



Agenda

Oxford City Council

Court House

TUESDAY, DECEMBER 5, 2017

EXECUTIVE SESSION

None.

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

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

REGULAR MEETING

7:30 P.M.

PLEDGE OF ALLEGIANCE

2. Approval of Agenda.

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

3. Public Participation.

A. Recognition - Bob Blackburn and Kevin McKeehan.



Resolution



BobBlackburn

B. Swearing-In - Anthony Jones, Jr., Police Officer.

C. Presentation - Farmers Market - Larry Slocum.

D. Public Comments.

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

4. Consent Agenda.

A. Minutes of the November 21, 2017 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

B. Minutes of the November 28, 2017 City Council Organizational Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

C. Report regarding the November 14, 2017 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)



Report

D. Report regarding the November 15, 2017 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)



Report

E. Report regarding the November 16, 2017 Recreation Board Meeting. (Casey Wooddell, Parks and Recreation Director)



Report

F. A Resolution authorizing the City Manager to close Lot 52 each Saturday in 2018 from 4:00 a.m. until 1:00 p.m. to permit the operation of the Farmers Market within Lot 52 during said time. (Doug Elliott, City Manager)



Staff Report/Resolution

- G. 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. Resolutions.

1. A Resolution recognizing the Town Gown Initiative Team (TGIT), their "Guiding Concepts" as presented in Exhibit "A" attached hereto, and authorizing the City Manager to provide City of Oxford representation on the team. (Alan Kyger, Economic Development Director).



Staff Report/Resolution

2. A Resolution accepting the bid and authorizing the City Manager to enter into a contract with Danis Industrial Construction Co. for the replacement of specified clarifier drive mechanisms and grit removal equipment at a cost of \$172,236.00 plus a contingency amount of ten percent (10%) of the contract price or \$17,223.00 for a total cost not to exceed \$189,459.00. (Mike Dreisbach, Service Director)



Staff Report/Resolution

3. A Resolution accepting the bid and authorizing the City Manager to enter into a contract with Midwest Security Services, Inc. to provide specified surveillance cameras and associated servers and equipment, including equipment associated with Alternate #1, at a cost of \$130,096.41 plus a contingency amount of ten percent (10%) of the contract price or \$13,009.64 for a total cost not to exceed \$143,106.05. (Mike Dreisbach, Service Director)



Staff Report/Resolution

4. A Resolution accepting the bid and authorizing the City Manager to enter into a contract with SmithCorp, Inc. for the replacement of the Sandra Drive culvert at a cost of \$190,410.25 plus a contingency amount of ten percent (10%) of the contract price or \$19,041.00 for a total cost not to exceed \$209,451.25. (Mike Dreisbach, Service Director)



Staff Report/Resolution

5. A Resolution authorizing the City Manager to enter into an amended lease agreement with the Butler County Board of Commissioners. (Mike Dreisbach, Service Director)



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 Authorizing The City Manager To Enter Into An Easement Agreement With The Butler County Board Of Commissioners For An Ingress/Egress Access Easement To Allow Access To A Communication Tower/Antennae Facility. (Mike Dreisbach, Service Director)



Staff Report/Ordinance

2. An Ordinance Accepting The Planning Commission's Recommendation For Final Plan Approval Of A Planned Development For Gaslight Avenue At Stewart Square On Approximately 6.45 Acres Of Land Formerly Known As The Miami Valley Lumber Site And Associated Properties To Allow A Development For Residential Use With Conditions. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance

3. An Ordinance Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment For 2.4 Acres Of Land Located In Front Of 5475 College Corner Pike, Oxford, Ohio, And Rezoning The Property From General Business (GB) District To Light Industrial (LI) District. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance

4. An Ordinance Amending Ordinance No. 3381. Supplemental Budget Ordinance Number 9 To Make Supplemental Appropriations For Fiscal Year 2017. (Joe Newlin, Finance Director)



Staff Report/Ordinance

5. An Ordinance Accepting The Planning Commission's Recommendation To Deny The Preliminary Planned Development For Stadium Apartments On 1.55 Acres Of Land On East Sycamore Street, University Avenue, And Homestead Avenue. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance

6. An Ordinance Accepting The Planning Commission's Recommendation And Denying A Zoning Map Amendment For Certain Properties Located On The Eastern Side Of The 200 Block Of North Campus Avenue From Single And Two Family Mile Square Residential (R-2MS) District To Single, Two And Three Family Mile Square Residential (R-3MS) District. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance

B. Second Reading - None.

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

1. Remarks from City Council and City Staff.

B. Future Meetings.

WED - Dec 6 Historic and Architectural Preservation Commission Work Session 6:00 p.m.

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

FRI - Dec 8 Student Community Relations Commission Meeting 2:30 p.m. LCNB

TUES - Dec 12 Planning Commission Work Session 6:30 p.m.

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

THUR - Dec 14 Civil Rights Commission Meeting 4:00 p.m.

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

TUES - Dec 19 Recreation Board Meeting 4:00 p.m. Senior Center

TUES - Dec 19 Records Commission Meeting 4:30 p.m. Municipal Building

TUES - Dec 19 City Council Work Session 6:00 p.m.

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

WED - Dec 20 Board of Zoning Appeals Meeting Cancelled

MON - Dec 25 Holiday - City Offices Closed

TUES - Dec 26 Holiday - City Offices Closed

8. Adjourn.

Resolution

RESOLUTION NO. 6021

A RESOLUTION COMMENDING KEVIN MCKEEHAN FOR HIS SERVICE TO THE CITY OF OXFORD AND ITS RESIDENTS.

WHEREAS, Kevin McKeehan has served his most recent term as a member of the Oxford City Council from November 2013 to November 2017; and

WHEREAS, during said period, Kevin has given of his time, talents and energies serving the City of Oxford and its residents faithfully and diligently; and

WHEREAS, Kevin fulfilled his term of office on November 27, 2017.

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

SECTION 1: That the City Council of the City of Oxford personally and collectively and on behalf of the government and citizens of the City, expresses its deep appreciation and thanks to Kevin McKeehan for his faithful and devoted service, while serving on the Oxford City Council.

SECTION 2: That the Clerk of the City Council of the City of Oxford, Ohio is hereby directed and instructed to forward a duly attested and signed copy of this Resolution to Kevin McKeehan.

SECTION 3: That this resolution shall be effective immediately upon its adoption.

Kate Rousmaniere, Mayor

Steve Dana, Vice Mayor

Chantel Raghu

Glenn Ellerbe

Mike Smith

David Prytherch

Edna Southard



Resolution

RESOLUTION NO. 6020

A RESOLUTION COMMENDING BOB BLACKBURN FOR HIS SERVICE TO THE CITY OF OXFORD AND ITS RESIDENTS.

WHEREAS, Bob Blackburn has served his most recent term as a member of the Oxford City Council from November 2013 to November 2017; and

WHEREAS, during said period, Bob has given of his time, talents and energies serving the City of Oxford and its residents faithfully and diligently; and

WHEREAS, Bob fulfilled his term of office on November 27, 2017.

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

SECTION 1: That the City Council of the City of Oxford personally and collectively and on behalf of the government and citizens of the City, expresses its deep appreciation and thanks to Bob Blackburn for his faithful and devoted service, while serving on the Oxford City Council.

SECTION 2: That the Clerk of the City Council of the City of Oxford, Ohio is hereby directed and instructed to forward a duly attested and signed copy of this Resolution to Bob Blackburn.

SECTION 3: That this resolution shall be effective immediately upon its adoption.

Kate Rousmaniere, Mayor

Steve Dana, Vice Mayor

Chantel Raghu

Glenn Ellerbe

Mike Smith

David Prytherch

Edna Southard



A regular meeting of the Oxford City Council was called to order by Mayor Kate Rousmaniere on Tuesday, November 21, 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. Casey Wooddell, Parks and Recreation 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

Ms. Southard moved to adjourn to Executive Session immediately in accordance with Ohio Revised Code Section 121.22 (G)(1) for the purpose of discussing Appointments to Boards and Commissions. Mr. Dana seconded. The motion passed by the following roll call:

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

NAY: None (0)

ABS: None (0)

ADJOURN FROM EXECUTIVE SESSION

Mr. Dana moved to adjourn from Executive Session at 7:30 p.m. Mr. McKeehan 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.

PUBLIC PARTICIPATION

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mr. Dana moved to declare vacant the seat of Rebekah Bolser on the Civil Rights Commission effective immediately. Mr. McKeehan seconded. The motion passed 6-0-0.

PRESENTATION
OXFORD FIRE DEPARTMENT

Captain Jay Fields provided a demonstration of a new state of the art cardiac monitor and advised 4 of them were donated to the City by McCullough Hyde Memorial Hospital/TriHealth. Captain Fields noted due to the donation the City was able to use funds allocated for a cardiac monitor to purchase a Lucas chest compression device to perform CPR. Captain Fields demonstrated that device as well noting it was impossible to provide effective chest compressions manually after 6 or 7 minutes and sometimes it was impossible to do in a moving ambulance.

Mayor Rousmaniere inquired if the CPR device could fit various body sizes and Captain Fields advised yes, including children as young as 10 years of age and people weighing up to 400 pounds.

Mr. McKeehan inquired if the device had been used by OFD yet and Captain Fields advised no and noted the last incident it could have been used for occurred 2 days before the device was in service.

Council members applauded and thanked Captain Fields for the demonstration.

PROCLAMATION
MCCULLOUGH HYDE MEMORIAL
HOSPITAL/TRIHEALTH

Mayor Rousmaniere read the Proclamation for 'McCullough Hyde Memorial Hospital/TriHealth Week' and presented it to Mr. Brett Kirkpatrick.

PRESENTATION
MCCULLOUGH HYDE MEMORIAL HOSPITAL
TRIHEALTH

Mr. Brett Kirkpatrick, Hospital Administrator, noted Ms. Pam Collins, Chief Patient Services Officer was in attendance as well. Mr. Kirkpatrick thanked the City for everything it does for the community and for the partnership with the Oxford Police Division and Fire Department. Mr. Kirkpatrick thanked the community at large noting a lot of changes have occurred at the hospital over the last two years with the new construction and detours within the hospital. Mr. Kirkpatrick advised 5 key projects had taken place over the past two years including the expansion of the Emergency Department, 4 new state of the art OR Suites, 2 new Endoscopy Suites, a new Specialty Suite with 6 exam rooms and an overall facelift of the first floor. Mr. Kirkpatrick noted new 3D mammography equipment was also purchased to provide the clearest picture in the industry while reducing radiation exposure to the patients. Mr. Kirkpatrick advised he felt what makes the hospital a special place is the team members that work there and discussed recent initiatives the leadership team undertook to improve team member engagement. Mr. Kirkpatrick noted Oxford Internal Medicine was now part of the McCullough Hyde TriHealth family and provides 6 additional primary care physicians taking new patients for the Oxford community.

Mr. Kirkpatrick advised new ENT, Dr. Raymond Rock started in July 2017 and the hospital collaborated with Oxford Pediatrics to recruit and hire a new Pediatrician who will begin in Oxford in February. Mr. Kirkpatrick noted Dr. Larry Hufford, a Surgical Podiatrist, joined McCullough Hyde/TriHealth in August of 2017 and the Oncology program was expanded with two exceptional physicians being available 2 to 4 days per week. Mr. Kirkpatrick discussed Employer and Community Relations noting Sharon Klein was a huge advocate for the community and a great addition to the hospital's team. Mr. Kirkpatrick discussed the McCullough Hyde Memorial Hospital's Trust and the work they've accomplished in 2016 and 2017. Mr. Kirkpatrick highlighted the recent work of the hospital volunteers and Auxiliary noting there were currently 246 volunteers consisting of adults, Miami University students and area teens. Mr. Kirkpatrick offered to answer any questions.

Mayor Rousmaniere inquired if there was an update on geriatric specialty care. Mr. Kirkpatrick advised it was something the hospital continually looked at but they had no promising leads at this point. Mr. Kirkpatrick noted there was a wide gambit of high quality primary care physicians that provide services to the geriatric population and there was a high level of commitment from them to continue to do that.

Mayor Rousmaniere thanked Mr. Kirkpatrick for his report and for all the great work he does.

NOTICE TO LEGISLATIVE AUTHORITY

Notice to Legislative Authority – Transfer permit from Miami King., DBA Wild Bistro 1st Floor and Basement 37 E. High Street Oxford, Ohio 45056 to American Sushine Holdings LTD DBA Wild Bistro 1st Floor and Basement 37 E. High Street Oxford, Ohio 45056. (Alan Kyger, Economic Development Director)

Mr. Kyger advised this was a transfer of a D5 liquor permit for Wild Bistro's new owners.

Ms. Southard moved to accept the notice without comment. Mr. Dana seconded. The motion passed 6-0-0.

PUBLIC COMMENTS

Ms. Jessie Leek, 4151 Oxford Reily Road, **Ms. Ann Whelpton**, 6500 Fairfield Road, and **Mr. Steve Schnabl**, 44 Autumn Drive, introduced themselves. Ms. Whelpton advised she and Ms. Leek were representing Oxford VillAGE Network and Mr. Schnabl was representing Oxford Seniors. Ms. Whelpton recognized Catherine Hollins and Kathy McMahon Klosterman who were also in attendance and part of the Oxford VillAGE Network.

Ms. Leek noted she would read a letter dated November 3, 2017 and read the following into the record: "Dear Mayor Kate Rousmaniere, Congratulations to the City of Oxford, Ohio for becoming the 191st community to enroll in the AARP Network of Age-Friendly Communities. AARP's age-friendly network encourages states, counties, cities, towns and rural areas to prepare for the rapid aging of the U.S. population. The network encourages communities to take action and pay increased attention to the environmental, economic and social features

encourage greater age integration and diversity and create a community that supports residents from the cradle through retirement.

Launched in April 2012, the AARP Network of Age Friendly Communities is an independent affiliate of the World Health Organization's Age Friendly Cities and Communities Program, an international effort launched in 2006 to help cities prepare for the growth of the older adult population.

With the age-friendly program, AARP helps participating communities become great places for people of all ages by adopting such features as walkable streets, better housing and transportation options, access to key services, and opportunities for residents to participate in community activities. While many communities are adopting these policies without joining the AARP Network of Age Friendly communities, the network provides a structured process to guide community change and helps serve as a catalyst to educate, encourage, promote and recognize improvements that make communities supportive for residents of all ages. Importantly, enrollment in the network provides member communities with the resources to become more age-friendly by tapping into national and global research, planning models and best practices.

We look forward to working with you and welcome you to the AARP Network of Age Friendly Communities.”

Ms. Leek advised the letter was signed by Nancy LeaMond, AARP, Executive Vice President of Community, State & National Affairs.

Mr. Schnabl displayed and read the certificate that accompanied the letter from AARP and congratulated the City for becoming a member of the AARP Network of Age-Friendly Communities.

Ms. Whelpton on behalf of citizens of all ages thanked City staff, City Council and the commissions who provided advice going forward with this initiative. Ms. Whelpton assured Council that the work going forward would be well supported, productive and impactful. Ms. Whelpton noted in December the group would shore up the Task Force and the needs assessment which is already under draft by the Scripps Gerontology Research Center. Ms. Whelpton advised a forum would take place in January to obtain community input and the target date to launch the assessment is the 1st of February. Ms. Whelpton again thanked Council for their support and action on behalf of the community.

Mr. Dana advised he knew as a member of the Steering Team that the group has a mentor from AARP and asked Ms. Whelpton to discuss her role so far. Ms. Whelpton noted the consultant's name was Nicole Ware and she has been very involved in community development in the Cincinnati area. Ms. Whelpton advised Ms. Ware was Associate Director of AARP for Ohio and has attended several events in Oxford including the Town Gown Conference last summer. Ms. Whelpton noted Ms. Ware was prepared to be involved in the age friendly work in Oxford.

Mayor Rousmaniere inquired if there was anything the City could do to help out. Ms. Whelpton noted it was highly recommended that an elected or hired official be a member of the Task Force and input would be needed from Council and staff on the questions for the needs assessment survey.

Ms. Southard advised becoming a member of the AARP Network of Age Friendly Communities shows great collaboration of many parts of the community and reflects many concerns people have had in recent months regarding transportation, affordable housing and other issues.

Mayor Rousmaniere thanked Ms. Whelpton, Ms. Leek and others from Oxford Village Network for their hard work.

CONSENT AGENDA

MINUTES

Minutes of the November 2, 2017 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the November 1, 2017 Historical and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the November 1, 2017 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

RESOLUTION

ADVANCED PAYMENT OF PROPERTY TAXES

A Resolution No. 6016 authorizing the City Manager to request advanced payment of property taxes to the City in 2018 from Butler County. (Joe Newlin, Finance Director)

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

RESOLUTIONS

RESOLUTION

HOLIDAY PARKING

A Resolution No. 6017 authorizing the City Manager to waive parking meter fees on High Street, East Park Place, West Park Place, Poplar Street, Main Street and Beech Street between Walnut Street and Church Street, and in the southern (2-hr.) section of Lot 52 from 9:00 a.m. on December 18, 2017 until 6:00 p.m. on December 31, 2017. The two hour restriction for meters in these locations will remain in effect. (John Jones, Police Chief)

Chief Jones advised free holiday parking has been offered for a number of years and is generally well received by the community. Chief Jones reiterated the two hour restriction does remain in effect and the enforcement of that has not necessarily been effective in the past. Chief Jones noted the enforcement of the two hour restriction will be stepped up this year and he wanted to get that message out to Uptown employees and business owners. Chief Jones advised there were other all day parking options such as the 10 hour meters on Church Street and on Walnut Street.

Chief Jones advised this program was designed for visitors to come Uptown and park without paying the meter and do some holiday shopping.

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

Mayor Rousmaniere inquired how the two hour enforcement would be done and if tires would be chalked.

Chief Jones advised tires would be chalked and he hoped to encourage turnover in the metered parking spaces. Chief Jones noted next year a new license plate reader device would be utilized and would be much more effective.

Mr. McKeehan moved to adopt Resolution No. 6017. Mr. Dana seconded. The motion passed 6-0-0.

RESOLUTION **TRI LEASE**

A Resolution No. 6018 granting the Talawanda Recreation , Inc. (TRI) a two (2) year lease and authorizing the City Manager to execute the new lease. (Casey Wooddell, Parks and Recreation Director)

Mr. Wooddell advised this was a renewal of a standard two year lease between the City and Talawanda Recreation Inc. Mr. Wooddell noted the lease allows the City's Parks and Recreation Department to operate out of the TRI facility which includes the building and grounds that house the skate park and basketball courts.

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

Mr. Dana inquired if Mr. Wooddell could comment on the data that shows the attendance and the use of the TRI and how its increased over the years. Mr. Wooddell advised he did not have those figures with him this evening. Mr. Wooddell noted there has been steady increases in program attendance but that also includes the Community Park facility.

Mayor Rousmaniere asked Mr. Wooddell to explain how the lease works with 9 acres owned by the TRI that includes the current pool. Mr. Wooddell advised the pool is technically owned by the City, and if the pool is relocated, the land goes back to the TRI. Mr. Wooddell noted the City would be responsible for demolishing the pool and returning the land back to a grass field. Mr. Wooddell advised the TRI was a non-profit organization that maintains the grounds and the facilities by utilizing the money that comes from the lease with the City.

Ms. Southard asked Mr. Wooddell to comment on what the lease money is used for. Mr. Wooddell provided examples from 2017 including painting the entire interior of the TRI building, new led lights in the gym, new basketball courts in the gym, upgrades to the shelter and new windows in the first floor of the building.

Mr. Dana moved to adopt Resolution No. 6018. Ms. Southard seconded. The motion passed 6-0-0.

RESOLUTION
MEMORANDUM OF
UNDERSTANDING

A Resolution No. 6019 authorizing the City Manager to enter into a Memorandum of Understanding (MOU) with the Butler Soil and Water Conservation District (BSWCD) to perform plan review services for subdivision and planned development projects in the City of Oxford. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the proposed Resolution dealt with Council's discussion regarding sensitive environmental areas in proposed subdivisions and planned developments. Mr. Chen noted a local engineer suggested the City contract with BSWCD for their expertise in obtaining the high water table data and delineating the wetlands. Mr. Chen noted BSWCD could help the City on the front end of a project by identifying environmental resources that need to be protected.

Mr. Vincent Hand, E. Chestnut Street, spoke in support of the proposed Resolution. Mr. Hand thanked Mr. Chen and his staff for arranging the proposed memo of understanding with BSWCD.

Mr. Dana complimented Mr. Chen for making the connection with BSWCD noting it was exactly the expertise needed in reviewing subdivisions and planned developments which Councilor Southard brought to everyone's attention initially.

Mr. Dana moved to adopt Resolution No. 6019. Mr. McKeehan seconded. The motion passed 6-0-0.

ORDINANCES
SECOND READING

ORDINANCE
NEW SECTION 931.02

An Ordinance No. 3444 Repealing Oxford Codified Ordinance Section 931.02, Entitled Container Requirements, And Adopting New Oxford Codified Ordinance Section 931.02, Entitled Container Requirements. (Mike Dreisbach, Service Director)

Mr. Dreisbach noted the proposed Ordinance would expand the 'Mile Square Plus' area on the south side of Chestnut Street between Oak and Maple to include Cedar Drive and Silvoor Lane. Mr. Dreisbach advised this was being proposed at the request of a property owner.

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

Mr. McKeehan referred to the map on page 42 of Council's packet and inquired if the request included the entirety of both Cedar Drive and Silvoor Lane and Mr. Dreisbach advised yes.

Mr. Smith moved to adopt Ordinance No. 3444. Mr. Dana seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ORDINANCE
OVERLAY DISTRICT

An Ordinance No. 3445 Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment To Establish A Neighborhood Conservation Overlay District In A R-1A (Single-Family Low Density Residential) District For 21 Parcels Located On E. Chestnut Street And On Silvoor Lane, In The City Of Oxford. (Jung-Han Chen, Community Development Director)

Mr. Chen advised he had no further comments since the first reading of the proposed Ordinance.

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

Mayor Rousmaniere inquired how many Neighborhood Conservation Overlay Districts had been established and Mr. Chen advised this would be the 15th.

Mr. Dana noted this action expresses the power of citizens and dove tails with the Comprehensive Plan.

Ms. Southard moved to adopt Ordinance No. 3445. Mr. Dana seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ORDINANCE
ZONING MAP AMENDMENT

An Ordinance No. 3446 Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment For Certain Properties In The City Of Oxford's Mile Square A Map Of Which Is Attached hereto As Exhibit "A" And Incorporated Herein, And Rezoning The Properties From R-2MS (Single And Two Family Mile Square Residential) District To R-3MS (Single Two And Three Family Mile Square Residential) District. (Jung-Han Chen, Community Development Director)

Mr. Chen referred to page 72 of Council's packet and advised the area in question was between Campus Avenue and Poplar Street. Mr. Chen noted the Planning Commission recommended approval of the proposed rezoning.

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

Mr. Dana referred to page 75 of Council's packet and noted he felt there were 4 reasons to support the proposed map amendment. Mr. Dana advised the area was close to the academic quad, the Goggin, the Rec Center and Uptown. Mr. Dana noted the increase in the number of Miami students was bound to have an impact on local housing in a City this size. Mr. Dana advised the proposed rezoning incorporates detailed newly approved architectural standards and options and it encourages higher density near the campus to encourage redevelopment.

Ms. Southard noted she felt the arguments in support of the proposed rezoning were strong and Mr. Dana summarized them well. Ms. Southard advised a large rezoning approval recently occurred and she would like to see what happens and what develops before Council approves additional rezoning from R2 to R3.

Mayor Rousmaniere noted Council recently approved a large rezoning request in the Mile Square area under the theory if density was increased near the university it would incentivize higher density student living in a certain part of town. Mayor Rousmaniere noted the area in question was omitted from the earlier rezoning review.

Mr. Smith noted a good portion of the area in question consisted of new housing although the remaining housing was among some of the oldest in Oxford. Mr. Smith advised he felt if redevelopment of the old buildings did occur the owner would do a nice job.

Mr. Dana moved to adopt Ordinance No. 3446. Mr. Ellerbe seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Smith, Mr. Dana, Mr. Ellerbe, Mr. McKeehan, Mayor Rousmaniere (5)

NAY: Ms. Southard (1)

ABS: None (0)

ORDINANCE **ZONING TEXT AMENDMENT**

An Ordinance No. 3447 Repealing Oxford Codified Ordinance Section 1159.13 Entitled Definitions (Beginning With The Letter "L") And Adopting New Oxford Codified Ordinance Section 1159.13 Entitled Definitions (Beginning With The Letter "L"). (Jung-Han Chen, Community Development Director)

Mr. Chen advised the proposed text amendment would eliminate an inconsistency in the zoning code.

