



Agenda

Oxford City Council

Court House

TUESDAY, OCTOBER 17, 2017

EXECUTIVE SESSION

None.

1. Roll call. Kate Rousmaniere, Mayor; Mike Smith, Vice-Mayor; Glenn Ellerbe; Bob Blackburn; Kevin McKeehan; Steve Dana; 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. 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 October 3, City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

B. Minutes of the October 11, 2017 City Council Work Session. (Doug Elliott, City Manager)



Minutes

C. Report regarding the October 4, 2017 Environmental Commission Meeting. (Mike Dreisbach, Service Director)



Report

D. A Resolution declaring certain property in the City's possession no longer needed for any municipal purpose as surplus and authorizing its advertisement and sale to the highest bidder by public or internet auction. (John Jones, Police Chief)



Staff Report/Resolution

5. Resolutions.

1. A Resolution of the City Council of Oxford, Ohio to join the World Health Organization's and AARP's Network of Age-Friendly Cities and the AARP Livable Communities and commence the "Age-Friendly Oxford - A Great Community For All Ages" initiative. (Doug Elliott, City Manager).



Staff Report/Resolution

2. A Resolution authorizing the City Manager to amend the agreement with American Electric Power (AEP) for the procurement of electricity generation for the City of Oxford's Electric Aggregation Program for a period of thirty six (36) months at a lower rate than the current contract. (Doug Elliott, City Manager).

3. A Resolution approving members appointed by the City Manager to the Income Tax Board of Review for a period of three years for the City of Oxford, Ohio. (Doug Elliott, City Manager).



Staff Report/Resolution

4. A Resolution authorizing the City Manager to sign preliminary consent legislation and other contracts with the Ohio Department of Transportation in connection with a preventive maintenance and improvement project for State Route 732 inside the corporate limits at no cost to the City of Oxford. (Mike Dreisbach, Service Director)



Staff Report/Resolution

5. A Resolution authorizing the City Manager to submit eligible projects to the Butler County Board of Commissioners for the 2018 Community Development Block Grant Program (CDBG) year application. (Mike Dreisbach, Service Director)



Staff Report/Resolution

6. A Resolution authorizing the City Manager to enter into a contract with PST Services, LLC, for business support services at a cost of five percent (5%) of net revenue from cash receipts arising from the provision of patient services and related activities. (John Detherage, Fire Chief)



Staff Report/Resolution

7. A Resolution declaring certain City Property no longer needed for any municipal purpose as surplus and authorizing its trade to Zoll Medical Corporation in exchange for EMS supplies in the amount of \$6,000.00. (John Detherage, Fire Chief)



Staff Report/Resolution

6. Ordinances. Ordinances are adopted using a two-step procedure. First reading introduces the Ordinance and provides an opportunity for public input on the subject as well as allowing Council to request more information as needed. Second reading is to provide Council with the opportunity to consider new information and to deliberate.

A. First Reading.

1. An Ordinance Amending Ordinance No. 3381. Supplemental Budget Ordinance Number 8 To Make Supplemental Appropriations For Fiscal Year 2017. (Joe Newlin, Finance Director)



Staff Report/Ordinance

B. Second Reading.

1. An Ordinance Vacating 0.2824 Acres Of Right-Of-Way Off Of West Rose Avenue And Beech Street. (Mike Dreisbach, Service Director)



Staff Report/Ordinance

2. An Ordinance Approving A Conditional Use Permit For A Fast-Food Restaurant With Drive-Through Window In The General Business District to Be Located At 5093 College Corner Pike Oxford, Ohio 45056 With Conditions. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance

3. An Ordinance Repealing Oxford Ordinance 3426 Passed On September 19, 2017. (Jung-Han Chen, Community Development Director).



Staff Report/Ordinance

4. An Ordinance Repealing Oxford Codified Ordinance Section 1143.03 Entitled R-1MS Single-Family Mile Square Residential District, And Adopting New Oxford Codified Ordinance Section 1143.03 Entitled R-1MS Single-Family Mile Square Residential District. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance

5. An Ordinance Repealing Oxford Ordinance 3427 Passed On September 19, 2017. (Jung-Han Chen, Community Development Director).



Staff Report/Ordinance

6. An Ordinance Repealing Oxford Codified Ordinance Section 1143.05 Entitled R-2 MS Single And Two-Family Mile Square Residential District, And Adopting New Oxford Codified Ordinance Section 1143.05 Entitled R-2 MS Single And Two-Family Mile Square Residential District. (Jung-Han Chen, Community Development Director).



Staff Report/Ordinance

7. A. Announcements & Communications.

1. Remarks from City Council and City Staff.

B. Future Meetings.

WED - Oct 18 Board of Zoning Appeals Meeting 7:30 p.m.

WED - Oct 25 Civil Service Commission Meeting Cancelled

FRI - Oct 27 Community Improvement Corporation Meeting 12:00 p.m. LCNB

FRI - Oct 27 Student Community Relations Commission Meeting 2:30 p.m. LCNB

WED - Nov 1 Historic and Architectural Preservation Commission Meeting 6:00 p.m.

WED - Nov 1 Environmental Commission Meeting 7:00 p.m. Municipal Building

TUES - Nov 7 City Council Meeting 7:30 p.m.

THUR - Nov 9 Civil Rights Commission Meeting 4:00 p.m. Oxford Lane Library

FRI - Nov 10 Student Community Relations Commission Meeting 2:30 p.m. LCNB

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

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

THUR - Nov 16 Police Community Relations and Review Commission Meeting 7:00 p.m.

MON - Nov 20 Housing Advisory Commission Meeting 7:00 p.m. Municipal Building

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

THUR - Nov 23 Holiday - City Offices Closed

FRI - Nov 24 Holiday - City Offices Closed

TUES - Nov 28 City Council Organizational Meeting 7:00 p.m.

WED - Nov 29 Civil Service Commission Meeting 5:30 p.m. Municipal Building

8. Adjourn.

A regular meeting of the Oxford City Council was called to order by Mayor Kate Rousmaniere on Tuesday, October 3, 2017 at 7:15 p.m. Those members present were Steve Dana, Glenn Ellerbe, Kevin McKeehan, Mike Smith and Edna Southard. Bob Blackburn 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. Jung-Han Chen, Community Development Director; Mr. Alan Kyger, Economic Development Director; Mr. John Detherage, Fire Chief; Mr. Steve McHugh, Law Director and Ms. Mary Ann Eaton, Clerk of Council.

ADJOURN TO EXECUTIVE SESSION

Mr. Dana moved to adjourn to Executive Session immediately pursuant to Ohio Revised Code Section 121.22 (G)(1) for the purpose of discussing appointments to Boards and Commissions. Mr. McKeehan seconded. The motion passed by the following roll call:

AYE: Mr. Dana, Mr. Ellerbe, Mr. McKeehan, Mr. Smith, Ms. Southard,
Mayor Rousmaniere (6)

NAY: None (0)

ABS: None (0)

ADJOURN FROM EXECUTIVE SESSION

Ms. Southard moved to adjourn from Executive Session at 7:30 p.m. Mr. Dana seconded. The motion passed 6-0-0.

PLEDGE OF ALLEGIANCE

Mayor Rousmaniere requested the Pledge of Allegiance.

APPROVAL OF AGENDA

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

Mayor Rousmaniere called for a moment of silence to reflect on the tragedy in the City of Los Vegas and the people involved in it.

PUBLIC PARTICIPATION

INTRODUCTION

CHAD SMITH - THREE VALLEY CONSERVATION TRUST

Mr. Chad Smith, Executive Director, Three Valley Conservation Trust, noted he appreciated the opportunity to be in attendance. Mr. Smith advised he was an Oxford resident and spent 15 years at ODNR in several different capacities.

Mr. Smith noted he was at Hueston Woods early in his career and was later a park manager at East Fork State Park in Clermont County. Mr. Smith advised he had the opportunity to come back to Oxford to serve as Executive Director of Three Valley Conservation Trust. Mr. Smith noted Three Valley had a great Board of Directors and a great group of members that work with the trust. Mr. Smith advised he was excited to continue to grow the organization and move it forward. Mr. Smith advised he was committed to communicating when the trust has a new easement coming into the City limits and he was readily available in their new office across from the Tri. Mr. Smith noted there were 191 easements to date and 22,000 acres were protected under the conservation easements of Three Valley. Mr. Smith advised Three Valley was a 22 year old organization and 3% of Butler County is under a Three Valley conservation easement. Mr. Smith provided Council and staff with a map of all easements within the City limits and Three Valley's newsletter and brochures regarding the trust.

Mr. Dana congratulated Mr. Smith on his new position noting he was a fan of Three Valley Conservation Trust. Mr. Dana asked Mr. Smith to discuss the monitoring of easements and why it was important. Mr. Smith advised as part of Three Valley's accreditation the easements were monitored annually. Mr. Smith noted the easements were surveyed by a staff member who was a drone pilot and he relied on the help of volunteers as well. Mr. Smith advised he hoped to grow the number of volunteers. Mayor Rousmaniere inquired how many staff members Three Valley had and Mr. Smith advised three.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Ms. Southard moved to appoint Jacob Bruggeman to the Housing Advisory Commission for a 4 year term and Prue Dana to the Student Community Relations Commission for a three year term. Mr. McKeehan seconded. The motion passed 6-0-0.

PUBLIC COMMENTS

Mr. Jake Gold, noted he was a political reporter for the Miami Student Newspaper. Mr. Gold invited everyone to attend the first ever City Council Candidate Debate hosted by the Miami Student on Wednesday, October 18th at Wilks Theater at 7:30 p.m. Mr. Gold advised the candidates would be asked questions about their vision for Oxford and their opinions on City relevant political matters. Mr. Gold thanked Council for their time and noted his hope to see everyone at the debate.

Mayor Rousmaniere inquired if the candidates would be given the questions in advance. Mr. Gold advised the general categories for the questions would be provided in advance.

CONSENT AGENDA

Ms. Southard requested removal of item A. – Minutes.

REPORT

Report regarding the September 12, 2017 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)

RESOLUTION
SALVAGED VEHICLES

A Resolution No. 5097 authorizing the sale of salvaged, junk and/or abandoned motor vehicles.
(John Jones, Police Chief)

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

MINUTES

Minutes of the September 19 2017 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

Ms. Southard referred to page 23 of Council's packet and advised Ann Fuehrer attended the meeting not Ann Whelpton and asked for the minutes to be corrected.

Mr. Dana moved to approve the minutes as corrected. Mr. McKeehan seconded. The motion passed 6-0-0.

RESOLUTIONS

RESOLUTION
OXFORD SENIORS

A Resolution of Council authorizing alcoholic beverages to be served free of charge at private events held for "Members Only and Invited Guests" at Oxford Seniors 922 Tollgate Drive Oxford, Ohio 45056 provided an additional liquor liability insurance policy is obtained. (Doug Elliott, City Manager) **(Tabled)**

Mr. Dana moved to remove the Resolution from the table. Mr. Smith seconded. The motion passed 6-0-0.

RESOLUTION
OXFORD SENIORS

A Resolution No. 5098 of Council authorizing alcoholic beverages to be served free of charge at a private event on October 20, 2017 held for "Members Only and Invited Guests" at Oxford Seniors, 922 Tollgate Drive Oxford, Ohio 45056. (Doug Elliott, City Manager)

Mr. Dana moved to substitute the document labeled "Substitute Resolution" for the formerly tabled Resolution. Mr. Smith seconded. The motion passed 6-0-0.

Mr. Elliott noted the original Resolution was tabled because it allowed the Senior Center to serve alcoholic beverages free of charge at private events. Mr. Elliott advised after working with Mr. Schnabl the substitute Resolution will cover one event so the Senior Center would not have to purchase an additional liquor liability insurance policy.

Mayor Rousmaniere inquired if Mr. Schnabl would like to speak to the proposed Resolution.

Mr. Steve Schnabl, Executive Director, Oxford Seniors, had nothing to add and thanked Council for considering the substitute Resolution.

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

Mayor Rousmaniere inquired what event was being held and Mr. Schnabl advised October Fest.

Mr. Dana moved to adopt Resolution No. 5098. Ms. Southard seconded. The motion passed 6-0-0.

RESOLUTION
BUTLER COUNTY
PUBLIC DEFENDER

A Resolution No. 5099 of Council authorizing the City Manager to enter into a service agreement with the Butler County Public Defender Commission to provide legal counsel to indigent persons charged with violations of Municipal Ordinances for the year 2018, and thereafter under certain terms and conditions. (Doug Elliott, City Manager)

Mr. Elliott advised County Public Defenders are by law allowed to contract with municipalities for representation of indigent persons in the court system. Mr. Elliott noted the Butler County Public Defender Commission has contracts with the cities of Fairfield, Hamilton and the City of Oxford since 2015. Mr. Elliott advised the proposed Resolution would authorize the City Manager to enter into a renewal agreement with the Public Defender Commission to provide legal counsel to indigent persons appearing in Butler County Area One Court in 2018 at a cost of \$3,438.55 annually.

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

Mr. Dana noted he felt providing this service was not only a required legal act but it was also good public policy.

Mr. Smith inquired if \$3,438.55 was an increase from the previous agreement. Mr. Elliott advised it was a slight increase.

Mr. Dana moved to approve Resolution No. 5099. Ms. Southard seconded. The motion passed 6-0-0.

RESOLUTION
OVI TASK FORCE

A Resolution No. 6000 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 2018 grant funded through the Ohio Department of Public Safety. (John Jones, Police Chief)

Chief Jones noted the Oxford Division of Police was the lead agency for the grant that the Butler County OVI Task Force receives from the Ohio Department of Public Safety office.

Chief Jones noted Oxford was the administrator for the grant and for the last few years retired Oxford Police Sergeant Pete Reising has administered the grant. Chief Jones advised the Police Division would like to continue that relationship. Chief Jones advised each year the Police Division was audited by the state and the auditors have always had very positive comments about working with the City's Finance Department on the work Mr. Reising does.

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

Mayor Rousmaniere noted Mr. Reising was doing a great job for the county and Chief Jones advised yes, noting Oxford was the lead agency. Chief Jones noted it was a \$225,000 grant that Butler County receives and Mr. Reising administers it to the different agencies in Butler County. Mayor Rousmaniere asked Chief Jones to thank Mr. Reising for his good work.

Mr. McKeehan moved to adopt Resolution No. 6000. Mr. Dana seconded. The motion passed 6-0-0.

RESOLUTION
PURCHASE DUMP TRUCK

A Resolution No. 6001 authorizing the City Manager to enter into an agreement with FYDA Freightliner Cincinnati, LLC for the purchase of a 2018 M2 106 cab and chassis under State Contract Pricing at a cost not to exceed \$79,492.00. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised the next 3 Resolutions go hand in hand noting Resolution 4 was for the purchase of a cab and chassis, Resolution 5 recommended disposal of a old dump truck and Resolution 6 was for the associated equipment to outfit the new dump truck including a hoist, dump body and snow plow. Mr. Dreisbach referred to Resolution 4 and noted the City had an 11 year old 2 ton dump truck that is essential to the operation and it's time to replace it. Mr. Dreisbach advised another Freightliner was already in the City's fleet and staff was very pleased with it and happy that Freightliner was on the state contract.

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

Mr. Smith noted \$150,000 was budgeted for the vehicle and equipment and the City's price was significantly under that amount.

Mr. Ellerbe inquired if the vehicle would be used for salting and Mr. Dreisbach advised yes.

Ms. Southard moved to adopt Resolution No. 6001. Mr. Ellerbe seconded. The motion passed 6-0-0.

RESOLUTION
DISPOSE OF DUMP TRUCK

A Resolution No. 6002 declaring an eleven year old International dump truck (vehicle #07-35) no longer needed for municipal purposes as surplus and authorizing its sale to the highest bidder by public or internet auction. (Mike Dreisbach, Service Director)

Mr. Dreisbach referred to his staff report on page 50 of Council's packet and asked Council to amend the title of the proposed Resolution to dispose of a twenty two year old Chevrolet Kodiak dump truck (vehicle #96-51).

Mr. McKeehan moved to amend the Resolution to read declaring a 22 year old Chevrolet Kodiak dump truck (vehicle #96-51) in all sections of the Resolution. Mr. Dana seconded. The motion passed 6-0-0.

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

Mr. Dana moved to adopt Resolution No. 6002. Ms. Southard seconded. The motion passed 6-0-0.

RESOLUTION
PURCHASE OF SPECIFIED
TRUCK EQUIPMENT

A Resolution No. 6003 authorizing the City Manager to enter into an agreement with Henderson Products – OH for the purchase of specified truck equipment through the National Joint Powers Alliance contract #080114 at a cost not to exceed \$56,411.00. (Mike Dreisbach, Service Director)

Mr. Dreisbach noted Resolution 4 was for the purchase of a cab and chassis and this Resolution was for the associated equipment for the vehicle, a dump body, hoist, hydraulic system, electronics and lighting package and a salting pre-wet system.

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

Mr. McKeehan inquired what the difference was between state contract pricing and the National Joint Powers Alliance contract. Mr. Dreisbach advised the City got a lower price than the state contract price for the equipment purchase through the National contract spearheaded by political subdivisions in MN that have taken their package nationally.

Mr. Ellerbe inquired what the life expectancy of the new vehicle was and Mr. Dreisbach advised the target was 10 years for the heavy dump trucks.

Mr. Dana moved to adopt Resolution No. 6003. Mr. McKeehan seconded. The motion passed 6-0-0.

RESOLUTION
AGREEMENT WITH
DUDLEY PRIME PROPERTIES, LLC

A Resolution No. 6004 authorizing the City Manager to enter into a property exchange agreement with Dudley Prime Properties LLC for the City of Oxford to accept a twenty foot wide utility easement in exchange for vacation of right-of-way in Oxford, Ohio. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised this Resolution relates to the Gaslight Avenue project and Council recently approved the Preliminary Planned Development application for the project. Mr. Dreisbach noted this area was to the south and east of the Stewart Square development and currently the site runs to the east of College Avenue and west of Main Street. Mr. Dreisbach showed a slide of the area in question and advised the City had a storm sewer and a sanitary sewer running through the private property and the facilities were not in an easement. Mr. Dreisbach showed where right-of-way vacation needed to be obtained from the City to move the project forward. Mr. Dreisbach showed a 20 foot wide proposed utility easement. Mr. Dreisbach noted the developer requires the right-of-way vacation from the City to move his project forward and the City needs the utilities in a protected utility easement so they can be served properly. Mr. Dreisbach advised the proposed Resolution authorizes the City Manager to sign a property exchange agreement with the developer granting the City a 20 foot wide utility easement in exchange for vacating the unused and undeveloped right-of-way. Mr. Dreisbach noted staff recommended Council's approval of the Resolution which is related to Ordinance No. 1 which vacates the right-of-way.

Mr. Steve Schnabl, 44 Autumn Drive, advised as he drove down Main Street recently he noticed what had been a wooded area for many years is now entirely cleared and noted he assumed it was part of the Gaslight Avenue project. Mayor Rousmaniere and Mr. Dreisbach advised it was.

Mr. Dreisbach and Mr. McHugh clarified an issue for Mr. Dana with regard to CSX right-of-way.

Mr. McKeehan moved to adopt Resolution No. 6004. Mr. Dana seconded. The motion passed 6-0-0.

ORDINANCES **FIRST READING**

ORDINANCE **RIGHT-OF-WAY** **VACATION**

An Ordinance vacating 0.2824 Acres Of Right-Of-Way Off Of West Rose Avenue And Beech Street. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised the vacation of right-of-way was already discussed and he had nothing further to add.

Mayor Rousmaniere advised the Resolution authorized the City Manager to enter into the property exchange agreement and the Ordinance vacates the right-of-way.

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

ORDINANCE
CONDITIONAL USE

An Ordinance Approving A Conditional Use Permit For A Fast-Food Restaurant with Drive-Through Window In the General Business District To Be Located At 5093 College Corner Pike Oxford, Ohio 45056 With Conditions. (Jung-Han Chen, Community Development Director)

Mr. Chen noted a restaurant in the General Business District was a permitted use and the Conditional Use application was for the drive through window. Mr. Chen showed a slide of the 2.7 acre lot on College Corner Pike for the new restaurant noting it was on the left side of College Corner Pike heading north and across from Westgate Drive. Mr. Chen advised the restaurant would be 2800 square feet and would seat 61 customers. Mr. Chen noted the Planning Commission recommended approval to City Council with 6 conditions as listed on page 84 of Council's packet. Mr. Chen offered to answer any questions and noted the architect was in attendance.

Mr. Dana referred to the 6 conditions on page 84 of Council's packet and the waivers requested by the architect on page 106 and inquired how they correlated. Mr. Chen advised they were fairly consistent.

Mr. Bill Snavelly, Oxford Planning Commission, addressed signage at the proposed restaurant and noted the Planning Commission did their job with respect to it.

Mayor Rousmaniere inquired if 2800 square feet was typical for a Burger King and the Architect, Robert Blood, advised yes. Mayor Rousmaniere inquired what the bicycle space would contain and Mr. Blood advised a bike rack.

ORDINANCE
REPEALING ORDINANCE 3426

An Ordinance Repealing Oxford Ordinance 3426 Passed On September 19, 2017. (Jung-Han Chen, Community Development Director)

Mr. Chen advised Council adopted legislation at the last meeting for the R1 MS District and the Planning Commission had additional zoning text amendment recommendations for that district. Mr. Chen noted the cleanest way to adopt all of the amendments was to repeal what was adopted at the last meeting and adopt a new Ordinance that incorporates all the recommended changes.

Mayor Rousmaniere advised the Ordinance adopted on September 19, 2017 would be repealed regarding the R1 MS District and a new Ordinance would be considered to adopt all of the Planning Commission's recommendations.

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

Mr. Dana noted he was in favor of repealing Ordinance No. 3426 for the reasons Mr. Chen has suggested.

ORDINANCE
NEW SECTION 1143.03

An Ordinance Repealing Oxford Codified Ordinance Section 1143.03 Entitled R-1MS Single-Family Mile Square Residential District, And Adopting New Oxford Codified Ordinance Section 1143.03 Entitled R-1MS Single-Family Mile Square Residential District. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the repealed Ordinance dealt with the Purpose Statement for the R1 MS District and the Site Development Regulations. Mr. Chen noted the proposed Ordinance includes those changes as well as changes to the Mile Square Design Standards for the R1 MS District as shown on pages 130-136 of Council's packet.

Mr. Dana referred to page 129 of Council's packet Section 1143.03 "This district is designed to preserve and encourage a single-family residential environment in an urban environment while maintaining the historic form and character of development within the Mile Square District." Mr. Dana noted this Ordinance was especially significant because it addresses the issue of requiring developers to respect the historic character of the Mile Square. Mr. Dana advised he mentions this because of an exchange at the last meeting between Mr. Prytherch and Mr. Webb. Mr. Dana noted he felt the language goes far toward protecting the kind of development desired by respecting the historic forms in the Mile Square.

ORDINANCE
REPEALING ORDINANCE 3427

An Ordinance Repealing Oxford Ordinance 3427 Adopted September 19, 2017. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the proposed Ordinance would repeal language for the R2 MS District for the same reasons as stated for the R1 MS District.

ORDINANCE
NEW SECTION 1143.05

An Ordinance Repealing Oxford Codified Ordinance Section 1143.05 Entitled R-2 MS Single And Two Family Mile Square Residential District, And Adopting New Oxford Codified Ordinance Section 1143.05 Entitled R-2 MS Single And Two Family Mile Square Residential District. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the proposed Ordinance deals with all of the new regulations recommended by the Planning Commission. Mr. Chen noted due to a copying error (missing pages) he would ask Council to substitute the Ordinance in the packet with the one labeled "Substitute Ordinance".

Ms. Southard moved to substitute the Ordinance labeled "Substitute Ordinance" for the one appearing in Council's packet. Mr. Dana seconded. The motion passed 6-0-0.

Mayor Rousmaniere read the Purpose Statement for the R2 MS District as follows: "This district is designed to preserve and encourage a mix of single-family and two family dwellings within an urban environment at densities that reflect Oxford's historic development pattern within the Mile Square District". Mayor Rousmaniere noted the language was to preserve and encourage not require.

Mr. Smith noted R1, R2 and R3 would all have the same design standards.

Mayor Rousmaniere noted this was the result of an overall rezoning project of the Mile Square that the Planning Commission worked on for at least 18 months.

ORDINANCES
SECOND READING

ORDINANCE
APPROPRIATE PROPERTY

An Ordinance No. 3435 To Appropriate For Pubic Use, All Right Title And Interest In A Certain Parcel Of Property Located Along The West Side Of Country Club Drive For The Purpose Of Acquiring Fee Simple Interest For A Road Project In The City Of Oxford, Ohio And Declaring An Emergency. (Doug Elliott, City Manager)

Mr. Elliott advised in 1966 the Heritage Subdivision II was approved by the Village of Oxford and the approved plat included a stub street shown as Parcel "A". Mr. Elliott noted recently Council approved the subdivision plat for Red Brick Estates which includes a street entitled Grace Lane which connects to the parcel "A" stub street. Mr. Elliott advised the City attempted to negotiate the purchase of the stub street from the current owner and was unsuccessful. Mr. Elliott noted staff recommended to Council legislative action to acquire the stub street. Mr. Elliott noted at the last meeting Council adopted a Resolution of necessity and gave a first reading to this Ordinance. Mr. Elliott recommended that Council adopt the proposed Ordinance as an emergency this evening which would require 6 affirmative votes.

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

Mayor Rousmaniere inquired if the proposed Ordinance would authorize the City Manager to begin the process of eminent domain. Mr. Elliott advised this Ordinance along with a check for the appraised amount of money will be filed with the Butler County Clerk of Courts and the City will take possession of the property. Mr. Elliott noted at a later date the court will determine if the appraised amount was the correct amount.

Mr. Dana inquired if construction of the new subdivision could begin once the court receives the proper documentation and Mr. Elliott advised yes.

Mr. McKeehan moved to adopt Ordinance No. 3435 as an emergency. Mr. Dana seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. McKeehan, Mr. Smith, Ms. Southard, Mr. Dana, Mr. Ellerbe,
Mayor Rousmaniere (6)

NAY: None (0)

ABS: None (0)

ORDINANCE
NEW INVESTMENT POLICY

An Ordinance No. 3436 Repealing Ordinance No. 2944 And Adopting A New Investment Policy. (Joe Newlin, Finance Director)

Mr. Newlin advised he had nothing new to add since the first reading and noted Ryan Nelson, the City's investment advisor, was in attendance at the last meeting to explain the reasons behind the changes being proposed. Mr. Newlin added that the City had a very good working relationship with Mr. Nelson.

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

Mr. Dana referred to page 153 of Council's packet and noted he agreed with removing item 3 under Maturity Guidelines since the language is gray and could have different interpretations. Mr. Newlin advised the language was not completely removed although it was modified.

Ms. Southard noted citizens looking at these efforts should feel that the City is doing a good job of taking care of investments. Ms. Southard advised she felt it was important for citizens to know about the City's Investment Policy.

Ms. Southard moved to adopt Ordinance No. 3436. Mr. Dana seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Smith, Ms. Southard, Mr. Dana, Mr. Ellerbe, Mr. McKeehan,
Mayor Rousmaniere (6)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott reminded everyone about the Charter Amendments which will appear on the November 7, 2017 ballot as Issue #5. Mr. Elliott noted he made presentations regarding the Charter Amendments to the Kiwanis Club and the League of Women Voters and would make presentations tomorrow to the Rotary and Lions Clubs. Mr. Elliott advised the Voter Information Guide 2017 published by the League of Women Voters contains the proposed ballot language.

Mr. Elliott advised he and Mr. Dreisbach toured the Municipal Building renovation project at the former Lane Library building and it was moving along nicely. Mr. Elliott noted sometime after February 1, 2018 City offices will move to the renovated facility.

Mr. Elliott noted he, Chief Detherage and Medical Director Dr. Dustin Calhoun met with representatives of the McCullough Hyde Memorial Hospital recently and items of discussion included MHMH facilities update, clinical service expansions, new equipment and performance improvement data. Mr. Elliott advised the meetings are held quarterly.

Mr. Elliott reminded everyone of the Budget Work Session on Wednesday, October 11th at 6:30 p.m.

Mr. McKeehan advised Councilor Blackburn was at Woodland Country Manor and should be released this weekend. Mr. McKeehan noted Councilor Blackburn hopes to return to Council meetings soon.

Mr. Ellerbe noted he was looking forward to the candidate interactions this Thursday and next week.

Mr. Dana noted he still had a heavy heart regarding what has happened in our country and he hoped our national and state legislators will earnestly address the issue.

Mr. Smith reminded everyone of the Candidate Forum on Thursday from 7-9 p.m. at the Knolls of Oxford and encouraged all interested to attend.

Mayor Rousmaniere advised she received an email about members of the Miami University Varsity Baseball Team cleaning up alleys in Oxford every Saturday morning.

Mayor Rousmaniere noted as part of the Town/Gown initiative she will be sending to Councilors and City staff the 'Optimal Town/Gown Assessment Survey'. Mayor Rousmaniere advised the survey takes 5-7 minutes and asks about ones impression of Oxford's Town/Gown relations. Mayor Rousmaniere advised the survey was a widely used instrument that helps measure campus and community perceptions of each other. Mayor Rousmaniere noted the survey was expanded to include questions related to the impact of student alcohol and drug use on Town/Gown relations and the group believed the input received will help ongoing efforts to identify and promote mutually beneficial Town/Gown partnerships.

Mayor Rousmaniere reminded everyone of the Budget Work Session next Wednesday.

ADJOURN

Mr. Dana moved to adjourn at 8:44 p.m. Mr. Smith seconded. The motion passed 6-0-0.

The Budget Work Session of the Oxford City Council was called to order by Mayor, Kate Rousmaniere on Wednesday, October 11, 2017 at 6:30 P.M. Council members present were, Steve Dana, Kevin McKeehan, Mike Smith and Edna Southard. Bob Blackburn and Glenn Ellerbe were excused.

Staff members present: Doug Elliott, City Manager; Mike Dreisbach, Service Director; John Jones, Police Chief; Alan Kyger, Economic Development Director; Joe Newlin, Finance Director; Heidi Hill, Assistant Finance Director; Jung-Han Chen, Community Development Director; Candi Fyffe, Human Resources Director; Casey Wooddell, Parks and Recreation Director and John Detherage, Fire Chief.

**APPROVAL
OF AGENDA**

Mr. Dana moved approval of the Agenda. Ms. Southard seconded. The motion carried 5-0-0.

2018 BUDGET

Mr. Elliott presented the proposed budget for 2018 followed by Council and staff discussion. Mayor Rousmaniere excused herself.

