OCAC) would not fulfill the general welfare as expressed in the Comprehensive Plan.

Mr. Ellerbe advised he believed Opus could accomplish what they want to do within the current zoning and noted Council rezoned a lot of land in the northeast Mile Square to facilitate student housing closer to campus. Mr. Ellerbe advised the property in question was General Business and Residential Office which means mixed use and noted the City does not have much General Business or Office space available. Mr. Ellerbe advised if redevelopment were to be done a mixed use plan would fit in the existing zoning. Mr. Ellerbe noted by requesting R3 zoning the developer was making it very clear they want to change a section of Oxford that Council already established should look like a certain thing into something else of which Council went through great effort into changing to fit the Comprehensive Plan and advised it was hard to say yes to that.

Mr. Smith advised he felt all of Council had weighed this decision and he felt the loss of the historic character and a couple of 1860's houses which the City would never get back does not work for this street. Mr. Smith noted he did not think this was the right plan for this site.

Mayor Rousmaniere advised she had been on Council for 5 years and noted this was the first time some citizens came forward asking for additional multi-unit housing. Mayor Rousmaniere inquired why people were interested in that for this site. Mayor Rousmaniere inquired if there was data to support a need for more high density multi-family residential housing and less GB and RO in Oxford. Mayor Rousmaniere noted she did not see it and others do not either. Mayor Rousmaniere advised she did see a need for single-family housing and also for GB. Mayor Rousmaniere noted she had not heard any hard data from anyone about a massive increase in student enrollment. Mayor Rousmaniere noted she found it difficult to find out what the actual occupancy was for the existing R3 housing.

Mayor Rousmaniere mentioned the new Gaslight project would add 316 beds and the Verge just added 400. Mayor Rousmaniere noted there was a lot of R2MS and R3MS housing in the community. Mayor Rousmaniere advised Council's vision and recent up-rezoning of areas on the east side of the City have been Council's guiding light in how Council wants to think about shaping the City. Mayor Rousmaniere noted zoning was about shaping the City and advised it was not about responding to immediate demands in a certain way. Mayor Rousmaniere mentioned Council received a lot of mail in the last two weeks about potential traffic issues and the preservation of historic properties which she also paid attention to. Mayor Rousmaniere referred to the notion that this opportunity will never come again and advised she did not necessarily believe that as she has seen a lot of developers come into town and people want to come here. Mayor Rousmaniere reiterated there was a need for GB and RO property within the Mile Square and noted the new Neighborhood Business District might be appropriate for the site in question.

Mr. Dana noted he felt the developers put forth a very good effort even though he knew what his stance was. Mr. Dana advised he felt the developers should be recognized as doing what they do well.

Mr. Prytherch advised he felt the right kind of development for the property in question will receive a constructive reception from Council. Mr. Prytherch referred to page 137 of Council's packet and noted he felt it would behoove Council to address the Decision Standards.

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

Map Amendments

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

After a brief discussion Council found none of the decision criteria had been met.

Mr. Dana moved to adopt the proposed Ordinance. Mr. Smith seconded. The motion failed by the following roll call:

AYE: None (0)

NAY: Mr. Smith, Mr. Dana, Mr. Ellerbe, Mr. Prytherch, Ms. Raghu, Mayor Rousmaniere (6)

ABS: None (0)

ORDINANCE
ZONING MAP AMENDMENT

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

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

Mr. Dana moved to adopt the proposed Ordinance. Mr. Smith seconded. The motion failed by the following roll call:

AYE: None (0)

NAY: Mr. Dana, Mr. Ellerbe, Mr. Prytherch, Ms. Raghu, Mr. Smith, Mayor Rousmaniere (6)

ABS: None (0)

Mayor Rousmaniere thanked everyone for their attention and participation during Council's consideration of this request.

ANNOUNCEMENTS

Mr. Elliott advised an ad would be placed in the Miami Student Newspaper regarding the City's Electric Aggregation Program which will let students from how to opt-in to the program without having to wait for the opt-out letter which is sent each year to eligible customers that are new to the community.

Mr. Elliott updated Council on the City's e-scooter program noting e-scooters were not approved at this time under Miami University's Personal Transportation Policy.

Mr. Perry advised the Planning Commission forwarded a recommendation on short term rentals to Council and first reading of an Ordinance would take place on October 16, 2018.

Mr. Kyger advised Lime Bike was ready to 'hit the ground' in Oxford as soon as they receive the City's ok.

Mr. Kyger advised the Dim Sum restaurant had a ribbon cutting this evening at Stewart Square. Mr. Kyger updated Council and the public on new build-out projects within the City.

Ms. Raghu updated everyone on curbside composting noting the EPA informed her of a grant that be will be due in February which was a 50% matching grant up to \$200,000. Ms. Raghu advised she did not know if this would be a pilot program or a drop-off location for composting. Ms. Raghu noted she was curious to see if some room could be made in the 2019 budget so that the grant could be applied for.