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

Mr. Dana moved to adopt Ordinance No. 3447. Mr. Smith seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ORDINANCE
ZONING TEXT AMENDMENT

An Ordinance No. 3448 Repealing Oxford Codified Ordinance Section 1159.20 Entitled Definitions (Beginning with the letter "S") And Adopting New Oxford Codified Ordinance Section 1159.20 Entitled Definitions (Beginning with the letter "S"). (Jung-Han Chen, Community Development Director)

Mr. Chen advised the proposed text amendment would eliminate an inconsistency in the zoning code.

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

Ms. Southard moved to adopt Ordinance No. 3448. Mr. Dana seconded. The Ordinance was adopted 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)

ORDINANCE
2018 BUDGET

An Ordinance No. 3449 To Make Appropriations For Current Expenses And Other Expenditures Of The City Of Oxford, State Of Ohio, During The Fiscal Year Ending December 31, 2018. (Joe Newlin, Finance Director)

Mr. Newlin advised a detailed review of the proposed budget occurred at the last meeting and offered to answer any questions.

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

Mr. Dana moved to adopt Ordinance No. 3449. Ms. Southard seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ORDINANCE
BUDGETED TRANSFERS

An Ordinance No. 3450 Outlining Budgeted Transfers For The City Of Oxford, State Of Ohio, During The Fiscal Year Ending December 31, 2018. (Joe Newlin, Finance Director)

Mr. Newlin noted the budgeted transfers were presented at the last meeting in detail and offered to answer any questions.

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

Mr. Dana moved to adopt Ordinance No. 3450. Mr. Ellerbe seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ORDINANCE
BUDGETED ADVANCES

An Ordinance No. 3451 Outlining Budgeted Advances For The City Of Oxford, State Of Ohio, During The Fiscal Year Ending December 31, 2018. (Joe Newlin, Finance Director)

Mr. Newlin noted the budgeted advances were presented at the last meeting in detail and offered to answer any questions.

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

Mr. Smith moved to adopt Ordinance No. 3451. 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
2018 FEES

An Ordinance No. 3452 Adopting Fees And Charges For Fiscal Year 2018. (Joe Newlin, Finance Director)

Mr. Newlin advised there were no changes to the proposed fee schedule since the first reading of the Ordinance.

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

Mr. Dana moved to adopt Ordinance No. 3452. Mr. McKeehan 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)

ORDINANCE
2018 SALARIES

An Ordinance No. 3453 Establishing Salaries And Certain Benefits For Salaried And Hourly Full-Time And Part-Time Employees Within The Service Of The City Of Oxford, Ohio, Paid From January 1, 2018 Through December 31, 2018. (Candi Fyffe, Human Resources Director)

Mr. Elliott referred to pages 134-135 of Council's packet and outlined several changes made to the proposed Ordinance since the first reading. Mr. Elliott offered to answer any questions.

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

Mr. Smith moved to adopt Ordinance No. 3453. Mr. Dana seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott referred to the November 7, 2017 election and noted two incumbent Council members were re-elected and candidate David Prytherch and candidate Chantel Raghu were elected. Mr. Elliott advised a Council Orientation Session occurred last Friday with the newly elected Council members and staff members. Mr. Elliott advised Issue 5, the City of Oxford Charter Amendment was approved by the electorate by a vote of 67.2% to 32.8% and the amendments will become effective upon receipt of the official election results from the Butler County Board of Elections. Mr. Elliott reminded everyone of the City Council Organizational Meeting on Tuesday, November 28th at 7:00 p.m.

Mr. Dreisbach wished everyone a Happy Thanksgiving.

Chief Jones reminded those leaving town for the holiday to use the Vacant House Check program through the Police Division and a COP Volunteer or Police Officer will perform periodic house checks.

Chief Jones noted OPD was participating in “No Shave November” along with other Police agencies in Butler County noting each officer paid \$15.00 per week to participate with the funds being donated to the Oxford United Way.

Mr. Wooddell advised the Oxford Holiday Festival was December 2nd from 9:00 a.m. to 9:00 p.m. and noted the many events and activities taking place at the Oxford Community Arts Center and in the Uptown Parks.

Mr. Kyger advised the Chamber of Commerce Holiday Walk would take place on Friday, December 1st from 5-8 p.m. Mr. Kyger encouraged everyone to come Uptown for shopping, food, music and fun.

Mr. Kyger thanked Vice Mayor Smith for making some comments during Tim Horton’s Grand Opening last Friday and noted there was a Ribbon Cutting the same day for the new Sprint Store next door to Tim Horton’s. Mr. Kyger advised First Financial Bank opened in its new location on Monday in the same Bishop Square area. Mr. Kyger noted “Shop Small, Shop Local” would occur this Saturday and encouraged everyone visit their favorite stores in the Oxford area.

Ms. Eaton congratulated Ms. Southard and Mr. Smith on their re-election to Council. Ms. Eaton advised this evening was Mr. McKeehan’s last regular Council meeting and noted it had been a pleasure working with him over the last 8 years.

Mr. McHugh echoed Ms. Eaton’s comments.

Mr. McHugh addressed House Bill 49 noting it was the Ohio legislation enacted that would allow businesses to file their tax returns at one central place with the Department of Taxation. Mr. McHugh advised Council recently adopted legislation authorizing the City to join a law suite challenging the constitutionality of HB-49 and the law suite has now been filed with the Common Pleas Court. Mr. McHugh noted at least 130 municipalities participated in the law suite representing a very large portion of the State of Ohio. Mr. McHugh advised the primary basis for the law suite had to do with violations of Home Rule which was an inherent function of a City. Mr. McHugh noted the next step would be to file an injunction to stay the bill. Mr. McHugh noted HB-49 would take away all of the cities authority to collect their own taxes.

Mr. Dana advised the single-subject rule was also violated in HB-49.

Mr. Ellerbe congratulated and thanked Mr. McKeehan and Mr. Blackburn for their years of service on Council.

Mr. Ellerbe advised net-neutrality was being discussed this week at the federal level which would allow service providers to charge for different tiers of internet service. Mr. Ellerbe noted he felt this would turn the internet into a giant cable company and he fully disagrees with it. Mr. Ellerbe encouraged everyone to contact their legislators to make them aware that citizens demand that the internet remain free and available to anyone.

Mr. Dana complimented the Service Department for the speedy pick-up of leaves from his yard today.

Mr. Dana advised he learned a lot from his colleagues, Mr. McKeehan and Mr. Blackburn and noted it was a pleasure to serve with them and he honored their commitment to Oxford.

Mr. Smith complimented Mr. Dreisbach and the Service Department on the new sidewalk from Sycamore Street to Kelly Drive noting it looked great.

Mr. Smith thanked Mr. McKeehan and Mr. Blackburn for their service and noted if you do the math, 8 years is a minimum of 192 meetings. Mr. Smith advised it was a pleasure to serve with them.

Ms. Southard thanked Mr. McKeehan and Mr. Blackburn for their service noting she was sorry Mr. Blackburn was unable to be in attendance this evening. Ms. Southard advised she learned so much from them, they had been so collegial, and it has been a wonderful experience.

Ms. Southard advised the Oxford Police Academy begins February 5th and noted she felt it was an important experience for Council members. Ms. Southard advised she participated in the program and learned so much about Police work and what the Police do for the City.

Ms. Southard advised the Empty Bowls event at the Oxford Community Arts Center on November 11th was a huge success and all the money raised was donated to the Oxford Community Choice Pantry.

Ms. Southard wished everyone a happy and safe Thanksgiving.

Mayor Rousmaniere updated everyone on an initiative of the Miami Business Alliance to promote business engagement in Oxford in the month of January noting a “Winter Warm Up” video would be filmed next week as part of the promotion.

Mr. McKeehan thanked everyone for their kind words noting the 8 years went by fairly fast and he’s enjoyed nearly every minute of it. Mr. McKeehan noted he prepared some highs, lows and advise for new candidates, future candidates and existing Councilor’s. Mr. McKeehan advised a high point was the entire City staff he has had the pleasure of working with including Doug Elliott, Mike Dreisbach, Victor Popescu, Joe Newlin, Alan Kyger, Chief Jones, the late Chief Holzworth and former Chief Schwein, Chief Detherage, Casey Wooddell, Gail Brahier, Eric Keebler, Sam Perry, Jung-Han Chen, Mary Ann Eaton, Kim Newton, Steve McHugh and all other staff. Mr. McKeehan advised staff helped to make this a great community and make his experience on Council a total pleasure. Mr. McKeehan thanked his fellow Councilors noting most of them over the last 8 years were willing to listen and work together and that has been great for Oxford. Mr. McKeehan noted another high point was being able to assist individual citizens and businesses with concerns when brought to him noting that was very rewarding. Mr. McKeehan noted another high point was his involvement with the CIC Board, and especially the revolving loan fund and helping many small businesses get started and contribute to the vibrancy of the community. Mr. McKeehan advised a low point was the entry of partisan politics in the recent elections which he felt obscured the goal of serving for the good of the community and not a group. Mr. McKeehan noted it was a great disappointment learning that some fellow Councilors don’t live by the same rules of integrity that he does. Mr. McKeehan encouraged anyone considering running for Council, the incumbents and existing Councilors to listen, listen, listen noting you can’t please everyone. Mr. McKeehan encouraged Councilors to make sure their decisions were good for Oxford and not for a certain person, group or cause. Mr. McKeehan noted Councilor’s were chosen by the community to do a job for them not just show up and encouraged them to prepare, research and ask questions when needed. Mr. McKeehan advised most of the problems in Oxford are basic economic and math problems noting Oxford has 18,000 plus students and approximately 8,000 permanent residents. Mr. McKeehan advised this was the reason the majority of businesses in town were geared towards students whether its housing, retail or restaurants and for better than 9 months of the year its geared toward the majority. Mr. McKeehan noted affordable housing was a lofty goal and wished everyone luck in the pursuit. Mr. McKeehan advised Oxford does not have affordable land because it is a small town and Oxford was a very desirable community to live, work and play in. Mr. McKeehan encouraged Councilors to be frank with community members, give them the facts, not just what might make them feel good. Mr. McKeehan noted people appreciate honesty and hearing the hard truth sometimes.

Mr. McKeehan thanked the City for sending him a planter after his recent surgery which was very successful.

Mr. McKeehan noted approximately 240 live trees were in the Uptown Park for the annual Lions Club Christmas Tree Sale and encouraged community members to visit the Christmas Tree lot.

Mr. McKeehan wished everyone a Happy Thanksgiving.

ADJOURN

Mr. McKeehan moved to adjourn at 9:02 p.m. Mr. Dana seconded. The motion passed 6-0-0.

The Organizational meeting of the Oxford City Council was called to order by Mayor Kate Rousmaniere on Tuesday, November 28, 2017 at 7:00 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. Alan Kyger, Economic Development Director; Mr. Joe Newlin, Finance Director; Mr. Steve McHugh, Law Director; and Ms. Mary Ann Eaton, Clerk of Council.

APPROVAL OF AGENDA

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

PUBLIC COMMENTS

Mr. Jim Robinson, expressed his sincere thanks to Mr. Blackburn and Mr. McKeehan for their service to the City of Oxford and its residents.

OATHS OF OFFICE

Mr. McHugh performed the swearing-in of the elected Council members: Ms. Edna Southard, Mr. Mike Smith, Mr. David Prytherch and Ms. Chantel Raghu. Oaths of Office were signed and photos taken.

ADJOURN TO EXECUTIVE SESSION

Mr. Dana moved to adjourn to Executive Session at 7:12 p.m. in accordance with Ohio Revised Code Section 121.22 (G) (1) for the purpose of discussing the selection of Mayor and Vice Mayor and Council appointments to Boards and Commissions. Mr. Prytherch seconded. The motion passed by the following roll call:

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

NAY: None (0)

ABS: None (0)

RETURN FROM EXECUTIVE SESSION

Mr. Dana moved to adjourn from Executive Session at 8:17 p.m. Mr. Ellerbe seconded. The motion passed 7-0-0.

ELECTION OF MAYOR & VICE MAYOR

Mr. Smith nominated Ms. Rousmaniere for the position of Mayor and Mr. Dana for the position of Vice Mayor. Mr. Ellerbe seconded. The nomination passed 7-0-0.

MAYOR & VICE MAYOR OATH OF OFFICE

Mr. McHugh performed the swearing-in of Mayor, Ms. Kate Rousmaniere and Vice Mayor, Mr. Steve Dana.

COUNCIL BOARD AND COMMISSION APPOINTMENTS

Mr. Prytherch nominated Mr. Dana and Mr. Smith to serve on the Planning Commission, Ms. Southard to serve on the Recreation Board, Ms. Southard to serve on the Historic and Architectural Preservation Commission, himself and Mr. Ellerbe to serve on the Community Improvement Corporation, Mr. Ellerbe to serve on the Student Community Relations Commission, Ms. Raghu to serve on the Environmental Commission, himself and Mr. Ellerbe to serve on the Housing Advisory Commission, Mr. Smith and Mayor Rousmaniere to serve on the Firefighters Dependents Board, Ms. Raghu and Mayor Rousmaniere to serve on the Woodside Cemetery Board, Mr. Dana to serve as the OKI representative, Mayor Rousmaniere to serve on the Senior Citizens Board of Trustees, Mr. Dana to serve on the Butler County Land Use Coordinating Committee and Ms. Raghu to serve on Enjoy Oxford (Visitors Bureau Board) for terms ending December 1, 2018. Mr. Dana seconded. The nominations passed 7-0-0.

Mayor Rousmaniere noted she was pleased to serve with the new Council and briefly discussed several initiatives they would like to address going forward.

ADJOURN

Mr. Dana moved to adjourn at 8:25 p.m. Mr. Smith seconded. The motion passed 7-0-0.

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: December 5, 2017

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

November 23, 2017

Date Prepared:

Agenda Title: Planning Commission Meeting Report- November 14, 2017

PC-2017- 25 PRELIMINARY PLANNED DEVELOPMENT, Stadium Apartments, 1.55 acres, R-3MS District, Homestead and University Avenues and E. Sycamore Street, Madison Student Housing LLC, Applicant

This application seeks to build a 59-unit apartment complex with an underground parking garage, by demolishing 7 existing buildings and keeping an existing 24-unit complex,. This case was tabled in September due to issues relating to Charter limitations and the proposed density exceeding the permitted density.

After reviewing the application, the Planning Commission voted 5-1-0 to recommend denial of this application, based upon excess density.

PC-2017-31, FINAL PLANNED DEVELOPMENT, Gaslight Avenue at Stewart Square, formerly Miami Valley Lumber Site & Associated Properties, 6.45 acres, Bayer Becker, Etta Reed, Applicant, Agent

This is a Final Planned Development. The Preliminary PUD was approved by City Council in August. Several segments of the public right-of-way have been vacated by City Council to move this project forward. Staff identified several inconsistencies found in the Final Development regarding the relevant regulations, as well as the adopted approval of the Preliminary PUD.

After the public hearing, the Planning Commission, based upon the staff report, and the applicant's presentation, voted 6-0-0 to recommend approval of this project to City Council, subject to the following conditions:

1. The applicant will need to address, to the City Engineer's satisfaction, concerns and comments made in the November 3, 2017 Engineering review.
2. Perimeter setback encroachment to be waived as submitted, with the exception of unit #42 shall not be located in the perimeter setback:
3. Three (3) ground signs as presented are acceptable.
4. A third dumpster shall be added for the project.
5. A lot consolidation shall occur prior to or concurrently with the recording with the Final Planned Development.
- 6 Site lighting will be revised for the open space.

PC-2017-32, ZONING MAP AMENDMENT, to amend the zoning classification of certain properties located on the eastern side of the 200 block of North Campus Avenue, from Single- and Two-Family Mile Square Residential (R-2MS) District to Single, Two and Three Family Mile Square Residential (R-3MS) District, affecting four parcels, **Scott Webb Applicant, Agent**

The request is to rezone the eastern side of the 200 block of North Campus Ave from R-2MS to R-3 MS. The Commission reviewed the staff report and the applicant's presentation and voted 1-5-0 recommending the approval of this request.

PC-2017-33, ZONING MAP AMENDMENT, to amend the zoning classification of property located at 5475 College Corner Pike, from General Business (GB) District to Light Industrial (LI) District, 2.413 acres, **Jay C. Bennett, Attorney, Agent**

The request is to amend the zoning classification for a parcel directly in front of Wild Berry. The site was previously zoned LI and was amended to GB in 2005. The Commission voted 6-0-0 to recommend approval of the proposed map amendment to City Council for legislative action.

Approved By:

Department Head:

City Attorney:

City Manager:

yh / 11/20/17
DRE / 12/1/17

CITY OF OXFORD STAFF SUMMARY REPORT

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: December 5, 2017

Sam Perry
Prepared By

Account Code No. #:

November 21, 2017
Date Prepared

Budgeted Amount:

Agenda Title: Board of Zoning Appeals Meeting Report – November 15, 2017

Adjudication Hearings

BZA-2017-14, 5720 College Corner Pike, Walmart, variance to Section 1151.05(c)(4)(A) directional sign size and 1151.05(c)(4)(B), direction sign height, Sunday Bougher, SGA Design Group Applicant/Agent

This variance case was a result of the Online Grocery Pickup service that opened at this Walmart location. Directional signs have been installed around the site which do not comply with Oxford Zoning Code. The code limits the size to 2 square feet in area, no higher than 4 feet, no closer than 5 feet to lot line and no display of commercial message. The proposed signs are compliant with two of the four requirements. The signs are 3 square feet and 8 feet in height. There are 11 such signs spread throughout the property. After deliberation using the decision standards, the BZA found that the requested variances were 1) not substantial and 2) safety and convenience would be improved. The variances were approved with a vote of 4-0.

BZA-2017-15, 211 W. Collins Street, variance Section 1149.04(a)(1) one parking space in a Required front yard, Scott Webb, Applicant/Agent

College Street Property's plan is to demolish the garage on this existing alley lot and build a new single family residence. The passage of recent Ordinance #3430 in September removed a restriction that previously prohibited building entrances that did not face a street. Regardless if the lot is on a street or an alley no more than one required parking space is permitted in the front yard/setback. The proposal is to have two parking spaces within the 20 foot front yard/setback area. The alley corner lot condition limits options for parking location. After deliberation using the decision standards, the BZA found that the requested variance was 1) not substantial and 2) did not negatively alter the essential character of the neighborhood. The variance was approved with a vote of 4-0.

The next regular BZA meeting will be 6:30 p.m. on Wednesday, January 17, 2018 at 118 West High Street.

Approved By:

Department Head:
City Attorney
City Manager:

Initial Date
JHC 11/22/17
_____/_____
_____/_____

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Parks and Recreation

Originating Department

Council Meeting Of: Dec. 5, 2017

Account Code No. #: N/A

Prepared By: Casey D. Wooddell

Budgeted Amount: N/A

Date Prepared: Nov. 21, 2017

Agenda Title: Oxford Recreation Board Meeting, 11/16/17

Recommendation: Approve

Attendance: Members: Ken Bogard, Shaunna Tafelski, Craig Bennett, Edna Southard, City Council

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

Discussion:

Oxford Recreation Board (ORB) members met Thursday, November 16 at 4:00pm at the Oxford Seniors Center. Mr. Wooddell provided ORB members with their updated term dates and limits. Mr. Wooddell reminded the Board there are five voting members, two of whom are appointed by the Talawanda Board of Education. In addition to the five voting members, there is a City Council representative, City Liaison (OPRD Director), and Secretary.

Mr. Wooddell provided copies to ORB members of the City Charter, Rules of Order for the Recreation Board and Ohio Revised Code sections 755.12-755.18 regarding the Recreation Board. This information was used to review the operations of the Board, Officer positions of the Board, scheduled meeting dates, and recommended amendments. The ORB will need to elect a Chairperson and Secretary at the first meeting in January. The current Rules of Order state meetings will be the first Monday of the month, but ORB would recommend updating that to the third Thursday based on past meeting dates.

ORB members discussed the needs and requirements for the officer positions of Chairperson and Secretary. The chairperson needs to be one of the five voting members of the Board, and the Chairperson can work directly with the Parks and Recreation Director to create the agendas and discussion topics for the meetings. The Secretary position should be updated to allow a staff person or ex-officio member of the board to hold this position. This amendment will be recommended in an updated Rules of Order document.

ORB members engaged in discussions concerning the Council Work Session from October 17. Mr. Bogard indicated his desire for all ORB members to be able to speak at a future work session to discuss the new aquatic center, particularly the issues of location and funding. Mr. Wooddell noted another work session has tentatively been discussed, possibly in January. Ms. Southard discussed the importance of public education and focusing on getting information out to the community about the proposed pool location and why it's best suited for the Oxford Community Park. ORB members discussed the most important reasons for moving the new facility to the park, and what barriers were present with the TRI location.

ORB members also briefly discussed fundraising, noting that some final decisions need to be made very soon in order to have any time to attempt to raise funds for the new facility. If the City plans to break ground in summer 2018, that only leaves 6-8 months left to consider fundraising.

Meeting adjourned 5:24pm.

Approved By:

Initial Date

Department Head:

CDW \ 11/21/17

City Manager:

DRK \ 12/1/17

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: December 5, 2017

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

November 21, 2017

Date Prepared

Agenda Title: A Resolution authorizing the City Manager to close Lot 52 each Saturday in 2018 from 4:00 a.m. to 1:00 p.m. to permit the operation of the Farmer's Market within Lot 52 during said time.

Recommendation: N/A

Discussion:

The attached request is for the use of Lot 52 for the operation of the 2018 Farmer's Market which will occur each Saturday throughout the year.

Approved By:

Initial Date

Department Head:

City Manager:

DRE 12/1/17

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO CLOSE LOT 52 EACH SATURDAY IN 2018 FROM 4:00 A.M. UNTIL 1:00 P.M TO PERMIT THE OPERATION OF THE FARMERS MARKET WITHIN LOT 52 DURING SAID TIME.

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

WHEREAS, Council has determined that it would be beneficial for the City to permit the Farmers Market to continue operating in Lot 52 on Saturdays in 2018 and that the closure of Lot 52 between the hours of 4:00 a.m. and 1:00 p.m. is required to permit this operation; and

WHEREAS, the City Manger recommends that Council authorize the City Manager to close Lot 52 on Saturdays in 2018 from 4:00 a.m. until 1:00 p.m. to permit the operation of the Farmers Market within Lot 52 during said time.

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

SECTION 1: Council accepts the recommendation of the City Manager and hereby authorizes the City Manager to close Lot 52 on Saturdays in 2018 from 4:00 a.m. until 1:00 p.m. to permit the operation of the Farmer's Market within Lot 52 during said time.

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

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

RECEIVED

NOV 07 2017

Rev. 6/16



- ☐ REQUEST FOR PUBLIC PARK PERMIT
- ☒ REQUEST FOR PUBLIC RIGHT-OF-WAY PERMIT

Date(s) of Event: 01 / 01 / 18 through 12 / 31 / 18 From: 4:00 AM To: 1:00 PM

Today's Date: 11 / 06 / 18 ☐ Emergency Utility Repair (check box, if applicable)

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

Responsible Adult:

(18 years of age or older)*

Larry Slocum

Address:

803 Morman Road

Hamilton, OH 45013

Telephone:

Cellular:

513-505-5238

Fax:

Email:

info@oxfordfarmersmarket.com

Organization: Oxford Farmers Market Uptown Association

Advisor: Larry Slocum, Market Manager

Address: PO Box 691

Oxford, OH 45056

Telephone:

Cellular:

513-505-5238

Fax:

Email:

info@oxfordfarmersmarket.com

Non-Profit:

☐ Yes ☒ No

* Person in charge - Primary contact

PARK REQUESTED

- ☐ Merry Day Park (adjacent to the Miami Mobile Home Park, Reagh Way Drive)
- ☐ Leonard Howell Park (Bonham Road)
- ☐ Oxford Community Park (Fairfield Road) – Contact 523-6314 to confirm date(s)
- ☐ Memorial Park (E. Park Place & N. Main Street – has pavilion)
- ☐ Martin Luther King Jr. Park (W. Park Place & N. Main Street – animal sculptures & fountain)
- ☒ Other: Parking Lot 52 and surrounding sidewalk. We will use 1/2 the sidewalk to allow for pedestrian traffic. The first 3 diagonal parking spaces on East Park Place

TITLE OF EVENT (be specific and include projected attendance)

Oxford Farmers Market

Projected Attendance: 500-1000 Has this event been held previously? ☒ Yes ☐ No If "YES", when? since 2004

Will food, goods, services or merchandise be sold at the event? ☒ Yes ☐ No

If "YES", please see Section 729.05, Sales on Certain Municipal Property Prohibited (attached to last page of application.)