ADJOURNMENT

Mr. McKeehan moved to adjourn at 8:25 p.m. Ms. Southard seconded. The motion carried 4-0-0.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: October 17, 2017

Service Department
Originating Department

Account Code #: N/A

David Treleven
Prepared By

Budgeted Amount: N/A

October 11, 2017
Date Prepared

Agenda Title: Environmental Commission Meeting of October 4, 2017

Recommendation: For Review and Consideration

Discussion:

Environmental Commission members present at the Wednesday, October 4, 2017 meeting were: Chair, Mr. Wright Gwyn; Vice-Chair, Ms. Madeline Maurer; City Council Representative, Mayor Kate Rousmaniere; Planning Commission Representative, Mr. Bill Snavely; Mr. Jon Ralinovsky, and Mr. Andor Kiss. A quorum was present. Mr. Vince Hand had previously alerted the Commission that he would be out of town and unable to attend this meeting. Ms. Page Jordan and Ms. Sara Rudokas, graduate students with Miami University's (MU's) Institute for the Environment and Sustainability (IES), and MU undergraduate student, Ms. Shannon Pressler, were also in attendance.

The Minutes from the September 6, 2017 Environmental Commission meeting were unanimously approved as presented.

Ms. Pressler informed the Commission that she was currently serving as the Treasurer with MU's "Green Oxford", a student organization primarily devoted to sustainability, with working groups on food, recycling, and water conservation. Ms. Pressler informed the Commission that Green Oxford intends to prepare educational pieces specially aimed towards on- and off-campus recycling opportunities for MU students. Ms. Pressler had located two recycling flyers in the Green Oxford offices (a general one with some Oxford specifics put out by Butler county Recycling and Solid Waste District, and a second, Oxford-specific, generated by Rumpke). The Commission verified that the information was still valid. The MU Graphics Department will assist Green Oxford in preparing a new flyer with recycling information. Chair Gwyn indicated that he would provide copies of the informational flyers he distributes as the Environmental Manager for the City of Forest Park (which also utilizes Rumpke for trash and recycling services). Mr. Kiss suggested making a duplicate informational flyer in Chinese to assist the international students from China better understand Oxford's recycling system and requirements.

Prior to the meeting, the IES Professional Service Project (PSP) student team had provided a proposal for the Commissioners' review. Ms. Jordan and Ms. Rudokas were present to answer questions and take revision suggestions, as well as provide a progress report. The Commissioners indicated that they thought the PSP proposal (entitled "Examining the Global Covenant of Mayors for Climate and Energy: A Feasibility Study for Oxford, Ohio") was well prepared, thorough, and addressed issues and questions that
(Continued)

Approved By:

Department Head:
City Manager:

Initial	Date
<u>MBD</u>	<u>10/13/17</u>
<u>DBE</u>	<u>10/13/17</u>

were associated with the potential of Oxford's participation in the Global Covenant of Mayors for Climate and Energy (the Covenant). The student team had identified three college cities similar to Oxford in size and/or demographics (Aspen, Colorado; San Luis Obispo, California; and West Chester, Pennsylvania) that were already part of the Covenant and intend to contact them to discuss their experiences in participation with the Covenant. The IES students also asked for the contact information for the three Oxford citizens that had requested the Commission investigate Oxford's participation in the Covenant to better understand their wants and goals.

Mayor Rousmaniere informed the Commission that the new Executive Director to the Three Valley Conservation Trust had introduced himself to City Council. Presently, the Trust has some 22,000 acres, of which 660 acres (3%) are contiguous, and 191 easements. Mayor Rousmaniere also updated Commissioners on the bicycle lanes along South Locust Street from West Spring Street/Fairfield Avenue south to Foxfire Drive, and progress with grant funding for the next phase of the Oxford Area Trail System (OATS), from State Route 73 to Pepper Park. As the grant contains a matching funds component, a recreational levy property tax is being considered to assist in the funding for the continued OATS development as well as an Aquatic Center at the Oxford Community Park.

Mr. Snively informed the Commission that the Planning Commission had received a presentation from the Oxford Bible Fellowship (corner of East Chestnut and Maple Streets) that proposed occupying the vast majority of the remaining greenspace on the parcel with a building expansion. The Planning Commission was not in favor of the proposal as presented.

Following the September Commission meeting, Mr. Hand took on the task to refine the language of the Commission's proposed revision to Oxford's Codified Ordinance on trees (Chapter 935 Trees, Shrubs and Other Plants), including preservation and replacement of trees on private land, with an eye toward possible legal entanglements. Mr. Hand's revision broke the Commission's draft into two parts, one largely as the existing Chapter 935 currently exists, and a separate Chapter addressing preservation and/or replacement of trees on private property. The revised draft had been made available to Commissioners for their review, and comments and concerns were discussed. Chair Gwyn volunteered to incorporate the Commissioner's most recent revisions to the draft tree ordinance(s), and provide a copy to the Commission prior to the November 1st meeting.

The Commissioners concluded discussion at 8:40 p.m. The Environmental Commission is next scheduled to meet at 7:00 p.m. on November 1, 2017, in the Municipal Building's Second Floor Conference Room.

CITY OF OXFORD

STAFF SUMMARY REPORT

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

Police

Originating Department

Council Meeting Of: October 17, 2017

John A. Jones

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

October 11, 2017

Date Prepared

Agenda Title: Resolution Authorizing Certain Property held by the Division of Police to be sold at public auction.

Recommendation: Approve

Discussion: The bicycles listed on the attached spreadsheet are in the possession of the Police Division. These bicycles were either found abandoned property or they were seized during a criminal investigation. Reasonable efforts have been made to identify owners and notify owners to claim their property. These items have gone unclaimed and are not of use to the Police Division. It is the recommendation of the Police Chief that these items be sold at public auction, to include internet auction, to the highest bidder for cash. The proceeds from the auction will be placed in the general fund of the City. In accordance with OCC Section 127.11, an ad will be placed in the local newspaper describing the nature of the property and inviting persons to claim the property.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

JAJ \ *10/11/17*
DRE \ *10/13/17*

RESOLUTION NO.

A RESOLUTION DECLARING CERTAIN PROPERTY IN THE CITY'S POSSESSION NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE AS SURPLUS AND AUTHORIZING ITS ADVERTISEMENT AND SALE TO THE HIGHEST BIDDER BY PUBLIC OR INTERNET AUCTION.

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

SECTION 1: Pursuant to Oxford Codified Ordinance Section 127.11, the items (bicycles) set forth in Exhibit "A" attached hereto and incorporated herein, are hereby declared surplus and no longer needed for any municipal purpose, and the same may be sold at auction.

SECTION 2: Council hereby authorizes the sale of said items (bicycles) by public or internet auction to the highest bidder with proceeds thereof deposited in the General Fund.

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)

Exhibit "A"

IMPOUNDED BICYCLE INVENTORY (updated 09/26/2017)

Auction	MAKE	MODEL	COLOR(S)	SPEEDS	SERIAL NUMBER	LETTERING/DECALS/FEATURES	DAMAGE, INVENTORY ENTRY DATE	OVERALL CONDITION
Tag #	All entries May 2017 unless noted							
	Diamondback	Response XE	Blue	21	006K24982P1031-H	black/red decals	Rust	Poor
	Eddie Bauer	EBS	Blue	7	HMO40U1865	Silver letters	Rust	Fair
	Gary Fisher	Mako	Blue	18	WTU232C1442C	Bottle rack		Fair
	Genesis	275	Silver	21	GS160520691			Good
	Genesis	GS4268	Green	21	CS130615849	Bell		Fair
	Genesis Off Road	29 GS	Black/neon green	21	GS140411734	White letters	Rust	Poor
	Giant	Roam W1	White	24	CA0Q9886			Good
	Honda Racing	HR-260FS	Red	10	XDS01M069 UV05556585	White letters	Rust	Poor
	Huffy	Trail Runner	Magenta/pink	18	AL12C097091	Women's frame	Rusted cables	Poor
	Huffy	Mt. Echo	Purple/pink	18	G802H08602	Women's frame	Rust	Fair
	Huffy	Rock Creek	Red/silver	18	56862T34612A	Black/white letters	Rust	Fair
	Huffy	Alpine	Yellow/black	18	AL09C027694	White letters	Rust	Poor
	Huffy	Rock Creek	Black	18	AL12E055507		Rusty gears	Fair
	Huffy	Trailworks	Blue/pink	15	6335-9160611-H6277			Fair
	Huffy	Rock Creek	Black	18	AL12E055507	Red/black frame		Fair
	Huffy	XDS	Neon Green	18	AI16A008526			Very Good
	Huffy	Unknown	Black	10	9260####26837 (#-unreadable)	Racing handlebars	Seat, brakes damaged	Poor
	Huffy	Rival	Silver	21	AL10A029291	Black/blue lettering		Very Good
	Hyper	Spinner	Black	1	DM100096019			Fair
	Hyperbike	Spinner	Black	1	DM100096019			Poor
	Kent	Trouble Maker	Pink w/ green rims	1	G132133747	White letters	Broken brake cables	Fair
	Kent	City Cruiser	Red	1	G8060120860	Chrome fenders, chain guard		Poor
	Magna	Exltor	Red	21	TD1089173536	Red/black letters	Rust	Fair
	Mongoose	Wanderer	Red	21	SNFSD06L43701	White letters	Rust, broken kickstand	Fair
	Mongoose	Excursion	Black	21	SNFSD16H19074	Orange lettering		Good/Very Good
	Mongoose	Moto 100	Blue	1	170111/SNFSD014AH0444			Fair
	Murray	Mountain Shadow	Black	18	J6527028	White letters	Rust	Poor
	Next	PX 6.0	Black	18	LWCNC25899	Red letters	Rust	Poor
	Next	PC 6.0	Copper	18	LWMD009204	Black letters	Rusty chain	Good
	Next	Chaos FS20	Green	1	J1306779	Black/silver letters	Broken brake cables	Fair
	Next	Surge	Green	1	TD1086304111	n/a	Children's bike	Good
	Next	Gauntlet	White/pink	18	DJIC118990	Pink decals		Good
	Next	PX 4.0	Black	18	LWLJ008921	Spray painted red		Poor
	Next		Red	1	Property tag 17-p-00590002	red/black painted frame	Rust	Fair
	Next	Filter	Red/silver/white	1	67767169	Chain guard; torn seat, rust, flat tires		Poor
	Next	Cane Creek	Gray	1	CIC24E1002			Fair
	Pacific	Scorpio	Green	21	H0032767	Gold letters	Rust	Poor
	Pacific	Firestorm	Black	21	C97F3044	Red letters		Fair
	Pacific	4X2200	Blue	21	H11248213		Rust	Fair
	Quest	Crestwood	Black/silver	21	806D051677	White letters	Rust	Fair
	Quest	Omega	Silver/gray	18	S6F000371	White letters	None	Good
	Quest	Crestwood	Silver/black	21	S06001784	green lettering	Brake cables damaged	Fair
	Raleigh	M-30	Red	21	T961101462	Gold/silver letters	Rust, brake cables rusted	Poor
	Rally	Lace	Lavender	3		Children's bike; white wheels, chain guard		Fair
	Realm	VXR .08	Dark blue	18	G100513605	White letters	Rusty	Good
	Roadmaster	Granite Peak	Black	18	SNFSD15D20061	Pink stripes	None	Good
	Roadmaster	Granite Peak	Black	18	SNFSD15E839410	n/a	Rust	Poor
	Roadmaster	Granite Peaks 26	Black/silver	18	SNFSD14D09111	White letters	Rusty chain	Fair
	Roadmaster	Mountain Sport	Blue	18	GK52429146	Green/white letters	Rust	Fair
	Roadmaster	Granite Peak	Gray	18	SNFSD12DP8016	Red letters	Rusty chain, handle bars	Poor
	Roadmaster	Granite Peak	Black	18	SNFSD15EA5213		Rust	Fair
	Roadmaster	Granite Peak	Black	18	SNFSD15E83940		None	Good
	Roadmaster	Granite Peak	Teal	18	SNFSD13DK7309	Cables cut		Poor
	Roadmaster	Unknown	Black	15	GK50963888			Fair
	Roadmaster	Granite Peak	Black	18	SNFSD15DL0064	White trim		Very Good
	Roadmaster	Granite Peak	Purple	18	SNESD15D57968	green lettering	rusty chain	good
	Roadmaster	Granite Peak	Black	18	FSD15E85094	No tread on tires; bottle rack	rusty chain	Fair
	Ross	Griffin	Black	18		Rust on chain; blue lettering		Fair
	Schwinn	Frontier	Silver	21	P2BA02052	Red letters	Rust, worn	Fair
	Schwinn	Vertical PK7	Silver	21	02TD298059	Silver/black letters	Rust	Fair
	Schwinn	Frontier	Yellow	14	SB104635	Blue letters	Rust, damage to frame	Poor
	Schwinn	Ranger	Black	21	SNIDC03019621/G3570M1	Red trim		Fair
	Schwinn	High Plains	Purple/pink	21	CSC3B10029	No seat/gear cables		Poor
	Specialized	Hard Rock	Teal	21	GU087653			Fair
	Specialized	Hard Rock	Silver	24	P4EE41662	Copper handlebars and seat post		Fair
	Trek	Pure	Black/silver	7	WTU309C0564J	Saddle seat	Broken brake cables	Good
	Trek	DS 8.2	Dark blue/white	18	WTU195C0322H	White horizontal bar	Rust	Poor
	Trek	7.2 FX	Gray/silver	24	WTU107C1354F	Bottle rack	Torn seat, rust	Poor
	Trek	7.0	Silver	21	WTU086C0159K	Women's frame	Rust	Fair
	Trek	Bontrager	Black	24	2077U0311			Fair
	Trek	820	Blue	21	1015U003			Good

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: October 17, 2017

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

October 10, 2017

Date Prepared

Agenda Title: A Resolution of the City Council of Oxford, Ohio to join the World Health Organization's and AARP's Network of Age-Friendly Cities and the AARP Livable Communities and commence the "Age-Friendly Oxford – A Great Community For All Ages" initiative.

Recommendation: n/a

Discussion:

As requested by members of the Oxford VillAGE Network.

Approved By:

Department Head:
City Manager:

Initial Date

PRE 10/13/17

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF OXFORD, OHIO TO JOIN THE WORLD HEALTH ORGANIZATION'S AND AARP'S NETWORK OF AGE-FRIENDLY CITIES AND THE AARP LIVABLE COMMUNITIES AND COMMENCE THE "AGE-FRIENDLY OXFORD – A GREAT COMMUNITY FOR ALL AGES" INITIATIVE.

WHEREAS, according to the World Health Organization (WHO) the global population of people aged 60 and over is expected to grow from 600 million in 2000 to almost 2 billion by 2050; and

WHEREAS, in the United States, according to WHO, the population of people aged 65 and over is expected to grow from 35 million in 2000 to 88.5 million by 2050, taking the total share of the 65+ population from 12 percent to 20 percent of the total population; and

WHEREAS, according to the 2010 U.S. Census, 7.6% of the population of Oxford, Ohio is over the age of 60 (2017); and

WHEREAS, research shows that older adults overwhelmingly want to remain in their homes and communities as they age; and

WHEREAS, AARP is the World Health Organization (WHO) United States affiliate of the Network of Age-Friendly Cities Communities to encourage and promote public policies to increase the number of cities and communities that support healthy aging and thereby improve the health, well-being, satisfaction, and quality of life for older adults; and

WHEREAS, active aging is a life-long process, whereby an age-friendly community is not just "elder-friendly" but also a healthy community for ALL ages; and

WHEREAS, the WHO has noted that "making cities and communities age-friendly is one of the most effective policy approaches for responding to demographic aging," and

WHEREAS, the WHO has developed eight domains of community life that influence the health and quality of life of older people, and other communities have additional domains:

- 1. Outdoor spaces and buildings** – accessibility to and availability of clean, safe community centers, parks, and other recreational facilities;
- 2. Transportation** – safe and affordable modes of private and public transportation, "Complete Streets" types of initiatives, hospitable built environments;
- 3. Housing** – wide range of housing options for older residents, aging in place and other home modification programs, housing that is accessible to transportation and community and health services;
- 4. Social participation** – access to leisure and cultural activities; opportunities for older residents to participate in social and civic engagement with their peers and younger people;

5. Respect and social inclusion – programs to support and promote ethnic and cultural diversity, programs to encourage multigenerational interaction and dialogue, programs to combat loneliness and isolation among older residents;

6. Civic participation and employment – promotion of paid work and volunteer opportunities for older residents; opportunities for older residents to engage in formulation of policies relevant to their lives;

7. Communication and information – promotion of and access to the use of technology to keep older residents connected to their community and friends and family, both near and far; and

8. Community support and health services – access to homecare services, clinics, programs to promote active aging (physical exercise and healthy habits); and

WHEREAS, the WHO recognizes that cities and communities have different needs, resources, and varying capacities to engage their resources to take action to facilitate active aging;

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

SECTION 1: the City Council of the City of Oxford supports the City of Oxford, Ohio's application, membership and engagement in the community improvement model of the WHO and AARP Network of Age-Friendly Communities in a local initiative to be known as "Age-Friendly Oxford – a Great Community for ALL ages."

Furthermore, the Council supports the establishment of an Age-Friendly Task Force to:

- evaluate opportunities to engage in the WHO Age-Friendly Cities and Communities Network and AARP's Livable Communities Network which best match the needs of the Oxford Community
- actively seek input from diverse community partners and stakeholders including older adults
- conduct a community needs assessment for the purpose of prioritizing needs and planning projects
- make recommendations for collaboration, and resource development based on the needs assessment
- implement recommended projects as resources permit

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)



October 18, 2017

Nicole Ware
AARP Associate State Director
17 South High Street Suite 800
Columbus, Ohio 43215

Dear Ms. Ware:

On behalf of the City of Oxford, Ohio, we are excited about the opportunity to join with the World Health Organization and AARP to become an Age-Friendly Community. Oxford is committed to promoting actions and policies to make our community more age-friendly to its older adults and aging population.

Oxford, Ohio is a small town of 21,371 residents in rural Northwest Butler County. The community is home to Miami University and its 19,775 students. As of the 2010 Census, 7.6 percent of Oxford's population is over the age of 60. Our challenges arise from our remote location relative to county and regional services for older adults, and a local housing, socio-economic, retail and service economy driven by a college age demographic.

For the past four years Oxford VillAGE Network, a grassroots network of older adults, and Oxford Seniors, Inc., along with support from the City and Miami University Scripps Gerontology Center have worked to study the needs of the area's older adults and address the challenges of meeting those needs. Our primary concerns are in the areas of housing, transportation, and home care-services. Our goals as a community are to ensure our aging neighbors have the opportunity to be healthy, independent and integrated into community life and remain in their homes and in this community as they age.

As a participant in the network of Age-Friendly Communities, it is the intent of the City to:

- Secure a council resolution to work toward becoming more Age-Friendly
- Create an Age-Friendly Oxford Task Force and include older adults in the Task Force
- Assist Miami University Scripps Gerontology Center with creating the community needs assessment
- Establish a Plan of Action that responds to the needs identified by older adults in the community
- Commit to measuring activities, reviewing action plan outcomes and reporting on them publicly

We are looking forward to working with AARP Ohio staff and volunteers to ensure our community has the appropriate infrastructure in place so we can all age with dignity.

Sincerely,

Dr. Kate Rousmaniere, Mayor

Douglas R. Elliott, Jr., City Manager



Membership Application

To join the **AARP Network of Age-Friendly Communities** and the
World Health Organization Global Network of Age-Friendly Cities and Communities

- If you have questions while completing this form, please email livable@aarp.org.
- If you need additional space for answering the questions you may add an additional sheet of paper.

APPLICATION SUBMISSION DATE: 10/17/2017

Section 1: COMMUNITY DETAILS

NAME OF THE COMMUNITY: City of Oxford

STATE: Ohio

POPULATION SIZE: 21,371 people living in the City of Oxford.

PERCENTAGE OF RESIDENTS ABOVE THE AGE OF 60: 7.6%

NAME AND TITLE OF THE ELECTED OFFICIAL SIGNING THE OFFICIAL COMMITMENT: Dr. Kate Rousmaniere,
Mayor of the City of Oxford, Ohio.

OFFICE ADDRESS OF THE SIGNER: Oxford Municipal Building, 101 E. High St. Oxford, OH 45056

Section 2: COMMUNITY CONTACT FOR THE AARP NETWORK OF AGE-FRIENDLY COMMUNITIES

The community contact is the local staff member or volunteer who is primarily responsible for carrying out the community-level work — it is not the responsible AARP staff member.

NAME: Ann Whelpton and Jessie Leek

POSITION: Co-Chairs of Oxford VillAGE Network

EMAIL ADDRESS: Primary contact: annwhelpton@earthlink.net; secondary contact: leekja@miamioh.edu

TELEPHONE NUMBER: Whelpton: 513-520-7742; Leek: 513-504-3022

Please describe the named person's role in the city or community's age-friendly initiative:

Oxford VillAGE Network (OVN) is an all-volunteer, grassroots advocacy group affiliated with Oxford Seniors Inc. and Miami University Scripps Gerontology Center. OVN Co-Chairs are Jessie Leek and Ann Garrison Whelpton; they have agreed to be Co-Facilitators of the Age-Friendly Oxford primarily responsible for carrying out the community level work for the Age-Friendly Oxford initiative. Ann Whelpton holds a master's degree in Education from Miami University in College Student Personnel and Guidance and Counseling. She has lived in Oxford for 46 years working in student development for Miami University and the Talawanda City School District. Ms. Whelpton has served as President of United Way and boards of other community groups. She has experience in partnership development, grant writing, counseling, case management and co-founded Oxford VillAGE Network. Jessie Leek holds a master's degree in Gerontological Studies awarded by Miami University. She has taught gerontology courses at both the undergraduate and graduate level. She is trained as a qualitative researcher. Prior to her work at Miami University, Ms. Leek has held leadership positions in non-profit organizations including those serving older adults. Ms. Leek moved to Oxford four years ago for retirement and joined Oxford VillAGE Network to help advocate for older adults in the Oxford community. Under their combined leadership OVN has been actively working on age-

friendly initiatives for four years focusing on the areas of housing, transportation, engagement and wellness. OVN's roles have been to advocate for older adults, generate information on aging and local resources, and encourage partnerships and collaboration to address unmet needs such as affordable housing, transportation options for non-drivers, and greater access to in-home care. Jessie Leek and Ann Garrison Whelpton will co-facilitate the various phases of this five-year process.

Section 3: COMMUNITY ACTIVITIES, ENGAGEMENTS and COLLABORATIONS

1) Please provide a brief summary of the community policies, programs and services that are targeted toward older people and how the community plans to become more age-friendly.

The Oxford, Ohio area is a safe and picturesque community with a small regional hospital, many activities associated with a large state university, Miami University, and a thriving senior center. The community's strengths related to livability for older adults are many. * Oxford Seniors, Inc. is a 580 member multi-service senior center with many programs and services for older adults. These include adult day care, congregate meals, home delivered meals, benefits counseling and outreach, transportation, health screenings, and social, wellness, cultural, arts and travel programs. * Miami University offers enrichment for older adults through its Institute for Learning in Retirement, tuition-free classes for retirees and senior citizen discounts for a wide variety of events in the arts, athletics, recreation, and lecture series. Miami's Scripps Gerontology Center, one of Ohio's Centers of Excellence in Cultural and Societal Transformation has made significant commitments to the Oxford area's age-friendly work. Scripps has conducted an initial community needs survey, provided OVN with a graduate assistant and supported the active participation of faculty and graduate students on OVN's Steering Team and working committees. * The City has recently completed safe sidewalks and walkability improvements, provides a building and space for Oxford Seniors, Inc., is in the process of building a large recreational trail system through and around the City, and has adopted policies of conservation for neighborhoods concerned with encroaching student housing. As part of a Creating Healthy Community By Design Initiative, a Walkability Audit was conducted on September 25, 2017. * Some of OVN's deliverables to date include two large community forums on Livability for older adults, partnerships with the City of Oxford and Miami University's Scripps Gerontology Center on a Housing Needs Assessment in 2014, creation of a community resource directory for older adults, lectures, working with Butler County Regional Transit Authority on increasing use of public transportation and connecting the City with a national developer of senior housing potentially interested in building in the Oxford area. * Oxford is home to The Knolls of Oxford, a continuous care retirement community including independent living, assisted living, rehabilitative care, and long-term care. These characteristics make Oxford a desirable place to retire and grow older, yet there are significant challenges for older adults living in our community. The local economy and culture are driven by the needs and interests of the transient student-age population and visitors. Senior housing needs are not fully addressed. Our remote location in Butler County makes access to regional and county resources, in-home care and non-student retail needs difficult. The Oxford area is a car dependent community making non-drivers subject to isolation. Those facing the most intensive struggles include those needing in-home assistance, their family care-givers who need respite and support, those of moderate and extreme financial need who require different housing options, those who are alone and/or do not drive and those who need employment in retirement. Actions needed are: HOUSING—A focused, creative, strategic response to housing needs for older adults is needed in order to attract a senior housing developer, access Ohio Housing Finance Authority tax credits, utilize limited land and increase housing stock for older adults. For those choosing to remain in their existing

homes, a home modification initiative would be beneficial. Formation of a housing alliance may be useful. TRANSPORTATION - Expanding routes of existing public transportation, exploring a rural ride share program, supporting Oxford Seniors' existing transportation program, promoting multi-modal transportation and conducting senior driver education and car fit programs are some of the targeted activities for the future. IN-HOME CARE AND CARE-GIVER SUPPORT – Hiring and sustaining in home care services is difficult in the Oxford area. There is a shortage of such service providers in this area. Locally, this is compounded by the driving distances and expenses incurred commuting to Oxford. Creating a pool of local qualified caregivers, creating a local job-training program for caregivers, and finding incentives such as travel stipends are needed to attract existing care-giving services to this area. COMMUNICATION AND ENGAGEMENT - Oxford area's retirees and older adults have ample opportunities for civic and social engagement in the community, but not all feel connected and isolation is an ongoing concern as people age. Awareness of and accessibility to activities and resources can be improved. Oxford has no local newspaper, surrounding rural townships have inconsistent internet service and some older adults do not retrieve information easily via the internet. Regular, coordinated communication by both traditional and new technology mechanisms are needed. Transportation and companionship to aid older adults in getting involved is important. The large student presence in Oxford provides unlimited potential for intergenerational programs to help with connectivity and inclusion for both the elderly and student populations.

2) How will the community engage and involve older people in the process of becoming a more age-friendly?

The City of Oxford is home to 1,620 residents over the age of 60. To involve older adults in the Age-Friendly Oxford Area initiative, three existing organizations for older adults will be called to action. Oxford VillAGE Network has 220 members, Oxford Seniors, Inc. has nearly 600 members and The Knolls of Oxford is home to 200 residents. These organizations each offer newsletters, events, e-mail list serves, frequent programs and speakers, and provide an excellent communication network for older adults and their families. Oxford VillAGE Network and Oxford Seniors, Inc. have an existing local partnership network (see attached list). This local partnership network must be expanded to reach older adults not represented by the above mentioned partners. Inclusion of local health and human services agencies and businesses such as pharmacies will be part of the strategy. Communication between partners will need to be routinized. A wider partnership network connecting with County, Regional and State partners is also critical to connecting Oxford's older adults to Oxford's Age-Friendly outreach.

3) Briefly describe the mechanisms the community has or is planning to put in place to facilitate collaborative planning and implementation between different agencies and departments.

* Strategic partnerships, communication and working strategically are the desired foundation of any mechanisms that are in place or will be put in place to facilitate the Age-Friendly Oxford Initiative. * The partnership between Oxford VillAGE Network, Oxford Seniors, Inc. and Miami University's Scripps Gerontology Center is in place and is advancing the initiative. A recent affiliation with Miami University's Town Gown Initiative Team will connect Age-Friendly Oxford with a major new initiative working on university/community issues.* In addition to following AARP/WHO model the Age-Friendly Oxford Initiative will use the Collective Impact Model for Change. This change model includes creating a common agenda, involving stakeholders, leveraging resources, and effective communication throughout multiple levels of an organization. * The partnership with the City will be formalized through this membership in the AARP/WHO Network. This partnership will serve to address planning and infrastructure needs (depending upon resources available) and legitimize the initiative's quest for funds and resources. * OVN's current steering team and four committees will be adapted to meet the best practices for a Task force and work groups and domains according to the WHO and AARP Age-Friendly model. The OVN Steering Team is currently comprised of ten individuals eight of whom are age 50 or over. * Once accepted into the network, an updated communication strategy and supporting technology will be put in place to keep all involved informed about and current with the initiative.

Section 4: NETWORK MEMBERSHIP

Your answers to the following questions will help us complete your membership in the global age-friendly network and better enable us to understand how to support the network.

4) How do you hope to contribute to the AARP Network of Age-Friendly Communities and the World Health Organization Global Network of Age-Friendly Communities?

Oxford is a small town in a rural setting, home to a major public university and is a community that lends itself well to collaboration and change at a grassroots level. Oxford's university environment has potential for greater utilization of university faculty and staff expertise, as well as more intergenerational programs with students. Our use of the Collective Impact Model is unique. As stated in Section 3.1 Oxford's biggest challenges are in the areas of housing, transportation, communication and in-home services. The Age-Friendly Oxford Initiative would like to serve as a partner with other communities facing the same challenges, or those seeking to develop areas in which Oxford has strengths

5) What motivated your community to join the AARP Network of Age-Friendly Communities and the World Health Organization Global Network of Age-Friendly Communities?

As noted in Section 2, Oxford Village Network (advocacy), Oxford Seniors, Inc. (service providers), and Miami University Scripps Gerontology Center (research and teaching) have worked together for four years to increase awareness and communication regarding the needs of older residents. Good progress has been made learning about issues of aging, available resources, and desired solutions. Citizen involvement and a respected advocacy presence in the community now exist. Over the past year, OVN operationalized a working partnership with Miami University's Scripps Gerontology Center and formalized a partnership with Oxford Seniors, Inc. These three working partners believe the time is right to move from advocacy to impact. Expanded partnerships with those who influence planning, policy and infrastructure are now needed to address challenges related to housing, transportation, and employment. After researching numerous national models of age-friendly initiatives it was recommended by OVN, Oxford Seniors, Inc. and Scripps Gerontology Center that the WHO/AARP Network is the best match for the Oxford community. AARP/WHO Network's body of research, process, technical support, resources, partners AND focus on improved livability for ALL ages provide the best path forward. The City of Oxford recognizes the Age-Friendly work done to date as well as the opportunities ahead for improving livability for its older adults through participation in the WHO/AARP Network.