Mayor Rousmaniere inquired who the staff liaison would be for a composting program. Mr. Elliott referred to the budget and suggested instead to raise the user fee for solid waste and recycling so that the users pay for it. Mr. Elliott advised there would be plenty of time at the Budget Work Session or a second or third Work Session to discuss things Council might want to add to the budget which will likely require removing something else. Mr. Elliott suggested Ms. Raghu work with the Environmental Commission on this initiative.

Ms. Raghu advised she felt the costs would be minimal to offer 2 or 3 locations where people could drop off composting. Ms. Raghu noted she felt it was necessary to find out how much interest there was before rolling out curbside composting. Ms. Raghu advised she would be interested to see what other Councilors felt about the issue. Mayor Rousmaniere advised she would like more information from Ms. Raghu before going to staff. Mr. Prytherch advised a cost estimate was needed and noted if there is no consensus of Council he felt there was no point spending staff time to do a cost estimate. Mr. Prytherch advised he would like to know what a Pilot Program was and he would support doing whatever was necessary to determine the costs so they could be weighed against other things. Mr. Elliott advised he felt David Treleven and the Environmental Commission could come up with something that was not very costly and could gauge the interest. Mr. Dreisbach asked Council to consider a few things like, what kind of containers would be provided. Mr. Dreisbach noted if this was not done properly there would be nuisances such as animals. Mr. Dreisbach advised if it was only collected once a week from a homeowner it could become a nuisance. Mayor Rousmaniere asked Ms. Raghu to obtain a model Pilot Program of how composting works effectively in another community.

Mr. Dana advised he looked forward to the SCRC Meeting on Friday and the progress being made on bike and e-scooter sharing programs.

Mr. Smith noted he too supported the program especially in light of Mr. Kennick's announcement that ASG has supported scooter and bike sharing programs.

Mr. Prytherch thanked Ms. Fyffe for organizing the recent Employee Appreciation Picnic noting it was a very nice event.

Mr. Prytherch advised he was proud of the way the City has been approaching change noting it was not always easy and there is unpredictable elements to it. Mr. Prytherch advised a methodical way of setting out a policy is a constructive way to approach management.

Mr. Prytherch referred to the 2019 budget and advised Safe Routes to School planning has taken place in recent years to identify safety issues that may be barriers to kids walking to local schools. Mr. Prytherch advised certain intersections posed real barriers to students walking to Kramer Elementary and to the Talawanda Middle School. Mr. Prytherch noted many communities have crossing guards for brief windows that address those safety issues. Mr. Prytherch noted he would like to explore whether the City of Oxford can partner with the Talawanda School District to pay 3 crossing guards for an hour per day in locations such as Locust Street, College Corner Pike and Church Street, Sycamore Street and Brown Road, and Dana Drive and Oxford Reily Road.

Mr. Prytherch advised the Comprehensive Plan was becoming long in the tooth and noted he saw no reason to wait until 2021 to revise it.

Mr. Prytherch advised he did not know how planning for that project worked and noted paying for a consultant was costly. Mr. Prytherch advised he would like to see a Comprehensive Plan revision no later than 2020 and noted he would like to know how to go about setting-aside the funds to pay for it.

Mr. Prytherch advised he felt all of Council recognizes the incredible value that Enjoy Oxford provides to the City of Oxford. Mr. Prytherch noted Enjoy Oxford was doing more work than they have resources to do. Mr. Prytherch advised he would like to explore if more of the bed tax could go to Enjoy Oxford to expand their capacity to do more work. Mr. Prytherch noted he felt the return on investment in grant dollars alone would pay for that.

Mayor Rousmaniere advised just like the curbside composting program she would like to know more about the cost for crossing guards and asked Mr. Prytherch to share any figures with Council. Mayor Rousmaniere inquired if the crossing guards would be public employees and noted Ms. Fyffe may have comments on that issue. Mr. Prytherch advised he would like staff to help him figure out what it would cost and whether the capacity was there. Ms. Fyffe advised some before school or after school programs were done by teachers based on their contract. Ms. Fyffe noted usually crossing guards were school employees. Ms. Fyffe advised she would start by checking with the school to make sure they do not already have a position they are not filling and checking to see if it is part of the teacher's contracts. Mayor Rousmaniere inquired how the bed tax issue would be handled. Mr. Elliott advised it was a Council decision and noted it was amended approximately 8 years ago. Mayor Rousmaniere reminded Council that they need to flush out their ideas to some extent and come to a consensus on them before turning them over to staff.

Mayor Rousmaniere let Mr. Dreisbach know she used one of the "Green Bike Boxes" today and noted she felt very safe and it was great.