Note: If you or your organization are handing out information on the public sidewalk, no permit is required.

DESCRIPTION OF EVENT

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

Applicant's Signature: Larry J. Slocum Date: 11 / 07 / 2017

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



Stipulations and Fees

Note: FULL PAYMENT REQUIRED BEFORE THE EVENT

RIGHT-OF-WAY

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

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

USE OF PARKS (ALL THOSE ABOVE, PLUS)

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

FEE INFORMATION

No Parking Signs	\$.35 ea.
Metered Parking	\$10.00/ea
Trash Boxes	\$5.00/ea.
<u>Personnel</u>	
Police Officer(s)	Contact OPD
Sound Technician	\$25.00/hr
Street Dept. Personnel	\$25.00/hr
Electrician	\$100.00
Park & Rec Personnel	Contact OPRD

Road Closures

Main Street	\$135.00**
US 27 Detour	\$135.00**

**Includes labor

Sports Fields/Gazebo

Contact OPRD – 523-6314

APPLICANT'S ASSURANCE

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

Long J. Brown Date: 11/07/17
Applicant's Signature

CITY USE ONLY

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

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

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

Reviewer(s): _____

APPROVAL SECTION (with conditions)

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

City Manager's Signature

Date: _____

Reason(s) event not approved:

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: December 5, 2017

Account Code #: N/A

Budgeted Amount: \$ N/A

Service Department

Originating Department

Michael B. Dreisbach

Prepared By

November 27, 2017

Date Prepared

Agenda Title: Preliminary Legislation Approving ODOT Project ID 94179 – District Wide Paving Work on Bridge Culverts on SR732

Recommendation: Approval

Discussion:

The Ohio Dept. of Transportation (ODOT) has identified PID No. 94179 impacting the City of Oxford for minor paving work on bridge culverts located 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 \ *12/1/17*

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.

WHEREAS, 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; and

WHEREAS, said project shall 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.

THE COUNCIL OF THE CITY OF OXFORD HEREBY RESOLVES THAT:

SECTION 1: Council accepts the recommendation of the City Manager and the Service Director and approves the attached Preliminary Consent Legislation.

SECTION 2: 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 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)

11/20/2017

PRELIMINARY LEGISLATION
(LPA-ODOT-Let Project Agreement)
(CONSENT)

Ordinance/Resolution #: _____
PID No. : 94179
County/Route/Section: But/Pre Inverts FY20
Agreement No: _____

The following is a/an _____ enacted by the City of Oxford of Butler County, Ohio,
(Motion/Ordinance/Resolution) (Local Public Agency)
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 minor invert paving work on large and bridge size culverts within Butler, Preble, Hamilton, Clermont, and Warren counties.

NOW THEREFORE, be it ordained by the City of Oxford of 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 as detailed in the LPA-ODOT-Let Agreement entered into between the parties, if applicable.

SECTION III – Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the development and construction of the above described project and shall enter into a LPA Federal ODOT Let Project Agreement, if applicable, as well as any other agreements necessary to develop and construct the Project.

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.

11/20/2017

SECTION IV Authority to Sign

The LPA hereby authorizes _____ of said City of Oxford to enter into and
(Signature authority) (LPA-or its division, department or agency)
execute contracts with the Director of Transportation which are necessary to develop plans for and to
complete the above-described project; and to execute contracts with ODOT pre-qualified consultants
for the preliminary engineering phase of the Project.

Upon request of ODOT, the _____ is also empowered to execute any appropriate
(Signature authority)
documents to affect the assignment of all rights, title, and interests of the City of Oxford to ODOT
(LPA)
arising from any agreement with its consultant in order to allow ODOT to direct additional or
corrective work, recover damages due to errors or omissions, and to exercise all other contractual
rights and remedies afforded by law or equity.

SECTION V – Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required for the described project will be acquired and/or made
available in accordance with current State and Federal regulations. The LPA also understands that
right-of-way costs include eligible utility costs.

The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the
current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION VI – 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.

11/20/2017

SECTION VII-Emergency measure
(as applicable)

The _____ is hereby declared to be an emergency measure to expedite the
(Motion/Ordinance/Resolution)
highway project and 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.

Passed: _____, 2 _____.
(Date)

Attested: _____
(Clerk)

(Contractual Agent of LPA – title)

11/20/2017

**CERTIFICATE OF COPY
STATE OF OHIO**

City of Oxford of Butler County, Ohio
(LPA)

I, _____, as Clerk of the City of Oxford of Butlery County, Ohio,
(LPA)
do hereby certify that the foregoing is a true and correct copy of _____ adopted
(Motion/Ordinance/Resolution)
by the legislative Authority of the said City of Oxford on the _____ day of _____, 2_____.
(LPA)

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

SEAL

(Clerk)

City of Oxford of Butler County, Ohio
(LPA)

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

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Economic Development Department

For the December 5, 2017
City Council Meeting

Prepared by: G. Alan Kyger
Date Prepared: November 27, 2017

Agenda Title: Resolution supporting the City of Oxford's involvement with the Town Gown Initiatives Team (TGIT) and accepting the TGIT Guiding Concepts.

Recommendation: Acceptance

In 2015, contingents from the City of Oxford and Miami University began jointly attending the International Town Gown Annual Conferences. As a result of these conferences, City and University representatives began to unofficially meet. Early meetings were brainstorming sessions on how the Miami-Oxford community could land the national ITGA conference to Oxford as well as discussing all types of other Town-Gown topics.

During 2016, the group began to think about its purpose and to define its role. After several meetings, the group concluded there is a role for this group in assisting with Town-Gown activities. This role is not to take on current activities being done throughout the community, but to work to facilitate common Town-Gown initiatives within the existing groups, organizations and committees. In essence, to be a facilitator for a common Town-Gown message within our community.

In 2016 – 2017, the group created a name for itself, TGIT, and created Guiding Concepts as a Mission Statement.

While the attendees of these meetings fluctuates with the topics of discussion, the following representatives are typically at the table.

City of Oxford: Community Development, Economic Development, Police Department and Mayor.

Miami University: Office of the Dean of Students, Presidents Office, Student Affairs, Community Engagement, Off-Campus Out Reach and an ASG Representative.

Community: Enjoy Oxford, Oxford VILLAGE Network and Talawanda Heath & Wellness.

In this Resolution, we are asking the City Council endorse the Town Gown Initiative Team and its Guiding Concepts, as well as authorizing the City Manager to provide City representation to the Team.

Reviewed By:

Department Head: _____ **Initial Date**

City Manager: DRE | 12/1/17

RESOLUTION NO.

A RESOLUTION RECOGNIZING THE TOWN GOWN INITIATIVE TEAM (TGIT), THEIR “GUIDING CONCEPTS” AS PRESENTED IN EXHIBIT “A” ATTACHED HERETO, AND AUTHORIZING THE CITY MANAGER TO PROVIDE CITY OF OXFORD REPRESENTATION ON THE TEAM.

WHEREAS, several years ago, in an effort to create additional lines of communication and assistance for the betterment of the overall community, a group of Miami University, City of Oxford and Oxford community members banded together to create community discussions; and

WHEREAS, as the group realized benefits from these discussions, it was decided the group should formalize itself with a name and a mission statement; and

WHEREAS: the City Manager and the Economic Development Director recommend City Council recognize the Town Gown Initiative Team (TGIT), their “Guiding Concepts” as presented in Exhibit “A” attached hereto, and authorize the City Manager to provide City of Oxford representation on the team.

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

SECTION 1: Council hereby accepts the recommendation of the City Manager and the Economic Development Director and recognizes the Town Gown Initiative Team (TGIT), their “Guiding Concepts” as presented in Exhibit “A” attached hereto, and authorizes the City Manager to provide City of Oxford representation on the team.

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)

***GUIDING CONCEPTS FOR THE TOWN-GOWN INITIATIVES TEAM
NOVEMBER 4, 2016***

We seek to create a community in which the City of Oxford, Miami University, and the greater Oxford community are not seen as distinct, but rather spaces where boundaries are blurred -- both by our own community members and those from the outside. The relatively compact size of our community is sometimes viewed as a limiting factor in what we can individually and collectively accomplish. Quite to the contrary, we see our intimate size as a productive and distinguishing feature of our community that enables a greater degree of cooperation, partnership, and communication that thereby permit accomplishments far beyond what we could achieve separately. However, essential to having our size serve as an asset rather than a liability is intentional and thoughtful planning and action. The Town-Gown Initiatives Team (TGIT) is dedicated to leading this thoughtful planning and action.

Toward that end, we -- The City of Oxford, Miami University, and the broader Oxford community -- pledge our commitment to the following shared ideals:

- i. We acknowledge and embrace our reciprocal roles as members of a broader shared community, and recognize the benefits and responsibilities associated with membership in each. We strive to make all members of our shared community feel welcome to participate in and benefit from the diverse range of opportunities available.
- ii. We commit to becoming an international model for how excellent communication and thoughtful partnership can improve an entire community, with goals that are well defined and effectively communicated, and actions that are considerate of the entire community.
- iii. External to our community, we -- the City of Oxford, Miami University, and the broader Oxford community -- will be thought of as a single, connected community, but also in such a way that each is recognized for its own unique qualities and characteristics.
- iv. As essential elements of our broader community, those who identify most closely with the City of Oxford, Miami University, and/or the broader Oxford community will be aware of, and take pride in, the accomplishments of those in the others. Likewise, members of each element of our shared community will be actively engaged in and recognized leaders in the others.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: Dec. 5, 2017

Account Code #: 330.830.69149&50

Budgeted Amount: \$289,000

Service Department
Originating Department

Michael B. Dreisbach
Prepared By

Nov. 17, 2017
Date Prepared

Agenda Title: WWTP Clarifier and Grit Equipment Improvements

Recommendation: Approval

Discussion:

The 2017 Capital Improvement budget includes \$289,000 for replacement of (2) secondary clarifier drive mechanisms as well as grit removal equipment replacement. This equipment has been in continuous service since 1998 and is reaching the end of expected service life.

The City prepared drawings and specifications for the replacement of this equipment and advertised for bids in the *Hamilton Journal News* as well as several plan clearinghouses on October 27, 2017 and November 3, 2017. Three bids were received and opened on Nov. 17, 2017 with the following results:

Danis Industrial Construction Co.	\$ 172,236.00
Doll Layman, LTD	\$ 217,000.00
Corna Kokosing Construction Co.	\$ 223,976.00

The lowest and best bid was provided by Danis Industrial Construction Co. (Danis) with a bid of \$172,236.00. Danis has completed several contracts with the City in the past, and they have always provided superior results when working in Oxford.

It is staff's recommendation that the City Council authorize the City Manager to enter into an agreement with Danis Industrial Construction Co. for the replacement of specified clarifier drive mechanisms and grit removal equipment at a cost of \$172,236.00. Staff is also requesting a ten percent contingency authorization for this project in the amount of \$17,223.00, therefore the contract amount not to exceed shall be **\$189,459.00**.

Approved By:

Department Head:

Initial MBD Date 11/17/17

City Manager:

DRE 12/4/17

RESOLUTION NO.

A RESOLUTION ACCEPTING THE BID AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH DANIS INDUSTRIAL CONSTRUCTION CO. FOR THE REPLACEMENT OF SPECIFIED CLARIFIER DRIVE MECHANISMS AND GRIT REMOVAL EQUIPMENT AT A COST OF \$172,236.00 PLUS A CONTINGENCY AMOUNT OF TEN PERCENT (10%) OF THE CONTRACT PRICE OR \$17,223.00 FOR A TOTAL COST NOT TO EXCEED \$189,459.00.

WHEREAS, the 2017 Capital Improvement budget includes \$289,000.00 for the replacement of two (2) secondary clarifier drive mechanisms as well as grit removal equipment replacement for the Wastewater Treatment Plant; and

WHEREAS, the City prepared drawings and specifications for the replacement of this equipment and advertised for bids in the *Journal News* as well as several plan clearinghouses on October 27, 2017 and on November 3, 2017; and

WHEREAS, the City Manager and the Service Director recommend Council accept the bid of Danis Industrial Construction Co. as the lowest and best bidder, and authorize the City Manager to enter into a contract with Danis Industrial Construction Co. for the replacement of specified clarifier drive mechanisms and grit removal equipment at a cost of \$172,236.00 plus a contingency amount of ten percent (10%) of the contract price or \$17,223.00 for a total cost not to exceed \$189,459.00.

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

SECTION 1: Council accepts the recommendation of the City Manager and the Service Director and accepts the bid of Danis Industrial Construction Co., as the lowest and best bidder, for the replacement of specified clarifier drive mechanisms and grit removal equipment at a cost of \$172,236.00 plus a contingency amount of ten percent (10%) of the contract price or \$17,223.00 for a total cost not to exceed \$189,459.00.

SECTION 2: Council further authorizes the City Manager to enter into a contract with Danis Industrial Construction Co. for the replacement of specified clarifier drive mechanisms and grit removal equipment at a cost of \$172,236.00 plus a contingency amount of ten percent (10%) of the contract price or \$17,223.00 for a total cost not to exceed \$189,459.00.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW(STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: December 5, 2017

Account Code #: Funds 140, 142, 320, 330, and 418

Budgeted Amount: \$ 200,000

Service Department

Originating Department

Michael B. Dreisbach

Prepared By

November 27, 2017

Date Prepared

Agenda Title: Acquisition and Installation of Surveillance Cameras and Recording Equipment in Multiple City Facilities

Recommendation: Approval

Discussion: The City is currently using surveillance cameras and recording equipment that is reaching the end of useful life and requires replacement. The City Manager's Office has worked with our computer network management contractor to produce plans and specifications for the replacement of the City's existing systems. Project goals for the specifications include standardization of all hardware and software throughout all City departments, purchase of cost effective equipment while obtaining high quality images to help secure City facilities, minimize bandwidth necessary for cameras and servers over the City's networks, and to provide ruggedized servers where necessary in facilities that may not be climate controlled. The City has appropriated the following amounts to fund this project:

<u>Fund Number</u>	<u>Description</u>	<u>Amount</u>
140	Capital Equipment	\$30,000
320	Water Fund Equipment	50,000
330	Wastewater Fund Equipment	50,000
142	Parking Improvement	20,000
148	Fire Capital	50,000

The City developed standards and specifications for this equipment, specifically video cameras by Sony with 4k capabilities including intelligent coding (reducing bitrate for non-critical areas) and cropping, especially in low light situations. The City also specified Mirasys servers to record and manage captured images. The City also requested bids for Alternate #1 including equipment and monitors to be installed in the Police Division's dispatch office for viewing by City staff. While the City specified certain equipment, other equipment would be considered if staff determines that the equipment meets or exceeds the standards specified for the project. The specified equipment will be installed at the following facilities:

(Continued)

Approved By:

Department Head:

Initial

Date

MBD

12/1/17

City Manager:

DRE

12/1/17

Fire Division Headquarters
New Municipal Building on College Ave.
Water Treatment Plant
West Booster Station and Reservoirs
Production Well #1 and Distribution Storage Facility
Seven Mile Wellfield
Wastewater Treatment Plant
Wastewater Collection Facilities
Streets & Maintenance Facilities including Police Impound Lot and Fuel Depot
TRI Recreation Center

The City advertised for bids on October 6 & 13, 2017 in the *Hamilton Journal News* and multiple document Clearinghouses. A pre-bid meeting was conducted on October 19, 2017 and the City opened bids and publically read the bids aloud on November 10, 2017 with the following results:

<u>Company</u>	<u>Bid Amount</u>	<u>Alternate #1</u>	<u>Bid + Alternate #1</u>	<u>Bid per Spec or Equal</u>
Jacobs Telephone	\$102,500.00	\$13,693.20	\$116,193.20	Bid Hanwha cam. Myrasis VMS
Midwest Security	116,864.22	13,232.19	130,096.41	No Exceptions
Robinson Comm.	110,828.12	22,175.56	133,003.68	Bid Hanwha cam. Milestone VMS
Structured Cabling	135,721.39	14,226.00	149,947.39	No Exceptions
Security 101	140,486.36	19,038.55	159,524.91	No Exceptions
Industrial Comm.	143,841.15	19,824.69	163,665.84	No Exceptions
NOR COM	150,254.00	17,808.00	168,062.00	No Exceptions
Cinti Alarm System	163,912.53	17,952.75	181,865.28	No Exceptions

The bid provided by Jacobs Telephone Contractors, Inc. (Jacobs) did match the City's specification for Myrasis servers, however, Jacobs bid cameras manufactured by Hanwha instead of Sony. The cameras offered do not meet the City specifications, particularly for color reproduction in low light (Sony only requires 0.006 lux while Hanwha requires 0.015 lux), and in effective infrared light effective distance (Sony provides 197' versus Hanwha 164 feet). The Sony camera also provides clearer moving images under equal lighting compared to the Hanwha camera.

Based on Staff's evaluation of the bid submittals, Midwest Security Services, Inc. has provided the lowest and best bid based on price offered and meeting the technical specifications as advertised for the project. Midwest Security Services, Inc. will not require the use of any subcontractors, and has provided acceptable references including the City of Middletown, City of Vandalia, and City of Englewood. It is Staff's recommendation that the City Council authorize the City Manager to enter into a contract with Midwest Security Services, Inc. to provide specified surveillance cameras and associated servers and equipment, including equipment associated with Alternate #1, at a cost of \$130,096.41. Staff is requesting a 10% contingency amount of \$13,009.64 for this project, therefore the total cost not to exceed shall be \$143,106.05.

RESOLUTION NO.

A RESOLUTION ACCEPTING THE BID AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH MIDWEST SECURITY SERVICES, INC. TO PROVIDE SPECIFIED SURVEILLANCE CAMERAS AND ASSOCIATED SERVERS AND EQUIPMENT, INCLUDING EQUIPMENT ASSOCIATED WITH ALTERNATE #1, AT A COST OF \$130,096.41 PLUS A CONTINGENCY AMOUNT OF TEN PERCENT (10%) OF THE CONTRACT PRICE OR \$13,009.64 FOR A TOTAL COST NOT TO EXCEED \$143,106.05.

WHEREAS, the City has appropriated \$200,000 for the acquisition and installation of surveillance cameras and recording equipment in multiple City facilities; and

WHEREAS, the City developed standards and specifications for this project and advertised for bids in the *Journal News* and in multiple document clearinghouses on October 6, 2017 and on October 13, 2017; and

WHEREAS, the lowest bidder was Jacobs Telephone Contractors, Inc. (Jacobs), however the cameras bid by Jacobs did not meet the City's specification. Therefore, City staff determined that the lowest and best bid was provided by Midwest Security Services, Inc. in the amount of \$130,096.41; and

WHEREAS, The City Manager and the Service Director recommend Council accept the bid of Midwest Security Services, Inc., as the lowest and best bidder, and authorize the City Manager to enter into a contract with Midwest Security Services, Inc. to provide specified surveillance cameras and associated servers and equipment, including equipment associated with Alternate #1, at a cost of \$130,096.41 plus a contingency amount of ten percent (10%) of the contract price or \$13,009.64 for a total cost not to exceed \$143,106.05.

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

SECTION 1: Council accepts the recommendation of the City Manager and the Service Director and accepts the bid of Midwest Security Services, Inc., as the lowest and best bidder, to provide specified surveillance cameras and associated servers and equipment, including equipment associated with Alternate #1, at a cost of \$130,096.41 plus a contingency amount of ten percent (10%) of the contract price or \$13,009.64 for a total cost not to exceed \$143,106.05.

SECTION 2: Council further authorizes the City Manager to enter into a contract with Midwest Security Services, Inc. to provide specified surveillance cameras and associated servers and equipment, including equipment associated with Alternate #1, at a cost of \$130,096.41 plus a contingency amount of ten percent (10%) of the contract price or \$13,009.64 for a total cost not to exceed \$143,106.05.

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

Service Department
Originating Department

Council Meeting of: December 5, 2017

Michael Dreisbach, Service Director
Prepared By

Account Code #: 141.720.63163

November 28, 2017
Date Prepared

Budgeted Amount: \$275,000

**Agenda Title: Contract for the Replacement of the Sandra Drive Culvert over Collins Run
City PID - 1733202**

Recommendation: Approve

Discussion:

On July 19, 2016, the Oxford City Council approved Resolution No. 4997 authorizing Staff to apply for Ohio Public Works Commission (OPWC) funding for the replacement of a culvert on Sandra Drive crossing the Collins Run waterway. The City was awarded grant funding for the project with terms of OPWC paying 69% of project costs not to exceed \$189,750. The City shall pay 31% of project costs and any amount exceeding the OPWC maximum limit.

The 2017 Capital Improvement Budget includes \$275,000 for the implementation of this project. The City developed plans and specifications for this project and advertised for bids in the *Hamilton Journal-News* on November 10 & 17, 2017. Bids were opened on November 28, 2017 with seven (8) bidders responding with the following results:

Contractor	Roadway Improvements	Alternate #1 / Box Culvert	Alternate #2 / Conspan	Total with Alt #1	Total with Alt #2	Alt. 1 Rank	Alt 2 Rank
Smith Construction	\$128,865.15	No Bid	\$247,660.15	No Bid	\$376,525.30	8	7
Sunesis	\$118,562.50	\$95,897.58	\$103,592.62	\$214,460.08	\$222,155.12	2	1
W.G. Stang	\$124,709.00	\$135,950.00	\$150,460.00	\$260,659.00	\$275,169.00	4	3
Belgray	\$153,782.00	\$130,150.00	\$139,940.00	\$283,932.00	\$293,722.00	7	5
Majors Enterprises, Inc.	\$100,294.00	\$124,050.00	\$142,150.00	\$224,344.00	\$242,444.00	3	2
Ford Development	\$138,102.00	\$139,940.00	\$159,930.00	\$278,042.00	\$298,032.00	6	6
Brumbaugh	\$126,679.00	\$140,192.00	\$148,858.00	\$266,871.00	\$275,537.00	5	4
SmithCorp, Inc.	\$103,385.25	\$87,025.00	No Bid	\$190,410.25	No Bid	1	8

Staff checked references of the low bidder, including Warren County Engineer's Office and Clermont County Engineer's Office and found the company to be in good standing with acceptable references. It is Staff's recommendation that the City Council authorize the City Manager to enter into a contract with SmithCorp, Inc. for the replacement of the Sandra Drive culvert for \$190,410.25. Staff is requesting a 10% contingency in the amount of \$19,041; therefore the amount not to exceed would be **\$209,451.25**. Should the Council award this contract, construction is scheduled for the summer of 2018. Based on the grant award from OPWC, the local share of funding for this project is forecast to be \$59,027.18.

Approved By:

Department Head:

Initial Date
MBD \ 11/29/17

City Manager:

DRE \ 12/1/17

RESOLUTION NO.

A RESOLUTION ACCEPTING THE BID AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SMITHCORP, INC. FOR THE REPLACEMENT OF THE SANDRA DRIVE CULVERT AT A COST OF \$190,410.25 PLUS A CONTINGENCY AMOUNT OF TEN PERCENT (10%) OF THE CONTRACT PRICE OR \$19,041.00 FOR A TOTAL COST NOT TO EXCEED \$209,451.25.

WHEREAS, on July 19, 2016 Oxford City Council adopted Resolution No. 4997 authorizing staff to apply for Ohio Public Works Commission (OPWC) funding for the replacement of a culvert on Sandra Drive crossing the Collins Run waterway; and

WHEREAS, the City was awarded grant funding for the project with terms of OPWC paying 69% of the project costs not to exceed \$189,750.00. The City shall pay 31% of project costs and any amount exceeding the OPWC maximum limit. The local share of funding for this project is forecast to be \$59,027.18; and

WHEREAS, the Capital Improvement Budget includes \$275,000.00 for the implementation of this project; and

WHEREAS, the City developed plans and specifications for this project and advertised for bids in the *Journal News* on November 10, 2017 and on November 17, 2017; and

WHEREAS, the City Manager and the Service Director recommend Council accept the bid of SmithCorp, Inc., as the lowest and best bidder, and authorize the City Manager to enter into a contract with SmithCorp, Inc. for the replacement of the Sandra Drive culvert at a cost of \$190,410.25 plus a contingency amount of ten percent of the contract price or \$19,041.00 for a total cost not to exceed \$209,451.25.