6) Please provide a digital (JPG, PNG or PDF) file or link of a logo or other image that represents your community.

The image resolution should be at least 72 dpi. As an example of an image, here's ours >



Click here to add a link to where we can find your logo. Or, send us your logo by email attachment to livable@aarp.org.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: October 17, 2017

Doug Elliott

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

October 12, 2017

Date Prepared

Agenda Title: A Resolution approving members appointed by the City Manager to the Income Tax Board of Review for a period of three years.

Recommendation: Adopt the Resolution.

Discussion:

Chapter 181 (Income Tax) of the Oxford Codified Ordinances calls for the creation of an Income Tax Board of Review. Oxford's board has been vacant for several years. The City Manager and the Law Director recommend 3 members be appointed to the Income Tax Board of Review for a period of 3 years.

Approved By:

Initial Date

Department Head:

City Manager:

DRE 10-12-17

RESOLUTION NO.

A RESOLUTION APPROVING MEMBERS APPOINTED BY THE CITY MANAGER TO THE INCOME TAX BOARD OF REVIEW FOR A PERIOD OF THREE YEARS FOR THE CITY OF OXFORD, OHIO.

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

SECTION 1: Oxford Codified Ordinance Section 181.13 authorizes the appointment of a Board of Review, to hear tax appeals for the year 2015 and all previous years, composed of three City residents appointed by the City Manager and approved by Council. The City Manager has appointed the following three City residents to serve on the Income Tax Board of Review for a period of three years: John Clements, Mike Davis, and _____.

SECTION 2: Council hereby approves of John Clements, Mike Davis and _____ being appointed by the City Manager to the Income Tax Board of Review to serve for a period of three years.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: October 17, 2017

Account Code #: N/A

Budgeted Amount: \$ N/A

Service Department
Originating Department

Michael B. Dreisbach
Prepared By

October 10, 2017
Date Prepared

Agenda Title: Preliminary Legislation Approving ODOT Project ID 94201 – District Wide Preventive Maintenance and Improvements for SR732 through Oxford

Recommendation: Approval

Discussion:

The Ohio Dept. of Transportation (ODOT) has identified PID No. 94201 impacting the City of Oxford for preventive maintenance activities on SR732. Expenses associated with the project are 100% State funded; there will be no local match required for the project.

Staff recommends the City Council authorize the City Manager to sign all documents necessary to expedite this highway safety project through the City of Oxford.

Approved By:

Department Head:

City Manager:

Initial

Date

DRE

10-13-17

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN PRELIMINARY CONSENT LEGISLATION AND OTHER CONTRACTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION IN CONNECTION WITH A PREVENTIVE MAINTENANCE AND IMPROVEMENT PROJECT FOR STATE ROUTE 732 INSIDE THE CORPORATE LIMITS AT NO COST TO THE CITY OF OXFORD.

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

SECTION 1: The City Manager and the Service Director recommend approval of the attached Preliminary Consent Legislation which is incorporated herein by this reference, and related contracts not attached, in connection with a preventive maintenance and improvement project for State Route 732 inside the corporate limits at no cost to the City of Oxford.

SECTION 2: Said project is necessary to maintain the safety and integrity of a major road within the City of Oxford, Ohio, and would be undertaken by the Ohio Department of Transportation (ODOT) with 100% of the costs being paid by ODOT.

SECTION 3: Council hereby accepts the recommendation of the City Manager and the Service Director and approves the attached Preliminary Consent Legislation.

SECTION 4: Council hereby authorizes the City Manager to sign the attached Preliminary Consent Legislation, and to enter into related contracts with ODOT to complete the preventive maintenance and improvement project for State Route 732 inside the corporate limits at no cost to the City of Oxford.

SECTION 5: 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)

PRELIMINARY LEGISLATION

Consent

Rev. 6/26/00

Ordinance/Resolution # : _____

PID No : 94201

D08 GPS FY2018

The following is a/an _____ enacted by the City of Oxford,
(Ordinance/Resolution) (Local Public Agency)
Butler County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

SECTION I – Project Description

WHEREAS, the (LPA/STATE) has determined the need for the described project:

Perform District Wide Preventive Maintenance for the General System for Fiscal Year 2018, Routes include portions of State Route 732, Straight Line Mile 0.00 to 7.33, more or less, in Butler County including a portion in the City of Oxford.

NOW THEREFORE, be it ordained by the City of Oxford, Butler County, Ohio.
(LPA)

SECTION II – Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

SECTION III – Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

The State shall assume and bear 100% of all of the costs of the improvement.

The LPA agrees to pay 100% of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

SECTION IV – Utilities and Right-of-Way Statement

No additional Right-of-way or Utility relocation is required for this project.

SECTION V – Maintenance

Upon completion of the Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the Project in accordance with all applicable State and Federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

SECTION VI Authority to Sign

I, _____ of said City of Oxford is hereby empowered on behalf of the
(Contractual Agent) (LPA)
City of Oxford to enter into contracts with the Director of Transportation which is necessary to
(LPA)
complete the above described project.

Passed: _____, 2 _____.
(Date)

Attested: _____
(Clerk)

(Contractual Agent of LPA – title)

Attested: _____
(Title)

(President of Council)

The _____ is hereby declared to be an emergency measure to expedite the highway project and
(Ordinance/Resolution)
to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**CERTIFICATE OF COPY
STATE OF OHIO**

City of Oxford, of Butler County, Ohio
(LPA)

I, _____, as Clerk of the City of Oxford
(LPA)
of Butler County, Ohio, do hereby certify that the foregoing is a true and correct copy of
_____ adopted by the legislative Authority of the said

(Ordinance/Resolution)
City of Oxford on the _____ day of _____, 2____.
(LPA)

That the publication of such _____ has been made and certified of record according to

(Ordinance/Resolution)
Law; that no proceedings looking to a referendum upon such _____ have been taken;
(Ordinance/Resolution)

and that such _____ and certificate of publication thereof are of record in _____,
(Ordinance/Resolution) (Record No.)

Page _____.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable,
this _____ day of _____, 2____.

(Clerk)

(VILLAGE SEAL)

City of Oxford of Butler County, Ohio

(LPA)

(If the LPA is designated as a Village then the "Village Seal" is required. If no Seal, then a letter stating "No Seal is required to accompany the executed legislation.)

The afore going is accepted as a basis for proceeding with the project herein described.

For The City of Oxford, of Butler County, Ohio.

(LPA)

Attested: _____ Date _____
(Contractual Agent)

.....
For the State of Ohio

Attested: _____ Date _____
(Director, Ohio Department of Transportation)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: October 17, 2017

Account Code #: N/A

Budgeted Amount: \$ N/A

Service Department
Originating Department

Michael B. Dreisbach
Prepared By

October 3, 2017
Date Prepared

Agenda Title: Authorization to Submit Eligible Projects to Butler County Board of Commissioners for the 2018 CDBG Program Year Application

Recommendation: Approval

Discussion:

The City expects to receive approximately \$113,000 in FY2018 from Community Development Block Grant (CDBG) funds administered by the Butler County Board of Commissioners. Of this amount, \$96,000 will be available for eligible improvements in the City of Oxford. These funds have traditionally been used for the removal of architectural barriers from street corners in the City and the installation of new handicapped accessible ramps to improve access to the City's sidewalk network. The balance of the funds (\$17,000) will be used for administration of the CDBG program.

Application for these funds requires a Resolution of Council recommending the project. Staff is completing the City's application, due November 9, 2017 and has compiled a listing of proposed sidewalks and curb ramps for reconstruction to meet ADA requirements; this listing is attached as Exhibits "A". It is Staff's recommendation that the City Council authorize the City Manager to submit an application to Butler County for 2018 CDBG funds for these purposes.

Once funds have been approved by the federal government (HUD), Staff will advertise the project for bids (typically in fourth quarter of the year), and present a recommended contract for construction to the City Council for contract authorization.

Approved By:

Department Head:

City Manager:

Initial

Date

MBS 10/3/17

DRE 10/13/17

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT ELIGIBLE PROJECTS TO THE BUTLER COUNTY BOARD OF COMMISSIONERS FOR THE 2018 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG) YEAR APPLICATION.

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

SECTION 1: The City Manager authorizes construction projects for sidewalk and handicap ramp improvements by utilizing CDBG funds administered by the Butler County Board of Commissioners.

SECTION 2: The City will receive approximately \$113,000.00 from CDBG funds in 2018. Of these funds, \$96,000.00 will be used for sidewalk and handicap ramp improvements within the City of Oxford as set forth on Exhibit "A" attached hereto. The remaining \$17,000.00 or approximately fifteen percent (15%) of the funds will be used for the administration of the program.

SECTION 3: The City Manager is authorized to submit the recommended projects for year 2018 funds and to take all actions necessary to comply with all requirements and commitments for approval of the projects.

SECTION 4: Once HUD has approved the funds for the projects, the City will advertise the projects for bids and authorize a contract for sidewalk and handicap ramp improvements within the City of Oxford.

SECTION 5: 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)

Applicant: _____
 Project Title: _____
 Project Priority: # _____ of _____ Application Submissions

Departmental Use Only:	
Date Received:	_____
Received By:	_____



BUTLER COUNTY COMMUNITY DEVELOPMENT

2018 Application (CDBG & HOME Programs)



Due Date: November 9, 2017 by 4:00 pm

SECTION I: APPLICANT INFORMATION

Applicant: _____
 Contact Person: _____
 Title: _____
 Address: _____
 Phone 1: _____ Phone 2: _____
 Fax: _____ E-Mail: _____

SECTION II: PROJECT DESCRIPTION

A. **NATIONAL OBJECTIVE** (select one)

- | | |
|--|----------------------------|
| _____ Benefits low and moderate income people: Area Benefit | Complete Section III - A-1 |
| _____ Benefits low and moderate income people: Limited Clientele | Complete Section III - A-2 |
| _____ Eliminates slum and blight. | Complete Section III - B |
| _____ Corrects an urgent need. | Complete Section III - C |

B. **PROJECT TYPE** (select one)

- | | |
|----------------------------------|-------------------------|
| _____ Housing Project | Complete Section VI - A |
| _____ Public Improvement Project | Complete Section VI - B |
| _____ Public Service Project | Complete Section VI - C |

C. **DIRECT IMPACT**

- _____ Number of Households who will directly benefit from this project.
 _____ Number of People who will directly benefit from this project.

D. **PROJECT NARRATIVES** (complete as an Attachment)

1. How will this project impact the community?
2. How does this project address the National Objective?
3. What is the current status of the project?
4. What are the quantifiable results? (i.e. feet of sidewalk, number of buildings renovated, number of people assisted, additional jobs created, etc...)
5. How do you expect to measure the success of the project?

SECTION III: NATIONAL OBJECTIVE

A-1. Low / Moderate Income Benefit: Area

This project qualifies as an LMI area as determined by which of the following:

☐ **Census** Census Tract: _____
 Census Block Group(s): _____
 Population: _____
 LMI percentage: _____

☐ **Income Survey** *Provide Surveys & Survey Summary as Attachment.*
 Number of Households: _____
 Number of LMI Households: _____
 Percentage of LMI Households: _____
 Number of Residents: _____
 Number of LMI Residents: _____
 Percentage of LMI Residents: _____

A-2. Low / Moderate Income Benefit: Limited Clientele

Who does this project primarily benefit?

☐ Disabled ☐ Elderly ☐ Homeless ☐ Other _____
How many people will benefit from this project? _____

B. Elimination of Slum or Blighted Condition *(Municipal Resolution required.)*

1. What is the condition to be addressed by the project?
2. Describe the strategy that will be implemented to address the condition:

C. Urgent Need

1. What is the condition that is causing a threat to the health and welfare of the community?
2. When did this condition occur?
3. From what sources did the community seek to address this problem?

SECTION IV: PROJECT LOCATION

A. **Address:** _____
 City: _____ Zip: _____
 Jurisdiction: _____

B. **Census:** Tract: _____ Block Group: _____

C. **Base Map:** *Provide a Base Map as an Attachment, clearly indicating the following:*
 ♦ Location of the project.
 ♦ Service area of the project.

SECTION V: BUDGET

A. GENERAL

- Original cost estimate is required as an Attachment.
- Estimate must be itemized and prepared by a third party, and signed by a qualified source.
- Any project above \$2,000 must adhere to Federal Prevailing Wages.
- Local funding match must include a Resolution / Ordinance of financial commitment.

- | | Yes | No |
|---|--------------------------|--------------------------|
| 1. Prevailing wages have been included in the estimate. | ☐ | ☐ |
| 2. Architectural / Engineering fees are included in the estimate. | ☐ | ☐ |
| 3. Estimate provided is valid for what time period? | <hr/> | |

B. FUNDING

HUD	\$
Local	\$
Other*	\$
TOTAL PROJECT COST:	\$

** Explain any additional resources which have been applied for, and the status.*

Butler County Engineers Office needs 30 days' notice if estimate is needed. Contact Melissa Taylor at BCEO by PH: 513-785-4115 or email: TaylorM@bceo.org **before October 3** if BCEO Estimate will be needed.

SECTION VI: PROJECT DEVELOPMENT

A. HOUSING PROJECT

- | | Yes | No |
|---|--------------------------|--------------------------|
| 1. Do you own the property? | ☐ | ☐ |
| 2. Does this project involve real property acquisition? | ☐ | ☐ |
| 3. Will this project cause the relocation of residents? | ☐ | ☐ |
| 4. How many households will directly benefit from this project? | <hr/> | |
| 5. Who will be responsible for the maintenance of this project upon completion? | <hr/> | |

B. PUBLIC IMPROVEMENT PROJECT

- | | Yes | No |
|--|--------------------------|--------------------------|
| 1. Does this project involve real property acquisition? | ☐ | ☐ |
| 2. Will this project cause the relocation of residents? | ☐ | ☐ |
| 3. Has engineering been completed on this project? | ☐ | ☐ |
| 4. Will this project result in assessments to residents? | ☐ | ☐ |

5. **How many households will directly benefit from this project?** _____
6. Who will be responsible for the maintenance of this project upon completion?

7. Are there any current situations that may affect the timing of this project?

C. PUBLIC SERVICE PROJECT

- | | Yes | No |
|---|--------------------------|--------------------------|
| 1. Is this project a continuation of an existing service? | ☐ | ☐ |
| 2. Is this project an expansion of an existing service? | ☐ | ☐ |
| 3. If this service is not currently provided, are there sufficient staff to implement this service? | ☐ | ☐ |
| 4. Has CDBG funding been received previously to provide this service? | ☐ | ☐ |
| If yes, when? _____ | | |
| 5. How many people will directly benefit from this service? | _____ | |

SECTION VII: ENDORSEMENT

I, the undersigned, as official representative of the applicant, hereby acknowledge that if a grant is awarded, the terms, conditions, and budget pursuant to the Action Plan submitted to the U.S. Department of Housing and Urban Development, and the sequential Project Agreement between Butler County Board of Commissioners and the applicant will be the limit of participation from the Board of Commissioners of Butler County.

I also hereby certify that the information contained in this application is true and accurate to the best of my knowledge.

Name

Title

Signature

Date

Municipalities:

Each application from a municipality must contain a copy of a resolution from the Board of Trustees or Village / City Council endorsing the submission of the project application, stating the amount of the grant request in the application, and the amount to be contributed by the municipality for the project.

Not-For-Profit Organizations:

Each application from a not-for-profit organization must contain a resolution from the organization's Board of Directors endorsing the submission of the application, stating the amount of the grant request in the application, and stating the amount to be contributed by the organization.

A SEPARATE RESOLUTION IS REQUIRED FOR EACH APPLICATION

2018 CDBG Sidewalks and Handicap Ramp Improvements

9/26/2017

Location	Lin Ft.Curb Removal & Replacement	Sq ft Sidewalk / Ramp Removal & Replacement	# of Detectable Warning Mats on each Sidewalk Ramp	Sq ft Alley Apron 8" Thick
High & University	POSSIBLE 2018 FUNDS			
NE	35	200	2	
SE	10	75	1	
Church & University	2017 FUNDS move to 2018			
NE	38	100	2	
NW	38	162	2	
SE	45	100	2	
SW	10	200	2	
Withrow & University	POSSIBLE 2018 FUNDS			
NE	35	140	2	
NW	35	140	2	
SE	35	200	2	
SW	35	200	2	
Church & Bishop	2017 FUNDS move to 2018			
NE	0	225	2	
NW	19	250	2	
SE	19	60	1	
Withrow & Bishop	POSSIBLE 2018 FUNDS			
NE	35	165	2	
NW	30	190	2	
SE	30	150	2	
SW	10	110	1	
Vine & Bishop	POSSIBLE 2018 FUNDS			
NE	30	100	2	
NW	35	140	2	
SE	30	100	2	
SW	35	140	2	
Campus & Willow	POSSIBLE 2018 FUNDS			
NW	0	60	1	
SW	0	60	1	
Poplar & Woodruff	POSSIBLE 2018 FUNDS			
NW	15	90	1	
SW	15	90	1	
Church & Tallawanda	POSSIBLE 2017 FUNDS (ALTERNATE)			
NW	0	56	1	
Withrow & Tallawanda	POSSIBLE 2017 FUNDS (ALTERNATE)			
NW	26	187	2	
SW	21	100	2	
Vine & Tallawanda	POSSIBLE 2017 FUNDS (ALTERNATE)			
NW	28	120	1	
SW	20	110	2	
Poplar & Woodruff	POSSIBLE 2017 FUNDS (ALTERNATE)			
NW	20	100	1	
SW	25	100	1	
Campus & Willow	POSSIBLE 2017 FUNDS (ALTERNATE)			
NW	0	75	1	
SW	0	75	1	
	Lin Ft.Curb Removal & Replacement	Sq ft Sidewalk / Ramp Removal & Replacement	# of Detectable Warning Mats on each Sidewalk Ramp	Sq ft Alley Apron 8" Thick

Totals of each

759

4370

55

0

Total estimate based on 2016

CDBG Awarded Contract

\$ 33,775.50 \$ 41,515.00 \$ 11,000.00 \$ -

Total Estimate \$ 86,290.50

Alternates to:

CDBG Sidewalks and Handicap Ramp Improvements

Location		Lin Ft.Curb Removal & Replacement	Sq ft Sidewalk / Ramp Removal & Replacement	# of Detectable Warning Mats on each Sidewalk Ramp	Sq ft Alley Apron 8" Thick
Tallawanda & High	2017 FUNDS (ALTERNATE)				
	NE	26	786	2	0
	NW	0	660	2	
	SE	0	150	1	
	SW	0	150	1	
Withrow & Main	POSSIBLE 2018				
	SE	20	60	1	
Withrow & Beech	POSSIBLE 2018 FUNDS				
	NE	30	150	2	
	NW	30	150	2	
	SE	30	150	2	
	SW	30	180	2	
Withrow & College	POSSIBLE 2018 FUNDS				
	NE	30	150	2	
	NW	30	150	2	
	SE	30	150	2	
	SW	30	150	2	
Withrow & Elm	POSSIBLE 2018 FUNDS				
	NE	40	150	2	
	NW	40	150	2	
	SE	40	200	2	
	SW	40	250	2	
Vine & College	POSSIBLE 2018 FUNDS				
	NE	40	200	2	
	NW	40	200	2	
	SE	40	200	2	
	SW	40	200	2	
Vine & Elm	POSSIBLE 2018 FUNDS				
	NE	30	250	2	
	NW	30	200	2	
	SE	35	250	2	
	SW	30	200	2	
		Lin Ft.Curb Removal & Replacement	Sq ft Sidewalk / Ramp Removal & Replacement	# of Detectable Warning Mats on each Sidewalk Ramp	Sq ft Alley Apron 8" Thick

Totals of each

Total estimate based on 2016

CDBG Awarded Contract

Total Estimate

	705	3740	41	0			
\$	31,372.50	\$	35,530.00	\$	8,200.00	\$	-
\$	75,102.50						

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott, Jr.

Fire

Originating Department

Council Meeting Of: October 17, 2017

Account Code No. #: N/A

John Detherage

Prepared By

Budgeted Amount: N/A

October 2, 2017

Date Prepared

Agenda Title: A Resolution authorizing the City Manager to enter into a contract with PST Services LLC (Formerly McKesson) for EMS billing services.

Recommendation: Adopt the Resolution.

Discussion: PST Services LLC has been the EMS billing contractor for the City since the inception of EMS billing more than ten years ago. In that time they have proven to be a reliable, efficient company that provides good results. For this contract PST has agreed to reduce our cost by lowering our fee from 6% to 5% of the net revenue collected. This reduction will result in about \$5,700.00 savings in EMS billing cost.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

 \
DRE \ 10/13/17

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PST SERVICES, LLC, FOR BUSINESS SUPPORT SERVICES AT A COST OF FIVE PERCENT (5%) OF NET REVENUE FROM CASH RECEIPTS ARISING FROM THE PROVISION OF PATIENT SERVICES AND RELATED ACTIVITIES.

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

SECTION 1: The City Manager and the Fire Chief recommend PST Services, LLC be retained to provide business support services for the City of Oxford Fire Department and shall be responsible for billing of all professional services provided by the Fire Department.

SECTION 2: Council hereby authorizes the City Manager to enter into a contract incorporated herein by reference as Contract Number RMS156436 with PST Services, LLC for business support services for the City of Oxford Fire Department at a cost of five percent (5%) of net revenue from cash receipts arising from the provision of patient services and related activities.

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

STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott, Jr.

Fire
Originating Department

Council Meeting Of: October 17, 2017

Account Code No. #: N/A

John Detherage
Prepared By

Budgeted Amount: N/A

October 09, 2017
Date Prepared

Agenda Title: A Resolution authorizing the City Manager to trade in four (4) surplus cardiac monitors to Zoll Medical toward the purchase of monitor accessories and disposable equipment.

Recommendation: Adopt the Resolution.

Discussion: With the recent donation of four new cardiac monitors from McCullough-Hyde Hospital Tri-Health we have been able to secure an offer from Zoll Medical for our four surplus units. They have offered \$6,000.00 (\$1,500.00 each) credit toward the purchase of various accessories and disposable supplies for the new monitors. Calls were made to four different medical equipment wholesalers in an effort to dispose of these units and no calls were returned, likely due to the age of the equipment. The proposed equipment list is attached.

Units for trade:

Zoll S/N

T03I49721 - Purchased 2003

T03H49265 - Purchased 2003

00009322 - Purchased 2008

00009313 - Purchased 2008

Approved By:

Department Head:
City Attorney:
City Manager:

Initial Date

DRE 10/13/17

RESOLUTION NO.

A RESOLUTION DECLARING CERTAIN CITY PROPERTY NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE AS SURPLUS AND AUTHORIZING ITS TRADE TO ZOLL MEDICAL CORPORATION IN EXCHANGE FOR EMS SUPPLIES IN THE AMOUNT OF \$6,000.00.

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

SECTION 1: In accordance with the staff report from the Fire Chief, certain cardiac monitors are hereby declared to be surplus and no longer needed for any municipal purpose, and the same may be traded to Zoll Medical Corporation in exchange for EMS supplies in the amount \$6,000.00. The items to be traded are those set forth on Exhibit "A" attached hereto and incorporated herein.

SECTION 2: Council hereby authorizes the trade, for EMS supplies in the amount of \$6,000.00, those items listed on Exhibit "A" to Zoll Medical Corporation

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)

EXHIBIT “A”

Cardiac Monitor

Units for trade:

Zoll S/N

T03149721 – Purchased 2003

T03H49265 – Purchased 2003

00009322 - Purchased 2008

00009313 - Purchased 2008



TO: Oxford Fire

217 S Elm Street
Oxford, OH 45056

Attn: Jay Fields

email: jfields@cityofoxford.org

Tel: -

ZOLL Medical Corporation

Worldwide Headquarters
269 Mill Rd
Chelmsford, Massachusetts 01824-4105
(978) 421-9655 Main
(800) 348-9011
(978) 421-0015 Customer Support
FEDERAL ID#: 04-2711626

QUOTATION 255666 V:1

DATE: September 28, 2017

TERMS: Net 30 Days

FOB: Shipping Point

FREIGHT: Prepay and Add

ITEM	MODEL NUMBER	DESCRIPTION	QTY.	UNIT PRICE	DISC PRICE	TOTAL PRICE
1	8300-0802-01	12-Lead one step ECG cable - AAMI includes 4-Lead trunk cable and removable precordial 6 lead set.	1	\$325.00	\$276.25	\$276.25 *
2	8000-0333	SpO2 Rainbow DCI Pediatric Resuable Patient Cable/Sensor (3 ft)	4	\$395.00	\$296.25	\$1,185.00 *
3	8012-0206	12-lead ECG Simulator	1	\$1,065.00	\$798.75	\$798.75 *
4	SOFT-09-2MQ	Disposable Cuff, soft child, 2-Tube, twist lock connector, box of 20	1	\$175.00	\$105.66	\$105.66 *
5	SOFT-10-2MQ	Disposable Cuff, soft small adult, 2-Tube, twist lock connector, box of 20	1	\$195.00	\$143.32	\$143.32 *
6	SOFT-11-2MQ	Disposable Cuff, soft Adult, 2-Tube, twist lock connector, box of 20	1	\$195.00	\$143.32	\$143.32 *
7	SOFT-11L-2MQ	Disposable Cuff, soft Adult Long, 2-Tube, twist lock connector, box of 20	1	\$225.00	\$163.20	\$163.20 *
8	8009-0751-01	SeeThru CPR Simulator for E Series, R Series, and AED Pro	1	\$495.00	\$371.25	\$371.25 *
9	8300-000676	OneStep Cable, X Series	4	\$425.00	\$327.25	\$1,309.00 *

This quote is made subject to ZOLL's standard commercial terms and conditions (ZOLL T's + C's) which accompany this quote. Any purchase order (P.O.) issued in response to this quotation will be deemed to incorporate ZOLL T's + C's. Any modification of the ZOLL T's + C's must be set forth or referenced in the customer's P.O. No commercial terms or conditions shall apply to the sale of goods or services governed by this quote and the customer's P.O unless set forth in or referenced by either document.

Page 1 Subtotal

\$4,495.75

1. DELIVERY WILL BE MADE 60-90 DAYS AFTER RECEIPT OF ACCEPTED PURCHASE ORDER.
2. PRICES QUOTED ARE VALID UNTIL SEPTEMBER 30, 2017.
3. APPLICABLE TAX, SHIPPING & HANDLING WILL BE ADDED AT THE TIME OF INVOICING.
4. ALL PURCHASE ORDERS ARE SUBJECT TO CREDIT APPROVAL BEFORE ACCEPTABLE BY ZOLL.
5. FAX PURCHASE ORDER AND QUOTATION TO ZOLL CUSTOMER SUPPORT AT 978-421-0015 OR EMAIL TO ESALES@ZOLL.COM.
6. ALL DISCOUNTS OFF LIST PRICE ARE CONTINGENT UPON PAYMENT WITHIN AGREED UPON TERMS.
7. PLACE YOUR ACCESSORY ORDERS ONLINE BY VISITING www.zollwebstore.com.

Dione Amirkhan
EMS Territory Manager
800-242-9150, x9444



TO: Oxford Fire

217 S Elm Street
Oxford, OH 45056

Attn: Jay Fields

email: jfields@cityofoxford.org

Tel: -

ZOLL Medical Corporation

Worldwide Headquarters
269 Mill Rd
Chelmsford, Massachusetts 01824-4105
(978) 421-9655 Main
(800) 348-9011
(978) 421-0015 Customer Support
FEDERAL ID#: 04-2711626

QUOTATION 255666 V:1

DATE: September 28, 2017

TERMS: Net 30 Days

FOB: Shipping Point

FREIGHT: Prepay and Add

ITEM	MODEL NUMBER	DESCRIPTION	QTY.	UNIT PRICE	DISC PRICE	TOTAL PRICE
10	8900-000219-01	OneStep Pediatric CPR Electrode (1 pair)	2	\$87.50	\$87.50	\$175.00 *
11	SOFT-07-2MQ	Disposable Cuff, soft Infant, 2-Tube, twist lock connector, box of 20	1	\$175.00	\$105.66	\$105.66 *
12	8009-0020	CPR-D Padz and CPR Stat Padz Connector for R Series	4	\$375.00	\$375.00	\$1,500.00 *
13	5001-9928	ZOLL E Series w/Pacing, 12 lead + 3 parameters or more Trade-In	4		(\$1,500.00)	(\$6,000.00) **
*Reflects State of Ohio Pricing. **Trade-In Value valid if all equipment purchased is in good operational and cosmetic condition, and includes all standard accessories. Customer assumes responsibility for shipping trade-in equipment to ZOLL Chelmsford within 60 days of receipt of new equipment. Customer agrees to pay cash value for trade-in equipment not shipped to ZOLL on a timely basis. **Trade value guaranteed only through September 30, 2017. This trade-in allowance is a one-time credit for Oxford Fire only. ZOLL will not accept trades on future orders that are part of the Tri-Health Grant Initiative project.						
TOTAL						\$276.41

This quote is made subject to ZOLL's standard commercial terms and conditions (ZOLL T's + C's) which accompany this quote. Any purchase order (P.O.) issued in response to this quotation will be deemed to incorporate ZOLL T's + C's. Any modification of the ZOLL T's + C's must be set forth or referenced in the customer's P.O. No commercial terms or conditions shall apply to the sale of goods or services governed by this quote and the customer's P.O. unless set forth in or referenced by either document.

1. DELIVERY WILL BE MADE 60-90 DAYS AFTER RECEIPT OF ACCEPTED PURCHASE ORDER.
2. PRICES QUOTED ARE VALID UNTIL SEPTEMBER 30, 2017.
3. APPLICABLE TAX, SHIPPING & HANDLING WILL BE ADDED AT THE TIME OF INVOICING.
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6. ALL DISCOUNTS OFF LIST PRICE ARE CONTINGENT UPON PAYMENT WITHIN AGREED UPON TERMS.
7. PLACE YOUR ACCESSORY ORDERS ONLINE BY VISITING www.zollwebstore.com.

Dione Amirkhan
EMS Territory Manager
800-242-9150, x9444

ZOLL QUOTATION GENERAL TERMS & CONDITIONS

1. ACCEPTANCE. This Quotation constitutes an offer by ZOLL Medical Corporation to sell to the Customer the equipment (including a license to use certain software) listed in this Quotation and described in the specifications either attached to or referred to in this Quotation (hereinafter referred to as Equipment). Any acceptance of such offer is expressly limited to the terms of this Quotation, including these General Terms and Conditions. Acceptance shall be so limited to this Quotation notwithstanding (i) any conflicting written or oral representations made by ZOLL Medical Corporation or any agent or employee of ZOLL Medical Corporation or (ii) receipt or acknowledgment by ZOLL Medical Corporation of any purchase order, specification, or other document issued by the Customer. Any such document shall be wholly inapplicable to any sale made pursuant to this Quotation, and shall not be binding in any way on ZOLL Medical Corporation.