Mayor Rousmaniere advised e-scooters have sent many people in this community into a total tizzy. Mayor Rousmaniere noted she looked forward to the SCRC meeting on Friday, September 21st to learn more about them.

ADJOURN

Mr. Dana moved to adjourn at 9:21 p.m. Mr. Smith seconded. The motion passed 6-0-0.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Parks and Recreation

Originating Department

Council Meeting Of: October 2, 2018

Account Code No. #: N/A

Prepared By: Casey D. Wooddell

Budgeted Amount: N/A

Date Prepared: Sept. 19, 2018

Agenda Title: Oxford Recreation Board Meeting, 9/11/18

Recommendation: Approve

Attendance: Present: Ken Bogard (Chair), Craig Bennett, Wes Cole, Kevin Ackley, and Holli Morrish

Liaisons: Casey Wooddell, City Staff; Deanna Barbour, Secretary

Discussion:

Board Chair Mr. Ken Bogard opened the meeting of the Oxford Recreation Board on Tuesday, September 11 at the Oxford Municipal Building at 11:30am.

Report from Recreation Director: Casey Wooddell provided the Parks and Recreation Report. This report included information about the closing of the city pool and the cancelation of the Dog Day event due to weather. It also included discussion about the land reverting back to the TRI foundation and the demolition of the facility. Mr. Wooddell also discussed the release of the new OPRD Activity Guide (Oct. '18-Mar. '19).

Wes Cole provided information about Talawanda Athletics. Homecoming parade is Sept. 20, with the homecoming game on Sept. 21. Mr. Cole also discussed Talawanda's decision to end Pay to Play for sports teams and extracurricular activities.

Old Business:

Mr. Ackley asked about admission and season pass prices for the new aquatic center. Mr. Wooddell stated those prices will not be finalized until the budget is passed by City Council later in the year. Mr. Wooddell stated he has submitted his recommended pricing structure based on several other aquatic centers in the region.

New Business:

FUNDRAISING – Mr. Wooddell distributed copies of the finalized marketing brochure for the fundraising campaign for the new aquatic center. The goal is to officially kick off the campaign by October 1st..

TRANSPORTATION – Transportation to the new facility was discussed, including the idea of the city running a route from the TRI to the community park. A partnership was also discussed with the Knolls of Oxford to run a route. More information needs to be explored on this aspect.

NAMING – Mr. Bogard asked about the naming of the new facility. Mr. Wooddell noted the Naming Committee has a meeting on Sept. 17, at which time the committee will analyze data from the public survey and make a name recommendation for City Council. City Council will make the final decision on the name of the facility.

PUBLIC INFORMATION SESSION – Mr. Wooddell discussed he upcoming public information session being hosted on Thursday, October 11 at 6:30pm at the Oxford Community Arts Center. Mr. Wooddell will open with a presentation about the new aquatic facility, followed by questions from the public, and concluding with time for community members to visit various tables to learn more about the specifics of the project (i.e. fundraising, financing, transportation, design). Recreation Board members will be asked to provide information at these tables.

Next meeting: Friday, October 12 at 11:30am – Oxford Municipal Building.
Meeting Adjourned: 12:47pm.

Approved By:

Initial Date

Department Head:

CDW \ 9/20/2018

City Manager:

DRE \ 9/28/18

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council

Originating Department

Council Meeting Of: October 2, 2018

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

September 18, 2018

Date Prepared

Agenda Title: Notice to Legislative Authority - New Permit for Fridge & Pantry Inc. DBA Fridge & Pantry Uptown Market 35 E. Church Street Oxford, Ohio 45056.

Recommendation:

Discussion: This is a new permit for Fridge & Pantry Uptown Market 35 E. Church Street Oxford, Ohio 45056.

The permit is for:

D1 - Beer only for on premises consumption or in original sealed containers for carry out only until 1:00 a.m.

Approved By:

Department Head:

Initial Date

City Manager:

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DRE

9/28/18

NOTICE TO LEGISLATIVE
AUTHORITY

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

TO

29484280005		NEW	FRIDGE & PANTRY INC DBA FRIDGE & PANTRY UPTOWN MARKET 35 E CHURCH ST OXFORD OH 45056 RECEIVED 9-14-18 City of Oxford
PERMIT NUMBER		TYPE	
ISSUE DATE			
09 11 2018			
FILING DATE			
D1			
PERMIT CLASSES			
09	088	A	C10283
TAX DISTRICT		RECEIPT NO.	

FROM 09/13/2018

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



MAILED 09/13/2018 RESPONSES MUST BE POSTMARKED NO LATER THAN. 10/15/2018

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING. **A NEW 2948428-0005**
REFER TO THIS NUMBER IN ALL INQUIRIES

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

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

WE DO NOT REQUEST A HEARING. ☐

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

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

(Signature)

(Title)- ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

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