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

SECTION 1: Council accepts the recommendation of the City Manager and the Service Director and accepts the bid of SmithCorp, Inc., as the lowest and best bidder, for the replacement of the Sandra Drive culvert at a cost of \$190,410.25 plus a contingency amount of ten percent of the contract price or \$19,041.00 for a total cost not to exceed \$209,451.25.

SECTION 2: Council further authorizes the City Manager to enter into a contract with SmithCorp, Inc. for the replacement of the Sandra Drive culvert at a cost of \$190,410.25 plus a contingency amount of ten percent of the contract price or \$19,041.00 for a total cost not to exceed \$209,451.25.

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: Dec. 5, 2017

Account Code #: N/A

Budgeted Amount: \$ N/A

Service Department
Originating Department

Michael B. Dreisbach
Prepared By

Nov. 20, 2017
Date Prepared

Agenda Title: Antenna Ground Lease Agreement with Butler County, Ohio

Recommendation: Approval

Discussion:

The City of Oxford (City) and Butler County Board of Commissioners (County) entered into a lease agreement in 2008 providing an area at the City Maintenance Garage for the County to build a communication tower / antennae array as well as a fenced area to secure communication and support equipment. Since the approval of this lease, two issues have arisen that require City Council approval:

Issue One: The communications tower has the ability to host additional antennae besides those owned by public agencies. At least two private cell phone carriers have contacted the County regarding the ability to lease space on the tower. The County has performed a valuation study for potential contracts with private carriers of which the City will be entitled to 50% of collected fees after expenses. In order to support additional carrier ground equipment, the County has requested a modest increase in the footprint of their leased area. This increase will not have a significant impact on City Garage operations.

Issue Two: The City has recently relocated the road formerly known as Collins Run Road and constructed a new road known as the continuation of S. Main St. Because the County had an ingress/egress easement following the old roadway, a new easement is required for access to the tower and equipment area.

It is staff's recommendation that the City Council authorize the City Manager to enter into a revised lease agreement with Butler County approving the revised lease area as described in the attached Exhibits "A" and "B". Staff will recommend by separate Ordinance that City Council authorize an ingress/egress access easement to Butler County as described in Exhibit "C".

Approved By:

Department Head:

Initial

Date

MBS \ 11/20/17

City Manager:

DRB \ 12/1/17

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDED LEASE AGREEMENT WITH THE BUTLER COUNTY BOARD OF COMMISSIONERS.

WHEREAS, the City previously entered into a lease for City owned property with the Butler County Board of Commissioners in 2008 for a communication tower/antennae facility at the City Maintenance Garage; and

WHEREAS, the City has determined that it would be beneficial for the City to enter into an Amended Lease Agreement with the Butler County Board of Commissioners to increase the leased area to allow for additional antennae to be placed on the communications tower; and

WHEREAS, the City Manager and the Service Director recommend City Council authorize the City Manager to enter into an Amended Lease Agreement with the Butler County Board of Commissioners.

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

SECTION 1: City Council accepts the recommendation of the City Manager and the Service Director and hereby authorizes the City Manager to enter into an Amended Lease Agreement with the Butler County Board of Commissioners to extend the leased area, as described in Exhibits A and B, and to otherwise modify the Lease.

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)

EASEMENT CURVE TABLE					
	Curve	Delta	Radius	Length	Chord
	C-1	35°41'04"	132.23'	82.38'	S 16°37'18"E 81.03'
	C-2	37°05'41"	53.50'	34.84'	S 15°18'00"E 34.04'
	C-3	37°05'41"	38.50'	24.93'	N 15°18'00"E 24.49'
	C-4	35°41'04"	147.23'	91.70'	N 16°37'30"W 90.22'

LINE TABLE		
Line	Direction	Distance
1-1	S29°24'55"E	319.46'
1-2	N62°34'37"E	14.85'
1-3	S62°16'38"E	60.77'
1-4	S61°13'03"W	65.76'
1-5	N26°24'55"W	79.85'
1-6	N13°05'29"E	55.00'
1-7	S02°31'35"W	55.52'
1-8	S33°50'46"E	60.41'
1-9	S20°25'02"E	46.93'
1-10	S26°24'55"E	15.02'
1-11	N27°03'28"W	50.51'
1-12	N30°50'45"W	60.25'
1-13	N03°31'21"E	55.37'
1-14	S87°25'39"E	1.00'

LEGEND

☐ Found 5/8" Iron Pin
☐ Found Bolt Spike
☐ Found W/6 Spike
☐ Found Conc. Non
 R/W-Es. Right of Way

THIS SURVEY IS NOT THE RESULT OF A FULL BOUNDARY SURVEY. IT IS THE RESULT OF A COMPILATION OF RECORD INFORMATION AND LOCATION OF AVAILABLE MONUMENTATION

**DAVID DOUGLAS SMITH
PROFESSIONAL SURVEYOR #7121
IN THE STATE OF OHIO**



1/1

PLOT TIME: Nov 14, 2017 - 10:28am
DRAWING NAME: J:\2017\17-0292\SV\DWG\17-0292 ES.dwg - Layout Tab: EXHIBIT

Date: November 6, 2017

Description: Part of Lot #716
Lease Area

Location: City of Oxford
Butler County, Ohio



Situated in the State of Ohio, Section 27, Town 5, Range 1, Congress Lands West of the Miami River, City of Oxford, Butler County, and being a lease area in part of Lot #716 and being in part of the lands of The Village of Oxford, as recorded in Deed Book 432, Page 169 of the Butler County, Ohio Recorder's Office and being further described as follows:

Commencing at the northeast corner of said Lot #716 and being the lands of Ledger, LLC as recorded in Official Record 7331, page 1067 of the Butler County, Ohio Recorder's Office and being on the southerly right of way of East Chestnut Street and the westerly right of way of CSX Railroad; thence leaving the southerly right of way of said East Chestnut and with the westerly right of way of said CSX Railroad, South 29°16'36" East, 681.82 feet; thence, leaving the westerly right of way of said CSX Railroad and through said part of Lot #716, South 61°35'05" West, 14.26 feet to the **True Point of Beginning**;

thence, continuing through said part of Lot #716 for the following two courses:

- 1) South 28° 24' 55" East, 39.46 feet;
- 2) North 60° 43' 47" East, 14.85 feet to the westerly right of way of said CSX Railroad;

thence, with the westerly right of way of said CSX Railroad, South 29° 16' 36" East, 60.77 feet;

thence, leaving the westerly right of way of said CSX Railroad and through said part of Lot #716 for the following three courses:

- 1) South 61° 35' 05" West, 65.76 feet;
- 2) North 28° 24' 55" West, 100.00 feet;
- 3) North 61° 35' 05" East, 50.00 feet to the **True Point of Beginning**.

The above description was prepared from an Exhibit prepared by Bayer Becker, David Douglas Smith, Licensed Professional Surveyor #7121 in the State of Ohio, November 6, 2017.

Date: November 6, 2017
Description: Part of Lot #716
Access Easement
Location: City of Oxford
Butler County, Ohio



Situated in the State of Ohio, Section 27, Town 5, Range 1, Congress Lands West of the Miami River, City of Oxford, Butler County, and being a Fifteen (15.00') Foot Access Easement in part of Lot #716 of said City of Oxford and being in part of the lands of The Village of Oxford as recorded in Deed Book 432, Page 169 and in part of the lands of the City of Oxford as recorded in Official Record 8931, Page 1187 of the Butler County, Ohio Recorder's Office and being further described as follows:

Commencing at the northeast corner of said Lot #716 and being on the southerly right of way of East Chestnut Street and the westerly right of way of CSX Railroad; thence leaving the westerly right of way of said CSX Railroad and with the southerly right of way of said East Chestnut Street, North 87°25'39" West, 164.06 feet to the **True Point of Beginning**;

thence, leaving the southerly right of way of said East Chestnut Street and through said part of Lot #716 for the following twenty-one courses:

- 1) South 02° 31' 35" West, 55.02 feet;
- 2) with a curve to the left, having a central angle of 35° 41' 04", a radius of 132.23 feet, an arc length of 82.36 feet, and a chord bearing and distance of South 16° 37' 18" East, 81.03 feet;
- 3) South 33° 50' 48" East, 60.41 feet;
- 4) with a curve to the right, having a central angle of 37° 05' 41", a radius of 53.50 feet, an arc length of 34.64 feet, and a chord bearing and distance of South 15° 18' 00" East, 34.04 feet;
- 5) South 03° 14' 51" West, 151.99 feet;
- 6) South 20° 05' 05" East, 49.91 feet;
- 7) South 01° 03' 20" East, 212.95 feet;
- 8) South 44° 18' 42" East, 101.96 feet;
- 9) South 87° 34' 04" East, 150.65 feet;
- 10) North 64° 33' 09" East, 161.32 feet;
- 11) South 28° 24' 55" East, 15.02 feet;
- 12) South 64° 33' 09" West, 165.82 feet;
- 13) North 87° 34' 04" West, 160.32 feet;
- 14) North 44° 18' 42" West, 113.85 feet;
- 15) North 01° 03' 20" West, 216.37 feet;

- 16) North 20° 05' 05" West, 50.51 feet;
 - 17) North 03° 14' 51" East, 155.08 feet;
 - 18) with a curve to the left, having a central angle of 37° 05' 41", a radius of 38.50 feet, an arc length of 24.93 feet, and a chord bearing and distance of North 15° 18' 00" West, 24.49 feet;
 - 19) North 33° 50' 45" West, 60.25 feet;
 - 20) with a curve to the right, having a central angle of 35° 41' 04", a radius of 147.23 feet, an arc length of 91.70 feet, and a chord bearing and distance of North 16° 37' 18" West, 90.22 feet;
 - 21) North 02° 31' 21" East, 55.37 feet to the southerly right of way of said East Chestnut Street;
- thence, with the southerly right of way of said East Chestnut Street, South 87° 25' 39" East, 15.00 feet to the **True Point of Beginning**.

The above description was prepared from an Exhibit prepared by Bayer Becker, David Douglas Smith, Licensed Professional Surveyor #7121 in the State of Ohio, November 6, 2017.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: Dec. 5, 2017

Account Code #: N/A

Budgeted Amount: \$ N/A

Service Department
Originating Department

Michael B. Dreisbach
Prepared By

Nov. 20, 2017
Date Prepared

Agenda Title: Ingress / Egress Access Easement Granted to Butler County Commissioners

Recommendation: Approval

Discussion:

The City of Oxford (City) and Butler County Board of Commissioners (County) entered into a lease agreement in 2008 providing an area at the City Maintenance Garage for the County to build a communication tower / antennae array as well as a fenced area to secure communication and support equipment. Since the approval of this lease, two issues have arisen that require City Council approval:

Issue One: The communications tower has the ability to host additional antennae besides those owned by public agencies. At least two private cell phone carriers have contacted the County regarding the ability to lease space on the tower. The County has performed a valuation study for potential contracts with private carriers of which the City will be entitled to 50% of collected fees after expenses. In order to support additional carrier ground equipment, the County has requested a modest increase in the footprint of their leased area. This increase will not have a significant impact on City Garage operations.

Issue Two: The City has recently relocated the road formerly known as Collins Run Road and constructed a new road known as the continuation of S. Main St. Because the County had an ingress/egress easement following the old roadway, a new easement is required for access to the tower and equipment area.

It is staff's recommendation that the City Council authorize the City Manager to enter into a revised lease agreement with Butler County approving the revised lease area as described in the attached Exhibits "A" and "B". Staff will recommend by separate Ordinance that City Council authorize an ingress/egress access easement to Butler County as described in Exhibit "C".

Approved By:

Department Head:

Initial MB Date 11/20/17

City Manager:

DRE 12/1/17

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN EASEMENT AGREEMENT WITH THE BUTLER COUNTY BOARD OF COMMISSIONERS FOR AN INGRESS/EGRESS ACCESS EASEMENT TO ALLOW ACCESS TO A COMMUNICATION TOWER/ANTENNAE FACILITY.

WHEREAS, in 2008, the City previously entered into an Ingress/Egress Access Easement Agreement with Butler County Board of Commissioners that granted the County an easement that followed Collins Run Road to allow access to the County's communication tower/antennae facility; and

WHEREAS, the City recently relocated the road formerly known as Collins Run Road and constructed a new road known as the continuation of S. Main Street and, therefore, it is necessary to enter into a new Ingress/Egress Access Easement Agreement with the Butler County Board of Commissioners that follows the new road; and

WHEREAS, the City Manager and the Service Director recommend City Council authorize the City Manager to enter into a new Ingress/Egress Access Easement Agreement with the Butler County Board of Commissioners.

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

SECTION 1: City Council accepts the recommendation of the City Manager and the Service Director and hereby authorizes the City Manager to enter into a new Ingress/Egress Access Easement Agreement with the Butler County Board of Commissioners for the purpose of granting an ingress/egress access easement over portions of the new continuation of S. Main Street to allow access to the County's communication tower/antennae facility. The easement area is more particularly described on attached Exhibit C.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW(STAFF)

Access Easement & Lease Area
Part of Lot #716
Section 27, Town 5, Range 1
Congress Lands West of the Miami River
City of Oxford
Butler County, Ohio

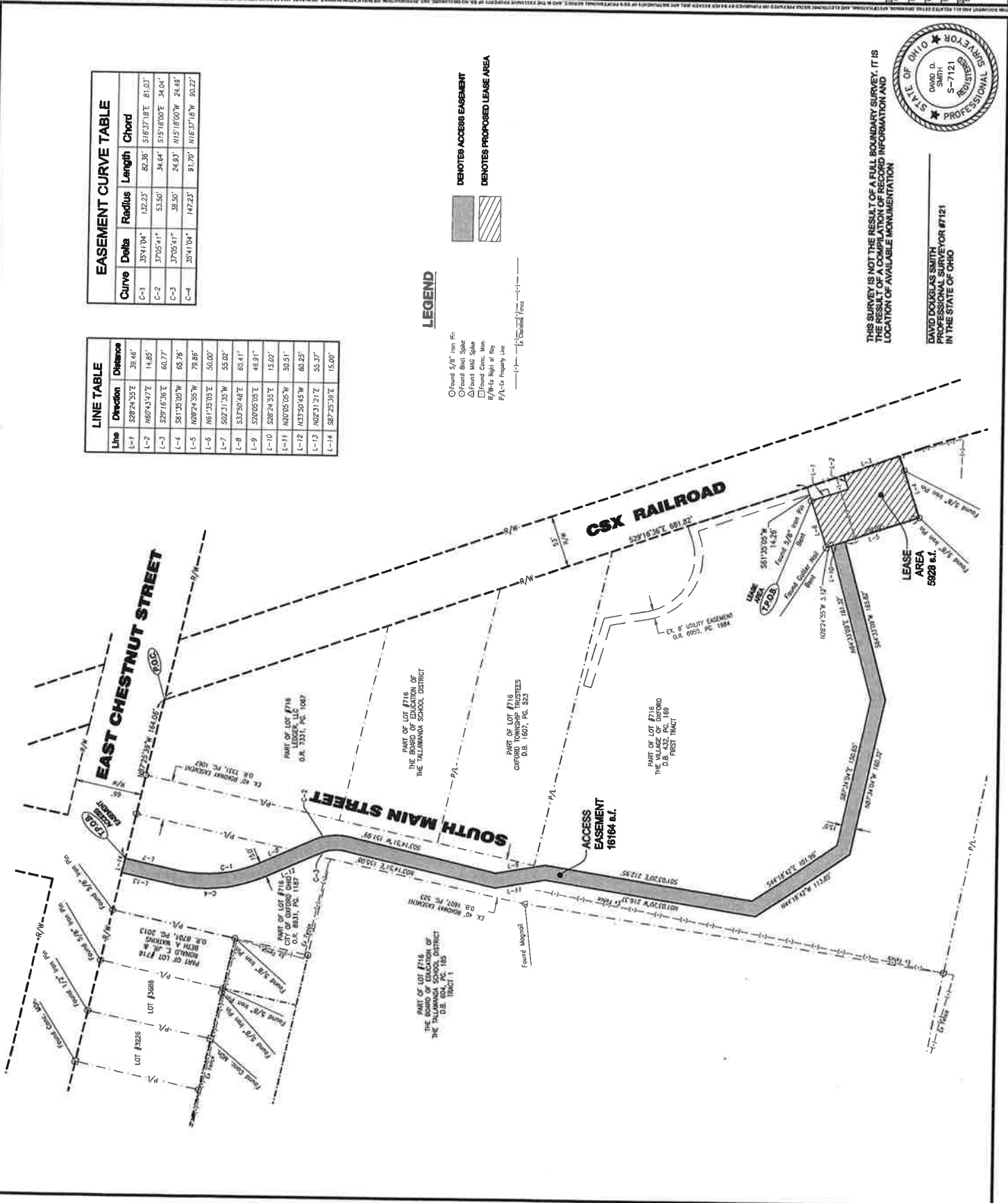
Access Easement & Lease Area
Part of Lot #716
Section 27, Town 5, Range 1
Congress Lands West of the Miami River
City of Oxford
Butler County, Ohio

Access Easement & Lease Area
Part of Lot #716
Section 27, Town 5, Range 1
Congress Lands West of the Miami River
City of Oxford
Butler County, Ohio

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Congress Lands West of the Miami River
City of Oxford
Butler County, Ohio

Access Easement & Lease Area
Part of Lot #716
Section 27, Town 5, Range 1
Congress Lands West of the Miami River
City of Oxford
Butler County, Ohio

Access Easement & Lease Area
Part of Lot #716
Section 27, Town 5, Range 1
Congress Lands West of the Miami River
City of Oxford
Butler County, Ohio



Date: November 6, 2017

Description: Part of Lot #716
Lease Area

Location: City of Oxford
Butler County, Ohio



Situated in the State of Ohio, Section 27, Town 5, Range 1, Congress Lands West of the Miami River, City of Oxford, Butler County, and being a lease area in part of Lot #716 and being in part of the lands of The Village of Oxford, as recorded in Deed Book 432, Page 169 of the Butler County, Ohio Recorder's Office and being further described as follows:

Commencing at the northeast corner of said Lot #716 and being the lands of Ledger, LLC as recorded in Official Record 7331, page 1067 of the Butler County, Ohio Recorder's Office and being on the southerly right of way of East Chestnut Street and the westerly right of way of CSX Railroad; thence leaving the southerly right of way of said East Chestnut and with the westerly right of way of said CSX Railroad, South 29°16'36" East, 681.82 feet; thence, leaving the westerly right of way of said CSX Railroad and through said part of Lot #716, South 61°35'05" West, 14.26 feet to the **True Point of Beginning**;

thence, continuing through said part of Lot #716 for the following two courses:

- 1) South 28° 24' 55" East, 39.46 feet;
- 2) North 60° 43' 47" East, 14.85 feet to the westerly right of way of said CSX Railroad;

thence, with the westerly right of way of said CSX Railroad, South 29° 16' 36" East, 60.77 feet;

thence, leaving the westerly right of way of said CSX Railroad and through said part of Lot #716 for the following three courses:

- 1) South 61° 35' 05" West, 65.76 feet;
- 2) North 28° 24' 55" West, 100.00 feet;
- 3) North 61° 35' 05" East, 50.00 feet to the **True Point of Beginning**.

The above description was prepared from an Exhibit prepared by Bayer Becker, David Douglas Smith, Licensed Professional Surveyor #7121 in the State of Ohio, November 6, 2017.

Date: November 6, 2017

Description: Part of Lot #716
Access Easement

Location: City of Oxford
Butler County, Ohio



Situated in the State of Ohio, Section 27, Town 5, Range 1, Congress Lands West of the Miami River, City of Oxford, Butler County, and being a Fifteen (15.00') Foot Access Easement in part of Lot #716 of said City of Oxford and being in part of the lands of The Village of Oxford as recorded in Deed Book 432, Page 169 and in part of the lands of the City of Oxford as recorded in Official Record 8931, Page 1187 of the Butler County, Ohio Recorder's Office and being further described as follows:

Commencing at the northeast corner of said Lot #716 and being on the southerly right of way of East Chestnut Street and the westerly right of way of CSX Railroad; thence leaving the westerly right of way of said CSX Railroad and with the southerly right of way of said East Chestnut Street, North 87°25'39" West, 164.06 feet to the **True Point of Beginning**;

thence, leaving the southerly right of way of said East Chestnut Street and through said part of Lot #716 for the following twenty-one courses:

- 1) South 02° 31' 35" West, 55.02 feet;
- 2) with a curve to the left, having a central angle of 35° 41' 04", a radius of 132.23 feet, an arc length of 82.36 feet, and a chord bearing and distance of South 16° 37' 18" East, 81.03 feet;
- 3) South 33° 50' 48" East, 60.41 feet;
- 4) with a curve to the right, having a central angle of 37° 05' 41", a radius of 53.50 feet, an arc length of 34.64 feet, and a chord bearing and distance of South 15° 18' 00" East, 34.04 feet;
- 5) South 03° 14' 51" West, 151.99 feet;
- 6) South 20° 05' 05" East, 49.91 feet;
- 7) South 01° 03' 20" East, 212.95 feet;
- 8) South 44° 18' 42" East, 101.96 feet;
- 9) South 87° 34' 04" East, 150.65 feet;
- 10) North 64° 33' 09" East, 161.32 feet;
- 11) South 28° 24' 55" East, 15.02 feet;
- 12) South 64° 33' 09" West, 165.82 feet;
- 13) North 87° 34' 04" West, 160.32 feet;
- 14) North 44° 18' 42" West, 113.85 feet;
- 15) North 01° 03' 20" West, 216.37 feet;

17-0292 ACCESS EASEMENT.dwg

Page 1 of 2

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

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

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

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

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

- 16) North 20° 05' 05" West, 50.51 feet;
 - 17) North 03° 14' 51" East, 155.08 feet;
 - 18) with a curve to the left, having a central angle of 37° 05' 41", a radius of 38.50 feet, an arc length of 24.93 feet, and a chord bearing and distance of North 15° 18' 00" West, 24.49 feet;
 - 19) North 33° 50' 45" West, 60.25 feet;
 - 20) with a curve to the right, having a central angle of 35° 41' 04", a radius of 147.23 feet, an arc length of 91.70 feet, and a chord bearing and distance of North 16° 37' 18" West, 90.22 feet;
 - 21) North 02° 31' 21" East, 55.37 feet to the southerly right of way of said East Chestnut Street;
- thence, with the southerly right of way of said East Chestnut Street, South 87° 25' 39" East, 15.00 feet to the **True Point of Beginning**.

The above description was prepared from an Exhibit prepared by Bayer Becker, David Douglas Smith, Licensed Professional Surveyor #7121 in the State of Ohio, November 6, 2017.

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: December 5, 2017

Jung-Han Chen
Prepared By:

Account Code No. #:

Budgeted Amount:

November 23, 2017
Date Prepared:

PC-2017-31, FINAL PLANNED DEVELOPMENT, Gaslight Avenue at Stewart Square, formerly Miami Valley Lumber Site and Associated Properties, 6.45 acres, **Etta Reed**,
Applicant/Agent

Recommendation: Approval with Conditions

Discussion:

The applicant is seeking a Final Planned Development to build 87 units of single family dwellings in a cluster of two and three-family configurations. Any planned development project needs to go through a two-step process; a preliminary plan and a final plan, although the process can be concurrent for small, single-phase developments. Both preliminary and final plan approvals require a Planning Commission recommendation and City Council approval. This is the 2nd step of a Planned Development process.

The Preliminary Planned Development was approved in August 1, 2017. Subsequently, City Council also approved the right-of-way vacation request on Rose Avenue, as well as the existing north-south alley. Additionally, a utility easement has been secured for sanitary line from the property owner.

Staff identified various issues in the Final Planned Development application:

1. Perimeter setback requirements- Ordinance #3416 only authorized buildings 72, 73 and 74 to be in the perimeter setback. The Final Plan shows Buildings 42, 54, 55-56, 72, 73 and 74 all in the perimeter setback.
2. Permanent signs: 3 ground signs have been proposed, but only one is potentially allowed.
3. No bicycle parking is shown, thus did not meet the Design Standards of Planned Development requirements.
4. Having two dumpsters for the entire site seemed inadequate for a complex of 87 units.
5. A lot consolidation is needed, since the project consists of 10 parcels, along with two vacated right-of-way segments.
6. The lighting plan, submitted by the applicant, did not show any lighting for the common open space.