Acceptance of this Quotation by the Customer shall create an agreement between ZOLL Medical Corporation and the Customer (hereinafter referred to as the "Contract") the terms and conditions of which are expressly limited to the provisions of this Quotation including these Terms and Conditions. No waiver change or modification of any of the provisions of this Quotation or the Contract shall be binding on ZOLL Medical Corporation unless such waiver, change or modification (i) is made in writing (ii) expressly states that it is a waiver, change or modification of this Quotation or the Contract and (iii) is signed by an authorized representative of ZOLL Medical Corporation.

2. DELIVERY AND RISK OF LOSS. Unless otherwise stated, all deliveries shall be F.O.B. ZOLL Medical Corporation's facility. Risk of loss or damage to the Equipment shall pass to the Customer upon delivery of the Equipment to the carrier.

3. TERMS OF PAYMENT. Unless otherwise stated in its Quotation payment by Customer is due thirty (30) days after the ship date appearing on ZOLL Medical Corporation invoice. Any amounts payable hereunder which remain unpaid after the date shall be subject to a late charge equal to 1.5% per month from the due date until such amount is paid.

4. CREDIT APPROVAL. All shipments and deliveries shall at all times be subject to the approval of credit by ZOLL Medical Corporation. ZOLL Medical Corporation may at any time decline to make any shipment or delivery except upon receipt of payment or security or upon terms regarding credit or security satisfactory to ZOLL Medical Corporation.

5. TAXES & FEES. The pricing quoted in its Quotation do not include sales use, excise, or other similar taxes or any duties or customs charges, or any order processing fees. The Customer shall pay in addition for the prices quoted the amount of any present or future sales, excise or other similar tax or customs duty or charge applicable to the sale or use of the Equipment sold hereunder (except any tax based on the net income of ZOLL Medical Corporation), and any order processing fees that ZOLL may apply from time to time. In lieu thereof the Customer may provide ZOLL Medical Corporation with a tax exemption certificate acceptable to the taxing authorities.

6. WARRANTY. (a) ZOLL Medical Corporation warrants to the Customer that from the earlier of the date of installation or thirty (30) days after the date of shipment from ZOLL Medical Corporation's facility, the Equipment (other than accessories and electrodes) will be free from defects in material and workmanship under normal use and service for the period noted on the reverse side. Accessories and electrodes shall be warranted for ninety (90) days from the date of shipment. During such period ZOLL Medical Corporation will at no charge to the Customer either repair or replace (at ZOLL Medical Corporation's sole option) any part of the Equipment found by ZOLL Medical Corporation to be defective in material or workmanship. If ZOLL Medical Corporation's inspection detects no defects in material or workmanship, ZOLL Medical Corporation's regular service charges shall apply. (b) ZOLL Medical Corporation shall not be responsible for any Equipment defect failure of the Equipment to perform any specified function, or any other nonconformance of the Equipment caused by or attributable to (i) any modification of the Equipment by the Customer, unless such modification is made with the prior written approval of ZOLL Medical Corporation; (ii) the use of the Equipment with any associated or complementary equipment accessory or software not specified by ZOLL Medical Corporation, or (iii) any misuse or abuse of the Equipment; (iv) exposure of the Equipment to conditions beyond the environmental, power or operating constraints specified by ZOLL Medical Corporation, or (v) installation or wiring of the Equipment other than in accordance with ZOLL Medical Corporation's instructions. (c) Warranty does not cover items subject to normal wear and burnout during use, including but not limited to lamps, fuses, batteries, cables and accessories. (d) The foregoing warranty does not apply to software included as part of the Equipment (including software embodied in read-only memory known as "firmware"). (e) The foregoing warranty constitutes the exclusive remedy of the Customer and the exclusive liability of ZOLL Medical Corporation for any breach of any warranty related to the Equipment supplied hereunder. THE WARRANTY SET FORTH HEREIN IS EXCLUSIVE AND ZOLL MEDICAL CORPORATION EXPRESSLY DISCLAIMS ALL OTHER WARRANTIES WHETHER WRITTEN, ORAL, IMPLIED, OR STATUTORY, INCLUDING BUT NOT LIMITED TO ANY WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

7. SOFTWARE LICENSE. (a) All software (the "Software" which term shall include firmware) included as part of the Equipment is licensed to Customer pursuant to a nonexclusive limited license on the terms hereinafter set forth. (b) Customer may not copy, distribute, modify, translate or adapt the Software, and may not disassemble or reverse compile the Software, or seek in any manner to discover, disclose or use any proprietary algorithms, techniques or other confidential information contained therein. (c) All rights in the Software remain the product of ZOLL Medical Corporation, and Customer shall have no right or interest therein except as expressly provided herein. (d) Customer's right to use the Software may be terminated by ZOLL Medical Corporation in the event of any failure to comply with terms of this quotation. (e) Customer may transfer the license conferred hereby only in connection with a transfer of the Equipment and may not retain any copies of the Software following such transfer. (f) ZOLL Medical Corporation warrants that the read-only memory or other media on which the Software is recorded will be free from defects in materials and workmanship for the period and on terms set forth in section 6. (g) Customer understands that the Software is a complex and sophisticated software product and no assurance can be given that operation of the Software will be uninterrupted or error-free, or that the Software will meet Customer's requirements. Except as set forth in section 7(f), ZOLL MEDICAL CORPORATION MAKES NO REPRESENTATIONS OR WARRANTIES WITH RESPECT TO THE SOFTWARE AND IN PARTICULAR DISCLAIMS ANY IMPLIED WARRANTIES OR MERCHANTABILITY OR FITNESS OF A PARTICULAR PURPOSE WITH RESPECT THERETO. Customer's exclusive remedy for any breach of warranty or defect relating to the Software shall be the repair or replacement of any defective read-only memory or other media so that it correctly reproduces the Software. This License applies only to ZOLL Medical Corporation Software.

8. DELAYS IN DELIVERY. ZOLL Medical Corporation shall not be liable for any delay in the delivery of any part of the Equipment if such delay is due to any cause beyond the control of the ZOLL Medical Corporation including, but not limited to acts of God, fires, epidemics, floods, riots, wars, sabotage, labor disputes, governmental actions, inability to obtain materials, components, manufacturing facilities or transportation or any other cause beyond the control of ZOLL Medical Corporation. In addition ZOLL Medical Corporation shall not be liable for any delay in delivery caused by failure of the Customer to provide any necessary information in a timely manner. In the event of any such delay, the date of shipment or performance hereunder shall be extended to the period equal to the time lost by reason of such delay. In the event of such delay ZOLL Medical Corporation may allocate available Equipment among its Customers on any reasonable and equitable basis. The delivery dates set forth in this Quotation are approximate only and ZOLL Medical Corporation shall not be liable for or shall the Contract be breached by, any delivery by ZOLL Medical Corporation within a reasonable time after such dates.

9. LIMITATIONS OF LIABILITY. IN NO EVENT SHALL ZOLL MEDICAL CORPORATION BE LIABLE FOR INDIRECT SPECIAL OR CONSEQUENTIAL DAMAGES RESULTING FROM ZOLL MEDICAL CORPORATIONS PERFORMANCE OR FAILURE TO PERFORM PURSUANT TO THIS QUOTATION OR THE CONTRACT OR THE FURNISHING, PERFORMANCE, OR USE OF ANY EQUIPMENT OR SOFTWARE SOLD HERETO, WHETHER DUE TO A BREACH OF CONTRACT, BREACH OF WARRANTY, THE NEGLIGENCE OF ZOLL MEDICAL CORPORATION OR OTHERWISE.

10. PATENT INDEMNITY. ZOLL Medical Corporation shall at its own expense defend any suit that may be instituted against the Customer for alleged infringement of any United States patents or copyrights related to the parts of the Equipment or the Software manufactured by ZOLL Medical Corporation, provided that (i) such alleged infringement consists only in the use of such Equipment or the Software by itself and not as a part of or in combination with any other devices or parts, (ii) the Customer gives ZOLL Medical Corporation immediate notice in writing of any such suit and permits ZOLL Medical Corporation through counsel of its choice, to answer the charge of infringement and defend such suit, and (iii) the Customer gives ZOLL Medical Corporation all requested information, assistance and authority at ZOLL Medical Corporation's expense, to enable ZOLL Medical Corporation to defend such suit.

In the case of a final award of damages for infringement in any such suit, ZOLL Medical Corporation will pay such award, but it shall not be responsible for any settlement made without its written consent.

Section 10 states ZOLL Medical Corporation's total responsibility and liability's, and the Customer's sole remedy for any actual or alleged infringement of any patent by the Equipment or the Software or any part thereof provided hereunder. In no event shall ZOLL Medical Corporation be liable for any indirect, special, or consequential damages resulting from any such infringement.

11. CLAIMS FOR SHORTAGE. Each shipment of Equipment shall be promptly examined by the Customer upon receipt thereof. The Customer shall inform ZOLL Medical Corporation of any shortage in any shipment within ten (10) days of receipt of Equipment. If no such shortage is reported within ten (10) day period, the shipment shall be conclusively deemed to have been complete.

12. RETURNS AND CANCELLATION. (a) The Customer shall obtain authorization from ZOLL Medical Corporation prior to returning any of the Equipment. (b) The Customer receives authorization from ZOLL Medical Corporation to return a product for credit, the Customer shall be subject to a restocking charge of twenty percent (20%) of the original list purchase price, but not less than \$50.00 per product. (c) Any such change in delivery caused by the Customer that causes a delivery date greater than six (6) months from the Customer's original order date shall constitute a new order for the affected Equipment in determining the appropriate list price.

13. APPLICABLE LAW. This Quotation and the Contract shall be governed by the substantive laws of the Commonwealth of Massachusetts without regard to any choice of law provisions thereof.

14. COMPLIANCE WITH LAWS. (a) ZOLL Medical Corporation represents that all goods and services delivered pursuant to the Contract will be produced and supplied in compliance with all applicable state and federal laws and regulations, including the requirements of the Fair Labor Standards Act of 1938, as amended. (b) The Customer shall be responsible for compliance with any federal, state and local laws and regulations applicable to the installation or use of the Equipment furnished hereunder, and will obtain any permits required for such installation and use.

15. NON-WAIVER OF DEFAULT. In the event of any default by the Customer, ZOLL Medical Corporation may decline to make further shipments or render any further warranty or other services without in any way affecting its right under such order. If despite any default by Customer, ZOLL Medical Corporation elects to continue to make shipments its action shall not constitute a waiver of any default by the Customer or in any way affect ZOLL Medical Corporation's legal remedies regarding any such default. No claim or right arising out of a breach of the Agreement by the Customer can be discharged in whole or in part by waiver or renunciation of the claim or right unless the waiver or renunciation is supported by consideration and is in writing signed by ZOLL Medical Corporation.

16. ASSIGNMENT. This Quotation, and the Contract, may not be assigned by the Customer without the prior written consent of ZOLL Medical Corporation, and any assignment without such consent shall be null and void.

17. TITLE TO PRODUCTS. Title to right of possession of the products sold hereunder shall remain with ZOLL Medical Corporation until ZOLL Medical Corporation delivers the Equipment to the carrier and agrees to do all acts necessary to perfect and maintain such right and title in ZOLL Medical Corporation. Failure of the Customer to pay the purchase price for any product when due shall give ZOLL Medical Corporation the right, without liability to repossess the Equipment, with or without notice, and to avail itself of any remedy provided by law.

18. EQUAL EMPLOYMENT OPPORTUNITY / AFFIRMATIVE ACTION.

VETERAN'S EMPLOYMENT - If this order is subject to Executive Order 11710 and the rules, regulations, or orders of the Secretary of Labor issued thereunder the contract clause as set forth at 41 CFR 60-250.4 is hereby included as part of this order.

EMPLOYMENT OF HANDICAPPED - If this order is subject to Section 503 of the Rehabilitation Act of 1973, as amended and the rules, regulations or orders of the Secretary of Labor as issued thereunder, the contract clause at 41 CFR 60-741.7 is hereby included as part of this order.

EQUAL OPPORTUNITY EMPLOYMENT - If this order is subject to the provisions of Executive Order 11246, as amended, and the rules, regulations or orders of the Secretary of Labor issued thereunder, the contract clause set forth at 41 CFR 60-1.4 (a) and 60-1.4 (b) are hereby included as a part of this order and Seller agrees to comply with the reporting requirements set forth at 41 CFR 60-1.7 and the affirmative action compliance program requirements set forth at 41 CFR 60-1.40.

19. VALIDITY OF QUOTATION. This Quotation shall be valid and subject to acceptance by the Customer, in accordance with the terms of Section 1 hereof for the period set forth on the face hereof. After such period, the acceptance of this Quotation shall not be binding upon ZOLL Medical Corporation and shall not create a contract, unless such acceptance is acknowledged and accepted by ZOLL Medical Corporation by a writing signed by an authorized representative of ZOLL Medical Corporation.

20. GENERAL. Any Contract resulting from this Quotation shall be governed by and interpreted in accordance with the laws of the Commonwealth of Massachusetts. This constitutes the entire agreement between Buyer and Supplier with respect to the purchase and sale of the Products described in the face hereof, and only representations or statements contained herein shall be binding upon Supplier as a warranty or otherwise. Acceptance or acquiescence in the course of performance rendered pursuant hereto shall not be relevant to determine the meaning of this writing even though the accepting or acquiescing party has knowledge of the nature of the performance and opportunity for objection. No addition to or modification of any of the terms and conditions specified herein shall be binding upon Supplier unless made in writing and signed by a duly authorized representative of Supplier. The terms and conditions specified shall prevail notwithstanding any variance from the terms and conditions of any order or other form submitted by Buyer for the Products set forth on the face of this Agreement. To the extent that this writing may be treated as an acceptance of Buyer's prior offer, such acceptance is expressly made conditional on assent by Buyer to the terms hereof, and, without limitation, acceptance of the goods by Buyer to the terms hereof, and, without limitation, acceptance of the goods by Buyer shall constitute such assent. All cancellations and reschedules require a minimum of thirty (30) days notice.

CITY OF OXFORD STAFF SUMMARY REPORT

Report to City Manager

Council Meeting Of : 10/17/2017

Account Code No. : see below

Budgeted Amount :

Finance
Originating Department

Joe Newlin
Prepared By

10/10/2017
Date Prepared

Agenda Title:	2017 Supplemental Budget #8
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Recommendation:	Approve
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Issue 1

To make adjustment to budget for 2018 OVI Task Force Fund revenue & expenditures

Action Needed:

Revenue Side

OVI (419)	225,000.00	Advance from General Fund
OVI (419)	224,695.00	OVI reimbursements
General (110)	225,000.00	Repayment of advance from OVI Task Force Fund

Expense Side

General (110)	225,000.00	Advance to OVI Task Force Fund
OVI (419)	224,695.00	OVI Task Force Fund Expenditures
OVI (419)	225,000.00	Repayment of advance to General Fund

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

Issue 2

To make adjustment to budget for additional revenue & expenditures related to construction projects (NIC payments)

Action Needed:

Revenue Side

General (110)	100,000.00	Building, Electrical, Heating permits
Board of Building Standards (414)	4,145.00	BBS Fees

Expense Side

General (110)	100,000.00	Additional expenditures for NIC payments
Board of Building Standards (414)	4,145.00	Additional expenditures for BBS fees

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

Issue 3

To make adjustment to budget for additional revenue & expenditures related to income tax collections

Action Needed:

Revenue Side

General (110)	795,000.00	Income Tax receipts
Fire & EMS (418)	121,000.00	Income Tax receipts

Expense Side

General (110)	69,849.00	Additional expenditures for retainage & refunds for income tax collections
Fire & EMS (418)	10,479.00	Additional expenditures for retainage & refunds for income tax collections

Net Effect on Fund Balance/(s) Increase/(Decrease)	835,672.00
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Issue 4

To make adjustment to budget for additional revenue for reimbursements (Workers Compensation)

Action Needed:

Revenue Side

General (110)	52,000.00	Reimbursements
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Expense Side

Net Effect on Fund Balance/(s) Increase/(Decrease)	52,000.00
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Issue 5

To make adjustment to budget for additional expenditures for legal expenses

Action Needed:

Revenue Side

Expense Side

General (110)	30,000.00	Additional expenditures for legal expenses
---------------	-----------	--

Net Effect on Fund Balance/(s) Increase/(Decrease)	(30,000.00)
---	-------------

Total Net Effect on Fund Balance/(s) Increase/(Decrease)	857,672.00
---	------------

Breakdown by Fund

General (110)	747,151.00
Fire & EMS (418)	110,521.00
Board of Building Standards (414)	-
OVI (419)	-

Net Effect on Fund Balance/(s) Increase/(Decrease)	857,672.00
---	------------

Approved By:

Department Head:

City Manager:

Initials

Date

[Signature] / 10/10/17
DRE / 10/13/17

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3381. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 8 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2017.

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

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

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

OVI Task Force Fund 419	225,000.00
OVI Task Force Fund 419	224,695.00
General Fund 110	225,000.00
General Fund 110	100,000.00
Board of Building Standards 414	4,145.00
General Fund 110	795,000.00
Fire & EMS Fund 418	121,000.00
General Fund 110	52,000.00

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

General Fund 110	225,000.00
OVI Task Force Fund 419	224,695.00
OVI Task Force Fund 419	225,000.00
General Fund 110	100,000.00
Board of Building Standards 414	4,145.00
General Fund 110	69,849.00
Fire & EMS Fund 418	10,479.00
General Fund 110	30,000.00

SECTION 4: In all other respects, Ordinance No. 3381 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

Council Meeting of: October 3, 2017

Account Code #: N/A

Budgeted Amount: N/A

Service Department

Originating Department

Michael Dreisbach, Service Director

Prepared By

September 28, 2017

Date Prepared

Agenda Title: Ordinance Authorizing the Vacation of Undeveloped Right of Way on West Rose Avenue and Beech Street, Accepting A 20' Utility Easement, and Approving a Property Exchange Agreement.

Recommendation: Approve

Discussion:

As part of the redevelopment of the area to the south and east of Stewart Square (aka former lumberyard site), the developer (Dudley Prime Properties, LLC) has requested the City vacate certain unimproved right of way (ROW) at the western terminus of West Rose Avenue and ROW on Beech Street north of the CSX railroad tracks. The vacation area equals 0.2824 acres.

This future development, now known as "Gaslight Avenue at Stewart Square", also contains City owned sanitary and storm sewers that are not currently in recorded easements. The developer desires to grant the City a 20' utility easement for our infrastructure in exchange for the vacated ROW. The easement area equals 0.2522 acres.

Exhibit A highlights the ROW to be vacated with Exhibit B providing the legal description for the land to be vacated. Exhibit A-1 shows area that may be impacted by CSX interest in the ROW vacation and that the proposed project may still be constructed without the area that may be vacated to CSX.

Exhibit C highlights the Utility Easement to be provided to the City with Exhibits D & E providing the legal description for the area spanning two separate parcels. Exhibit F is a Property Exchange Agreement describing in detail the exchange of vacated City ROW for a new 20' utility easement.

The land areas of the property exchange are comparable and the City has no long term capital projects planned for the areas involved with the vacation of ROW. Staff recommends the City Council vacate the ROW detailed in this report and authorize the City Manager to take all measures necessary to record such with the Butler County Recorder's Office including authorization to sign a Property Exchange Agreement with Dudley Prime Properties, LLC.

Approved By:

Department Head:

City Manager:

Initial Date
MBD \ 9/28/17

_____ \ _____

ORDINANCE NO.

AN ORDINANCE VACATING 0.2824 ACRES OF RIGHT-OF-WAY OFF OF WEST ROSE AVENUE AND BEECH STREET.

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

SECTION 1: Council finds that there is good cause to vacate right-of-way off of West Rose Avenue and Beech Street more particularly described and depicted on the document attached hereto as Exhibit "A".

SECTION 2: Council further finds that such vacation will not be detrimental to the general interest.

SECTION 3: Council hereby orders that the right-of-way off of West Rose Avenue and Beech Street described and depicted on the document attached hereto as Exhibit "A" be vacated.

SECTION 4: Council hereby directs the Clerk of Council to cause a certified copy of this Ordinance to be recorded in the official records of the Butler County Recorder.

SECTION 5: This Ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

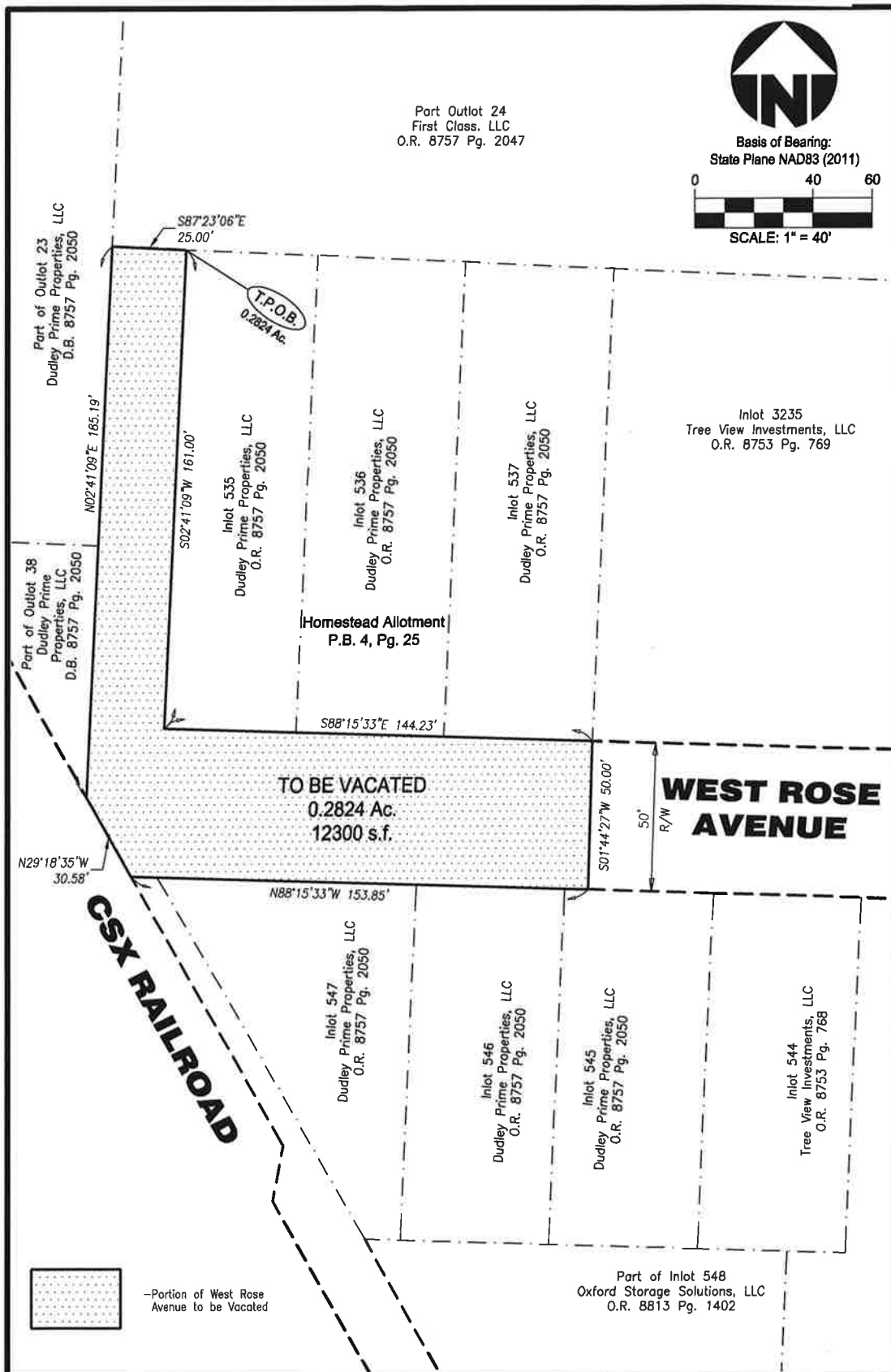
ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW(STAFF)

EXHIBIT A

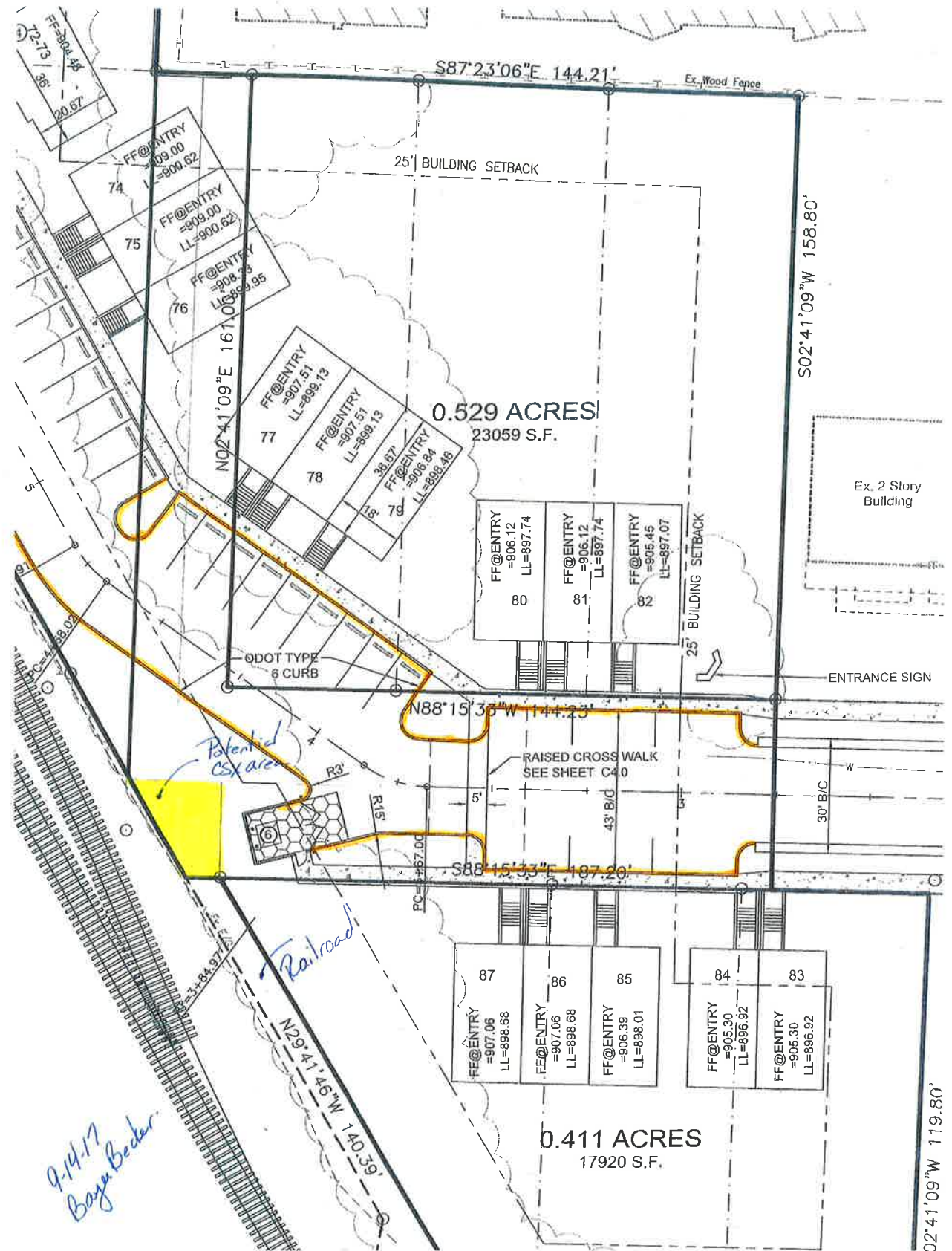


Drawing: 17-0029 EX
Scale: 1"=40'
Drawn by: BJR
Checked By: BRJ
Issue Date: 09-21-2017

WEST ROSE AVENUE
HOMESTEAD ALLOTMENT
PLAT BOOK 4, PAGE 25
SECTION 27, TOWN 5, RANGE 1
CITY OF OXFORD
BUTLER COUNTY, OHIO
VACATION EXHIBIT

bayer becker
110 S. College Avenue
Oxford, OH 45056 - 513.523.4270

EXHIBIT A - 1



Date: July 20, 2017

Description: West Rose Avenue
Right of Way Vacation

Location: City of Oxford
Butler County



Situated in the City of Oxford, Butler County, Ohio, and being the Vacation of a Portion of West Rose Avenue and being more particularly described as follows:

Beginning at the northwest corner of Inlot #535 of the City of Oxford and being the easterly terminus of West Rose Avenue right of way and being the **True Point of Beginning**;

thence, leaving said northwest corner of said Inlot #535, with the westerly boundary of said Inlot #535 and with the easterly right of way of said West Rose Avenue, South 02° 41' 09" West, 161.00 feet to the southwest corner of said Inlot #535 and being on the northerly right of way of said West Rose Avenue;

thence, leaving said southwest corner of said Inlot #535, and the easterly right of way of West Rose Avenue, with the southerly boundary of said Inlot #535 extended and with said northerly right of way of West Rose Avenue, South 88° 15' 33" East, 144.23 feet to the southeast corner of Inlot #537 of the City of Oxford;

thence, leaving said southeast corner of Inlot #537 and leaving the said northerly right of way of West Rose Avenue, South 01° 44' 27" West, 50.00 feet to the southerly right of way of a said West Rose Avenue and being on the northerly boundary of Inlot #545 of the City of Oxford;

thence, with the northerly boundary extended of said Inlot #545 and with the southerly right of way extended of said West Rose Avenue, North 88° 15' 33" West, 153.85 feet to the easterly right of way of CSX Railroad;

thence, leaving the southerly right of way of said West Rose Avenue extended and with the easterly right of way of said CSX Railroad, North 29° 18' 35" West, 30.58 feet to the southeast corner of Part of Outlot #38 of the City of Oxford and being the westerly right of way of said West Rose Avenue;

thence, leaving said easterly right of way of CSX Railroad, with the easterly boundary of said Part of Outlot #38 and with the westerly right of way of said West Rose Avenue, North 02° 41' 09" East, 185.19 feet to the southwest corner of Part of Outlot #24 of the City of Oxford and being on the northerly terminus of said right of way of West Rose Avenue;

thence, leaving said southeast corner of Part of Outlot #24, with the southerly boundary of said Part of Outlot #24 and with the northerly terminus of said right of way of West Rose Avenue, South 87° 23' 06" East, 25.00 feet to the **True Point of Beginning**, containing 0.2824 acres of land, more or less and being subject to all legal highways, easements, restrictions and agreements of record.

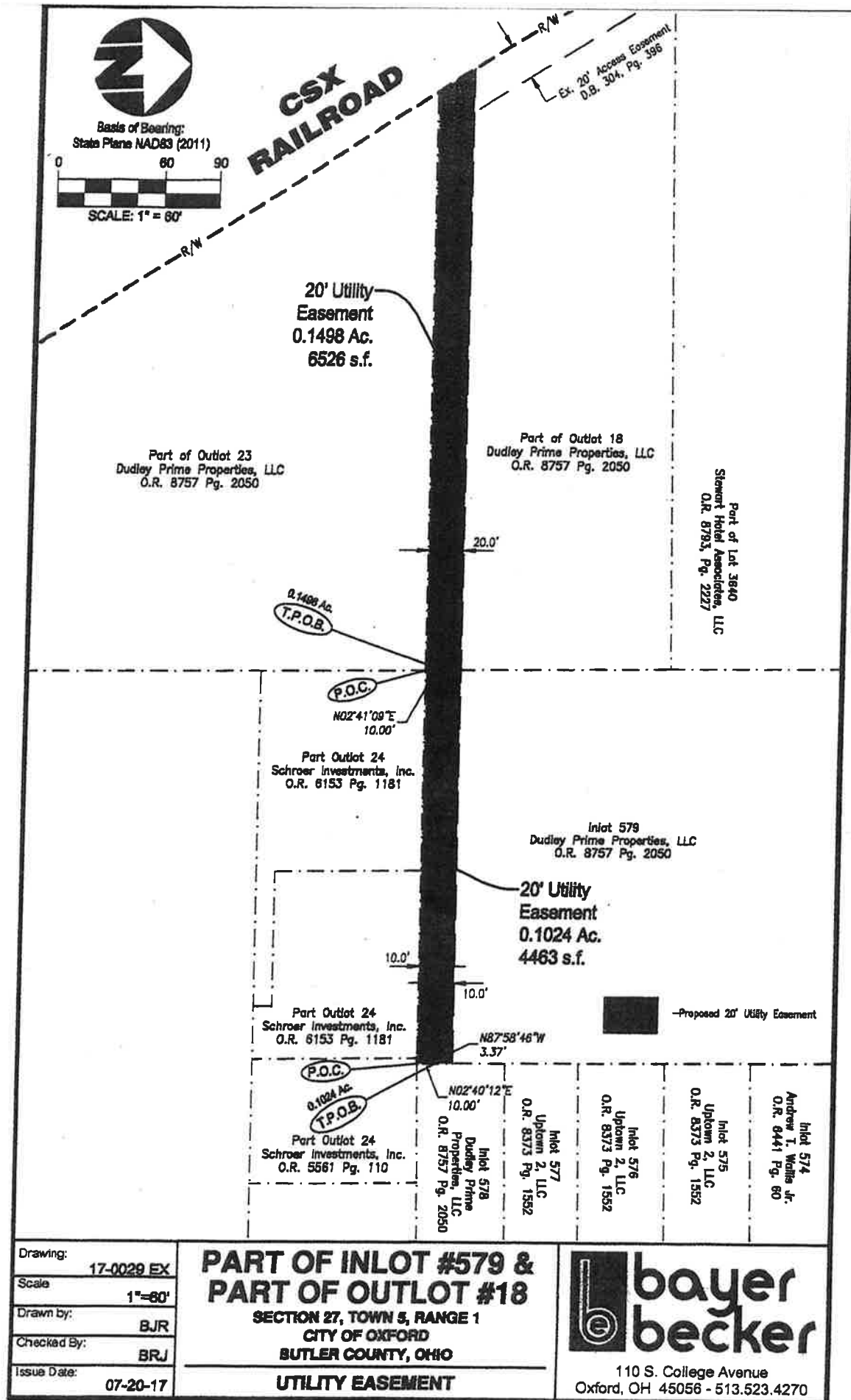
The above description was prepared from an exhibit prepared by Bayer Becker, Brian R. Johnson, Registered Surveyor #8484 in the State of Ohio, July 20, 2017.

6900 Tylersville Road, Suite A
Mason, Ohio 45040
513-336-8600

209 Grandview Drive
Fort Mitchell, Kentucky 41017
859-261-1113

110 South College Avenue, Suite 101
Oxford, Ohio 45056
513-523-4270

1404 Race Street, Suite 204
Cincinnati, OH 45202
513-834-6151



Date: July 20, 2017
Description: Part of Inlot #579
20' Utility Easement
Location: City of Oxford
Butler County, Ohio



Situated in City of Oxford, Butler County, Ohio, and being a Twenty (20.00') Foot Utility Easement in part of Inlot #579 and being in part of the lands of Dudley Prime Properties, LLC as recorded in Official Record 8757, Page 2050 of the Butler County, Ohio, Recorder's Office and taken Ten (10.00') Feet evenly off the following described centerline:

Commencing at the southwest corner of said Inlot #578; thence, with the westerly boundary of said Inlot #578, North 02° 40' 12" East, 10.00 feet to the centerline of a Twenty (20.00') Foot Utility Easement and being the **True Point of Beginning**;

thence, leaving said westerly boundary of Inlot #578 and through said Inlot #579, North 87° 58' 46" West, 3.37 feet;

thence, North 86° 53' 58" West, 219.70 feet to its terminus. The lines of said strip to be shortened or lengthened to the westerly boundary line of said Inlot #579.

The above description was prepared from an exhibit prepared by Bayer Becker, Brian R. Johnson, Registered Surveyor #8484 in the State of Ohio, July 20, 2017.

17-00000 Base 0.0024 Ar dco

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513-523-4270

1404 Race Street, Suite 204
Cincinnati, OH 45202
513-834-6151

Engineering – Surveying – Landscape Architecture – Planning
www.bayerbecker.com

Date: July 20, 2017
Description: Part of Outlot #18
20' Utility Easement
Location: City of Oxford
Butler County, Ohio



Situated in City of Oxford, Butler County, Ohio, and being a Twenty (20.00') Foot Utility Easement in part of Outlot #18, and being in part of the lands of Dudley Prime Properties, LLC as recorded in Official Record 8757, Page 2050 of the Butler County, Ohio, Recorder's Office and taken Ten (10.00') Feet evenly off the following described centerline:

Commencing at the southeast corner of said Outlot #18; thence, with the easterly boundary of said Outlot #18, North 02° 41' 09" East, 10.00 feet to the centerline of a Twenty (20.00') Foot Utility Easement and being the **True Point of Beginning**;

thence, leaving said easterly boundary of said Outlot #18 and through said Outlot #18, North 86° 53' 58" West, 326.36 feet to its terminus. The lines of said strip to be shortened or lengthened to the easterly right of way of CSX Railroad.

The above description was prepared from an exhibit prepared by Bayer Becker, Brian R. Johnson, Registered Surveyor #8484 in the State of Ohio, July 20, 2017.

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PROPERTY EXCHANGE AGREEMENT

This agreement made this _____ day of _____, 2017 by and between the City of Oxford, Butler County, Ohio, hereinafter called "Oxford" and Dudley Prime Properties, LLC hereinafter called "Dudley" witnesseth:

Whereas, Oxford desires to acquire a Twenty (20) foot wide utility easement in, over, and across certain property owned by Dudley within the City of Oxford; and

Whereas, Dudley owns certain property adjacent on the north and south sides of West Rose Avenue, and on the east and west sides of a 25 foot wide strip running north of the westerly 25 feet of Rose Avenue, and referred to as Beech Street located north of the railroad tracks, or in some instances as an alley, and desires that Oxford will vacate said portions of said streets and convey said vacated streets to Dudley as the adjacent property owner;

Now, therefore, the said parties do hereby agree as follows:

1. Oxford will proceed to vacate a portion of West Rose Avenue and Beech Street north of the railroad tracks as depicted on a Vacation Exhibit by Bayer Becker engineers dated July 20, 2017 and attached hereto as Exhibit A and more fully described in the Bayer Becker legal description attached hereto as Exhibit B. Said total land area to be vacated containing 0.2824 acres, more or less.

Oxford acknowledges that by Ordinance No. 2617 dated December 1, 1998 and recorded May 4, 1999 in Butler County Official Records Vol. 6357, Page 2236, said streets were vacated subject to two conditions, one of which was the dedication of a cul de sac on 3,928 square feet to be dedicated to the City by the adjacent property owners which was to occur within one year of the adoption of Ordinance No. 2617 or the vacation granted shall be void. Oxford warrants that said condition was not met within said time period and therefore such previous vacation was void.

Oxford further agrees that the southwest portion of Rose Avenue to be vacated is crossed for 30.58 feet by the CSX Railroad property and that the County records are unclear as to whether CSX holds title to its property or if it is merely a right of way.

2. Upon completion of said street vacation and conveyance to Dudley of the entire vacated area adjacent by perpendicular line to the Dudley Property, and excepting only that portion that could possibly be claimed by the railroad if it holds title to the southwest corner of Rose Ave. that it crosses, Dudley will execute and deliver to Oxford a Twenty (20) foot wide utility easement over, in and through a portion of Inlot 579 and Part of Outlot 18 as depicted on the Bayer Becker utility easement plat dated July 20, 2017, attached hereto as Exhibit C and more fully described in the legal description attached hereto as Exhibits D and E, prepared by Bayer Becker dated July 20, 2017.

The small portion of the vacated streets in the Southwest corner adjacent to the railroad track shall not be a part of this agreement and is subject to further determination by the City as to whether it will be conveyed to Dudley or to the railroad.

In witness whereof, the parties have hereunto set their signatures on the date indicated.

City of Oxford

by: _____
By authority of City of Oxford Resolution
_____ adopted _____

Dudley Prime Properties, LLC

by _____
Terry Dudley, authorized member

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: October 3, 2017

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

September 25, 2017

Date Prepared:

PC-2017-23, Conditional Use Permit - 5093 College Corner Pike, the construction of a restaurant with a drive-through lane, Paul Plenowicz, Applicant/Agent

Recommendation: Approval with conditions

Discussion:

This application is seeking approval to build a restaurant with a drive-thru lane in the GB District. The proposed restaurant is approximately 2,800 square feet of building that would seat 61 customers. The site is situated between an auto parts store and an insurance office on the west side of US 27 (College Corner Pike). Two existing residential buildings will be demolished to make room for this new restaurant. The site is approximately 2.7 acres in size.

Several issues were identified that required Planning Commission's decision: (1) maximum number of off-street parking; (2) the required loading space and the usability of the space; (3) the total allowable signage and the size of wall signs.

The Planning Commission reviewed the application, discussed issues raised by staff in their report, worked with the applicant about the project and recommended approval to City Council in a 6-0-1 vote, with conditions as follows:

1. The loading space requirement is waived
2. The three parking spaces in front of the dumpster location will be eliminated
3. The allowable off-street parking will be capped at 34, including 3 queuing spaces
4. Only the three medallion wall signs, as submitted, are approved
5. The monument sign will meet the requirements of the Oxford sign regulations and shall not include a reader board as part of the design
6. The resolutions to City Engineer comments dated August 18, 2017 will be satisfactory to the City Engineer

Approved By:

Department Head:

City Attorney:

City Manager:

JHC, 9/25/17
DRE, 9/29/17

ORDINANCE NO.

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR A FAST-FOOD RESTAURANT WITH DRIVE-THROUGH WINDOW IN THE GENERAL BUSINESS DISTRICT TO BE LOCATED AT 5093 COLLEGE CORNER PIKE OXFORD, OHIO 45056 WITH CONDITIONS.

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

SECTION 1: Council finds in accordance with Oxford Codified Ordinance Section 1147.02 the City of Oxford Planning Commission held a public hearing on September 12, 2017 for the purpose of considering the request of Carrols, LLC, Applicant, for a conditional use permit for a fast-food restaurant with drive-through window in the General Business District to be located at 5093 College Corner Pike Oxford, Ohio 45056.

SECTION 2: The Planning Commission, after public hearing and discussion, voted and approved a motion recommending approval of the conditional use permit application for a fast-food restaurant with drive-through window to be located at 5093 College Corner Pike Oxford, Ohio 45056 with the following conditions:

1. The loading space requirement shall be waived.
2. Three parking spaces in front of the dumpster location shall be eliminated.
3. Allowable off-street parking shall be capped at 34, including 3 queuing spaces.
4. Only three medallion wall signs, as submitted shall be approved.
5. The monument sign shall meet the requirements of the Oxford sign regulations and shall not include a reader board as part of the design.
6. Resolutions to the City Engineer's comments dated August 18, 2017 shall be addressed to his satisfaction.

SECTION 3: Council hereby accepts the recommendation of the Planning Commission and accepts the recommendation report submitted by the Planning Commission and incorporates the same herein and further grants the conditional use permit application for a fast-food restaurant with drive-through window in the General Business District to be located at 5093 College Corner Pike Oxford, Ohio 45056 with the six conditions recommended by Planning Commission being incorporated as a requirement of this approval.

SECTION 4: 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-2017-23

Date –September 12, 2017

APPLICATION

Applicant:	Carrols, LLC
Location:	5093 College Corner Pike
Owner:	Ray Day Trust
Agent:	Paul Plenowicz
Action Request:	Conditional Use Permit Application to build a restaurant with drive-thru lane
Current Use:	Residential units
Zoning:	GB (General Business) District
Surrounding Existing Land Uses:	Auto parts store, insurance agency, funeral home

GENERAL DESCRIPTION

This application is seeking approval to build a restaurant with a drive-thru lane in the GB District. The proposed restaurant is approximately 2,800 square feet of building that would seat 61 customers. The site is situated between an auto parts store and an insurance office on the west side of US 27 (College Corner Pike). Two existing residential buildings will be demolished to make room for this new restaurant. The site is approximately 2.7 acres in size.

PUBLIC COMMENTS

Public notices were mailed to surrounding property owners. None were received.

AGENCY REVIEWS

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

Police:	Reviewed with no comment
Fire:	Reviewed with no comment
Engineering:	Received comments
Econ. Dev.:	Received with comments

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)(10) Drive-Through Restaurant Facilities

- A. Potential Concerns
 - 1. Design of vehicle management area.
 - 2. Noise from operation (vehicle and loudspeaker).
 - 3. Signs and menu boards.
 - 4. Location and adequacy of dumpsters.
- B. Regulations.
 - 1. Drive-through station shall not be located in a yard adjacent to a residential zoning district.

2. Cue Queue spaces shall not be located in a yard adjacent to a residential zoning district.
3. Drive-up stations shall be setback a minimum of 50 feet from a residential zoning district.

ANALYSIS:

The applicant is proposing to build a restaurant with drive through on a large tract of land located off College Corner Pike (US 27 North) that currently has two single family dwellings on the site. The new building will be located on the southeast corner of the site, in close distance to an auto parts store.

The site itself is sloping toward the railroad track, with the College Corner Pike frontage being the highest elevation. The building is a long narrow configuration, with the narrower end facing College Corner Pike. As started earlier, the existing residential dwellings will be demolished including the removal of an existing curb cut that is currently serving the residence on the north end of the property.

The applicant identified several code compliance issues that need to be addressed by the Commission, but here are issues staff identified.

Chapter 1149 Parking and Site Access

1149.03(h) The maximum number of spaces is limited to no more than 150% of the minimum unless approved by Conditional Use Permits. The minimum off-street parking is 28 spaces, including 3 queuing spaces based upon square footage of the building. This application shows 37 spaces, including 3 queuing spaces. The drive through land could accommodate 12 spaces, in addition to the 3 between order and pick-up windows. Additionally, the proposal shows parking spaces in front of the dumpster enclosure that are not ideal; even the refuse pick-up is only on a twice per week schedule.

1149.05(e)2 Loading spaces: one loading space shall be required for all non-residential uses. The proposal shows the loading space located in the drive-through lane.

Chapter 1151 Signs

1151.05(a)(3) GB signage regulations

1. Single tenant site: No more than a total of 2 wall or freestanding signs are permitted per site.
 - a. Wall Signs: No more than 2 signs as follows;
 - i. If the average front setback of the structure is less than 100 feet, then the sign may be no more than 3 feet tall.

The proposal shows that there are 4 signs: 1 freestanding and 3 wall signs. Only two signs are allowed. The size of the wall sign is 5 feet; taller than the 3 feet allowed by Code.

ISSUES TO BE DELIBERATED:

As stated earlier, the following are the issues for the Planning Commission to discuss:

1. The maximum number of parking allowed.
2. The required loading space and the usability of the space.
3. The issue of signage.

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 for in the zoning district in which it is proposed.

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

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

Yes, the proposed use will be satisfied.

- C. The use and site will be compatible with the general intent of the Comprehensive Plan.**
Yes, the proposed use would be compatible with the general intent of the Comp Plan. US 27 (College Corner Pike) is a commercial corridor with a variety of types of commercial establishments from retail stores to restaurants with drive-throughs.
- D. The size and shape of the site are sufficient for the proposed use.**
The size and shape of the site does not appear to be 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.**
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 accessory use 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.**
It is anticipated that there is sufficient public services available to the proposed development. There is an existing sanitary sewer easement shown on the site plan that will be maintained unless the City Engineer indicates otherwise.
- I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.**
Any additional expenditure for additional infrastructure or services should be borne by the development project. At this point, none is anticipated. As indicated in the narrative provided by the applicant an additional traffic study will be conducted during the school year to gauge the traffic impact from the proposed development. Furthermore, the City Engineer also provided his comments concerning this development, dated 8/18/2017.
- 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.**
It appears that the proposed development would be consistent with the general character of this corridor and no anticipated impact to residential properties has been identified.
- K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.**
The on-site traffic circulation might become a concern during peak business hours when all the traffic is converging at the front of the building. The City Engineer also provided his comments on this.

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

None expected.

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

It is expected that other permits and licenses could be obtained by the application for the proposed use at this location.

RECOMMENDATION:

Staff did provide a cursory review on the proposal prior to the applicant submitting the Conditional Use Permit application, but not in the detailed manner that is provided in this report. The proposed use is consistent with the general character of this corridor and the layout of the proposed building would work in general. However, the issues staff, along with the applicant, identified will need to be worked out between the applicant and the Planning Commission. In order to provide some platform for the Commission to deliberate, staff would provide the following recommendations for the Commission to consider:

That, the maximum number of allowable off-street parking should be capped at 34, including 3 queuing spaces; by eliminating those 3 parking spaces located in front of the dumpster. Staff would also recommend that the reader board be removed from the freestanding sign for traffic safety concerns, since Burger King is a national brand name and does not need a reader board to alert travelers about their products. The number of wall sign should be limited to no more than one wall sign and the sign height to be limited to 3 feet.

SUBMITTED

BY:



Jung-Han Chen
Community Development Director

DATE: August 21, 2017

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

SF houses
5093
✓

Date: August 7, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-23, CONDITIONAL USE, 5093-5097 College Corner Pike, to allow for the construction of a restaurant upon 2.68 acres, in a General Business (GB) District, **Carrols, LLC, Applicant/Agent**

 X Review Revisions Other

Please return no later than: **September 5, 2017** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:


John Detherage
PRINTED NAME

Date:

8-16-17

City of Oxford
Inter-Office Review Transmittal Sheet

Date: August 7, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-23, CONDITIONAL USE, 5093-5097 College Corner Pike, to allow for the construction of a restaurant upon 2.68 acres, in a General Business (GB) District, **Carrols, LLC, Applicant/Agent**

 X Review Revisions Other

Please return no later than: **September 5, 2017** 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 8-18-17

Drawings reviewed by: *A. Popescu* Date: 8-18-17

 VICTOR POPESCU
PRINTED NAME



Memo

Service Department
Engineering Division

513/524-5208 fax 513/524-5267

TO: Community Development Department

FROM: Victor Popescu, P.E.
City Engineer

RE: PC-2017-23
Conditional Use - Burger King
5093 - 5097 College Corner Pike

DATE: August 18, 2017

The Engineering Division offers the following comments.

- The CSX Railroad Right-of-Way, as indicated on the site plan, appears to be in error. The Railroad Right-of-Way does not encroach on the Burger King property.
- A proper Traffic Impact Study is required. Data for the study shall be gathered after the start of Miami University fall semester.
- Additional pavement markings in the USR 27 center lane, indicating left turn movements when heading north, will be needed. Engineering Division will review and approve the pavement markings.
- A Stormwater Management plan is required.
- A culvert is located under the Railroad, back end of the property. Will the culvert size be adequate to accommodate the additional stormwater, once the property is developed?
- The site plan indicates that an existing water service will be utilized for the proposed Development. The water meter appears to be located within the limits of the proposed driveway. If so, a traffic bearing meter pit lid will be required.
- No permanent structures will be allowed within the limits of then sanitary sewer easement.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: August 7, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-23, CONDITIONAL USE, 5093-5097 College Corner Pike, to allow for the construction of a restaurant upon 2.68 acres, in a General Business (GB) District, **Carrols, LLC, Applicant/Agent**

 X Review Revisions Other

Please return no later than: **September 5, 2017** 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: 8/11/17

John A. Jones
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: August 7, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-23, CONDITIONAL USE, 5093-5097 College Corner Pike, to allow for the construction of a restaurant upon 2.68 acres, in a General Business (GB) District, **Carrols, LLC, Applicant/Agent**

 X Review Revisions Other

Please return no later than: **September 5, 2017** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

BECAUSE COLLEGE CORNER PIKE IS THE
DESIRED LOCATION FOR RESTAURANTS WITH DRIVE-THRU'S
THIS APPLICATION MAKES PERFECT SENSE.

"Because College Corner Pike is the desired location for restaurants with drive-thru's, this application makes perfect sense."

Drawings reviewed by:  Date: 8-21-2017

G. ALAN KYRSON
PRINTED NAME



PC-2017-23

Surrounding Property Owners Notifications Map

Legend

 Subject Parcels

 200 Ft. Buffer

 Oxford Corp. Limit

 Address Point

 Parcel

 16.5' Vacated ROW

 Building Footprint

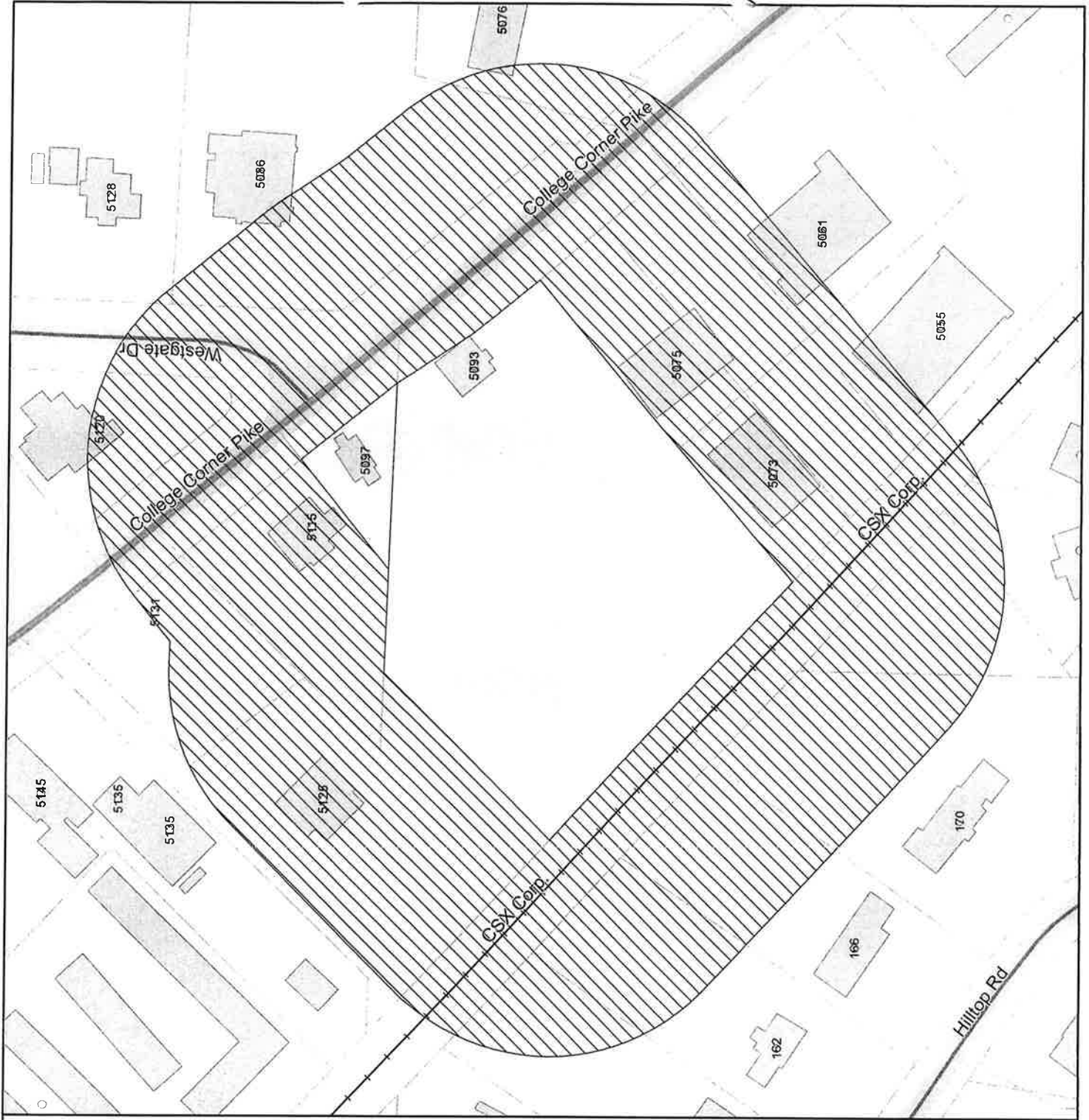
 Paved Roadway



1 inch = 125 feet

Prepared on Tuesday, August 29, 2017

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.



July 27, 2017

City of Oxford
101 E. High Street
Oxford, Ohio 45056

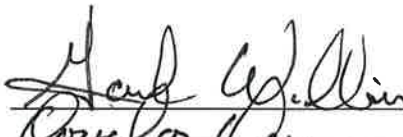
RE: 5093-97 College Corner Pike

To Whom It May Concern,

In accordance with our discussions with both the project developer (FSZ One, LLC) and Carrols, LLC (Burger King franchisee), the following shall serve as formal written notification that the Ray Day Trust, the owners of the above referenced property, do hereby authorize Carrols, LLC to proceed with approvals.

This letter shall also serve as our permission for Carrols, LLC to file any needed applications with the City of Oxford or other agency for the purposes of securing any necessary approvals.

Very truly yours,



Carol Willis

Printed Name:
Co-Trustee
Ray Day Trust



Douglas Day

Printed Name:
Co-Trustee
Ray Day Trust

July 28, 2017

To Whom It May Concern:

We the undersigned Gail Willis and Douglas Day as co-trustees of the Ray Day Trust, grant to FS Real Estate Development, LLC, the right to pursue any and all governmental approval necessary to allow the development of a restaurant in the following property: Butler County, Ohio, Parcel numbers, H4100015000097 and H4100019000014.

A handwritten signature in cursive script, appearing to read "Gail Willis", written over a horizontal line.

Gail Willis

A handwritten signature in cursive script, appearing to read "Douglas Day", written over a horizontal line.

Douglas Day



Internal Use Only:

Case No.

PC-2017-23

Date Filed

7/28/17

Conditional Use Permit Application

Applicant Information

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

Name * CARROLS, LLC
 Mailing Address * 968 JAMES STREET
 City, State & Zip Code * SYRACUSE, NY 13203
 Telephone Number(s) * (315) 424-0513
 Email Address PLENOWICZ @ CARROLS.COM

Owner Information

Name * RAY DAY TRUST
 Mailing Address * 459 EMERALD WOODS DRIVE
 City, State & Zip Code * OXFORD, OHIO 45056
 Telephone Number(s) * (513) 523-6447
 Email Address N/A

Location and Lot Information

Location of Property * 5093-97 COLLEGE CORNER PIKE
 Legal Description * ATTACHED
 Zoning District * G13
 Total Area * 2.68 → Check One * Acres ☒ Square Feet ☐
 Existing Use Description * RESIDENTIAL
 Proposed Use Description * BURGER KING RESTAURANT

Submission Requirements and Documentation

From Section 1147.02(a)¹.

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

A. Application Fee.

B. Description of Use and Site.

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

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

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

Fees & Receipt

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

Sign and Date

Applicant Signature *

Date *

Paul Jennings - Carrolls Corp.
7/24/17

Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

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

For Staff Use Only

Fee Paid Date *

7/24/17

Receipt Number *

160337

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/>



Lauer-Manguso & Associates Architects

July 27, 2017

Jung-Han Chen
Community Development Director
City of Oxford
101 E. High Street
Oxford, Ohio 45056

**RE: Conditional Use Permit Application
Proposed Burger King
5093 College Corner Pike
LMA Project #17036**

Dear Mr. Chen,

In regards to the project referenced above, please find enclosed thirteen (13) complete sets of the Conditional Use Permit Application. Specifically, the application materials provided include:

- Conditional Use Permit Application form
- Application Fee in the amount of \$410.00 payable to the City of Oxford
- Narrative Description of the Proposed Use and Site (follows)
- Letter of Agency from the property owner
- Legal Description of the site and property survey (Exhibit "A")
- Listing of all property owners within 200 feet of project boundaries
- Site Plan (including proposed monument sign detail)
- Exterior Elevations (color rendered, including signage locations)
- Dumpster Enclosure details
- Signage & Drive-Through details
- Photographs of the existing use and surroundings
- Trip Generation Letter prepared by Bayer & Becker, Inc.
- Request for Waiver of Signage & Parking Code Requirements (follows)

Narrative Description of the Proposed Use and Site

Item #1 The name, mailing address and telephone number of the Applicant and the Property Owner.

*Response #1: Applicant name: Carrols, LLC
968 James Street, PO Box 6969
Syracuse, NY 13217
(315) 424-0513*

*Property Owner: Mary L. Day and Ray Day (RAY DAY TRUST)
459 Emerald Woods Drive
Oxford, Ohio 45056
(513) 523-6447*

Item #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.

Response #2: See attached.



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

Response #3: See attached.

Item #4 A description of the existing uses of the site.

Response #4: The existing site contains two residences that are currently occupied.

Item #5 The zoning district in which the site is located.

Response #5: The zoning district is GB (General Business).

Item #6 A description of the proposed use to include: a) A description of operations, including type of goods sold, services performed, and expected number of customer, clientele, delivery, and service vehicles. b) The hours of operation.