The Planning Commission held a public hearing, and heard the staff report and a presentation from the applicant to determine whether the Final Planned Development substantially conformed with the approved Preliminary Planned Development. At the end of the public hearing, the Planning Commission voted 6-0-0 to recommend the approval of this Final Planned Development, subject to the following conditions:

1. That, the applicant needs to address, to the City Engineer's satisfaction, concerns and comments made in the November 3, 2017 City Engineer review;

2. That, the perimeter setback encroachment is to be waived as submitted, with the exception of Building #42 which shall not be located in the perimeter setback.
3. That, 3 ground signs are acceptable as presented.
4. That, a third dumpster shall be added for the project.
5. That a Lot Consolidation shall occur prior to or concurrently with the recording of the Final Planned Development
6. That, site lighting will be revised for the open space.

Approved By:

Department Head:

City Attorney:

City Manager:

gnc / *11/23/17*
DRE / *12/1/17*

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE PLANNING COMMISSION'S RECOMMENDATION FOR FINAL PLAN APPROVAL OF A PLANNED DEVELOPMENT FOR GASLIGHT AVENUE AT STEWART SQUARE ON APPROXIMATELY 6.45 ACRES OF LAND FORMERLY KNOWN AS THE MIAMI VALLEY LUMBER SITE AND ASSOCIATED PROPERTIES TO ALLOW A DEVELOPMENT FOR RESIDENTIAL USE WITH CONDITIONS.

WHEREAS, the Planning Commission held a public hearing on November 14, 2017, in accordance with Section 1145 of the Codified Ordinances of the City of Oxford, on the application of Scott Webb, Applicant, Agent, for approval of a Final Planned Development for Gaslight Avenue at Stewart Square on approximately 6.45 acres of land formerly known as the Miami Valley Lumber site and associated properties to allow a Planned Development for residential use; and

WHEREAS, the Planning Commission, after due deliberation, found the application satisfies the code requirements in Chapter 1145 of the Oxford Zoning Code and recommended approval of the Final Planned Development application for Gaslight Avenue at Stewart Square on approximately 6.45 acres of land formerly known as the Miami Valley Lumber site and associated properties with conditions; and

WHEREAS, the Preliminary Planned Development application was approved by City Council on August 1, 2017. Subsequently, City Council approved the right-of-way vacation request for W. Rose Avenue and the existing north-south alley. Additionally, a utility easement has been secured for sanitary lines from the property owner.

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

SECTION 1: Council hereby accepts the recommendation of the Planning Commission and approves the Final Planned Development application for Gaslight Avenue at Stewart Square on approximately 6.45 acres of land formerly known as the Miami Valley Lumber site and associated properties to allow a development for residential use based on the submittals of the applicant that are incorporated herein and made a part of this approval with the following conditions:

1. The applicant shall address to the City Engineer's satisfaction, his concerns and comments stated in his memo dated November 3, 2017.
2. The perimeter setback encroachment shall be waived as submitted, with the exception of Building #42 which shall not be located in the perimeter setback.
3. Three ground signs shall be acceptable as presented.
4. A third dumpster shall be added to the project.
5. A lot consolidation shall occur prior to or concurrent with the recording of the Final Planned Development with the Butler County Recorder's Office.
6. The lighting plan shall be revised for the open space area.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW(STAFF)

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2017-31

Date – November 14, 2017

APPLICATION

Applicant:	Etta Reed, Applicant/Agent
Location:	Former Miami Valley Lumber Yard Site and Associated Adjoining Properties
Owner of Properties:	Terry Dudley/Prime Dudley Properties
Action Request:	Final Planned Development
Current Use:	Vacant with abandoned buildings
Current Zoning	R-2MS District, Single- and Two-Family Mile-Square Residential
Surrounding Existing Land Uses:	Railroad tracks, single/multi-family residences, mixed-use development

GENERAL DESCRIPTION

The applicant is seeking a Final Planned Development approval to build 87 units of single family dwellings in a cluster of two and three-family configurations. This is the second step of a 2-step process for any Planned Development application to come before the Planning Commission for a recommendation to City Council for consideration.

The approved Preliminary Planned Development was for 88 units. It was approved by the City Council on August 1, 2017 with conditions. The adopted Ordinance # 3416 was provided as part of this report to the Commission.

ZONING CODE REGULATIONS

1145.05 Application

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

Thirteen (13) complete sets of all information shall be submitted with each preliminary and final application. The Zoning Administrator may modify this requirement based upon the type of materials included. The applicant shall 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) **Preliminary Plan.**

- (1) Application fee.
- (2) The name, mailing address, and telephone number of the applicant and all property owners.
- (3) If the applicant is not the owner, or if there are multiple owners within the proposed area, a statement from all owners that the applicant is entitled to apply on their behalf, and that they agree to be legally bound to any decision reached according to this Chapter.

- (4) The name, mailing address, and telephone number of any planner, engineer, surveyor, or other design professional who assisted with preparation of the plans.
- (5) Description of use and site.

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

- A. A legal description of the site, including all separate lots.
 - B. A description of the existing uses of the site.
 - C. The zoning districts in which the site is located.
 - D. A description of the proposed planned development.
 - 1. The number of housing units by size and type proposed within each phase.
 - 2. A description of any nonresidential operations, including type of goods sold, services performed, and expected number of customer, clientele, delivery, and service vehicles.
 - 3. The hours of operation of any nonresidential use.
 - 4. A phased development schedule, if applicable, that indicates the location and timing of phases and demonstrates that each completed phase would form a reasonably independent unit if succeeding phases were abandoned.
 - E. A narrative statement that evaluates the compatibility of the proposed planned development with the general vicinity and adjacent properties.
 - 1. How the proposed uses are similar to or different from existing area uses and if there will be any interaction between the proposed site and adjacent sites.
 - 2. How any existing structures, proposed structures, and the site design relate to adjacent structures and sites
 - 3. If the proposed uses will involve any operations that create potential nuisances such as excessive noise, lighting, odor, fumes, vibration, or emissions.
 - 4. How any potential negative effects on adjacent land will be mitigated.
 - F. A statement about why the location proposed is appropriate for the planned development.
 - G. A statement of the necessity or desirability of the proposed planned development to the neighborhood or community.
 - H. Proposals for the provision of public utilities and services, if insufficient or not available for the planned development, or for the provision of suitable private utilities and services.
 - I. A general analysis of expected traffic impact, including vehicular and pedestrian safety, resulting from the proposed development.
 - J. The substance of proposed covenants, easements, and other restrictions on the land and structures.
 - K. A list of the names and mailing addresses of all landowners within 200 feet of the site.
 - L. Such other information regarding the proposed uses, site design, or surrounding area as may be pertinent to the application or required by Planning Commission or Council.
- (6) Site plan. A scaled site plan shall include the following information in detail. The required information may be submitted on multiple site plans if inclusion of all information on a single plan makes it illegible or difficult to understand.
- A. North arrow.
 - B. Scale.
 - C. Vicinity map.
 - D. All existing and proposed lot lines within the site.
 - E. Dimensions of all lots and of the entire site and any adjacent rights-of-way.
 - F. The location and intended purpose of all open spaces
 - G. Approximate location, height, dimensions, and use of all proposed and existing structures.

- H. Approximate location and design of all proposed vehicle and pedestrian routes and nonresidential vehicle management areas.
- I. Approximate location and size of all existing and proposed utilities that will serve the planned development.
- J. Approximate location, size, and type of all proposed signs.
- K. Approximate location, height, and type of all proposed screening and landscaping.
- L. Distances to residential zoning districts if within 1,000 feet.
- M. The use of land and location of structures on adjacent property and across adjacent rights-of-way.
- N. The location of any nearby schools and commercial facilities.
- O. Other information as required by the Planning Commission or Council.
- (7) Elevations. Elevations of proposed structures or typical elevations if structures are not yet designed.
- (8) Other. Photographs of the existing site and its surroundings.
- (b) **Final Plan.**
 - (1) **The same items and information as required for the preliminary plan, except that the approximations shall be refined to specific locations, dimensions, and descriptions.**
 - (2) **A detailed traffic impact analysis, including all modes of transportation, prepared by a qualified professional engineer**
 - (3) **Any additional description or information requested by the Planning Commission or Council during the preliminary plan approval process.**
 - (4) **Detailed agreements, contracts, deed restrictions, and sureties that will be used to guarantee performance of the development during and after construction.**

1145.06 PLANNING COMMISSION AND COUNCIL REVIEW

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

The Planning Commission shall base its review of a proposed planned development upon the complete application, upon any staff report, and upon any relevant and credible public comment presented during the public hearing. Council shall base its decision on the same materials and shall also consider the Planning Commission recommendation.

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

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

- (a) Burden of Proof. Planning Commission has no obligation to recommend approval and City Council has no obligation to approve a planned development. This Zoning Code assumes that a planned development is appropriate only if an applicant proves that the proposed uses and design will not be detrimental to the public health, safety, or general welfare of the City or the neighborhood in which it is proposed. Applicants shall prove that potential negative impacts of elements such as location, size and extent of facilities and operations, site design, traffic generation, site access, and potential impact upon public facilities will be adequately mitigated.
- (b) General Decision Standards.
All planned developments shall satisfy these general decision standards:
 - (1) The proposed planned development is in fact permitted in the zoning districts in which it is proposed.
 - (2) If the application is for the same site where a planned development application has been denied within one year, the plan is substantially different from the application so denied.
 - (3) The uses and site plan will satisfy the general intent of this Zoning Code.

- (4) The uses and site plan will be compatible with the general intent of the Comprehensive Plan.
 - (5) The size and shape of the site are sufficient for the proposed planned development.
 - (6) The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.
 - (7) The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.
 - (8) Accessory uses will be directly related to the operation of the principal uses and will not be operated independent of the principal uses.
 - (9) The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.
 - (10) Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
 - (11) The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.
 - (12) The site is designed so that on-site traffic and traffic accessing the site will not adversely impact the movement or safety of all modes of traffic on adjacent public streets.
 - (13) Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
- (c) **Additional Final Plan Decision Standards**
- (1) **The final planned development shall substantially conform to the preliminary plan.**
 - (2) **Any substantial changes from the preliminary plan improve the plan or were requested by Planning Commission or Council as a part of the preliminary plan approval process.**
 - (3) **If the final plan seeks approval of only a portion of the approved preliminary plan, the elements of the proposed phase are sufficient to stand alone if the remainder of the planned development is abandoned.**

Highlighted portions from these two sections, along with the conditions stipulated by Council for the approval of the Preliminary should form the basis for the Planning Commission review of this Final Planned Development. However, the Commission can require additional conditions or require additional information if the Commission feels that is necessary to ensure the project satisfying the intent of the Oxford Zoning Code.

The following items are identified by staff during this review for Commission to review and consider prior to making its recommendation to Council for consideration.

Perimeter setbacks requirement: 1145.12(e)(3)A- Residential Zoning District shall maintain no less than 25 feet from perimeter of a planned development.

Item #11 of Ordinance # 3416 approving the Preliminary PUD stipulates that **“Perimeter setbacks shall be maintained throughout the development with the exception of Buildings 72, 73 and 74.**

The submittal for the Final Planned Development shows that Buildings 42, 54 and 55-56, in addition to buildings 72, 73 and 74, are also in the perimeter setback. This is not consistent with the condition of the adopted ordinance.

The architect, in his narrative, did state that the building along the railroad, the turn toward Rose Avenue, and those abutting Stewart Square remain with reduced setbacks.

Cross easement between easement with neighboring properties shall be recorded in the Butler County Auditor Recorder's Office. **This is something that can wait, but should occur before building permits are issued.**

1151.05(a)(3)(A), (B) and (C) Permanent Signs:

Findings: Three entrance signs are shown on the construction drawing, and no details are provided. A rendering was provided for the entrance from Stewart Square.

Additionally, the sign regulations for the residential zoned district is very restricted and discourages any freestanding signs, except in R3 and R4 and for subdivisions. The most comparable regulations for a multi-family complex is only allowing one free standing sign for the development site.

1149.05(e)(5) Bike and Motorcycle Parking:

Bike parking is required for multi-unit residential buildings. A minimum of 3 bicycle parking spaces or at least 1 bicycle space per 10 on-site vehicle parking spaces was actually provided. After the first 50 bicycle parking spaces are provided, the required number of additional bicycle parking space is 1 for 20 vehicle parking spaces. Covered spaces are strongly encouraged.

Findings No information on bike parking is provided.

AGENCY REVIEWS

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

Police:	Returned with no comments
Fire:	Returned with no comments
Engineering:	Comments attached
Econ. Dev.	Not returned

STAFF ANALYSIS

As stated earlier, any Planned Development project shall go through a two-step review process, Preliminary and Final, before the Planning Commission and the City Council. With the Final Planned Development, it must substantially conform to the Preliminary and any conditions are stipulated with the adoption of an ordinance.

The City Council also reviewed and approved the securing easement for sanitary and vacation of a portion of Rose Avenue and the north-south alley, off Rose Avenue, on October 17, 2017 to make way for the development and to address some of the conditions of approval of the Preliminary proposal.

Three issues were identified for compliance purposes (see Zoning Code Review section). There are other issues that should also be pointed out, that may be covered by the City Engineer in his review of this project as well.

1. The north access point off Main Street: Heather Lane is a public "street" with only 10' wide right-of-way. The proposed two-way access shows 30' on this project, and 10' of public right-of-way. Is the property owner paving the entire access way, including the public right-of-way portion? How is the future maintenance issue to be handled? Is the north-south Heather Lane be accessible?
2. The plan shows 2 dumpsters for the entire development. Is this sufficient for the number of dwelling units? Are there any more refuse collections? Are the locations of these dumpsters easily accessible by the refuse truck?

3. The plan also shows the sidewalk on both sides of Rose Avenue. This is encouraging to see the continuation of pedestrian connections from College Avenue through this project, to Main Street. Is the sidewalk to be part of the development of this project?

§1145.07 Action by Planning Commission and City Council:

- (a) The Planning Commission shall recommend to Council, approval with conditions, or denial of an application as presented and shall clearly state the findings upon which its recommendation is based.
- (b) The Planning Commission shall base its recommendation and City Council its decision upon how well the application satisfies the Decision Standards. Planning Commission, in its recommendation, and City Council in its decision 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 purpose of this Zoning Code.
- (c) City Council may require the developer to file performance bonds with the City to guarantee completion of any public utilities associated with the planned development and any elements of the plan that are necessary to its success, if abandoned by the developer.

The project consists of 10 existing parcels, along with two vacated rights-of-way as one development project. Therefore, a lot consolidation must take place prior to the recording of the Final Planned Development, or concurrently.

RECOMMENDATION

This Final Planned Development proposal is substantially conforming to the proposed Preliminary Planned Development. Additional conditions were mandated by Council for this project to adhere to. Most of the conditions related to the design/construction of utilities that rest upon the City Engineer's expertise. Other conditions would require the applicant/owner/developer to fulfill those.

Items to be resolved by the Planning Commission and the applicant are as follows:

1. Perimeter setback condition set forth by Council
2. Permanent signage issue. No freestanding signs are allowed in the residential zoned districts, except for traffic circulation purposes. Staff could find one comparable regulation for R3 and R4 districts but it also limits the number of free standing signs to one.
3. Dumpster. Is it sufficient for two dumpsters for this project of 87 units?

In addition to these issues, staff would recommend one condition for this Final Planned Development to consolidate all the parcels into one.

SUBMITTED

BY:


Jung-Han Chen

Community Development Director

DATE: October 31, 2017

GENERAL DECISION STANDARDS FOR PLANNED DEVELOPMENT

General Decision Standards. All planned developments shall satisfy these general decision standards:

- (1) The proposed planned development is in fact permitted in the zoning districts in which it is proposed.
- (2) If the application is for the same site where a planned development application has been denied within one year, the plan is substantially different from the application so denied.
- (3) The uses and site plan will satisfy the general intent of this Zoning Code.
- (4) The uses and site plan will be compatible with the general intent of the Comprehensive Plan.
- (5) The size and shape of the site are sufficient for the proposed planned development.
- (6) The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.
- (7) The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.
- (8) Accessory uses will be directly related to the operation of the principal uses and will not be operated independent of the principal uses.
- (9) The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.
- (10) Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
- (11) The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.
- (12) The site is designed so that on-site traffic and traffic accessing the site will not adversely impact the movement or safety of all modes of traffic on adjacent public streets.
- (13) Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

(c) Additional Final Plan Decision Standards

- (1) The final planned development shall substantially conform to the preliminary plan.
- (2) Any substantial changes from the preliminary plan improve the plan or were requested by Planning Commission or Council as a part of the preliminary plan approval process.
- (3) If the final plan seeks approval of only a portion of the approved preliminary plan, the elements of the proposed phase are sufficient to stand alone if the remainder of the planned development is abandoned.

ORDINANCE NO. 3416

AN ORDINANCE ACCEPTING THE PLANNING COMMISSION'S RECOMMENDATION FOR PRELIMINARY PLAN APPROVAL OF A PLANNED DEVELOPMENT ON APPROXIMATELY 6.45 ACRES OF LAND FORMERLY KNOWN AS THE MIAMI VALLEY LUMBER SITE AND ASSOCIATED PROPERTIES TO ALLOW A DEVELOPMENT FOR RESIDENTIAL USE WITH CONDITIONS.

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

SECTION 1: Council hereby finds the Planning Commission held a public hearing on May 9, 2017 and on June 13, 2017, in accordance with Section 1145 of the Codified Ordinances of the City of Oxford, on the application of Scott Webb, Applicant, Agent, for approval of a Preliminary Plan on approximately 6.45 acres of land formerly known as the Miami Valley Lumber site and associated properties to allow a Planned Development for residential use.

SECTION 2: The Planning Commission, after due deliberation found the application satisfies the code requirements in Chapter 1145 of the Oxford Zoning Code and recommended approval of the Preliminary Plan application for approximately 6.45 acres of land formerly known as the Miami Valley Lumber site and associated properties with conditions.

SECTION 3: Council hereby accepts the recommendation of the Planning Commission and further approves the Preliminary Plan application for approximately 6.45 acres of land formerly known as the Miami Valley Lumber site and associated properties to allow a development for residential use based on the submittals of the applicant that are incorporated and made a part of this approval with the following conditions:

1. Dimensional requirements with regard to lot coverage and open space coverage shall be waived.
2. A vacation of the right-of-way of the existing alley and Rose Avenue shall be approved by City Council prior to the submission of the Final Planned Development application. Any changes from the Preliminary Planned Development application reviewed by the Planning Commission shall be considered a new application, unless said changes were requested by the Planning Commission and/or City Council.
3. The requirements outlined in the May 30, 2017 memo from the City Engineer to the Community Development Department shall be met as follows:
 - a. A Traffic Study shall be required.
 - b. All private streets, curbs and gutters shall be constructed per City of Oxford specifications.
 - c. A detailed water, sanitary and storm water design and capacity shall be provided to the City Engineer for approval prior to the submission of the Final Planned Development application.

- d. The installation of new and/or improved sanitary sewer mains and water mains shall be placed in a recorded easement and sized and constructed to meet the City of Oxford standards/specifications.
 - f. A performance bond shall be required to ensure the streets and utilities are constructed and maintained to City standards during the construction of the development. The performance bond shall be replaced with a maintenance bond once the development is complete.
 - g. After review of the traffic study any off-site traffic improvements related to this project as determined by the City Engineer shall be paid by the developer.
- 4. A detailed landscaping plan shall be provided with the Final Planned Development application and shall satisfactorily meet the City's regulations.
 - 5. A detailed lighting plan shall be provided with the Final Planned Development application and shall satisfactorily meet the City's regulations.
 - 6. All open space, sidewalks and private streets provided in the development shall be constructed and maintained by the property owner.
 - 7. The Final Planned Development application shall meet the provisions of the Oxford Codified Ordinance Chapter 1149 regarding parking and site access.
 - 8. The buildings constructed shall match the drawings presented.
 - 9. A cross access easement shall be agreed to with the existing neighboring properties and shall be recorded in the Butler County Recorder's Office.
 - 10. Parallel parking shall be provided on Heather Lane and on Rose Avenue.
 - 11. Perimeter setbacks shall be maintained throughout the development with the exception of Buildings 72, 73 and 74.
 - 12. A five foot sidewalk clearance shall be maintained throughout the development.
 - 13. A centralized refuse collection solution shall be identified.

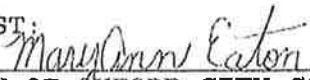
SECTION 4: This Ordinance shall take effect at the earliest time allowed by law.



MAYOR

ADOPTED: August 1, 2017

ATTEST:


CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW(STAFF)

City of Oxford
Inter-Office Review Transmittal Sheet



Date: September 27, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

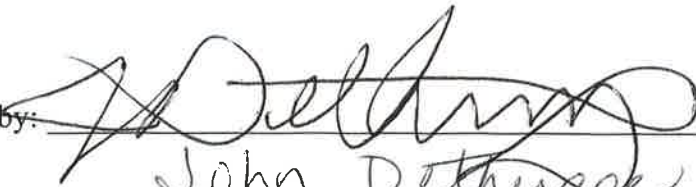
PC-2017-31, FINAL PLANNED DEVELOPMENT, Gaslight Avenue at Stewart Square, formerly Miami Valley Lumber Site & Associated Properties, 6.45 acres, Bayer Becker, Etta Reed, Applicant, Agent

 X Review Revisions Other

Please return no later than: **November 3, 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 Dethenage
PRINTED NAME

Date: 10.3.17

City of Oxford
Inter-Office Review Transmittal Sheet

Date: September 27, 2017

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

From: Community Development Department

PC-2017-31, FINAL PLANNED DEVELOPMENT, Gaslight Avenue at Stewart Square, formerly Miami Valley Lumber Site & Associated Properties, 6.45 acres, Bayer Becker, Etta Reed, Applicant, Agent

 X Review Revisions Other

Please return no later than: **November 3, 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 11/3/17

Drawings reviewed by:

Scott Otto

Date: 11/3/17

Scott Otto

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

BY: Scott Otto, P.E.

RE: PC-2017-31; Final Planned Development
Gaslight Ave. at Stewart Square

DATE: November 3, 2017

The following are our comments.

- The Heather Lane entrance on S. Main Street is shown to be improved to accommodate two-way traffic. Please add a typical section for the Heather Lane improvements. After widening, part of the entrance will be within a 10' right-of-way, and part will be on private property. Is the intent of this drive to be entirely private?
- All streets, public or private, within the proposed development must be constructed as per City of Oxford Specifications. Curb ramps and crosswalks should be considered for all intersections of public streets.
- The City of Oxford will replace the sanitary sewer main that bisects the property. The developer will provide an easement to the City for the sanitary main.
- The developer shall provide an easement plat to address all utility easements.
- The integrity of the existing storm sewer between College Avenue and S. Main Street must be established. Any damage caused by construction shall be repaired by the developer.