Response #6: a) The proposed use of the site is for a Burger King restaurant that provides fast-food options for public consumption. Customers of the restaurant will be able to dine-in or purchase this fare to-go via a drive-through service. It is anticipated that the proposed Burger King will generate approximately 370 customer vehicle trips per day. Deliveries to the restaurant will occur twice each week. Trash pick-up will also occur twice each week. A Trip Generation Letter has been prepared for the proposed project and has been included with this application. A Traffic Impact Study will also be prepared as requested by the City of Oxford once school is back in session.

b) The restaurant hours of operation are typically 6:00 am – 12:00 am, although the drive-through service may be open slightly longer.

Item #7 A narrative statement that evaluates the compatibility of the proposed use with general vicinity and adjacent properties to include: 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. b) How any existing structures, proposed structures, and the site design relate to adjacent structures and sites. c) If the use will involve any operations that create potential nuisances such as excessive noise, lighting, odor, fumes, vibration, or emissions. d) How any potential negative effects on adjacent land will be mitigated.

Response #7: a) The proposed use is compatible with the general vicinity of the project which can be characterized as a mixture of light commercial uses. Within 600 feet of the proposed Burger King location, there are several other restaurants already in operation. Most notably is a Wendy's which offers a similar fast food menu and has a drive-through service option. Other restaurants located in this vicinity include Bob Evans, Dominos Pizza, and Chef Lins Asian Restaurant & Sushi. It is likely that guests of the nearby Comfort Inn, customers of the various shopping venues (AutoZone, Dollar General, Carquest Auto Parts, & the Westgate Shopping Center), and employees of the adjacent insurance agency and credit union could all interact with the proposed Burger King.



b) The existing structures on the project site will be removed. The proposed structures (restaurant building and trash enclosure) have been oriented so that they are located adjacent to the neighboring AutoZone building and parking area along the southeastern property line. The proposed setback distance for the Burger King restaurant building will also closely resemble the existing setback distances for other commercial uses in the vicinity. In regards to site design, the proposed access drive for Burger King has been located as far from the Westgate Drive intersection as possible while still being aligned with the existing access drive for the Smith & Ogle Funeral Home located across College Corner Pike from the project site. The proposed vehicle use areas have been confined to the northeast corner of the site, creating a pavement setback of approximately 120 feet from property lines adjacent to the nearest existing residential uses.

c) The proposed use will not create excessive noise, lighting, odor, fumes, vibrations or emissions. The noise level emitted from the proposed Burger King drive-through order confirmation unit is 54 decibels (dbA) at 32' from the speaker post. The code requirement within 25 feet of a property line is a maximum 55 dbA at nighttime and maximum 70 dbA during the daytime. The order confirmation unit is also located such that any sound leaving the site is directed towards the rear yard of the adjacent AutoZone building. The proposed site lighting design for the project will comply with the City of Oxford photometric code, including the provision of deflectors that conform to dark sky standards. In addition, two rooftop exhaust units will be installed on the Burger King restaurant building that remove the cooking fumes from the outdoor environment. The prevailing wind direction for this area (S,SW) will also help carry sound, miscellaneous fumes and emissions from idling vehicles away from the nearest residential use.

d) Any potential negative effects on adjacent land will be mitigated through the implementation of permanent stormwater management facilities, required erosion control techniques during construction, and the effective use of plant material to provide visual and sound buffers. A professional engineer, licensed in the state of Ohio, will perform the site grading and drainage design for the project. A landscape architect will provide the landscape design. It is anticipated that the stormwater from the proposed Burger King restaurant and vehicle use area will be treated for quality and detained prior to discharging into the existing drainage channel located in the western corner of the property. This strategy follows the natural drainage pattern of the site. A mixture of deciduous shade trees, small flowering trees, evergreen trees and shrub hedges will be oriented both within and adjacent to the proposed vehicle use area so that undesirable sights, sounds and lighting will be screened from adjacent land.

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

Response #8: The proposed site is ideally suited for the development of a new Burger King restaurant as it fits the need for road frontage, traffic flow and parking/drive-through capacity. The diversity and growth of other commercial establishments in the area are indicative of a location with the potential for long-term success. Furthermore, the size, **shape and topography** of this particular property allows for **much more** natural buffering from adjacent uses than is typically available for fast food restaurants.



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

Response #9: A new Burger King restaurant is desirable to the community as it provides another dining alternative for them. The restaurant will also provide a number of both full-time and part-time employment opportunities for residents.

- Item #10 Separate, detailed statements that individually address each of the items listed as potential concerns for the proposed use (Drive-Through Restaurant Facilities).

Response #10: (1) Design of vehicle management area – The rationale for the proposed vehicle access drive and vehicle use area location was addressed in Item #7b above. Upon entering the site, vehicular traffic will be directed to turn right where a parking area for dine-in customers is located and the entrance to the drive-through queue will be found. Within the parking area, individual 10'x20' spaces will be served by a 24' wide two-way access aisle. The proposed drive-through lane (12' wide) has the capacity to stack twelve (12) vehicles without interference to other vehicular movements, including three (3) queue spaces between the order confirmation unit and the pay/pick-up windows. A drive-through bypass lane (15' wide) has also been provided. Sufficient pavement width has been provided around the perimeter of the vehicle management area so that both restaurant delivery vehicles and large emergency vehicles can navigate the site in a counter-clockwise direction. At the request of the City Engineer, the proposed access drive curb cut width has been increased to 39 feet at the right-of-way to provide a left-turn lane for traffic wishing to turn north out of the proposed establishment.

(2) Noise from operations (vehicle and loudspeaker) – The anticipated noise level and mitigation from the proposed 'loudspeaker' was addressed in Item #7c above. The noise emitted from vehicles on-site, particularly those idling while in the drive-through lane (40-50 dbA range typical) is also expected to comply with the noise ordinance for the City of Oxford. In addition to the prevailing winds helping to carry any noise generated from the proposed operation away from the nearest residential use, the drive-through lane and loudspeaker are located approximately 250 feet from the nearest residential property line.

(3) Signs and menu boards – Signage for the proposed Burger King restaurant is proposed to be located on both the building and throughout the site. Per the established national prototype, signage on the proposed building consists of three 60 inch diameter Burger King logos and 'Home of the Whopper' in block lettering above the main entrance canopy. On the site, one monument style sign (5'-5" ht. x 8'-10" width) is proposed that contains both a 48 inch diameter Burger King logo and 4' square reader board. Additional site signage proposed includes directional signs (3'-6" ht x 3' width), a drive-through clearance sign (9' ht. with 10'-6" bar), an order confirmation unit (10' ht. max.), and a menu board (6'-7" ht. x 7'-5" width). A variance request, or conditional use modification/waiver or code, will be required for the proposed project signage and has been addressed below in further detail.

(4) Location and adequacy of dumpsters – The proposed dumpster enclosure is located approximately 30 feet behind the restaurant building. This offset distance is typically much closer, but the existence of a 25' wide sanitary sewer easement has dictated



the proposed alignment. This enclosure (18' long x 23'-4" wide x 8'-8" ht.) is oriented towards the parking access aisle, and away from the street, creating an efficient turning movement for the trash pick-up vehicle. The enclosure itself will be constructed from masonry units with a brick façade to match that same element on the proposed restaurant building. Steel gate posts and framing with Trex composite boards will screen the two dumpster locations within the enclosure when they are not being serviced. The proposed trash enclosure also contains a roofed and vented cold storage area (7'-4" wide x 22' long) that is accessible through a man door.

Item #11 A list of the parcel numbers, names and mailing addresses of all land owners within 200 feet of the site.

Response #11: See attached.

Request for Waiver of Signage & Parking Code Requirements

A preliminary review of the proposed Burger King Site Plan and Exterior Elevations by the Community Development Director and his staff has resulted in the requirement to request variances for both the quantity of signage proposed and for the quantity of parking spaces proposed. Although the maximum driveway width allowed is 26 feet at the right-of-way, the City Engineer has recommended an additional 13 foot wide left-turn only lane. Therefore, a variance is not required for this additional lane width.

Per Section 1151.05 (Permanent Signs) in the Oxford zoning code, the maximum total sign area for all signs on a development in the General Business District (GB) shall be no more than 2 square feet of sign per linear front foot of the site. The project site has nearly 250 feet of frontage which would equate to approximately 500 square feet of total sign area. The combined square footage of the proposed project signage totals approximately 242 square feet (monument sign=48 sf, 3 logo signs on building=19.6 sf each or 59 sf total, 'Home Of The Whopper' signage=48 sf, directional signs (7)=3 sf each or 21 sf total, order confirmation unit=30 sf, menu board=36 sf).

However, for a single tenant site, no more than a total of 2 wall or freestanding signs are permitted per site. This project proposes one freestanding monument sign and a total of four wall (logo) signs on the building.

Furthermore, if the average front setback of the structure is less than 100 feet, then the signage may be no more than 3 feet tall. The three Burger King logo signs proposed for the building are 5 feet in diameter. These logo signs are also placed on three sides of the proposed building, not just the front as required.

In regards to parking, the minimum site requirement per code has been calculated to be 19 spaces (1 space req'd per 150 sf of usable floor area, or $2,811 \text{ sf} / 150 = 18.74 = 19$ spaces). The maximum site requirement for parking has been calculated to be 29 spaces (150% of the minimum requirement, or $19 \times 1.5 = 28.5 = 29$ spaces). However, the 3 queue spaces located between the order box and the pay/pick-up window count towards the total parking space requirement. Therefore, the maximum number of parking spaces allowed for this site is 26 spaces.



Proposed Burger King - 5093 College Corner Pike
Conditional Use Permit Application
July 27, 2017
Page 6

Previous development of this proposed 61 seat prototype building in other locations of the country have resulted in the Applicant's desire to provide approximately 30-35 spaces in order to adequately serve their customers during peak business hours.

In summary, the Applicant respectfully requests a recommendation from the Planning Commission for the waiver of the following dimensional or quantity regulations of the zoning code:

1. More than a total of 2 wall or freestanding signs (1 freestanding and 4 wall signs proposed)
2. Signage may be no more than 3 feet tall (5 feet diameter proposed)
3. Signage limited to front of buildings (logo signs proposed on three sides)
4. Parking spaces limited to a minimum of 19 spaces and a maximum of 26 spaces (34 spaces proposed)

We trust the information provided satisfies the requirements for the Conditional Use Permit Application. Please contact me if you have any further comments or questions.

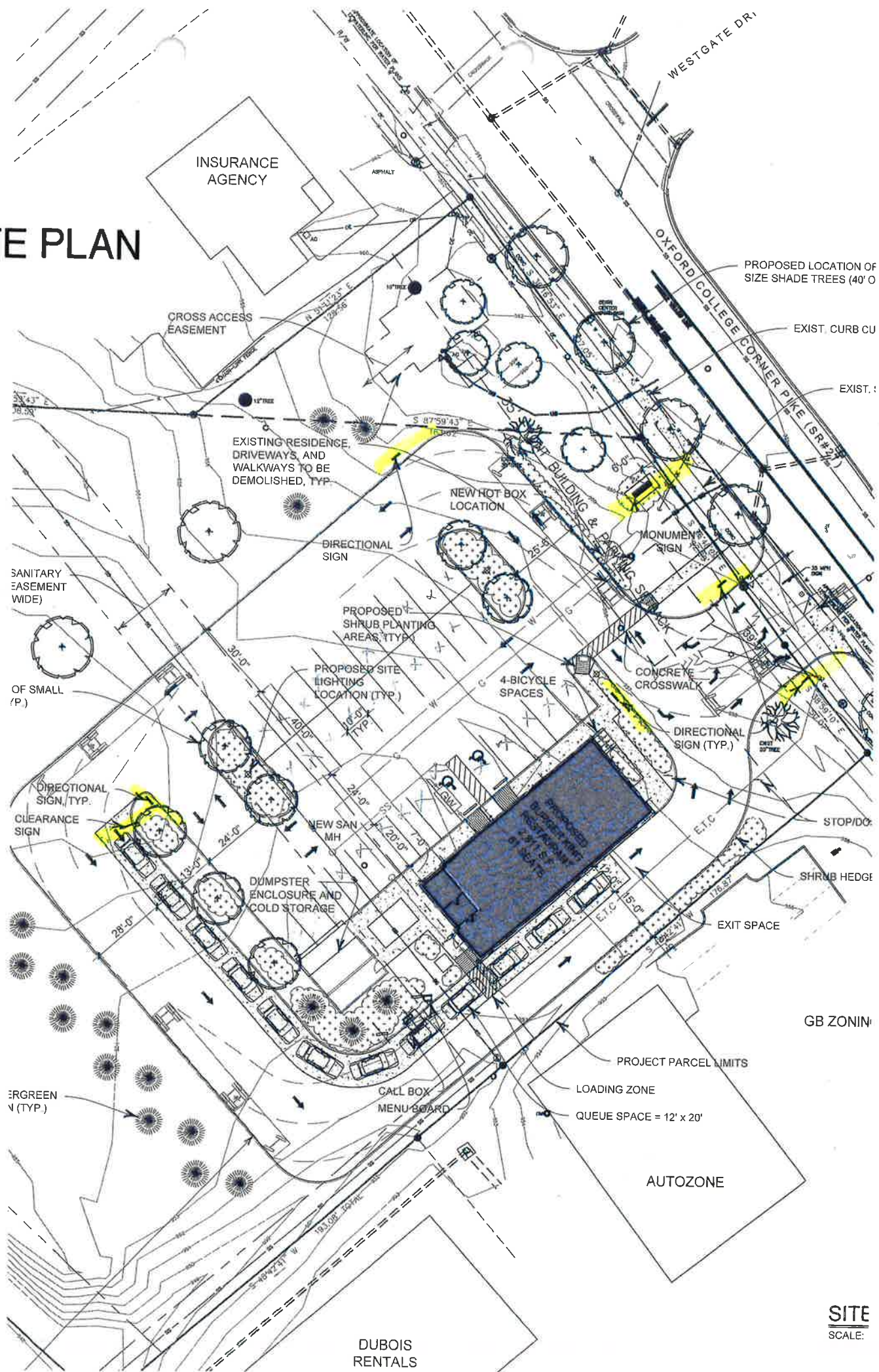
Respectfully submitted,

LAUER MANGUSO & ASSOCIATES
ARCHITECTS / ENGINEERS

A handwritten signature in blue ink, appearing to read 'Robert J. Blood'.

Robert J. Blood, RLA

SITE PLAN







1 - View Of Site From East Corner Across Street



2 - View Of Site From East Corner



3 - View Of Site From South Corner



4 - Site To The Southeast



5 - College Corner Pike Toward SE



6 - Power & Sidewalk Along CCP



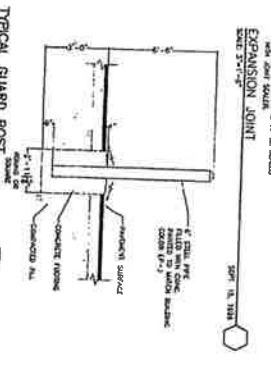
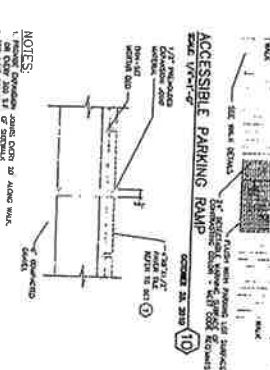
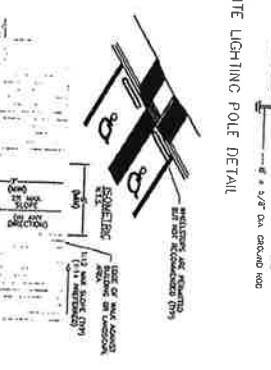
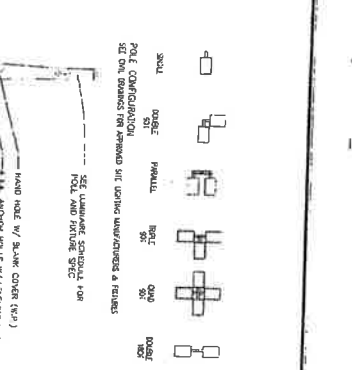
7 - Gas Service Behind Auto Zone

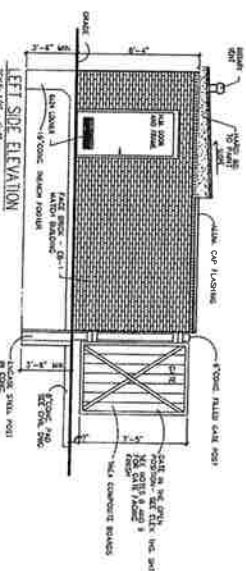
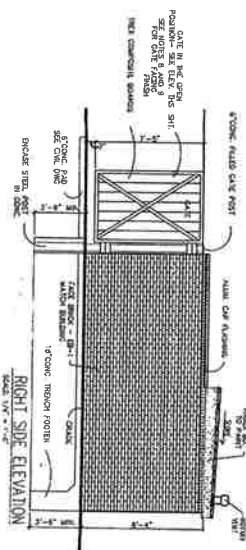
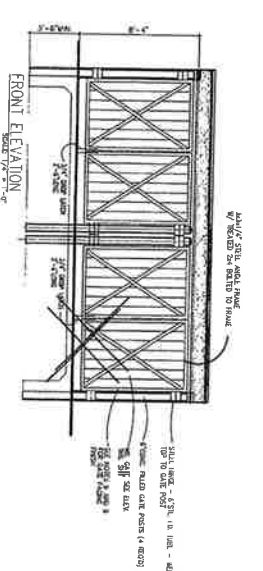
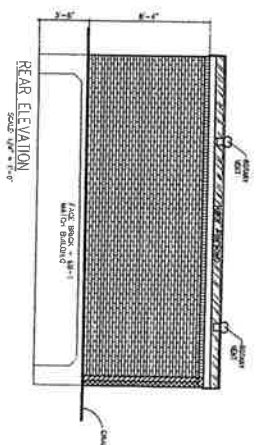
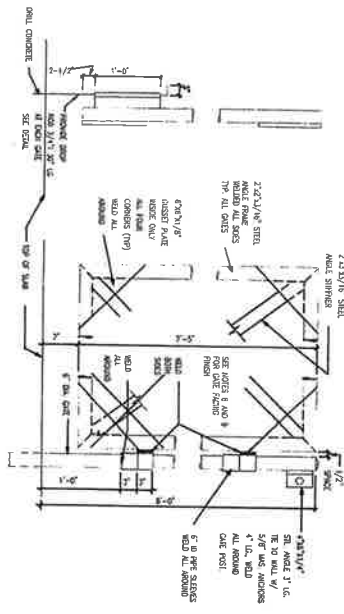


8 - Sanitary Sewer MH Near South Corner

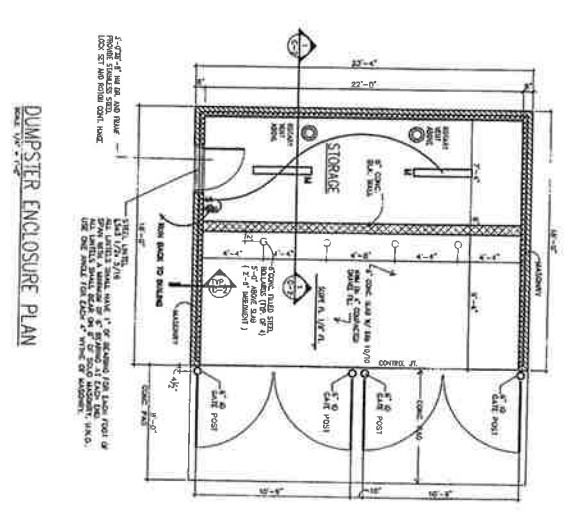
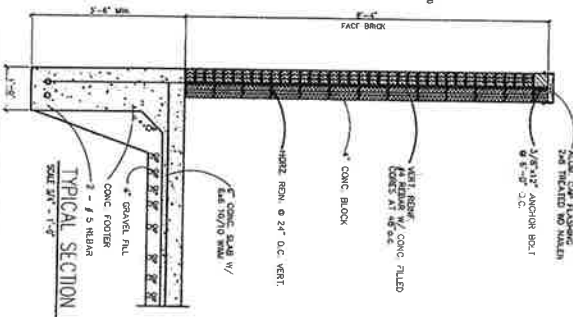
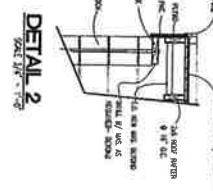
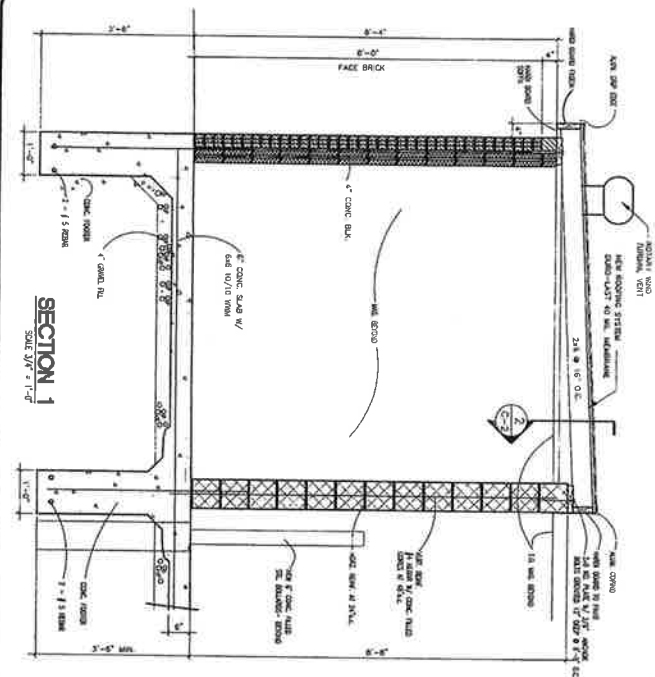








- NOTES:**
1. SEE GATE FOR LOCATION AND DIMENSIONS.
 2. GATE SHALL BE CONSTRUCTED TO ALL BUILDING STANDARDS.
 3. GATE SHALL BE CONSTRUCTED TO ALL BUILDING STANDARDS.
 4. GATE SHALL BE CONSTRUCTED TO ALL BUILDING STANDARDS.
 5. GATE SHALL BE CONSTRUCTED TO ALL BUILDING STANDARDS.
 6. GATE SHALL BE CONSTRUCTED TO ALL BUILDING STANDARDS.
 7. GATE SHALL BE CONSTRUCTED TO ALL BUILDING STANDARDS.
 8. GATE SHALL BE CONSTRUCTED TO ALL BUILDING STANDARDS.
 9. GATE SHALL BE CONSTRUCTED TO ALL BUILDING STANDARDS.
 10. GATE SHALL BE CONSTRUCTED TO ALL BUILDING STANDARDS.



GENERAL NOTE

ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.

ALL MATERIALS SHALL BE OF THE BEST QUALITY AVAILABLE.

ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES.



Where Creativity
Meets Functionality

Civil Engineers | Transportation Engineers | Landscape Architects | Planners | Land Surveyors

July 27, 2017

Mr. Victor Popescu, P.E.
City of Oxford
101 East High Street
Oxford, Ohio 45056

Re: Burger King, City of Oxford – Trip Generation

Dear Mr. Popescu,

Bayer Becker has prepared the following trip generation calculations relative to vehicular traffic for the proposed Burger King site, a 2,811 square foot fast-food restaurant located on College Corner Pike (US 27) in the City of Oxford, Butler County, Ohio. Access to the site will be located approximately 200 feet south of Westgate Drive (measured center to center) and across from the existing access for the Smith & Ogle Funeral Home.

Trip generation calculations for the proposed development were determined for the AM, mid-day, and PM peak hours of adjacent street traffic using the procedures outlined in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 9th Edition* and the ITE *Trip Generation Manual, 9th Edition, User's Guide and Handbook*. For the mid-day peak hour (11 AM – 1 PM), the AM peak hour of the generator was utilized. It is expected that the AM peak hour of the generator occurs during the lunch hour, whereas the PM peak hour of the generator accounts for the dinner traffic. Also, the AM peak hour of the generator has a higher trip generation rate and is therefore, more conservative of the peaks. Site trips are presented in the following table and ITE trip generation rate information excerpts are provided by attachment.

Land Use	ITE Code	Size	Units	AM Peak Hour			Mid-day Peak Hour			PM Peak Hour		
				Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
Fast-Food Restaurant w/ Drive-Through Window	934	2,811	TSF	65	63	128	77	74	151	48	44	92

College Corner Pike (US 27) is classified as an urban principal arterial per the City of Oxford Roadway Alternatives and Classifications map. Based on a 24-hour automatic traffic count obtained from the Ohio Department of Transportation (ODOT), the 2017 annual average daily traffic (AADT) for College Corner Pike (US 27) south of Westgate Drive is 12,523 vehicles per day (vpd) (6,246 vpd northbound, 6,277 vpd southbound). The ODOT traffic count data is attached.

Trips generated by the proposed development were distributed based upon knowledge of the study area and existing traffic patterns. It was estimated that approximately 50% of site traffic would enter/exit the study area to/from the south and 50% to/from the north on College Corner Pike (US 27). Therefore, the site generated traffic volumes found on the attached figure are expected to enter/exit the proposed Burger King development to/from the north and south on College Corner Pike (US 27) during the weekday AM, mid-day, and PM peak hours of adjacent street traffic.

Following approval of the Conditional Use of the site, with acceptance of the trip generation calculations, and once school is in session, a comprehensive Traffic Impact Study will be completed. Should you have any questions or need anything further at this time, please do not hesitate to contact us.

Sincerely,

Lucas W. Braun, P.E.

cc: Robert Blood, Lauer-Manguso & Associates Architects and Engineers

6900 Tylersville Road, Suite A
Mason, OH 45040
513-336-6600

110 South College Ave, Suite 101
Oxford, OH 45056
513-523-4270

1404 Race Street, Suite 204
Cincinnati, OH 45202
513-834-6151

209 Grandview Drive
Fort Mitchell, KY 41017
859-261-1113

<http://www.bayerbecker.com>

Fast-Food Restaurant with Drive-Through Window (934)

Average Vehicle Trip Ends vs: 1000 Sq. Feet Gross Floor Area
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.

Number of Studies: 75
Average 1000 Sq. Feet GFA: 4
Directional Distribution: 51% entering, 49% exiting

Trip Generation per 1000 Sq. Feet Gross Floor Area

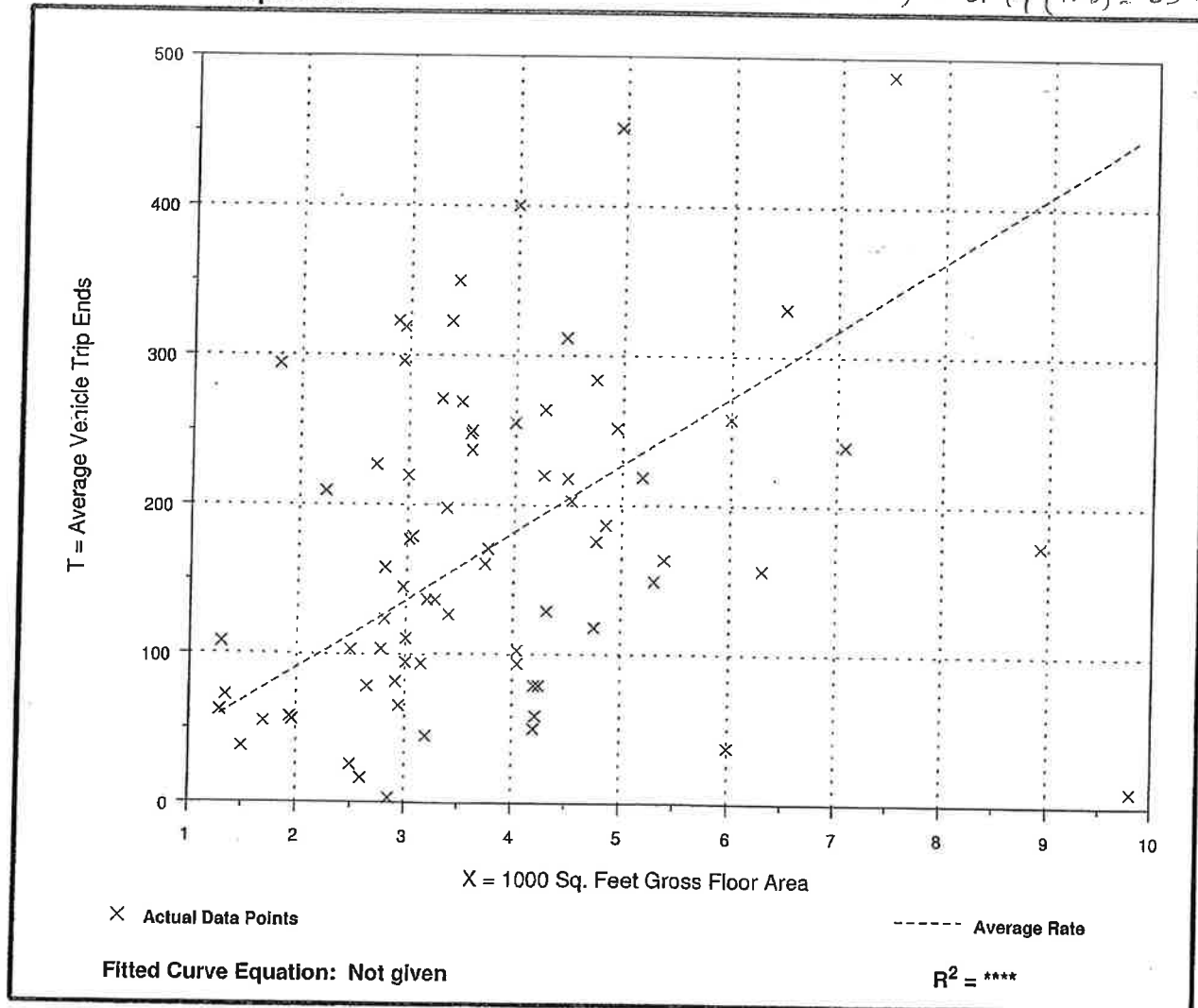
Average Rate	Range of Rates	Standard Deviation
45.42	1.02 - 163.33	28.63

$$T = 45.42 (2.81) = 128 \text{ Trips}$$

$$\text{Entering} = 0.51 (128) = 65 \text{ Trips}$$

$$\text{Exiting} = 0.49 (128) = 63 \text{ Trips}$$

Data Plot and Equation



Fast-Food Restaurant with Drive-Through Window (934)

Average Vehicle Trip Ends vs: 1000 Sq. Feet Gross Floor Area
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.

Number of Studies: 132
Average 1000 Sq. Feet GFA: 3
Directional Distribution: 52% entering, 48% exiting

Trip Generation per 1000 Sq. Feet Gross Floor Area

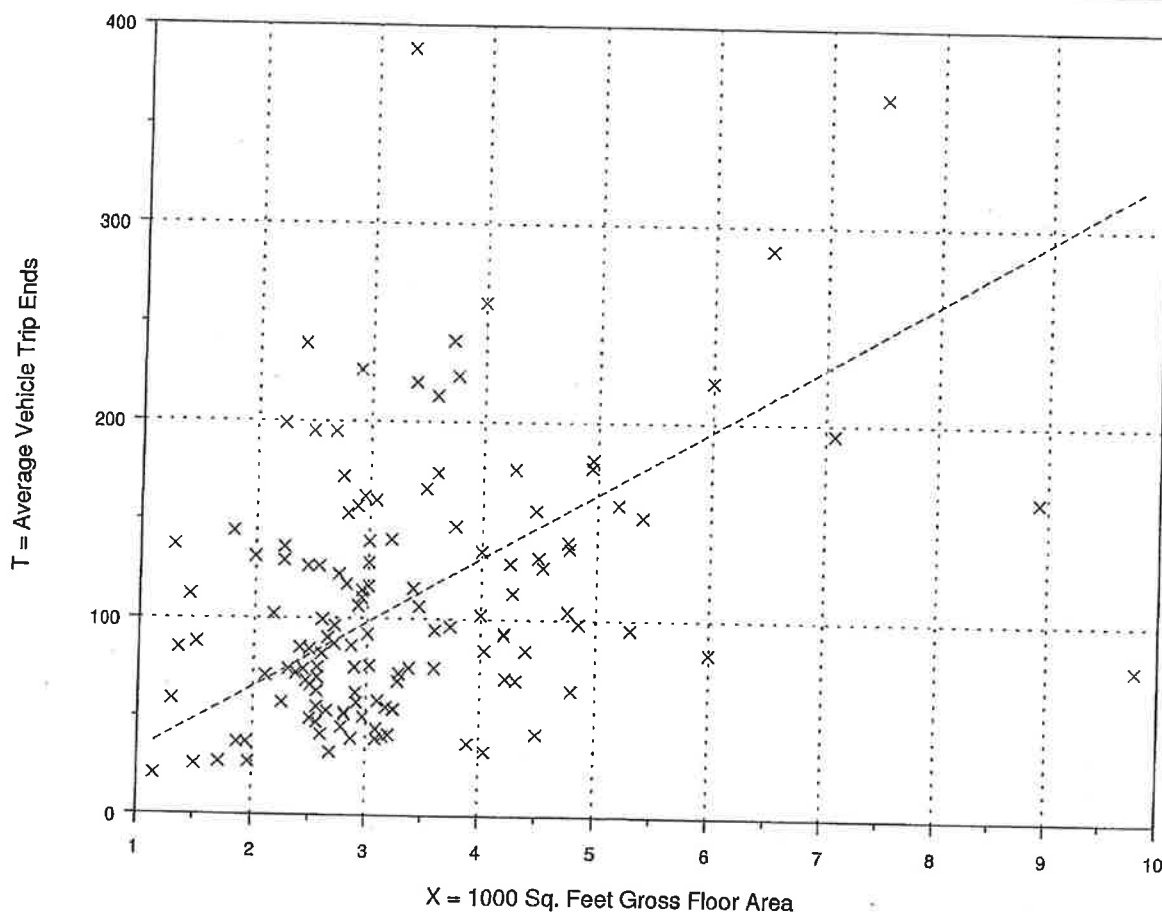
Average Rate	Range of Rates	Standard Deviation
32.65	7.96 - 117.15	19.73

$$T = 32.65(2.81) = 92 \text{ Trips}$$

$$\text{Entering} = 0.52(92) = 48 \text{ Trips}$$

$$\text{Exiting} = 0.48(92) = 44 \text{ Trips}$$

Data Plot and Equation



Fitted Curve Equation: Not given

$R^2 = ****$

Fast-Food Restaurant with Drive-Through Window (934)

Average Vehicle Trip Ends vs: 1000 Sq. Feet Gross Floor Area
On a: Weekday,
A.M. Peak Hour of Generator

Number of Studies: 65
Average 1000 Sq. Feet GFA: 4
Directional Distribution: 51% entering, 49% exiting

Trip Generation per 1000 Sq. Feet Gross Floor Area

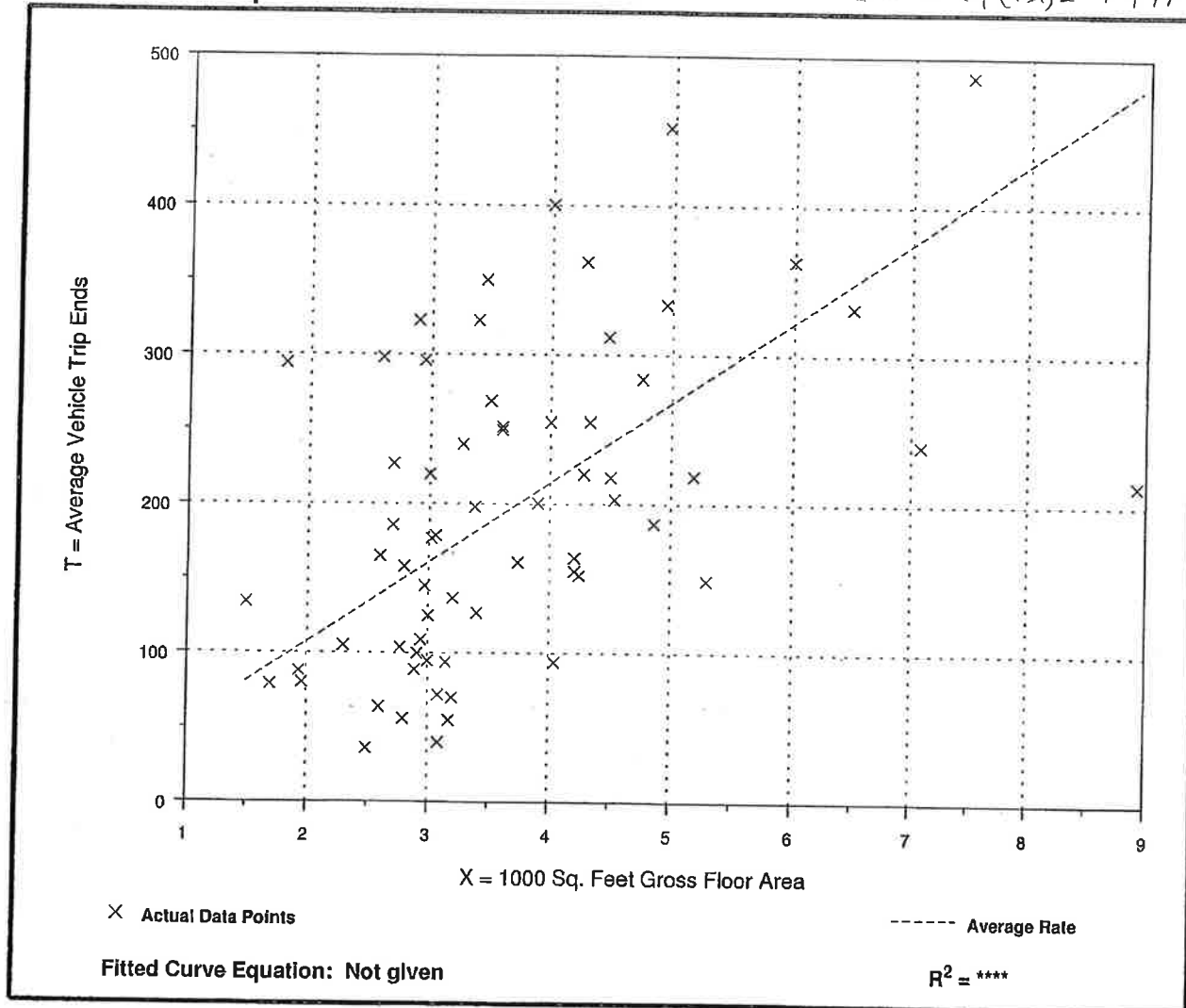
Average Rate	Range of Rates	Standard Deviation
53.61	12.96 - 163.33	26.27

$$T = 53.61(2.81) = 151 \text{ Trips}$$

$$\text{Entering} = 0.51(151) = 77 \text{ Trips}$$

$$\text{Exiting} = 0.49(151) = 74 \text{ Trips}$$

Data Plot and Equation



OHIO DEPARTMENT OF
TRANSPORTATION

Transportation Data Management System

List View

All DIRs

Record	1	of 1	Goto Record	go
Location ID	3709		MPO ID	
Type	SPOT		HPMS ID	
On NHS			On HPMS	
LRS ID	SBUTUS00027**C		LRS Loc Pt.	17.098
SF Group	URBAN_OTHER_PRINCIPAL_ARTERIAL		Route Type	US
AF Group	URBAN_OTHER_PRINCIPAL_ARTERIAL		Route	00027
GF Group	URBAN_OTHER_PRINCIPAL_ARTERIAL		Active	Yes
Class Dist Grp			Category	State Program
WIM Group				
QC Group	Default			
Funct'l Class	Other Principal Arterial		Milepost	
Located On	COLLEGE CORNER PIKE			
Loc On Alias				
US27 OXFORD-COLLEGE SE OF WESTGATE, IN OXFORD				
More Detail				
STATION DATA				

Directions: 2-WAY NB SB ?

AADT ?

Year	AADT	DHV-30	K %	D %	PA	BC	Src
2017	12,523				11,377 (91%)	1,145 (9%)	
2016	14,457 ³		8	52	13,918 (96%)	538 (4%)	Grown from 2015
2015	14,160 ³		8	52	13,632 (96%)	527 (4%)	Grown from 2014
2014	13,901	1,165	8	52	13,383 (96%)	517 (4%)	
2013	16,087				15,590 (97%)	430 (3%)	

1-5 of 12

Travel Demand Model									
Model Year	Model AADT	AM PHV	AM PPV	MD PHV	MD PPV	PM PHV	PM PPV	NT PHV	NT PPV

VOLUME COUNT			
Date	Int	Total	
Wed 4/5/2017	15	13,379	
Tue 12/2/2014	60	12,906	
Tue 4/10/2012	60	15,709	
Mon 4/2/2012	60	16,480	

VOLUME TREND ?

Year	Annual Growth
2017	-13%
2016	2%
2015	2%
2014	-14%
2013	0%
2012	0%
2011	16%
2007	-4%
2003	-3%
2000	0%

|<<| <| >| >>| 1-10 of 12

SPEED					
	Date	Int	Pace	85th	Total
	Wed 4/5/2017	15	0 - 40	39*	13,379
	Tue 12/2/2014	60	0 - 40	39*	12,906
					

CLASSIFICATION			
	Date	Int	Total
	Wed 4/5/2017	15	13,379
	Tue 12/2/2014	60	12,906
	Tue 4/10/2012	60	15,709
	Mon 4/2/2012	60	16,480
			

WEIGH-IN-MOTION				
	Date	Axles	Avg GWV	Total
No Data				

PER VEHICLE				
	Date	Axles	85th	Total
No Data				

GAP			
	Date	Int	Total
No Data			

PARTIAL COUNT

Date Int 24-Hr Total

NOTES/FILES			
	Note	Date	
	3709.xlsx	4/28/2017 tec.engineering	
	3709 SD.JPG	4/28/2017 tec.engineering	
	3709 RT.JPG	4/28/2017 tec.engineering	
	3709 PD.JPG	4/28/2017 tec.engineering	

OHIO DEPARTMENT OF
TRANSPORTATION

Transportation Data Management System

Volume Count Report

LOCATION INFO	
Location ID	3709_NB
Type	SPOT
Funct'l Class	3
Located On	COLLEGE CORNER PIKE
Direction	NB
County	BUTLER
Community	OXFORD
MPO ID	
HPMS ID	
Agency	ODOT

COUNT DATA INFO	
Count Status	Accepted
Start Date	Wed 4/5/2017
End Date	Thu 4/6/2017
Start Time	12:00:00 AM
End Time	12:00:00 AM
Direction	
Notes	
Station	000037091050
Study	
Speed Limit	
Description	
Sensor Type	Tube Class

INTERVAL: 15-MIN					
Time	15-min Interval				Hourly Count
	1st	2nd	3rd	4th	
0:00-1:00	7	5	9	7	28
1:00-2:00	8	8	8	8	32
2:00-3:00	4	4	2	4	14
3:00-4:00	8	3	7	7	25
4:00-5:00	15	20	43	42	120
5:00-6:00	28	20	29	35	112
6:00-7:00	49	61	60	59	229
7:00-8:00	47	59	79	94	279
8:00-9:00	100	76	61	71	308
9:00-10:00	84	95	88	83	350
10:00-11:00	120	83	116	114	433
11:00-12:00	140	150	120	125	535
12:00-13:00	119	120	104	93	436
13:00-14:00	101	128	136	130	495
14:00-15:00	104	138	143	137	522
15:00-16:00	146	148	151	144	589
16:00-17:00	165	181	114	151	611
17:00-18:00	109	103	107	83	402
18:00-19:00	87	77	71	97	332
19:00-20:00	86	76	69	52	283
20:00-21:00	60	61	47	48	216
21:00-22:00	42	34	51	18	145
22:00-23:00	35	28	26	28	117
23:00-24:00	22	17	11	10	60
Total					6,673
AADT					6,246
AM Peak	11:00-12:00				535
PM Peak	15:30-16:30				641

OHIO DEPARTMENT OF
TRANSPORTATION

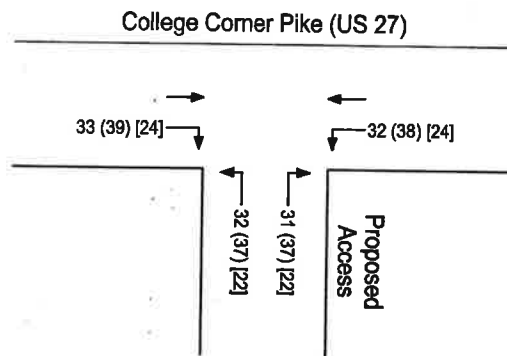
Transportation Data Management System

Volume Count Report

LOCATION INFO	
Location ID	3709_SB
Type	SPOT
Funct'l Class	3
Located On	COLLEGE CORNER PIKE
Direction	SB
County	BUTLER
Community	OXFORD
MPO ID	
HPMS ID	
Agency	ODOT

COUNT DATA INFO	
Count Status	Accepted
Start Date	Wed 4/5/2017
End Date	Thu 4/6/2017
Start Time	12:00:00 AM
End Time	12:00:00 AM
Direction	
Notes	
Station	000037091050
Study	
Speed Limit	
Description	
Sensor Type	Tube Class

INTERVAL:15-MIN					
Time	15-min Interval				Hourly Count
	1st	2nd	3rd	4th	
0:00-1:00	13	2	8	8	31
1:00-2:00	10	5	7	13	35
2:00-3:00	13	9	1	6	29
3:00-4:00	17	7	15	8	47
4:00-5:00	15	20	38	38	111
5:00-6:00	37	53	57	62	209
6:00-7:00	76	84	100	88	348
7:00-8:00	85	73	101	111	370
8:00-9:00	81	64	92	86	323
9:00-10:00	85	92	86	85	348
10:00-11:00	116	96	112	117	441
11:00-12:00	147	130	107	124	508
12:00-13:00	130	113	112	74	429
13:00-14:00	115	112	120	138	485
14:00-15:00	116	116	127	122	481
15:00-16:00	116	151	192	163	622
16:00-17:00	146	137	110	117	510
17:00-18:00	93	91	73	92	349
18:00-19:00	101	47	78	92	318
19:00-20:00	74	60	61	54	249
20:00-21:00	65	50	33	46	194
21:00-22:00	28	36	37	37	138
22:00-23:00	22	25	24	19	90
23:00-24:00	13	6	11	11	41
Total					6,706
AADT					6,277
AM Peak	11:00-12:00				508
PM Peak	15:15-16:15				652



Figure

Burger King
City of Oxford, Butler County, Ohio

Site Traffic Volumes

xx - Weekday AM Peak Hour
(xx) - Weekday Mid-day Peak Hour
[xx] - Weekday PM Peak Hour

EXHIBIT "A"

SITUATED IN THE COUNTY OF BUTLER, STATE OF OHIO, DESCRIBED AS FOLLOWS:

PARCEL 1:

ENTIRE LOT NUMBERED 3350 AS THE SAME IS KNOWN AND DESIGNATED ON THE LIST OF LOTS FOR THE CITY OF OXFORD, BUTLER COUNTY, OHIO, BEING A REPLAT OF PART OF LOT NUMBERED 1255 AND PART OF LOT NUMBERED 1176, CITY OF OXFORD, BUTLER COUNTY, OHIO.

TAX I.D. NUMBER: H4100015000097

BEING THE SAME PROPERTY CONVEYED TO RAY DAY, TRUSTEE U/A DATED JUNE 28, 2005, GRANTEE, FROM RAY DAY AND MARY DAY, AKA MARY L DAY, HUSBAND AND WIFE, GRANTOR, BY DEED RECORDED 08/12/2005, AS BOOK 7606, PAGE 1271 OF THE COUNTY RECORDS.

NOTE: AFFIDAVIT OF SUCCESSOR TRUSTEE, RECORDED 08/30/2006, AS BOOK 7790, PAGE 507 OF THE COUNTY RECORDS.

PARCEL 2:

ENTIRE LOT NUMBERED 1265 AS THE SAME IS KNOWN AND DESIGNATED IN THE CITY OF OXFORD, BUTLER COUNTY, OHIO.

SAID REAL ESTATE BEING FORMERLY DESCRIBED AS A PART OF MIAMI UNIVERSITY LOT #5 IN SECTION 22, TOWN 5 NORTH, RANGE 1 EAST, IN OXFORD TOWNSHIP, BUTLER COUNTY OHIO, AS A .22 ACRE TRACT THEREIN DESCRIBED IN A DEED TO ISABELL K. BRITAIN DATED JUNE 13, 9153, RECORDED IN BOOK 563, PAGE 423, OF THE BUTLER COUNTY, OHIO RECORDS.

LESS AND EXCEPT THAT PART CONVEYED TO CITY OF OXFORD BY INSTRUMENT RECORDED 10/20/2005 IN BOOK 7644, PAGE 772 OF THE COUNTY RECORDS BOUNDED AND DESCRIBED AS FOLLOWS:

SITUATED IN THE STATE OF OHIO, CITY OF OXFORD, COUNTY OF BUTLER, ORIGINAL OXFORD TOWNSHIP, SECTION 22, T 5 N, R 1 E AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A PARCEL OF LAND LYING ON THE LEFT SIDE OF THE CENTERLINE OF RIGHT OF WAY OF BUT-27-17.70 AS

MADE BY THE URS CORPORATION AND RECORDED AS IMAGE NUMBER OF THE RECORDS OF BUTLER COUNTY AND BEING LOCATED WITHIN THE FOLLOWING DESCRIBED POINTS IN THE BOUNDARY THEREOF.

BEGINNING AT THE SOUTHEAST CORNER OF CITY OF OXFORD IN LOT NUMBER 1265, SAID POINT BEING AT STATION 952+22.85 ON THE CENTERLINE OF RIGHT OF WAY OF U.S. ROUTE 27 AND THE TRUE PLACE OF BEGINNING OF THE PARCEL HEREIN DESCRIBED;

THENCE, NORTH 87°59'56" WEST ON GRANTOR'S SOUTHERLY PROPERTY LINE A DISTANCE OF 52.92 FEET TO AN IRON PIN SET;

CONTINUED ON NEXT PAGE

CONTINUATION OF SCHEDULE A

THENCE, NORTH 38°53'47" WEST ON THE PROPOSED SOUTHWEST RIGHT OF WAY LINE OF U.S. ROUTE 27 A DISTANCE OF 102.00 FEET TO AN IRON PIN SET;

THENCE, NORTH 51°29'46" EAST ON GRANTOR'S NORTHWESTERLY PROPERTY LINE A DISTANCE OF 40.00 FEET TO THE NORTHEASTERLY CORNER OF CITY OF OXFORD INLOT NUMBER 1265;

THENCE, SOUTH 38°53'47" EAST ON THE CENTERLINE OF RIGHT OF WAY OF U.S. ROUTE 27 AND GRANTOR'S NORTHEASTERLY PROPERTY LINE A DISTANCE OF 136.37 FEET TO THE TRUE PLACE OF BEGINNING CONTAINING 0.109 ACRES INCLUDING THE PRESENT ROAD WHICH OCCUPIES 0.091 ACRES.

TAX I.D. NUMBER: H4100019000014

BEING THE SAME PROPERTY CONVEYED TO RAY DAY, TRUSTEE U/A DATED JUNE 28, 2005, GRANTEE, FROM RAY DAY AND MARY L. DAY, HUSBAND AND WIFE, GRANTOR, BY DEED RECORDED 08/12/2005, AS BOOK 7606, PAGE 1275 OF THE COUNTY RECORDS.

NOTE: AFFIDAVIT OF SUCCESSOR TRUSTEE, RECORDED 08/30/2006, AS BOOK 7790, PAGE 507 OF THE COUNTY RECORDS.

LEGAL DESCRIPTION

END OF SCHEDULE A

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: October 3, 2017

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

September 28, 2017

Date Prepared

Agenda Title: An Ordinance Repealing Oxford Ordinance 3426 adopted September 19, 2017.

Recommendation: Approve

Discussion:

Ordinance No. 3426 was adopted on September 19, 2017 amending Section 1143.03 of the Oxford Code of Ordinances. Additional changes to Section 1143.03 were recommended by the Planning Commission. It is necessary to repeal Ordinance No. 3426 and adopt all of the changes recommended by the Planning Commission.

Approved By:

Initial Date

Department Head:

City Manager:

MAE

ORDINANCE NO.

AN ORDINANCE REPEALING OXFORD ORDINANCE 3426 PASSED ON SEPTEMBER 19, 2017.

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

SECTION I: Council hereby finds that Ordinance 3426 passed on September 19, 2017 amended Section 1143.03 of the Oxford Codified Ordinances and since that time additional changes are needed to Section 1143.03.

SECTION II: Council hereby repeals Ordinance 3426 in order to adopt an updated version of Section 1143.03.

SECTION III: 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
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: October 3, 2017

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

September 25, 2017

Date Prepared:

PC-2017-27, Zoning Code Text Amendment- to amend Chapter 1143 Districts, Specifically Section 1143.03(d) R-1MS Mile Square Design Standards and Section 1143.05(d) R-2MS Mile Square Design Standards, City of Oxford, Applicant

Recommendation: Approval

Discussion:

This application is a request from the Planning Commission to amend the Design Standards for the R-1MS and R-2MS Districts, since the already recommended changes to the R-3MS District could be applied to these two districts as well. This will provide consistency for the Mile Square as far as the Design Standards are concerned.

The intent of the amendment is to amend design standards in R-1MS and R-2MS Districts, so all the general design standards for the Mile Square will be consistent. Staff reviewed the amended changes to the R-3MS District language and removed those provisions that would not be applicable to single and two-family dwelling units. They may be specific features that are only applicable to R-3MS that were the outcomes of the Commission efforts to manage redevelopment project in that particular district.

The Planning Commission reviewed the application and recommended approval to City Council in a 7-0-0 vote.

Approved By:

Department Head:

City Attorney:

City Manager:

JHC, 9/26/17
DRE, 9/29/17

ORDINANCE NO.

AN ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTION 1143.03 ENTITLED R-1MS SINGLE-FAMILY MILE-SQUARE RESIDENTIAL DISTRICT, AND ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTION 1143.03 ENTITLED R-1MS SINGLE-FAMILY MILE SQUARE RESIDENTIAL DISTRICT.

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

SECTION I: Council finds in accordance with Section 1135.02 of the Codified Ordinances of the City of Oxford, the City of Oxford Planning Commission held a public hearing on September 12, 2017 and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Section 1143.03 entitled R-1MS Single-Family Mile-Square Residential District and adopting new Oxford Codified Ordinance Section 1143.03 entitled R-1MS Single-Family Mile-Square Residential District.

SECTION II: Council hereby repeals Ordinance No. 3426 adopted September 19, 2017 for Oxford Codified Ordinance Section 1143.03 entitled R-1MS Single-Family Mile-Square Residential District and adopts new Oxford Codified Ordinance Section 1143.03 entitled R-1MS Single-Family Mile-Square Residential District as follows (additions are bolded and deletions are struck through):

1143.03 R-1MS SINGLE-FAMILY MILE-SQUARE RESIDENTIAL DISTRICT.

(a) Purpose. This district is designed to preserve and encourage a single-family residential environment ~~in established residential areas of historically significant character in an urban environment while maintaining the historic form and character of development within the Mile Square district.~~

(b) Uses.

(1) Permitted uses.

- A. Single-family dwellings.
- B. Accessory buildings and uses incidental to the principal use that do not include any activity conducted as a business or dwelling unit.
- C. Day Care Home Type B family.
- (2) Conditional uses. The following Conditional Uses are subject to review and regulation in accordance with Chapter 1141.
 - A. Community-Oriented Residential Social Service Facilities (CORSSF's).
 - B. Shared Housing for the elderly.
 - C. Government owned and/or operated parks and recreation facilities.
 - D. Bed and breakfast homes for transients.
 - E. Publicly owned and operated neighborhood recreation centers.
 - F. Day care facilities, including Child Day Care, Child Day Care Center, and Day Care Home Type A family.
 - G. Schools: primary, intermediate, and secondary, both public and private.
 - H. Places of worship.

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

Any parcel, property or structure that is within the Historic District Overlay shall also consult the current design guidelines of the Historical Architectural Preservation Commission and Chapter 1331 of the Oxford Codified Ordinance and shall follow the procedures for approval contained therein.

Single Family Dwelling	
Lot Requirements	
Minimum Lot Area (Square Feet)	6,000
Minimum Lot Width (Feet)	60
Yard Requirements	
Minimum Front Yard Setback	20 feet
Minimum Rear Yard Setback	35 feet
Minimum Side Yard Setback	7.5 feet
Structural Requirements	
Maximum Building Height	35 feet
Lot Coverage for Lots with Vehicular Access from a Public Street	
Lot Total	45 % of lot
Front Yard	30 % of front yard
Lot Coverage for Lots with Vehicular Access from a Rear or Side Alley with no Access from a Public Street	
Lot Total	45 % of lot
Front Yard	5 % of front yard

(1) Lot requirements:

- A. Minimum lot area 6,000 sq. feet
- B. Minimum lot width 60 feet

(2) Yard requirements:

- A. Minimum front yard depth 20 feet
- B. Minimum rear yard depth 35 feet
- C. Minimum side yard width 7.5 feet on each side

(3) Structural requirements:

- A. Maximum building height 35 feet
- B. Lot Coverage
- C. Lots with vehicular access from a public street
 - 1. Lot total — 35 percent
 - 2. All enclosed buildings — 25 percent of lot
 - 3. Front yard — 25 percent of front yard
- D. Lots with vehicular access from a rear or side alley, and no access from a public street
 - 1. Lot total — 40 percent
 - 2. All enclosed buildings — 25 percent of lot
 - 3. Front yard — 5 percent of front yard

(d) Mile Square Design Standards.

~~The Mile Square Design Standards encourages all new and renovated building to be outstanding examples of architecture and planning. These standards are a planning instrument. It does not dictate any architectural style or design. Design regulations are intended to allow imaginative design that is respectful to its neighbors. The regulations are meant to help achieve good design and to establish consistent framework for assessing proposed development. The Mile Square Design Standards are intended to be predictable. It is also intended that it be flexible. The predictability and flexibility embodied in these standards are intended to permit creativity and diversity in architectural design, because the construction, renovation, and maintenance of outstanding buildings and public spaces continue to contribute to the health, welfare, character, and history of the City and its citizens. The design of all new construction and exterior~~

~~renovation in the R1-MS, Single Family, Mile Square Residential District shall conform to the following requirements:~~

Purpose and Applicability.

- A.** The purpose of the Mile Square Design Standards is to establish design standards for all new, expanded, or renovated buildings so they are part of the urban form and character of the Mile Square District. These standards are not intended to dictate any specific architectural style or design but rather are intended to allow imaginative design that is respectful to surrounding properties and the overall district.. The Mile Square Design Standards are intended to provide predictable requirements while also allowing for flexibility in design.
- B.** The design of all new construction and exterior alteration or renovation in the R-1-MS District shall conform to the following requirements.

(1) Front Façade.

- A.** All development shall be located parallel to the associated public street with the main entry door designed to face onto the associated public street unless an alternative orientation is consistent with the majority of homes along the same block face.



Figure <>: Example of residential development that is oriented toward the primary street.

Streetscape:

- ~~A. The restoration or alteration of existing buildings must follow the historical characteristics of the existing building.~~
- ~~B. Commercial appearance at ground level must agree to the following guidelines:~~
 - ~~1. Storefronts must be aligned with the modular bays.~~
 - ~~2. Upper Stories must have a repetitive solid/void organization, ranging from narrow piers between openings (as in the main facade of the Bank One building) to spaces of equal width to the window openings.~~
 - ~~3. Front facades of new buildings must follow guidelines similar to those enumerated above. Equal bays must be used with their division by wall and openings following a regular pattern. If an entry bay is to be indicated (either on center to the overall width, as in the Kyger Block, or to one side) its proportions must clearly indicate this differentiation. In either case, a clear storefront must be present at ground level to help reinforce the definition of the bays.~~
- ~~C. In new or altered buildings the storefront height must fall between 10 feet and 14 1/2 feet.~~

- ~~D. New construction must follow the rhythm of facades, overall spacing, setbacks, and proportions of existing adjacent structures of that block face, as well as those on the opposing block face.~~
- ~~E. For both residential and commercial structures, the buildings themselves must have their fronts oriented parallel to the adjacent street. In addition, buildings must be oriented perpendicular to the adjacent street (i.e., the building must not be situated on the lot at an irregular angle).~~

(2) Foundations.

- A. **Any new construction, including expansions, shall not include exposed concrete block or cinder block foundations. New construction must not include exposed poured concrete, concrete block or cinder block foundations. If this material will be above grade (due to a sloped lot or other unavoidable geographic reason), historically appropriate facing treatment must be applied to the exposed portions of the foundations.**
- B. **Exposed concrete block or cinder block foundations that are covered by a historically appropriate facing treatment are permitted**

(3) Masonry.