- Infrastructure (water, sanitary, and storm), and the streets (curb, and intermediate asphalt course) are to be constructed prior to initiating construction of the buildings.
- City Staff will inspect the construction of the infrastructure to assure that the City of Oxford Specifications are met.
- To assure that the streets and utilities are constructed and maintained to City Standards, a performance bond will be required during the construction of the Development. The subject bond will be replaced by a maintenance bond, once the Development is completed.
- The response memo dated 9/29/17 states a speed bump will be installed just north of the existing Hampton Inn. Location and detail of this speed bump are not shown in the traffic control plan.
- The developer is responsible for utility relocations needed for the West Rose Avenue improvements.
- New public sanitary sewer mains are required to be at minimum 8" diameter. All new sanitary main needs to be 8" diameter minimum. The existing downstream 6" sanitary main in West Rose Avenue needs to be upgraded by the developer to 8" diameter minimum.
- Further design, details, and coordination are needed on the construction plans for the following:
 - In-line water main valve locations
 - Removal of existing water main on West Rose Avenue
 - Proposed water main tie-in at Heather Lane and S. Main St.
 - Proposed water main tie-in at existing water main, southwest corner of Hampton Inn
 - Verify no conflicts with installation of water service corporation stops and meter pits as shown.
 - Verify water and sanitary sewer services are provided to each proposed building per City of Oxford Specifications.
 - Water main restraints, disinfection, and hydrostatic testing

If there are questions, please contact the Engineering Division.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: September 27, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-31, FINAL PLANNED DEVELOPMENT, Gaslight Avenue at Stewart Square, formerly Miami Valley Lumber Site & Associated Properties, 6.45 acres, Bayer Becker, Etta Reed, Applicant, Agent

 X Review Revisions Other

Please return no later than: **November 3, 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: C/1208 Date: 11/8/17

PRINTED NAME



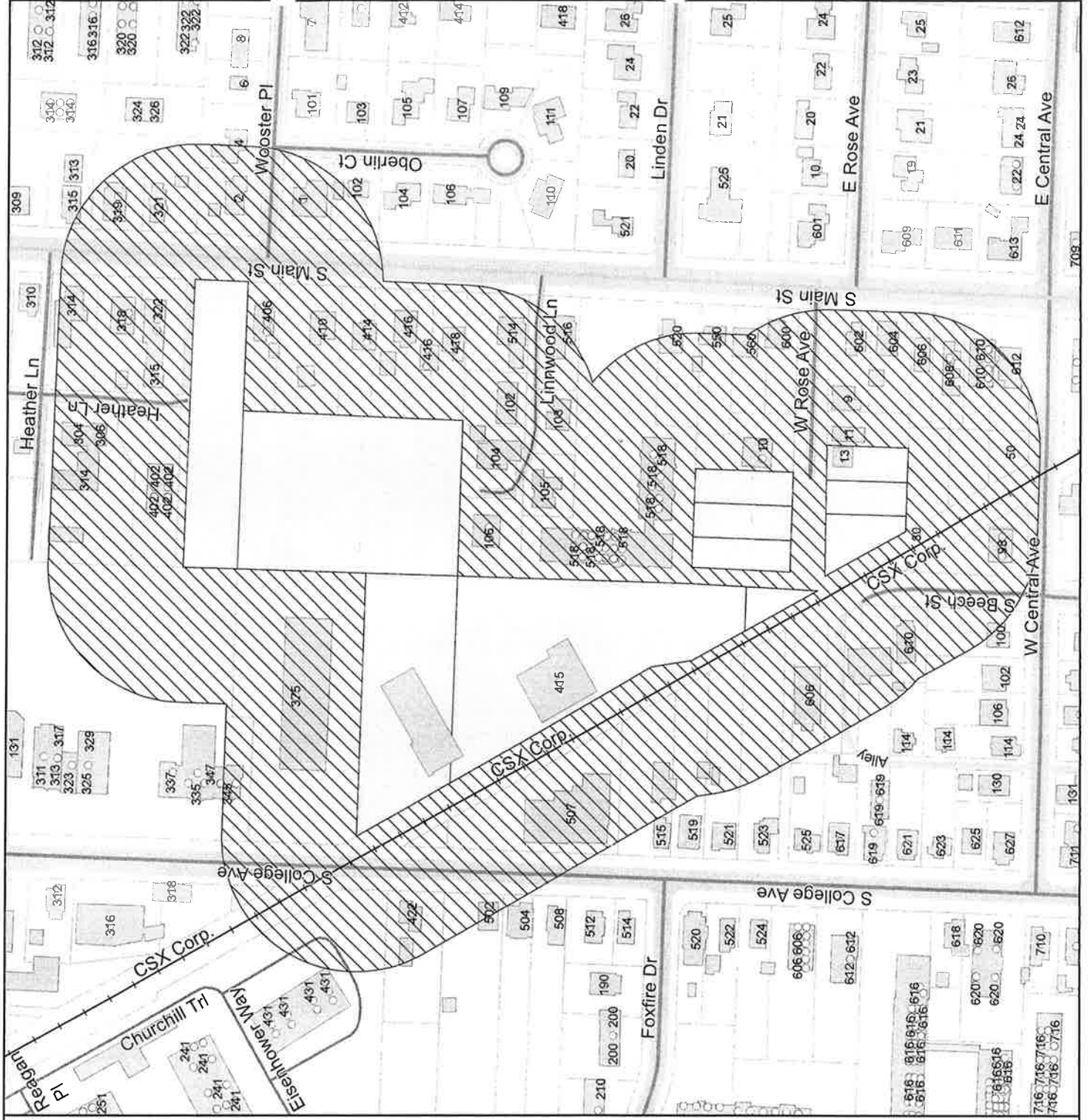
PC-2017-31 Surrounding Property Owners Notifications Map

Legend

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



1 inch = 200 feet



Prepared on Wednesday, October 25, 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.

To Whom it may Concern:

Please be advised that Bayer Becker has our permission to submit applications for the approval of a Final Planned Development for the Gaslight Avenue at Stewart Square development, on Parcels H4100-103-000-016 & 019, H4100-104-000-044 & 047, H4100-105-000-048, H4100-106-000-007 thru 012.

Thank You.

Terry Dudley
Terry Dudley
Dudley Prime Properties, LLC

8-23-17
Date



Internal Use Only:

Case No.

Date Filed

PC-2017-31

8/23/17

Nov
mtg

Planned Development Application

Application Type

Choose One

☐ Preliminary

☒ Final

☐ Preliminary & Final

Applicant Information

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

Name *

Bayer Becker - Etta Reed

Mailing Address *

110 South College Avenue, Suite 101

City, State & Zip Code *

Oxford, Ohio 45056

Telephone Number *

513-523-4270

Email Address

EttaReed@BayerBecker.com

Owner Information

Name *

Dudley Prime Properties LLC

Mailing Address *

6744 Contreras Road

City, State & Zip Code *

Oxford, Ohio 45056

Telephone Number *

513-523-1800

Email Address

Engineer/Surveyor Information

Name *

Bayer Becker

Mailing Address *

110 South College Ave., Suite 101

City, State & Zip Code *

Oxford, Ohio 45056

Telephone Number *

513-523-4270

Email Address

EttaReed@BayerBecker.com

Location and Lot Information

Name of Subdivision *

Former Miami Valley Lumber Site and Associated Properties

Location of Property *

South College Ave., Main Street and West Rose Avenue

Legal Description *

See Attached

Zoning District *

R-2MS

Total Area *

6.682

Acres

Submission Requirements and Documentation

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

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

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

Surrounding Property Owners

On a separate sheet, provide the parcel numbers, names, and mailing addresses of all property owners within 200 feet of all boundaries of the property in question. The [Butler County Auditor Real Estate Search](#)² is helpful when searching for the mailing address of adjoining property owners. It allows you to search by owner, address, or parcel number.

Decision Process

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

Fees & Receipt

The fees for a Preliminary, Final, or combined Preliminary and Final Planned Development application are \$400.00 plus \$100.00 per acre, plus \$10.00 postage charge.

Sign and Date

Applicant Signature *

Terry Dudley

Date *

8-23-17

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 containing all required information as attachments and a check for fees and postage charge made payable to **City of Oxford**, to Community Development Director, 101 East High Street, Oxford, OH 45056.

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

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

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

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



*Where Creativity
Meets Functionality*

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

September 29, 2017

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

Re: Gaslight Avenue at Stewart Square
Final Planned Development Submittal

Dear Mr. Chen:

Enclosed please find the following items in support of Dudley Prime Properties LLC's Application for Final Planned Development approval for the Gaslight Ave at Stewart Square Development

- 1) Executed Planned Development Application.
- 2) A check in the amount of \$1,078.20 made payable to the City of Oxford for the application fee.
- 3) CD containing a pdf of all the submitted documents.
- 4) 2 copies of drainage calculations.
- 5) Thirteen individual packets containing one (1) copy of each of the following:
 - a. Planned Development Application.
 - b. An Affidavit from Dudley Prime Properties LLC granting Bayer Becker permission to submit applications for the approval of a Final Planned Development.
 - c. List of property owners within 200 feet of the site.
 - d. Legal description of the property.
 - e. Site construction drawings including demolition plan, site layout, utilities and grading.
 - f. Final Development Plan.
 - g. Preliminary Building Elevations.
 - h. Rendering of the proposed entry signage.
 - i. Landscape and Site Lighting plan.
 - j. Response to City Engineer's Comments of February 10, 2017 and May 30, 2017.
 - k. Letter from Scott Webb, dated August 24, 2017, summarizing the changes and additional information provided with the Final Planned Development Application.
 - l. Traffic Impact Study.
- 6) Applicant:

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

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

110 S. College Ave., Ste. 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>

Page 2
Mr. Jung Han Chen
Gaslight Avenue at Stewart Square
September 29, 2017

Owner:

*Dudley Prime Properties, LLC
6744 Contreras Road
Oxford, Ohio 45056
513-523-1800*

7) Design Professionals:

a. Architect:

*Scott Webb, Architect
103 West Walnut Street
Oxford, Ohio 45056
513-523-3838*

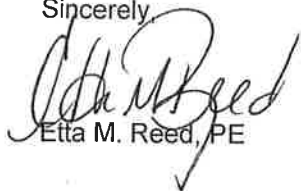
b. Engineer and Surveyor:

*Bayer Becker
110 S. College Ave., Suite 101
Oxford, OH 45056
513-523-4270*

Please place this item on the November 14th Planning Commission Meeting agenda.

Should you have any questions, or need any additional information, please do not hesitate to contact us.

Sincerely,



Etta M. Reed, PE

Enclosures



Where Creativity
Meets Functionality

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

Memo

September 29, 2017

To: Victor Popescu, PE
City Engineer

From: Etta M. Reed, PE

Re: Gaslight Avenue at Stewart Square
PC-2017-05-25
Final Development Plan

This memo is in response to your comments of February 10, 2017 and May 30, 2017 in regards to the Gaslight Avenue at Stewart Square Preliminary Planned Development submittal.

Comments of February 10, 2017

- Traffic Study would be necessary.

A Traffic Impact Study has been prepared and submitted as part of the Final Planned Development Application.

- Ordinance No. 2617, Section 7 refers to conditions that had to be met so that a part of Beech Street is vacated. The conditions were to be met within a year from the adoption of the subject Ordinance. The adoption date of the Ordinance was December 1, 1998. We found no evidence that the conditions were met.

An exhibit for the vacation of a portion of Beech Street and West Rose Avenue has been prepared and submitted to the City.

- We do not concur with the proposed entrance along the east side of the Hampton Hotel. This proposed entrance is thru a parking area for the hotel.

This matter was discussed and resolved in a meeting between City Staff and the developer.

- The conceptual plan indicates that the proposed entry along Hampton Hotel will be gated. Will the subject development be a gated community? If so, the other development entries will need to be gated.

None of the entries to the development will be gated.

- The conceptual plan is not clear on the proposed "expanded curb cut" on S. Main Street, as well as the intent of using Heather Lane for traffic purposes.

The entrance on S. Main Street will be widened to accommodate 2-way traffic. The development will allow the connection of Heather Lane.

- All streets, public or private, within the proposed development must be constructed per City of Oxford specifications.

Understood.

6900 Tylersville Road, Suite A
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513-336-6600

110 S. College Ave., Ste. 101
Oxford, OH 45056
513-523-4270

1404 Race Street, Suite 204
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513-834-6151

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

<http://www.bayerbecker.com>

- The existing sanitary sewer main between College Avenue and Rose Avenue is in a questionable state (i.e. structural, capacity, etc.). Although it is a public utility, it is not in a recorded easement, and it is partially under an existing building that will be demolished. The demolition operations may impact the already questionable state of the main. Additional sewer lateral taps may further impact the mains integrity. It is recommended that the existing main be replaced in its entirety, thus guarantying a properly functioning sanitary main for the foreseeable future. The main shall be located within a recorded easement.

As discussed in the meeting between staff and the Developer, it is our understanding that the City will be responsible for replacing the sanitary main that bisects the property. The Developer will provide an easement to the City for the sanitary main.

- All water mains shall be located within recorded easements.

Understood, an easement plat will be prepared for the development which will address all the necessary easements.

- The Fire Chief will determine the need and locations of the fire hydrants.

We have met with the Fire Chief and the agreed upon fire hydrant locations have been shown on the plans.

- Water meters are to be purchased from the City, and installed by the Developer/Contractor.

Understood.

- The water main is to be looped.

The water main is looped from the 2 existing stubs located in Stewart Square to the existing main in West Rose Avenue and South Main Street.

- Water for each structure is to be individually metered. City of Oxford Specifications does not allow master metering.

Individual water services have been provided.

- The water meters will be read and billed by the City.

Understood.

- Will there be irrigation (i.e. proposed park area)?

Undetermined at this time.

- All taps on live water mains shall be made by City Staff.

Understood.

- The integrity of the storm sewer between College Avenue and S. Main Street must be established. The conceptual plan indicates that the storm sewer's material is clay. It is an old sewer and with construction activities around and over the sewer, it may need replacement or repairs in part. Additionally, the storm sewer must be in a recorded easement.

Storm sewer for the proposed development will connect to and discharge into the existing storm sewer. Developer will provide an easement to the City for the storm sewer.

- Would all the storm water be discharged into the public storm sewer, or would there be a detention or retention pond incorporated into the design?

The storm water will be detained underground. Calculations have been provided for your review.

- Infrastructure (water, sanitary and storm) and the streets (curb and intermediate asphalt course) are to be constructed prior to initiating construction of the buildings.

Understood.

- City staff will inspect the construction of the infrastructure to assure that the City of Oxford Specifications are met.

Understood.

- To assure that the streets and utilities are constructed and maintained to City standards, a performance bond will be required during the construction of the Development. The subject bond will be replaced by a maintenance bond, once the Development is completed.

Understood.

Comments of May 30, 2017

- Ordinance No. 2617, Section 7, refers to conditions that had to be met so that a part of Beech Street is vacated. The Ordinance directed that the conditions for the vacations were to be accomplished within a year from the date of the Ordinance's approval. The time frame expired without the Ordinance's implementation. Thus, the Ordinance has expired. Since the vacation of Beech Street is essential to the Development, the Developer has agreed that all the conditions that will be set by the Planning Commission and the City Council, for the vacation of Beech Street, will be adhered to.

An exhibit for the vacation of a portion of Beech Street and West Rose Avenue has been prepared and submitted to the City. It is our understanding that it will be on City Council's agenda on October 3rd for approval.

- In the February 10, 2017 memo, concern was expressed for the proposed access thru the parking area along the east side of the Hampton Hotel. The issue was discussed by the attendees, and it was agreed that traffic calming (i.e. speed bumps) will be implemented thru the parking area. Additionally, the access will not be gated; rather it will consist of signage on each side of the entrance, identifying the Development.

A speed bump will be provided in the access drive that runs along the east side of the Stewart Square development, just north of the Hampton Inn.

- The access thru Heather Lane will be redesigned to accommodate two-way traffic. The present width of Heather Lane will be increased by approximately 14 feet. The increased in width is a result of the Developer dedicating additional land for this purpose.

The access thru Heather Lane has been improved to 24 feet.

- West Rose Avenue, within the existing 50 feet right-of-way, will be improved to meet City Standards. It will connect with the Development's entrance thru the vacated Beech Street.

The Final Development Plan includes the improvement of West Rose Avenue to City Standards.

- The need for a Traffic Study was discussed and agreed upon its need.

A Traffic Impact Study has been prepared and submitted as part of the Final Planned Development Application.

- The existing sanitary sewer main between College Avenue and Rose Avenue is in a questionable state (i.e. structural, capacity, etc.). This sanitary sewer has been a major concern for the City. Although it is a public utility, it is not in a recorded easement, and it is partially under an existing building that will be

demolished. As part of this Development, the City will install a proper sanitary sewer, and the Developer will grant the necessary easement. Thus, guarantying a properly functioning sanitary main for the foreseeable future.

It is our understanding that the City will be responsible for replacing the sanitary main that bisects the property. Easement documentation for the sanitary sewer will be provided to the City for their review.

- The storm water will be discharged into the public storm sewer. During the plan development, parts of the existing storm sewer will be redesigned. The design will resolve many of the potential and existing issues related to the storm sewers integrity (i.e. structural, depth, seepage, etc.). Remaining sections of the existing storm sewer will be investigated to establish the need for repairs or replacements.

Storm water for the proposed development has been designed to be discharged into the existing storm sewer.

Jung Han Chen
Community Development director
City of Oxford
Municipal Building
101 E. High Street
Oxford, Ohio 45056



SCOTT
WEBB

Re: Final Application for Residential Planned Development
Gaslight Avenue at Stewart Square
Former Miami Valley Lumber Site and associated properties
Oxford Ohio

ARCHITECT

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

August 25, 2017

www.scottwebbarchitect.com

Jung-Han,

As a supplement to the narrative statements provide with the Preliminary Planned Development application, the following describes the changes and additional information provided with the final application as requested by Planning Commission & City Council.

On June 13, 2017, Planning Commission voted 5-0-0 to recommend approval of the Gaslight Avenue Planned Development with the following conditions.

Those conditions have been addressed in this final application as follows:

1. *The Planning Commission recommends waiving the dimensional requirements of this project on perimeter setbacks, lot coverage and open space as presented.*

The revised development plan represents minor differences from the preliminary plan as a result of changes requested by Planning Commission. No significant changes have been made to the plan that would change the basis on which the dimensional requirements were waived.

2. *The Vacation of the right-of-way of the existing alley and Rose Avenue must be approved by City Council prior to submitting the Final Planned Development. Any changes from the preliminary Planned Development reviewed by Planning Commission will be considered as a new application, unless specifically requested by Planning Commission and/or City Council.*

Documents and Plats to facilitate the vacation of the right-of-way and easements have been prepared and are being submitted to the City Manager and City Attorney for their review.

3. *The requirements of outlined in the memo from the City Engineer must be satisfied to the City Engineer. The issues are as follows:*

- a. *That a Traffic Study would be required*

The City engineer had requested that the traffic study be postponed until the students return for the fall semester. As of the writing of this letter, the students are returning this week, and the traffic study will begin, and be completed prior to Planning Commission's review of the Final Planned Development

- b. *That all private streets, curbs and gutters must be constructed as per City of Oxford Specifications.*

As shown on the submitted engineering drawings provided by Bayer & Becker, all streets, curbs and gutters are designed to comply with these standards

- c. *That a detailed water, sanitary and storm water design and capacity must be provided to the City Engineer for approval prior to the Final Planned Development*

Detailed water, sanitary and storm water designs are described on the engineering drawings provided by Bayer & Becker, submitted with this final application

- d. *That the installation of a new and/or improved sanitary sewer main must be in a recorded easement and sized and constructed to meet the City standards/specifications*

Documents and Plats to facilitate the requested easement have been prepared and are being submitted to the City Manager and City Attorney for their review. Based on discussions with the City Engineer, the new development will connect to the existing sanitary sewer as shown on the Final Development Plan.

- e. *The installation of new and/or improved water mains must be in a recorded easement and sized and constructed to meet the City standards/specifications*

Documents and Plats to facilitate the easements have been prepared and are being submitted to the City Manager and City Attorney for their review. Engineering drawings provided with this final application represent construction of the new water main to meet these requirements.

- f. *The installation of new and/or improved storm sewer must be in a recorded easement and sized and constructed to meet the City standards/specifications*

Documents and Plats to facilitate the easements have been prepared and are being submitted to the City Manager and City Attorney for their review. Engineering drawings provided with this final application represent construction of the new storm sewer to meet these requirements.

- g. *That a performance bond will be required to ensure the street, utilities are constructed and maintained to City Standards during the construction of the development. The subject bond will be replaced by a maintenance bond once the development is completed.*

A Performance Bond will be purchased and in force during construction as required. This will be replaced by a maintenance bond once the development is completed.

- h. *That any off-site traffic improvements related to the subject property, as determined by the City Engineer after review of the traffic study shall be paid for by the developer.*

Once completed, the traffic study will be provided to the City Engineer. Resulting off-site improvements, if required, will be paid for by the developer

4. *That a detailed landscaping plan must be provided with the Final Planned Development and is satisfactory to meet the City Regulations*

A detailed Landscape Plan is included with this Final Development Plan, exceeding City Regulations.

5. *That a detailed lighting plan must be presented with the Final Development Plan and is satisfactory to meet City Standards*

A detailed Lighting Plan is included with this Final Development Plan, exceeding City Regulations.

6. *That any open space, sidewalk and private street provided in this development shall be constructed and maintained by the property owner.*

All private improvements including roads, sidewalks, and open space will be maintained by the property owner.

7. *That the Final Planned Development plan shall meet Chapter 1149 Parking and Site Access of the Oxford Zoning Code.*

The Parallel parking along Heather Lane and Rose Avenue were provided and presented to City Council. This change, recommended by Planning Commission resulted in parking provided below the requirements of Chapter 1149 of the Oxford Zoning Code. City Council specifically approved this reduction in parking with their approval of the Preliminary Planned Development

8. *That the final buildings constructed shall match the drawings presented.*

Typical Elevations of the proposed buildings are included with the Final development Plan, matching those presented in the Preliminary Planned Development

9. *That a cross access easement will be agreed to with existing neighboring properties and shall be recorded in the Butler County Recorder's office.*

An easement plat will be prepared for the entire development which will address the cross access easements and the required easements for the proposed electric, telephone, cable, sanitary, storm and water.

10. *That there shall be parallel parking provided on Heather Lane and Rose Avenue*

The Parallel parking along Heather Lane and Rose Avenue were provided and presented to City Council. This change, recommended by Planning Commission resulted in parking provided below the requirements of Chapter 1149 of the Oxford Zoning Code. City Council specifically approved this reduction in parking with their approval of the Preliminary Planned Development

11. *That perimeter setbacks shall be maintained throughout the development with the exception of Buildings 72, 73, and 74.*

As shown in the Final development Plan, the buildings have been moved to respect the 25' perimeter setbacks in all locations requested by Planning Commission, including the rear of the buildings along Heather Lane and along the side of those along Rose Avenue. Likewise, buildings along adjacent residential development to the East have been relocated to provide the 25' perimeter setback as requested. Buildings along the railroad, the turn toward Rose Avenue, and those abutting Stewart Square remain with reduced setbacks

12. *That a 5' sidewalk clearance be maintained throughout the development*

Parking bumpers are now shown in individual parking spaces, insuring that cars will not overhang and reduce the amount of sidewalk available to pedestrians

13. *That a centralized refuse collection solution will be identified.*

(2) trash enclosures have been added to the Final development Plan.

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

Respectfully,

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

Scott Webb, Architect

A handwritten signature in black ink, appearing to read 'S Webb', written in a cursive, stylized script, identical to the one above.