- ~~A. Masonry veneers that face main streets shall not have exposed cinder block or concrete block, or poured concrete foundation.~~
- ~~B. Brick, stone, authentic stucco or material replicating stone veneer are acceptable materials.~~
- ~~C. The masonry of any additions must resemble the existing structure utilizing like materials and style in order to be compatible.~~

(4) (3) Siding.

- ~~A. No vertical siding may be incorporated into any structure. Plank treatments are to remain horizontal in fashion.~~
- ~~B. Decorative, wood shingles are an acceptable treatment for the residential structures in the single , Two , and Three Family, Mile Square Residential District.~~
- ~~C. Since artificial siding tends to differ from the original historic material in size, design, and texture, the use of artificial aluminum or vinyl siding for residential structures within the Mile Square is strongly discouraged. However, vinyl siding can be acceptable only when it meets the requirements of ASTM D3679.~~
- ~~D. Widths, lengths, and composition of siding must be consistent between existing structures and any new additions. Decorative trim, such as window trim, fascia boards, and cornice work must also be consistent with the existing structure.~~
- A. **Brick, stone, authentic stucco, or material replicating stone veneer are permitted building materials in all residential districts.**
- B. **Decorative, wood shingles are an acceptable treatment for the residential structures in the Mile Square Residential Districts.**
- C. **The use of cementitious siding materials (e.g., Hardiplank) that resemble wood siding treatments is permitted.**
- D. **The use of artificial aluminum or vinyl siding for residential structures within the Mile Square is strongly discouraged. However, vinyl siding can be acceptable only when it meets the requirements of ASTM D3679.**
- E. **Plank siding treatments shall be horizontally oriented. Vertical planking may be allowed in a 90 degree board and batten treatment.**
- F. **Brick or masonry that has not previously been painted shall not be painted unless the painting of brick or masonry is consistent with the architectural style or era of the building.**
- G. **All wood siding materials shall be painted.**
- H. **For expansions and additions of existing buildings, the widths, lengths, and composition of siding must be consistent between the existing structures and any new additions. Decorative trim, such as window trim, fascia boards, and cornice work**

must also be consistent with the existing structure. Any additions or expansions of an existing building shall also comply with Section 1141.03 (h) (Residential Building Additions).

~~(5)~~ (4) Roofs.

- ~~A. Any new roof must relate to the architectural theme and details of the existing structure.~~
- ~~B. Flat roofs are prohibited for residential buildings except for porch roofs.~~
- ~~C. New roof forms must complement existing roofs in material and style.~~
- ~~D. Roof pitches for residential structures must be steep. A minimum pitch ratio of 6 to 12 is require~~
- ~~E. Decorative cornices and parapets are encouraged.~~
- A. Flat roofs are prohibited for residential buildings except for small areas on a rear roof that are used and sized for the placement of roof-mounted mechanical systems.
- C. Roof pitches for residential structures must be steep. A minimum pitch ratio of 6 to 12 is required with the exception of porch roofs that should have a minimum pitch ratio of 4 to 12.
- D. Decorative cornices and parapets are encouraged.
- E. The addition of antennae, satellite dishes, and skylights should be place on the rear of the building, roof, or on a non-visible accessory building to the maximum extent feasible

~~(6)~~ Gutters & Downspouts.

- ~~A. Gutters and downspouts shall be an integrated component of the structure.~~
- ~~B. Gutters and downspouts are to be located on the roof corners, where they will not interfere with the appearance of the structure.~~

~~(7)~~ Entrances & Doors.

- ~~A. For all doors, the recommended material is "wood appearing" type of material.~~
- ~~B. Commercial structures must avoid using doors, screen doors, and storm doors, which are clearly designed for residential purposes.~~
- ~~C. Screen/storm doors must be simple in design and contain full-height screening or glass. Mill finish is not allowed. Wood is the preferred material and any treatment must match the color of the existing door/trim or be a clear varnish.~~
- ~~D. Entrances and doors which are to be closed off must not be removed and the hole filled in with some type of permanent material. Rather, the door must be left hanging and fixed shut so it is possible to reopen it in the future.~~

(5) Doors

- A. Doors shall be made of wood or "wood appearing" types of material.
- B. All doors shall be constructed to be exterior doors. The use of an indoor door on the exterior of the building is prohibited.

~~(8)~~ (6) Windows.

- ~~A. Windows must be proportionally vertical.~~
- ~~B. Reflective glass (such as blue or gold tinted glass) is prohibited.~~
- ~~C. Skylights can be added to increase the availability of natural light. These must generally be flat and unobtrusive (especially from any public ways). They must not be on front side of the roof slope facing the street.~~
- ~~D. All window openings, sash appearances, and materials must be consistent and architecturally appropriate to the building style.~~
- ~~E. Windows which are to be closed off must not be removed and the hole filled in with some type of permanent material. Rather, the window must be maintained.~~

- ~~F. Original features such as corner boards, brackets, hoodmolds, and other details must be preserved, repaired, and/or replaced.~~
- A. Windows must be proportionally vertical.**
- B. Reflective glass (such as blue or gold tinted glass) is prohibited.**
- C. Skylights can be added to increase the availability of natural light. These must generally be flat and unobtrusive (especially from any public ways). They shall not be located on the front side of the roof slope facing the street.**

~~(9)~~ **(7) Porches & Stoops, Decks & Patio.**

- ~~A. Any newly constructed or reconstructed porch or stoop must be compatible with the architectural style of the building to which it is attached.~~
- ~~B. New residential structures are encouraged to include porches and stoops as design elements, which serve to enhance the physical and social components of the neighborhood. Porches have roofs. Decks are not allowed on the front façade. Stoops may not exceed 50 square feet.~~
- ~~C. All porches shall satisfy the required setbacks and lot coverage of the zoning district.~~
- A. New residential structures are encouraged to include porches and stoops as design elements, which serve to enhance the physical and social components of the neighborhood.**
- B. All porches shall satisfy the required setbacks and lot coverage requirements of the applicable zoning districts.**
- C. Stoops may not exceed 50 square feet.**
- D. Decks shall only be permitted in along the rear façade of a building.**
- E. Porches and stoops shall be constructed of the same building materials as the principal building. The use of treated or untreated lumber that is not painted shall be prohibited for use on the front or side façades.**

~~(10)~~ ~~Storefronts:~~

- ~~A. Storefronts must be open and must utilize large amounts of glass. Window glass must extend at least from the top of the first floor to knee level. This does not necessarily mean that a large single pane of glass must be used. The openness creates an inviting feeling to pedestrians that helps set the ground floor commercial uses apart.~~

~~(11)~~ **(8) Garages & Outbuildings Accessory buildings.**

- ~~A. Street facing garages shall not comprise more than 50 percent of the ground floor building frontage. Any garage with more than two (2) car parking capacity should not directly face onto any street. The garage with more than two parking bays should have the side wall facing the street (i.e., side loading garage). All garage doors shall be compatible with the dwelling style and colors.~~
- ~~B. An attached garage shall not be located closer to the right of way than the residential structure itself (i.e., no snout garage)~~
- ~~C. It is recommended that a detached garage to be accessed from the alley if alleys are available for vehicular traffic.~~
- A. Street facing garages shall not comprise more than 50 percent of the ground floor building frontage. Any garage with more than two (2) car parking capacity should not directly face onto any street. The garage with more than two parking bays should have the side wall facing the street (i.e., side loading garage). All garage doors shall be compatible with the dwelling style and colors.**
- B. The front façade of any garage facing on to the street shall be set back a distance equal to or more than the front façade of the remainder of the principal building.**
- C. To the maximum extent feasible, a detached garage be accessed from the alley if alleys are available for vehicular traffic.**

- D. The architectural style and materials of any accessory building should generally be compatible with the principal building as should the roof type and roof slope. Roofs for any accessory building shall be subject to the same standards as for principal structures pursuant to Subsection (4) above.**

~~(12)~~ Awnings & Canopies.

- ~~A. Awnings and canopies must be flat, downward sloping at a sharp angle, and have open ends or triangular end pieces matching the main structure. Basic design shapes (umbrella, diagonal, concave, etc.) are recommended.~~
- ~~B. Solid, dark colors are preferred.~~
- ~~C. Awnings and canopies must be proportional in size and shape to the opening or area that they are covering. Avoid irregular shapes or styles.~~
- ~~D. Soft, pliable materials are encouraged. Metal or other similar material is not recommended.~~
- ~~E. Retractable awnings and canopies are encouraged, as they can be closed in the winter months to allow more sunlight into an establishment.~~
- ~~F. Awnings and canopies must be designed without ground supporting members which attach to a public sidewalk.~~
- ~~G. The Zoning and Building Codes must be consulted for other specific requirements.~~

~~(13)~~ **(9)** Fences & Gates.

- ~~A. Chain link fences are prohibited.~~
- ~~B. Traditional fence forms, such as picket fences and plain board fences, must be utilized and they must be kept as low as possible.~~
- ~~C. Traditional materials, such as wood and wrought iron, are strongly encouraged.~~
- B. When fencing is to be used, traditional fence forms, such as picket fences and plain board fences, shall be utilized and shall comply with the fencing height restrictions of Section 11.41.01.**
- C. Fencing shall only be constructed of wood, wrought iron, decorative metal fencing, or fencing material that resembles wood materials**

~~(14)~~ **(10)** Chimney & Flues.

- ~~A. Where a building is designed with chimneys or where a chimney is to be added to an existing structure, brick or stone are the preferred materials. **Other siding may be allowed if the entire building is sided in similar materials**~~

~~(15)~~ **(11)** Shutters.

- ~~A. Shutters do not have to be operable. However, when present they must appear to be functional and they must be proportionally equal to the adjacent window opening.~~



The shutters on the left window are appropriately shaped and sized for the related window even if they are not operable. The replacement shutters on the right are not appropriate due to the length and shape that do not correlate to the related window.

~~(16) Utilities.~~

~~A. This element is covered by other City Codes and standards. Please remember to consult with City staff before planning your project to learn how the codes will affect your proposal.~~

~~(17) Home Security.~~

~~A. Guidelines for Entrances & Doors and Storefronts must also be consulted in relation to the recommendations given below.~~

~~(18)~~ **(12)** Driveways & Parking Lots.

A. Individual curb cuts for driveways are strongly discouraged. No curb cuts are allowed if an alley is present. Alleys must be utilized as much as possible to provide automobile access.

~~(19)~~ **(13)** Landscaping.

A. Existing mature trees should be preserved and maintained when possible.

~~B. Public and private space shall utilize natural landscaping materials and ground cover shall be utilized for the perimeter to delineate individual property boundary line.~~

~~(20)~~ **(14)** Graphics, Signage, & Building Identification.

A. The Sign Code of the City of Oxford must be consulted for specific sign regulations in addition to these guidelines.

~~(21) Height.~~

~~A. The scale and mass of the building shall consider the mass of the adjoining properties of that block face. Please consult with the dimensional regulations of the Oxford Zoning Ordinance for the specific zoning district which the building is located.~~

~~B. Buildings on corner lots must relate in setback and height to the structures along both adjacent blocks.~~

SECTION III: 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-2017-27

Date – September 12, 2017

APPLICATION

Applicant:

City of Oxford

Action Request:

ZONING CODE TEXT AMENDMENT to Amend Chapter 1143, Districts Sections 1143.03(d) R-1MS Mile Square Design Standards and Chapter 1143.05(d) R-2MS Mile Square Design Standards, **City of Oxford, Applicant**

DESCRIPTION

This application is a request from the Planning Commission to amend the Design Standards for the R-1MS and R-2MS Districts, since the already recommended changes to the R-3MS District could be applied to these two districts as well. This will provide consistency for the Mile Square as far as the Design Standards are concerned. No other changes are being proposed.

ZONING CODE

The attached text amendment illustrates changes to Chapter 1143.03 R1-MS (Single-Family Mile Square Residential) District and R-2MS (Single, Two-Family Mile Square Residential) District for your information.

COMPREHENSIVE PLAN

Land Use Element:

The community's small college town character will be preserved and enhanced.

- New development and redevelopment will be sensitive to pedestrians in terms of scale and walkability.
- New architecture will add to the character of the community as opposed to corporate, franchise architecture.

Infill development and redevelopment of underutilized sites is a priority

- Reuse of vacant and underutilized sites will be encouraged prior to new development.

Table 3.4 Concept Area Matrix and Table 3.5 Character Area Matrix also provided the overall theme of the Use Element of the Comp Plan. Additionally, Maps 3.6 and 3.7 show the area of neighborhood enhancement area as well as neighborhood character.

Urban Design

- Preserve and enhance historic resources in the Mile Square including the Uptown District.

Housing Element

Improve housing conditions in the Mile Square

- Ensure quality residential environment through improved housing standards.

AGENCY REVIEWS

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

DECISION CRITERIA

A copy of the Text Amendment Decision Criteria is attached.

ANALYSIS

The proposed changes reflect the Planning Commission's desire to amend the R-1MS and R-2MS Design Standards in order to create consistent requirements for residential dwelling units in the Mile Square, after the Planning Commission recently made recommended changes to the R-3MS District.

Staff reviewed the amended changes to the R-3MS District language and removed those provisions that would not be applicable to single and two-family dwelling units. Thus, the design standards would be applicable to each specific district.

There are extensive changes to the design standards, but the primary purpose of the changes are for clarification purposes, along with adding more information to provide detailed standards to assist designers with the new, expansion or renovation purposes.

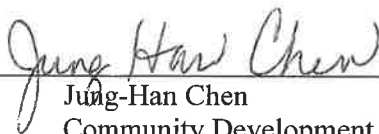
These changes would not have impacts to the existing stock if no improvements have been planned. But any future redevelopment could be of benefit due to the reduction in the lot area, lot width in order to have an additional dwelling. However, the regulations are only part of redevelopment requirements. The existing configuration of lot and the willingness of property also can and will become critical for the redevelopment. If the lot is not sizeable enough it is still limited to what would be allowed based upon the lot size.

RECOMMENDATION

The attached revision and additional language provides detailed verbiage of the proposed text amendment for your approval. Staff is in support of the changes.

SUBMITTED

BY:



Jung-Han Chen
Community Development Director

DATE: August 22, 2017

ATTACHMENT

CHAPTER 1135 ZONING CODE AMENDMENT

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

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

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

Text Amendments

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



Internal Use Only:

Case No.

PC-2017-27

Date Filed

1/28/17

Zoning Code Text Amendment Application

Applicant Information

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

Name * Jung-Han Chen, Community Development Director

Mailing Address * 101 E. High Street

City, State & Zip Code * Oxford, OH 45056

Telephone Number(s) * 513-524-5237

Email Address jhchen@cityofoxford.org

Amendment Description * Amend the Mile Square Design Standards in Section 1143.03 (d) R-1IMS (d) and Section 1143.05 (d) R-2MS

Submission Requirements and Documentation

From Section 1135.02 Procedure¹.

- (a) **Initiation.** A text amendment may be initiated by the Chair of the Planning Commission, by adoption of a motion by Council or the Planning Commission, or by application to Planning Commission by a landowner or a resident of the City of Oxford.
- (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. Any existing section number and text that is proposed to be deleted or amended.
 - H. Any new or amended text as it is proposed to be codified including its proposed location in the Code. section numbers)
 - I. A narrative statement that describes the expected effects of the proposed text.
 - J. A narrative statement that compares the expected effects of the proposed text with any existing text that it will replace, if applicable.

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

Planning Commission and Council Review

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

Fees & Receipt

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

Sign and Date

Applicant Signature *

J. A. Chen

Date *

7/12/17

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 the fee made payable to **City of Oxford**, to Community Development Director, 101 East High Street, Oxford, OH 45056.

Direct questions to the Community Development Department 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.

For Staff Use Only

Fee Paid Date *

NA

Receipt Number *

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

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: October 3, 2017

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

September 25, 2017

Date Prepared:

PC-2017-27, Zoning Code Text Amendment- to amend Chapter 1143 Districts, Specifically Section 1143.03(d) R-1MS Mile Square Design Standards and Section 1143.05(d) R-2MS Mile Square Design Standards, City of Oxford, Applicant

Recommendation: Approval

Discussion:

This application is a request from the Planning Commission to amend the Design Standards for the R-1MS and R-2MS Districts, since the already recommended changes to the R-3MS District could be applied to these two districts as well. This will provide consistency for the Mile Square as far as the Design Standards are concerned.

The intent of the amendment is to amend design standards in R-1MS and R-2MS Districts, so all the general design standards for the Mile Square will be consistent. Staff reviewed the amended changes to the R-3MS District language and removed those provisions that would not be applicable to single and two-family dwelling units. They may be specific features that are only applicable to R-3MS that were the outcomes of the Commission efforts to manage redevelopment project in that particular district.

The Planning Commission reviewed the application and recommended approval to City Council in a 7-0-0 vote.

Approved By:

Department Head:

City Attorney:

City Manager:

JHC / 9/26/17
DRE / 9/29/17

ORDINANCE NO.

AN ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTION 1143.05 ENTITLED R-2MS SINGLE AND TWO-FAMILY MILE SQUARE RESIDENTIAL DISTRICT, AND ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTION 1143.05 ENTITLED R-2MS SINGLE AND TWO-FAMILY MILE SQUARE RESIDENTIAL DISTRICT.

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

SECTION I: Council finds in accordance with Section 1135.02 of the Codified Ordinances of the City of Oxford, the City of Oxford Planning Commission held a public hearing on September 12, 2017 and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Section 1143.05 entitled R-2MS Single and Two-Family Mile-Square Residential District, and adopting new Oxford Codified Ordinance Section 1143.05 entitled R-2MS Single and Two-Family Mile Square Residential District.

SECTION II: Council hereby repeals Ordinance No. 3427 adopted September 19, 2017 for Oxford Codified Ordinance Section 1143.05 entitled R-2MS Single and Two-Family Mile-Square Residential District, and adopts new Oxford Codified Ordinance Section 1143.05 entitled R-2MS Single and Two-Family Mile-Square Residential District as follows (additions are bolded and deletions are struck through):

1143.05 R-2MS SINGLE- AND TWO-FAMILY MILE-SQUARE RESIDENTIAL DISTRICT.

(a) Purpose. This district is designed to preserve and encourage a mix of single-family and two-family ~~residences in the established residential areas of historically significant character~~ **dwelling within an urban environment at densities that reflect Oxford's historic development pattern within the Mike Square District.**

(b) Uses.

(1) Permitted uses.

- A. Single-family dwellings.
- B. Two-family dwellings.
- C. Accessory buildings and uses incidental to the principal use that do not include any activity conducted as a business.
- D. Day Care Home Type B family.

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

- A. Community-Oriented Residential Social Service Facilities (CORSSF's).
- B. Shared Housing and Congregate Housing for the elderly.
- C. Government owned and/or operated parks and recreation facilities.
- D. Bed and breakfast homes.
- E. Private and publicly owned commercial and noncommercial recreational areas, uses and facilities of an open space nature, such as golf courses, tennis courts, parks, forests, wildlife preserves, etc.
- F. Day care facilities, including Child Day Care, Child Day Care Center, and Day Care Home Type A family.
- G. Schools: primary, intermediate, and secondary, both public and private.
- H. Places of worship.
- I. Fraternity and sorority houses.
- J. Parking lots.

~~The Mile Square Design Standards encourages all new and renovated building to be outstanding examples of architecture and planning. These standards are a planning instrument. It does not dictate any architectural style or design. Design regulations are intended to allow imaginative design that is respectful to its neighbors. The regulations are meant to help achieve good design and to establish consistent framework for assessing proposed development. The Mile Square Design Standards are intended to be predictable. It is also intended that it be flexible. The predictability and flexibility embodied in these standards are intended to permit creativity and diversity in architectural design, because the construction, renovation, and maintenance of outstanding buildings and public spaces continue to contribute to the health, welfare, character, and history of the City and its citizens. The design of all new construction and exterior renovation in the R1 MS, Single Family, Mile Square Residential District shall conform to the following requirements:~~

Purpose and Applicability.

- A.** The purpose of the Mile Square Design Standards is to establish design standards for all new, expanded, or renovated buildings so they are part of the urban form and character of the Mile Square District. These standards are not intended to dictate any specific architectural style or design but rather are intended to allow imaginative design that is respectful to surrounding properties and the overall district.. The Mile Square Design Standards are intended to provide predictable requirements while also allowing for flexibility in design.
- B.** The design of all new construction and exterior alteration or renovation in the R2-MS District shall conform to the following requirements.

(1) Front Façade.

- A.** All development shall be located parallel to the associated public street with the main entry door designed to face onto the associated public street unless an alternative orientation is consistent with the majority of homes along the same block face.



Figure <>: Example of residential development that is oriented toward the primary street.

Streetscape:

- ~~A. The restoration or alteration of existing buildings must follow the historical characteristics of the existing building.~~
- ~~B. Commercial appearance at ground level must agree to the following guidelines:~~
 - ~~1. Storefronts must be aligned with the modular bays.~~
 - ~~2. Upper Stories must have a repetitive solid/void organization, ranging from narrow piers between openings (as in the main facade of the Bank One building) to spaces of equal width to the window openings.~~

- E. Plank siding treatments shall be horizontally oriented. Vertical planking may be allowed in a 90 degree board and batten treatment.**
- F. Brick or masonry that has not previously been painted shall not be painted unless the painting of brick or masonry is consistent with the architectural style or era of the building.**
- G. All wood siding materials shall be painted.**
- H. For expansions and additions of existing buildings, the widths, lengths, and composition of siding must be consistent between the existing structures and any new additions. Decorative trim, such as window trim, fascia boards, and cornice work must also be consistent with the existing structure. Any additions or expansions of an existing building shall also comply with Section 1141.03 (h) (Residential Building Additions).**

(5) (4) Roofs.

- ~~A. Any new roof must relate to the architectural theme and details of the existing structure.~~
- ~~B. Flat roofs are prohibited for residential buildings except for porch roofs.~~
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(6) Gutters & Downspouts.

- ~~A. Gutters and downspouts shall be an integrated component of the structure.~~
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(7) Entrances & Doors.

- ~~A. For all doors, the recommended material is "wood appearing" type of material.~~
- ~~B. Commercial structures must avoid using doors, screen doors, and storm doors, which are clearly designed for residential purposes.~~
- ~~C. Screen/storm doors must be simple in design and contain full-height screening or glass. Mill finish is not allowed. Wood is the preferred material and any treatment must match the color of the existing door/trim or be a clear varnish.~~
- ~~D. Entrances and doors which are to be closed off must not be removed and the hole filled in with some type of permanent material. Rather, the door must be left hanging and fixed shut so it is possible to reopen it in the future.~~

(5) Doors

- A. Doors shall be made of wood or "wood appearing" types of material.**
- B. All doors shall be constructed to be exterior doors. The use of an indoor door on the exterior of the building is prohibited.**

(8) (6) Windows.

any street. The garage with more than two parking bays should have the side wall facing the street (i.e., side loading garage). All garage doors shall be compatible with the dwelling style and colors.

- B.** The front façade of any garage facing on to the street shall be set back a distance equal to or more than the front façade of the remainder of the principal building.
- C.** To the maximum extent feasible, a detached garage be accessed from the alley if alleys are available for vehicular traffic.
- D.** The architectural style and materials of any accessory building should generally be compatible with the principal building as should the roof type and roof slope. Roofs for any accessory building shall be subject to the same standards as for principal structures pursuant to Subsection (4) above.

~~(12)~~ Awnings & Canopies.

- ~~A.~~ Awnings and canopies must be flat, downward sloping at a sharp angle, and have open ends or triangular end pieces matching the main structure. Basic design shapes (umbrella, diagonal, concave, etc.) are recommended.
- ~~B.~~ Solid, dark colors are preferred.
- ~~C.~~ Awnings and canopies must be proportional in size and shape to the opening or area that they are covering. Avoid irregular shapes or styles.
- ~~D.~~ Soft, pliable materials are encouraged. Metal or other similar material is not recommended.
- ~~E.~~ Retractable awnings and canopies are encouraged, as they can be closed in the winter months to allow more sunlight into an establishment.
- ~~F.~~ Awnings and canopies must be designed without ground supporting members which attach to a public sidewalk.
- ~~G.~~ The Zoning and Building Codes must be consulted for other specific requirements.

~~(13)~~**(9)** Fences & Gates.

- ~~A.~~ Chain link fences are prohibited.
- ~~B.~~ Traditional fence forms, such as picket fences and plain board fences, must be utilized and they must be kept as low as possible.
- ~~C.~~ Traditional materials, such as wood and wrought iron, are strongly encouraged.
- B.** When fencing is to be used, traditional fence forms, such as picket fences and plain board fences, shall be utilized and shall comply with the fencing height restrictions of Section 11.41.01.
- C.** Fencing shall only be constructed of wood, wrought iron, decorative metal fencing, or fencing material that resembles wood materials

~~(14)~~**(10)** Chimney & Flues.

- A.** Where a building is designed with chimneys or where a chimney is to be added to an existing structure, brick or stone are the preferred materials. **Other siding may be allowed if the entire building is sided in similar materials**

~~(15)~~**(11)** Shutters.

- A.** Shutters do not have to be operable. However, when present they must appear to be functional and they must be proportionally equal to the adjacent window opening.

SECTION III: 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
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: October 3, 2017

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

September 25, 2017

Date Prepared:

PC-2017-27, Zoning Code Text Amendment- to amend Chapter 1143 Districts, Specifically Section 1143.03(d) R-1MS Mile Square Design Standards and Section 1143.05(d) R-2MS Mile Square Design Standards, City of Oxford, Applicant

Recommendation: Approval

Discussion:

This application is a request from the Planning Commission to amend the Design Standards for the R-1MS and R-2MS Districts, since the already recommended changes to the R-3MS District could be applied to these two districts as well. This will provide consistency for the Mile Square as far as the Design Standards are concerned.

The intent of the amendment is to amend design standards in R-1MS and R-2MS Districts, so all the general design standards for the Mile Square will be consistent. Staff reviewed the amended changes to the R-3MS District language and removed those provisions that would not be applicable to single and two-family dwelling units. They may be specific features that are only applicable to R-3MS that were the outcomes of the Commission efforts to manage redevelopment project in that particular district.

The Planning Commission reviewed the application and recommended approval to City Council in a 7-0-0 vote.

Approved By:

Department Head:

City Attorney:

City Manager:

JHC / 9/26/17
DRE / 9/29/17

ORDINANCE NO.

AN ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTION 1143.05 ENTITLED R-2MS SINGLE AND TWO-FAMILY MILE SQUARE RESIDENTIAL DISTRICT, AND ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTION 1143.05 ENTITLED R-2MS SINGLE AND TWO-FAMILY MILE SQUARE RESIDENTIAL DISTRICT.

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

SECTION I: Council finds in accordance with Section 1135.02 of the Codified Ordinances of the City of Oxford, the City of Oxford Planning Commission held a public hearing on September 12, 2017 and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Section 1143.05 entitled R-2MS Single and Two-Family Mile-Square Residential District, and adopting new Oxford Codified Ordinance Section 1143.05 entitled R-2MS Single and Two-Family Mile Square Residential District.

SECTION II: Council hereby repeals Ordinance No. 3427 adopted September 19, 2017 for Oxford Codified Ordinance Section 1143.05 entitled R-2MS Single and Two-Family Mile-Square Residential District, and adopts new Oxford Codified Ordinance Section 1143.05 entitled R-2MS Single and Two-Family Mile-Square Residential District as follows (additions are bolded and deletions are struck through):

1143.05 R-2MS SINGLE- AND TWO-FAMILY MILE-SQUARE RESIDENTIAL DISTRICT.

(a) Purpose. This district is designed to preserve and encourage a mix of single-family and two-family ~~residences in the established residential areas of historically significant character~~ **dwelling within an urban environment at densities that reflect Oxford's historic development pattern within the Mike Square District.**

(b) Uses.

(1) Permitted uses.

- A. Single-family dwellings.
- B. Two-family dwellings.
- C. Accessory buildings and uses incidental to the principal use that do not include any activity conducted as a business.
- D. Day Care Home Type B family.

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

- A. Community-Oriented Residential Social Service Facilities (CORSSF's).
- B. Shared Housing and Congregate Housing for the elderly.
- C. Government owned and/or operated parks and recreation facilities.
- D. Bed and breakfast homes.
- E. Private and publicly owned commercial and noncommercial recreational areas, uses and facilities of an open space nature, such as golf courses, tennis courts, parks, forests, wildlife preserves, etc.
- F. Day care facilities, including Child Day Care, Child Day Care Center, and Day Care Home Type A family.
- G. Schools: primary, intermediate, and secondary, both public and private.
- H. Places of worship.
- I. Fraternity and sorority houses.
- J. Parking lots.

~~The Mile Square Design Standards encourages all new and renovated building to be outstanding examples of architecture and planning. These standards are a planning instrument. It does not dictate any architectural style or design. Design regulations are intended to allow imaginative design that is respectful to its neighbors. The regulations are meant to help achieve good design and to establish consistent framework for assessing proposed development. The Mile Square Design Standards are intended to be predictable. It is also intended that it be flexible. The predictability and flexibility embodied in these standards are intended to permit creativity and diversity in architectural design, because the construction, renovation, and maintenance of outstanding buildings and public spaces continue to contribute to the health, welfare, character, and history of the City and its citizens. The design of all new construction and exterior renovation in the R1 MS, Single Family, Mile Square Residential District shall conform to the following requirements:~~

Purpose and Applicability.

- A.** The purpose of the Mile Square Design Standards is to establish design standards for all new, expanded, or renovated buildings so they are part of the urban form and character of the Mile Square District. These standards are not intended to dictate any specific architectural style or design but rather are intended to allow imaginative design that is respectful to surrounding properties and the overall district.. The Mile Square Design Standards are intended to provide predictable requirements while also allowing for flexibility in design.
- B.** The design of all new construction and exterior alteration or renovation in the R2-MS District shall conform to the following requirements.

(1) Front Façade.

- A.** All development shall be located parallel to the associated public street with the main entry door designed to face onto the associated public street unless an alternative orientation is consistent with the majority of homes along the same block face.



Figure <>: Example of residential development that is oriented toward the primary street.

Streetscape.

- ~~A.~~ The restoration or alteration of existing buildings must follow the historical characteristics of the existing building.
- ~~B.~~ Commercial appearance at ground level must agree to the following guidelines:
 - ~~1.~~ Storefronts must be aligned with the modular bays.
 - ~~2.~~ Upper Stories must have a repetitive solid/void organization, ranging from narrow piers between openings (as in the main façade of the Bank One building) to spaces of equal width to the window openings.

- E. Plank siding treatments shall be horizontally oriented. Vertical planking may be allowed in a 90 degree board and batten treatment.**
- F. Brick or masonry that has not previously been painted shall not be painted unless the painting of brick or masonry is consistent with the architectural style or era of the building.**
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