Date: August 25, 2017
Description: Gaslight
Subject Properties
Location: City of Oxford
Butler County, Ohio



Subject Properties

Total Area of Development = 6.682 Acres

<u>Lot</u>	<u>Acreage</u>	<u>Parcel #</u>
Part of Outlot #17	0.784 Ac.	H4100 103 000 016
Part of Outlot #18	1.093 Ac.	H4100 104 000 047
Part of Outlot #23	1.628 Ac.	H4100 104 000 044
Part of Outlot #38	0.246 Ac.	H4100 105 000 048
Inlot #579	1.708 Ac.	H4100 103 000 019
Inlot #545	0.137 Ac.	H4100 106 000 012
Inlot #546	0.137 Ac.	H4100 106 000 011
Inlot #547	0.136 Ac.	H4100 106 000 010
Inlot #535	0.163 Ac.	H4100 106 000 009
Inlot #536	0.184 Ac.	H4100 106 000 008
Inlot #537	0.183 Ac.	H4100 106 000 007

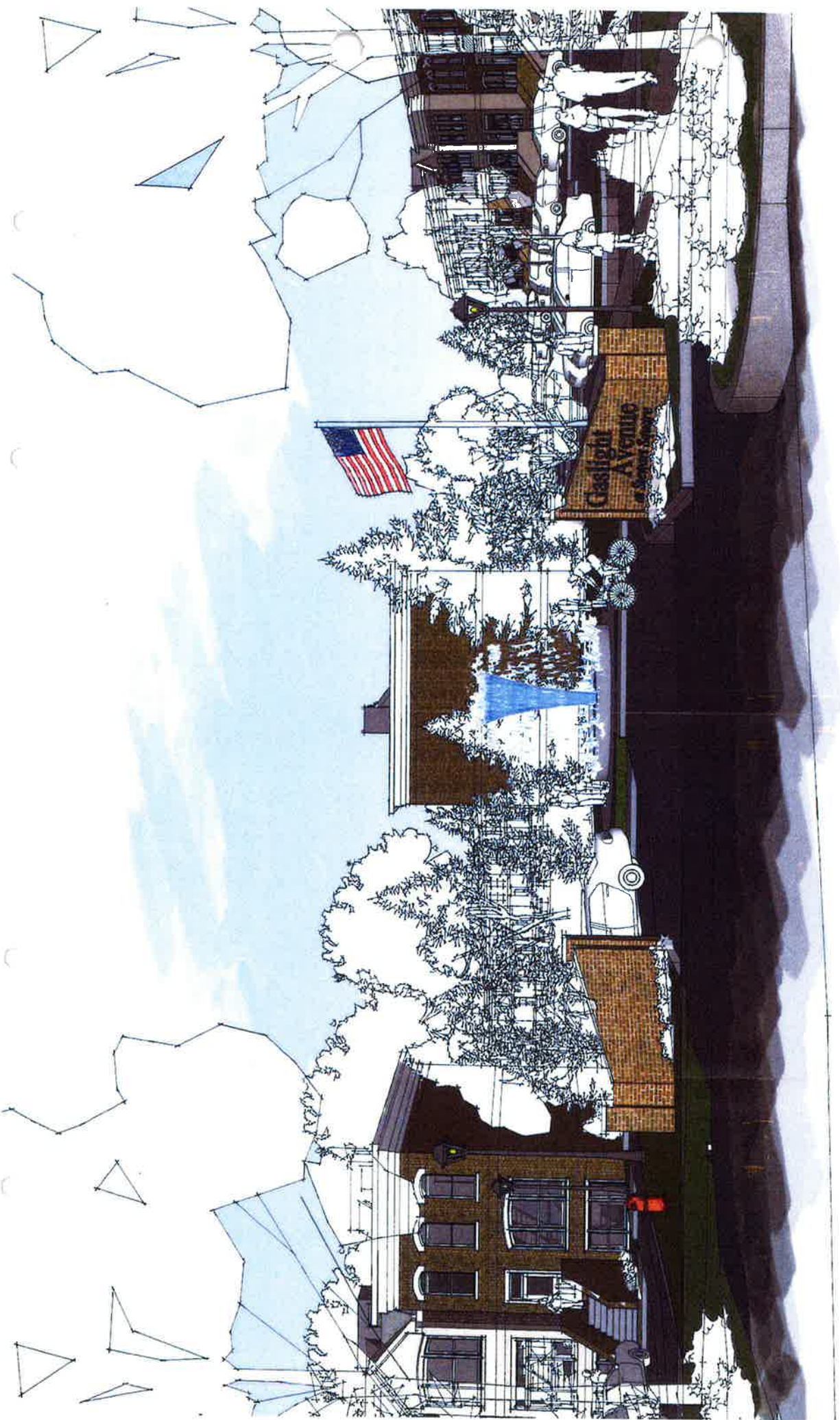
Right of Way to be vacated = 0.283 Ac.

Total Area of Development less right of way to be vacated = 6.399 Acres

6900 Tylersville Road, Suite A 110 South College Ave, Suite 101 1404 Race Street, Suite 204
Mason, OH 45040 Oxford, OH 45056 Cincinnati, OH 45202
513-336-6600 513-523-4270 513-834-6151

209 Grandview Drive
Fort Mitchell, KY 41017
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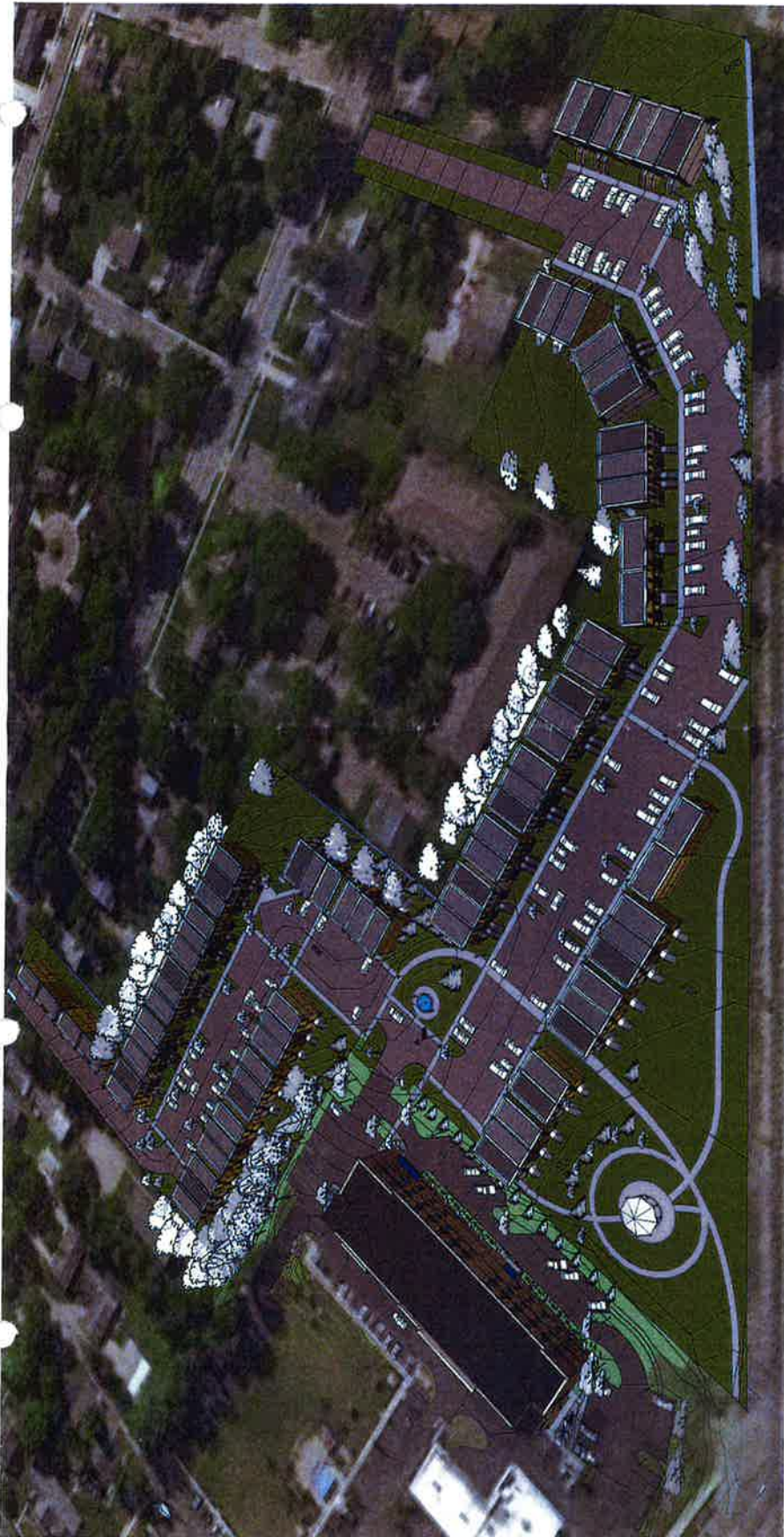


SCOTT WEBB
ARCHITECT
103 West Walnut Street
Oxford, Ohio 45056
191.512.3838
www.scottwebbarchitect.com

PROPOSED PLANNED DEVELOPMENT
Gaslight Avenue
at Stewart Square
PORTER MIAMI VALLEY LUMBER SITE
OXFORD, OHIO 45056

DATE	January 21, 2011
REVISIONS	

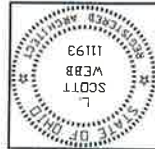
A-1



VIEW FROM ABOVE



STREETSCAPE LOOKING SOUTH FROM HEATHER LANE CONNECTION




SCOTT WEBB
 ARCHITECT
 103 West Walnut Street
 Oxford, Ohio 45056
 (513) 523-8339
 www.scottwebbarchitect.com

PROPOSED PLANNED DEVELOPMENT
Gaslight Avenue
 at Stewart Square
 FORMER MIAMI VALLEY LUMBER SITE
 OXFORD, OHIO 45056

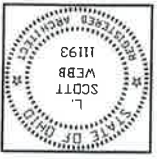
DATE	January 27, 2017
REVISIONS	

A-2



PROPOSED PLANNED DEVELOPMENT
Gaslight Avenue
 at Stewart Square
 FORMER MIAMI VALLEY LUMBER SITE
 OXFORD, OHIO 45056

SCOTT WEBB
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 Oxford, Ohio 45056
 (513) 523-8338
 www.scottwebbarchitect.com



LOOKING NORTH TOWARD STEWART SQUARE

DATE	January 27, 2017
REVISIONS	

A-3



ENTRANCE FROM STEWART SQUARE

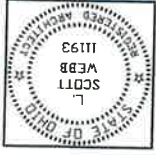


SCOTT WEBB ARCHITECT
 103 West Walnut Street
 Oxford, Ohio 45056
 (513) 523-3898
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Gaslight Avenue
 at Stewart Square
 PROPOSED PLANNED DEVELOPMENT
 FORMER MIAMI VALLEY LUMBER SITE
 OXFORD, OHIO 45056

DATE	January 27, 2017
REVISIONS	

A-4



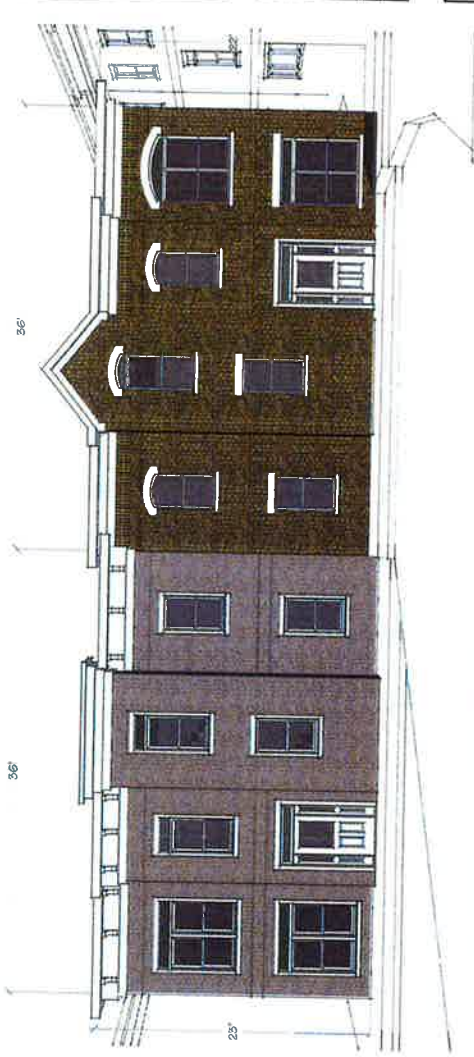
PROPOSED PLANNED DEVELOPMENT
at Stewart Square
Gaslight Avenue
FORMER MIAMI VALLEY LUMBER SITE
OXFORD, OHIO 45056

DATE	January 21, 2017
REVISIONS	

A-5



TYPICAL 4-BEDROOM 3-UNIT TOWNHOUSE GROUPS



TYPICAL 2-BEDROOM 2-UNIT GROUP

LARGER DRAWINGS ARE AVAILABLE FOR REVIEW IN THE
COMMUNITY DEVELOPMENT DEPARTMENT DURING
NORMAL BUSINESS HOURS

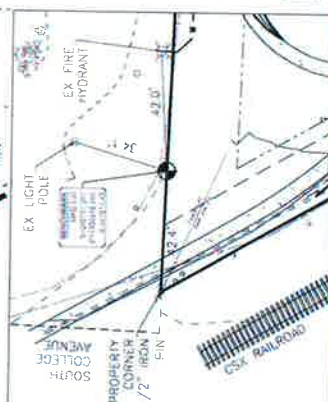
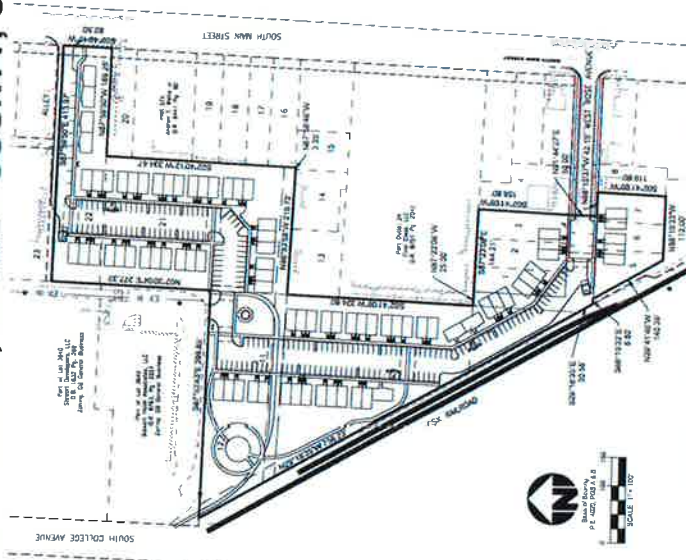
GASLIGHT AVENUE AT STEWART SQUARE FINAL DEVELOPMENT PLAN

CONGRESS LANDS WEST OF MIAMI RIVER SECTION 27, TOWN 5, RANGE 1 CITY OF OXFORD, BUTLER COUNTY, OHIO

INDEX OF SHEETS

DRAWING NO.	DRAWING TITLE	DATE	REVISION NO.	REVISION DATE
1	FINAL PLAN - TITLE SHEET	8/28/24		
2	FINAL PLAN - SITE PLAN	8/28/24		
3	FINAL PLAN - CONCEPT PLAN	8/28/24		

4	FINAL PLAN - CONCEPT PLAN	8/28/24		
5	FINAL PLAN - CONCEPT PLAN	8/28/24		
6	FINAL PLAN - CONCEPT PLAN	8/28/24		



BENCHMARK
INTERSECTION OF SOUTH COLLEGE AVENUE
AND SOUTH MAIN STREET
ELEVATION = 811.13

SYMBOL LEGEND

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IN WITNESS WHEREOF, WE HAVE SET OUR HAND ON THIS 2ND DAY OF AUGUST, 2024.

OWNER
DUDLEY PRIME PROPERTIES, LLC

STATE OF OHIO
COUNTY OF BUTLER

CITY OF OXFORD

COMMISSIONER

DATE

BY

DEPUTY

FILE

RECORD

DATE

BY

DEPUTY

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RECORD

DATE

BY

DEPUTY

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BY

DEPUTY

FINAL PLAN APPROVED BY CITY COUNCIL

ON

BY

DEPUTY

FILE

RECORD

DATE

BY

DEPUTY

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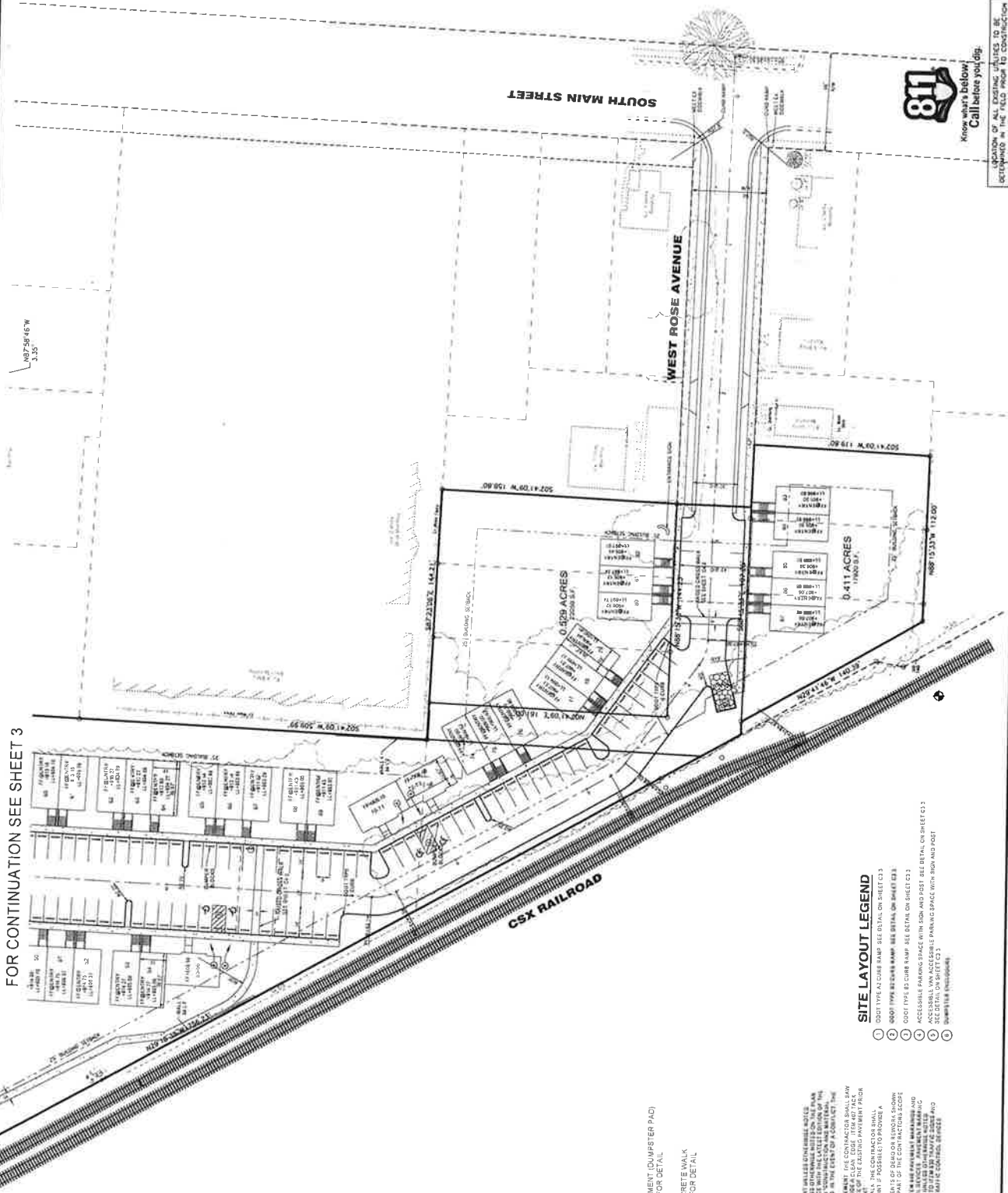
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195

FOR CONTINUATION SEE SHEET 3

N87°56'45"W
3.35'



LEGEND

- CONCRETE PAVEMENT (DUMPSER PAD)
SEE SHEET C3.3 FOR DETAIL
- PROPOSED CONCRETE WALK
SEE SHEET C3.3 FOR DETAIL

SITE LAYOUT NOTES

1. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.
2. ALL CURB RAMPWAYS ARE TO BE CONSTRUCTED TO THE EXISTING GRADE OF THE ADJACENT PAVEMENT SURFACE. THE GRADE OF THE ADJACENT PAVEMENT SURFACE SHALL BE DETERMINED BY THE ENGINEER.
3. THE GRADE OF THE ADJACENT PAVEMENT SURFACE SHALL BE DETERMINED BY THE ENGINEER.
4. THE GRADE OF THE ADJACENT PAVEMENT SURFACE SHALL BE DETERMINED BY THE ENGINEER.
5. THE GRADE OF THE ADJACENT PAVEMENT SURFACE SHALL BE DETERMINED BY THE ENGINEER.
6. THE GRADE OF THE ADJACENT PAVEMENT SURFACE SHALL BE DETERMINED BY THE ENGINEER.
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8. THE GRADE OF THE ADJACENT PAVEMENT SURFACE SHALL BE DETERMINED BY THE ENGINEER.
9. THE GRADE OF THE ADJACENT PAVEMENT SURFACE SHALL BE DETERMINED BY THE ENGINEER.
10. THE GRADE OF THE ADJACENT PAVEMENT SURFACE SHALL BE DETERMINED BY THE ENGINEER.

SITE LAYOUT LEGEND

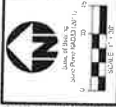
1. CURB TYPE A CURB RAMP SEE DETAIL ON SHEET C3.3
2. CURB TYPE B CURB RAMP SEE DETAIL ON SHEET C3.3
3. CURB TYPE C CURB RAMP SEE DETAIL ON SHEET C3.3
4. ACCESSIBLE PARKING SPACE WITH SIGN AND POST SEE DETAIL ON SHEET C3.3
5. ACCESSIBLE PARKING SPACE WITH SIGN AND POST SEE DETAIL ON SHEET C3.3
6. ACCESSIBLE PARKING SPACE WITH SIGN AND POST SEE DETAIL ON SHEET C3.3

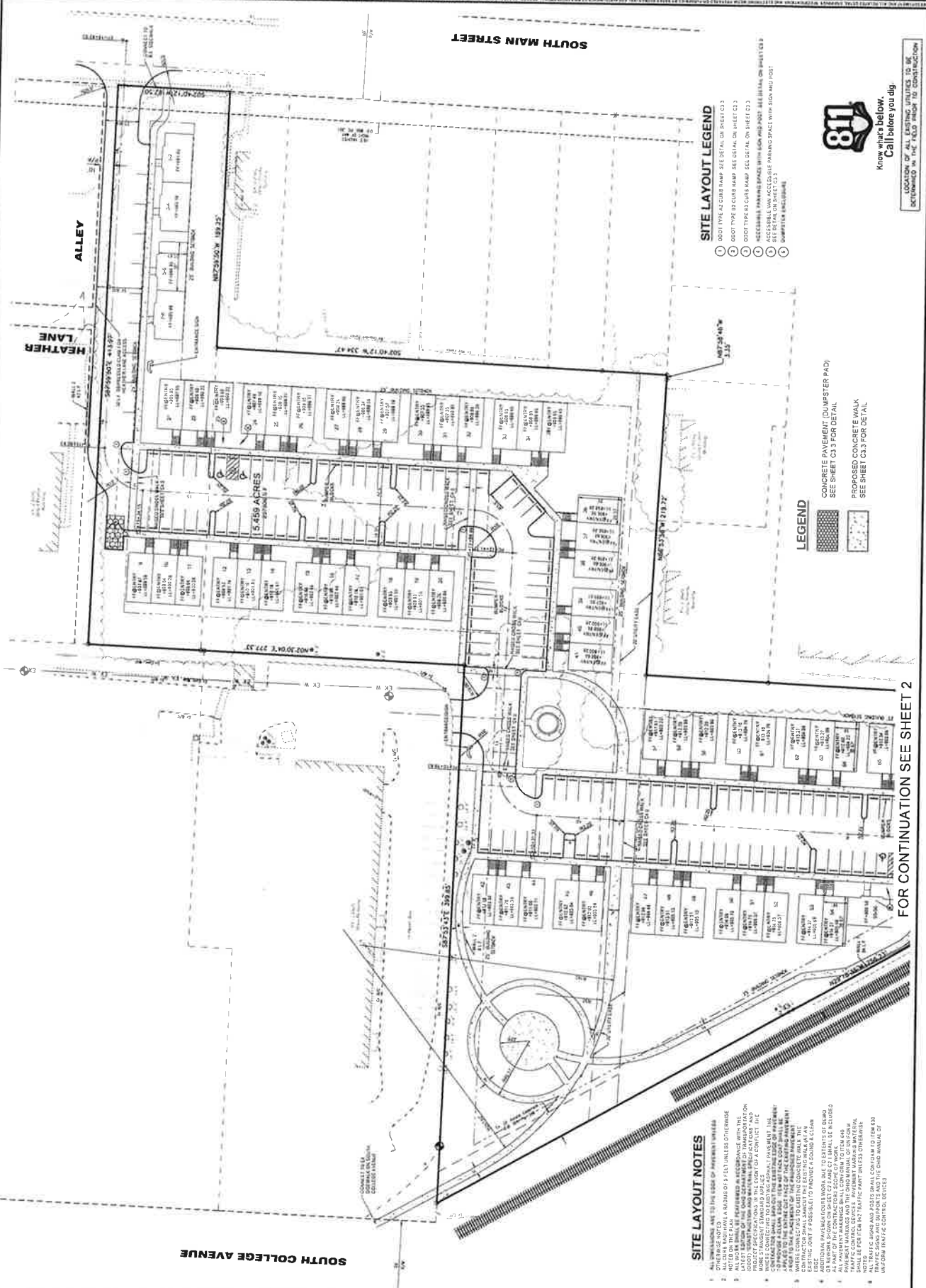
Drawn by: [Name]

Know what's below!
Call before you dig.



GASLIGHT AVENUE
AT STEWART SQUARE
SECTION 27 TOWN & RANGE 1
CITY OF OXFORD
OHIO
SIT OUT PLAN - DETAILED



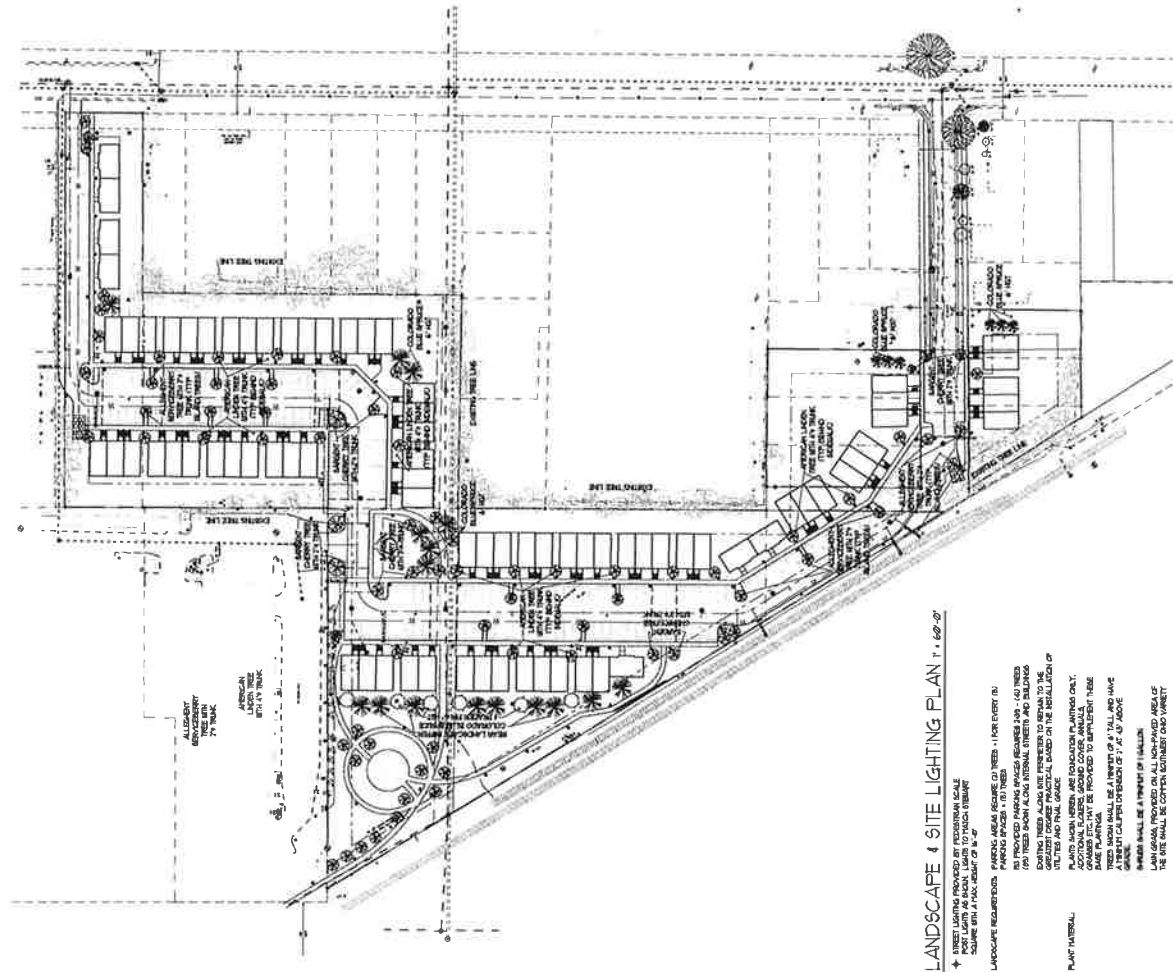




NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	01/11/19
2	REVISIONS	
3		
4		
5		
6		
7		
8		
9		
10		

PROPOSED PLANNED DEVELOPMENT
at
Gaslight Avenue
at
Smart Square
FOR
VALLEY LUMBER SITE
COLUMBIA, OHIO 43066

LOT 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100



LANDSCAPE & SITE LIGHTING PLAN 1:600

STREET LIGHTING PROVIDED BY DEVELOPER SHALL BE PORT LUMENS AS SHOWN, LEAST TO EACH STREET, SQUARE WITH A MAX. SPACING OF 8'-0".

LANDSCAPE REQUIREMENTS: PARKING AREAS REQUIRE (3) TREES - 1" FOR EVERY (5) PARKING SPACES. TREES SHALL BE PLANTED AT THE CORNERS OF EACH BLOCK AND AT THE MIDPOINT OF EACH BLOCK. TREES SHALL BE PLANTED AT THE CORNERS OF EACH BLOCK AND AT THE MIDPOINT OF EACH BLOCK. TREES SHALL BE PLANTED AT THE CORNERS OF EACH BLOCK AND AT THE MIDPOINT OF EACH BLOCK.

PLANT MATERIAL:

TREES SHALL BE A MINIMUM OF 4" DBH AND HAVE A MINIMUM CANOPY SPREAD OF 12' AT 10' ABOVE GROUND. TREES SHALL BE PLANTED AT THE CORNERS OF EACH BLOCK AND AT THE MIDPOINT OF EACH BLOCK.

SHRUBS SHALL BE A MINIMUM OF 4' TALL. SHRUBS SHALL BE PLANTED AT THE CORNERS OF EACH BLOCK AND AT THE MIDPOINT OF EACH BLOCK.

LANDSCAPE SHALL BE PROVIDED ON ALL NON-PAVED AREAS OF THE SITE. THE SITE SHALL BE COVERED WITH GRASS AND TREES.



SCOTT
WEBB
ARCHITECT
103 West Walnut
Oxford, Ohio 4
(513) 523-36
scottwebbarchitect

REVISIONS

PROPOSED PLANNED DEVELOPMENT

Gaslight Avenue at Stewart Square

July 10, 20



LANDSCAPE & SITE LIGHTING PLAN 1" = 60'-0"

STREET LIGHTING PROVIDED BY PEDESTRIAN SCALE
POST LIGHTS AS SHOWN. LIGHTS TO MATCH STEWART
SQUARE WITH A MAX. HEIGHT OF 16'-0"

LANDSCAPE REQUIREMENTS: PARKING AREAS REQUIRE (2) TREES + (1) FOR EVERY (5)
PARKING SPACES + (5) TREES

153 PROVIDED PARKING SPACES REQUIRES 2-39 + (4) TREES
(89) TREES SHOWN ALONG INTERNAL STREETS AND BUILDINGS

EXISTING TREES ALONG SITE PERIMETER TO REMAIN TO THE
GREATEST DEGREE PRACTICAL BASED ON THE INSTALLATION OF
UTILITIES AND FINAL GRADE

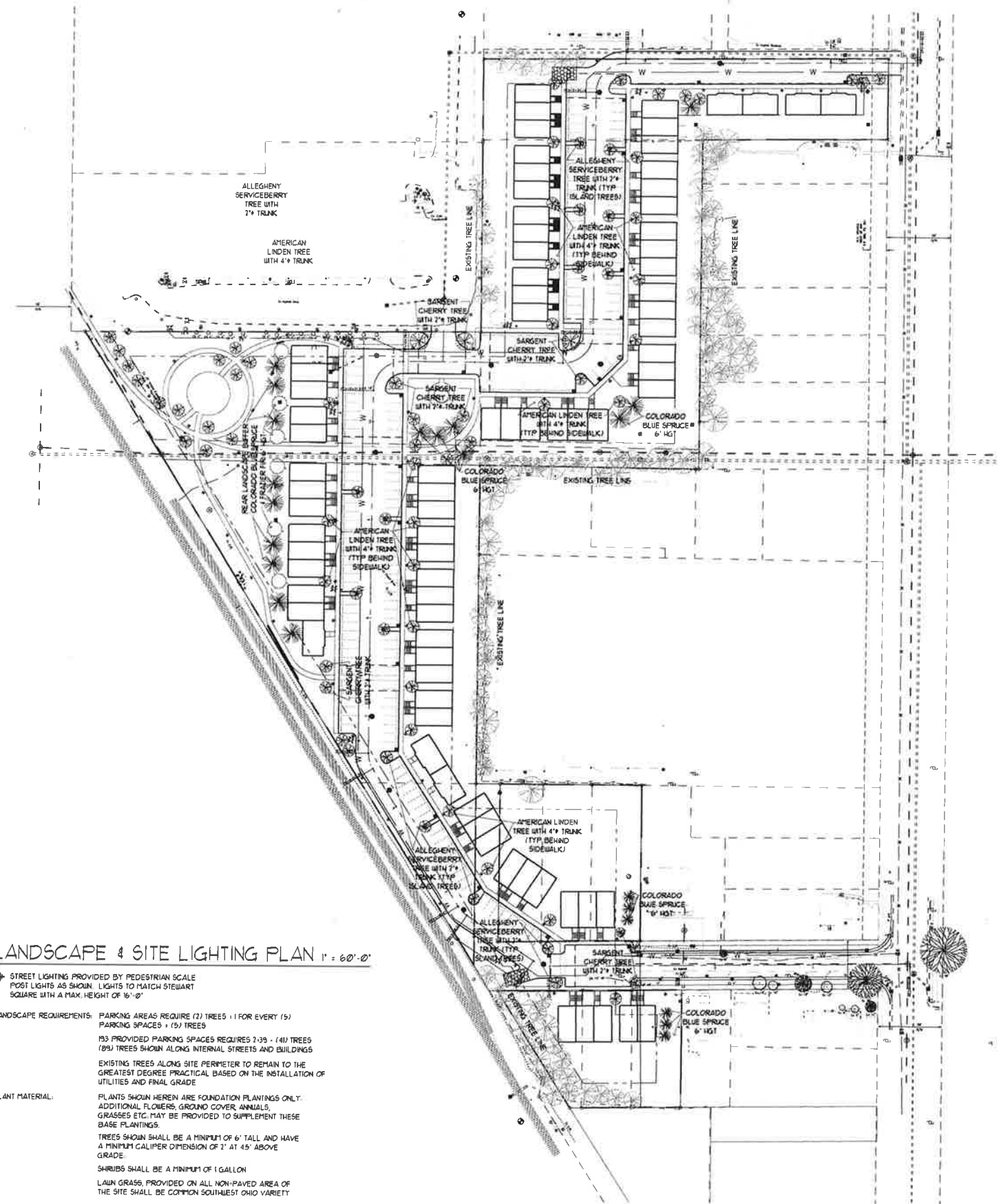
PLANT MATERIAL:

PLANTS SHOWN HEREIN ARE FOUNDATION PLANTINGS ONLY.
ADDITIONAL FLOWERS, GROUND COVER, ANNUALS,
GRASSES ETC. MAY BE PROVIDED TO SUPPLEMENT THESE
BASE PLANTINGS.

TREES SHOWN SHALL BE A MINIMUM OF 6" TALL AND HAVE
A MINIMUM CALIPER DIMENSION OF 2" AT 45' ABOVE
GRADE.

SHRUBS SHALL BE A MINIMUM OF 1 GALLON

LAWN GRASS, PROVIDED ON ALL NON-PAVED AREA OF
THE SITE SHALL BE COMMON SOUTHEAST OHIO VARIETY



**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: December 5, 2017

Sam Perry
Prepared By:

Account Code No. #:

Budgeted Amount:

November 21, 2017
Date Prepared:

PC-2017-33, ZONING MAP AMENDMENT, to amend the zoning classification of property located at 5475 College Corner Pike, from General Business (GB) District to Light Industrial (LI) District, 2.413 acres, **Jay C. Bennett, Attorney, Agent**

Recommendation: Approval

Discussion:

This is a request from Attorney Jay Bennett on behalf of owners Roger Atkin and Marc Biales regarding a zoning map amendment of a 2.4 acre parcel of land in front of 5475 College Corner Pike. The vacant parcel of land is located between Reagh's Way and the entrance to the Wild Berry light industrial facility.

The request is to reclassify the land from General Business (GB) District to Light Industrial (LI) District.

The applicant provided a survey map of the parcel of land. This tract was part of a larger tract and was previously zoned LI prior to 2005.

The Planning Commission reviewed the case according to the decision criteria of Chapter 1135 and determined that Criterion D, regarding the supply of Light Industrial land, was met.

The Planning Commission voted 6-0-0 to recommend that City Council approve the requested map amendment based upon Criterion D, which states that there is a legitimate need for additional land area in the zoning district that will be expanded.

Approved By:

Department Head:
City Attorney:
City Manager:

Jhe, 11/21/17
DRP, 12/1/17

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE PLANNING COMMISSION'S RECOMMENDATION AND GRANTING A ZONING MAP AMENDMENT FOR 2.4 ACRES OF LAND LOCATED IN FRONT OF 5475 COLLEGE CORNER PIKE, OXFORD, OHIO, AND REZONING THE PROPERTY FROM GENERAL BUSINESS (GB) DISTRICT TO LIGHT INDUSTRIAL (LI) DISTRICT.

WHEREAS, in accordance with Section 1135 of the Codified Ordinances of the City of Oxford, the Oxford Planning Commission held a public hearing on November 14, 2017, on the application of Aroma Properties, LLC for a Zoning Map Amendment for 2.4 acres of land located in front of 5475 College Corner Pike, Oxford, Ohio, rezoning the property from General Business (GB) District to Light Industrial (LI) District; and

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

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

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

SECTION 1: Council hereby accepts the recommendation of the Oxford Planning Commission, and after due deliberation, finds for the granting of the Zoning Map Amendment rezoning 2.4 acres of property located in front of 5475 College Corner Pike, Oxford, Ohio from General Business (GB) District to Light Industrial (LI) District.

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

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2017-33

Date – November 14, 2017

APPLICATION

Applicant:

Roger Atkin

Action Request:

ZONING MAP AMENDMENT to Amend the Zoning Designation of a 2.4 Acre Parcel Located in Front of 5475 College Corner Pike from General Business (GB) to Light Industrial (LI)

DESCRIPTION

This is a request for recommendation from owners Roger Atkin and Marc Biales regarding a zoning map amendment of a 2.4 acre parcel of land in front of 5475 College Corner Pike. The vacant parcel of land is located between Reagh's Way and the entrance to the Wild Berry facility.

The request is to reclassify the land from General Business (GB) to Light Industrial (LI). The Planning Commission will need to formulate a recommendation for consideration by the Oxford City Council.

The applicant has provided the attached survey map of the parcel of land. To the right is a general location map provided by City staff.

COMPREHENSIVE PLAN

Below are applicable excerpts of the City's 2008 Comprehensive Plan:

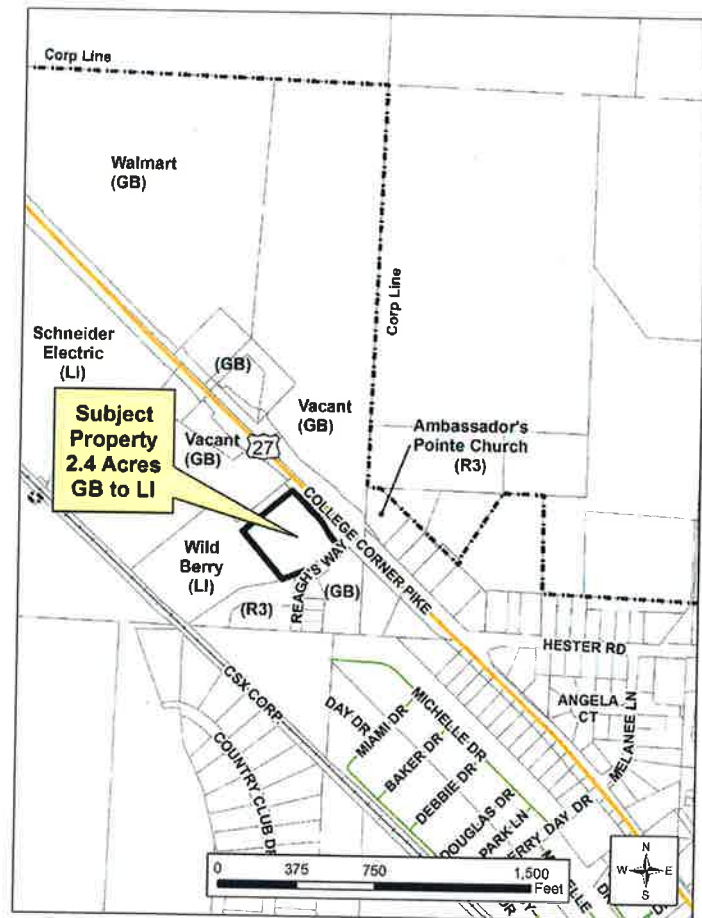
Land Use

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

- All rural gateways will reflect the transition from rural to small town.
- New architecture will add to the character of the community as opposed to corporate, franchise architecture.
- This property is noted in Map 3.6 as part of the Corridor Enhancement Area of US 27 North

Infill development and redevelopment of underutilized sites is a priority

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



Urban Design

- New commercial and light industrial developments will be developed with pedestrian amenities and green spaces.
- Commercial and industrial parking areas will incorporate vegetation, walkways, and signage to facilitate pedestrian mobility.

Land Use Principles

Redevelop the U.S. 27 North corridor in a planned and coordinated manner

Strategies

- Pursue street projects along the corridor that improve automobile, pedestrian and bicycle access.
- Modify development regulations to support the creation of attractive developments along the corridor.
- Encourage designs which place parking to the sides and rear of structures as properties are developed and redeveloped, placing the structures closer to the frontage.
- New development should include greenspace to buffer neighboring uses, and serve as shading to reduce the heat index of large areas of impermeable surfaces.
- When areas are redeveloped, utilities should be buried or concealed to the extent possible.

Economic Development

Objective 1

- Retain and expand existing businesses

AGENCY REVIEWS

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

PUBLIC NOTICE

Public notice was mailed to property owners within 200 feet as well as a sign placed in front of the property. As of this writing one response was received from the adjacent/same owner.

DECISION CRITERIA

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

ANALYSIS

This is a request from the owners to amend the zoning classification from GB to LI. The primary rationale is to allow the parcel of land to be utilized as an expansion of the adjacent light industrial operation, rather than continue to be held as speculation for a commercial use. The land was previously rezoned in 2005 as part of several parcels along the US 27 North corridor. This individual tract was split off from the larger tract in 2010 creating a panhandle lot where the Wild Berry facility is located. The front parcel is now requested to be rezoned back to LI as it was previous to 2005. The rezoning would allow Wild Berry to expand as a permitted use in the district. It is not considered a permitted or conditional use in the GB district, therefore an expansion would be prohibited.

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

- A. There is an error on the Official Zoning Map or in the delineation between the districts.
- B. The proposed amendment will make the map conform more closely with the Comprehensive Plan.
- C. There has been a substantial change in area conditions that necessitated the amendment.

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

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

Area and pertinent highlights since 2005:

- Completion of US 27 North roadway improvement project (2007)
- Private Development:
 - 2005 Gillman Home Center (developed outside then annexed)
 - 2005 First Baptist Church of Oxford
 - 2006 Walmart
 - 2006 Four-Tenant Strip Mall near Walmart
 - 2010 Expansion of Wild Berry
 - 2017 MayDay Handgun Range (in process)
- Adoption of Comprehensive Plan in 2008
- 33 Acre City of Oxford annexation in 2015 (Gillman, Vacant land and Koenig Equipment)

Additionally, the Oxford community has made concerted efforts to annex and zone land for non-residential development in the past two decades. The focus was light industrial or office type uses that would not detract from the small college town character of Oxford. These attempts ultimately have not resulted in any substantial new light industrial development. Therefore it may be wise to consider two facts:

1. There is existing light industrial development that could expand to adjacent land
2. There is currently a shortage of vacant light industrial land compared to the supply of vacant land of other zoning classifications

However, it should be noted that a re-zoning does not guarantee a certain use or development in the future. It only creates the opportunity. The development standards of the two districts vary greatly in that the GB district includes detailed design standards (building materials, landscaping) while the LI district is basic, having only setback, height and lot coverage standards.

If the re-zoning were to move forward, it may be appropriate and beneficial to consolidate the lots to the previous condition. This would eliminate the panhandle lot condition (not permitted by Oxford Subdivision Code) as well as minimize development complexities for Wild Berry regarding access, accessory uses, setbacks or lot coverage. It is unlikely that lot consolidation could legally be made a condition of re-zoning but nonetheless it is strongly encouraged.

RECOMMENDATION

Staff finds that the application meets the decision standard D, regarding a legitimate need for this zoning classification. However the Planning Commission can make its own findings and cite specific criteria that this application does or does not meet the decision standards as outlined in Chapter 1135.

SUBMITTED BY:



Sam Perry, AICP
Planner

DATE: November 8, 2017

ATTACHMENT

Oxford Zoning Code Section 1135.02

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

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

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

Map Amendments

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

City of Oxford
Inter-Office Review Transmittal Sheet



Date: **October 12, 2017**

To: Fire Department Engineering Division Police Department Econ Dev Department

From: **Community Development Department**

PC-2017-33, ZONING MAP AMENDMENT, to amend the zoning classification of property located at 5475 College Corner Pike, from General Business (GB) District to Light Industrial (LI) District, 2.413 acres, **Jay C. Bennett, Attorney at Law, Agent**

 X Review Revisions Other

Please return no later than: **November 3, 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:

10-19-17

Date: October 12, 2017

From: Community Development Department

 X Review Revisions Other

Drawings are returned: w/comments without/comments

Drawings reviewed by:

Date:

PRINTED NAME _____

City of Oxford
Inter-Office Review Transmittal Sheet

Date: October 12, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

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PC-2017-33, ZONING MAP AMENDMENT, to amend the zoning classification of property located at 5475 College Corner Pike, from General Business (GB) District to Light Industrial (LI) District, 2.413 acres, **Jay C. Bennett, Attorney at Law, Agent**

 X Review Revisions Other

Please return no later than: **November 3, 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: _____

10/16/17

John D. Jones

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: October 12, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-33, ZONING MAP AMENDMENT, to amend the zoning classification of property located at 5475 College Corner Pike, from General Business (GB) District to Light Industrial (LI) District, 2.413 acres, **Jay C. Bennett, Attorney at Law, Agent**

 X Review Revisions Other

Please return no later than: **November 3, 2017** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

I completely endorse the return of the parcel to its original zoning designation of "LI" Light Industrial.

Many years ago, when Square D electric came to town, the northern section of College Corner Pike was zoned for industrial-manufacturing use.

Around 2005, with the Wal-Mart Super Center now planned for this area, it was decided in order to encourage additional commercial development along The Pike, that several parcels along The Pike be rezoned to "GB" General Business. This action made complete sense at the time.

Fast forward to 2017, Wildberry Incense factory, which has already expanded once, is in need of additional "LI" land to expand.

Wildberry Incense factory has been a model business for the Oxford community. Its grounds are clean and operation is almost invisible to the area. This is the type of industrial use we want in Oxford. We want them to expand and be successful.

Drawings reviewed by: 

Date: 11-8-17

G. Allen Kylen
PRINTED NAME



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

CASE NO.: PC-2017-33

DATE OF HEARING: November 14, 2017

ZONING MAP AMENDMENT, to amend the zoning classification of property located at 5475 College Corner Pike, from General Business (GB) District to Light Industrial (LI) District, 2.413 acres, **Jay C. Bennett, Attorney, Agent**

If you cannot attend this public hearing being held before the City of Oxford Planning Commission, but would like to comment on this matter, please complete this form and return it at your earliest convenience to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name: MARC BIALES

(Print)

Address: 6317 BUCKLEY RD

OXFORD OHIO 45056

Telephone: Home: 513-523-4079

Work: 513-523-8583

COMMENT:

PLEASE SEE ATTACHED LETTER


Signature

Nov 2, 2017
Date

November 2, 2017
Marc Biales
6317 Buckley Rd.
Oxford, OH 45056

Lynn Taylor
101 East High St.
Oxford, OH 45056

Dear Lynn:

Regarding your letter concerning the Planning Commission hearing on November 14th. I am unavailable to attend, but wanted to comment on the matter.

The reason behind our application to change the zoning from General Business to Light Industrial is to make it possible for Wild Berry Incense to continue to grow. Although we are not yet bursting at the seams at our current location, we do anticipate further growth which will require more room.

Since we first opened our incense factory at 5475 College Corner Pike in 1996 we have steadily grown from 12 employees at that time to almost 30 now. We grew our building from 20,000 square feet to 37,500 square feet in the interim. Our incense is sold throughout the U.S. and in stores worldwide.

The area along College Corner Pike was rezoned at the request of the property owners (us included) after WalMart opened. There was an anticipation that the Route 27 corridor in that area would be ripe for retail, but that failed to transpire. The area where our factory is located has changed little in that time.

Disruption during construction would be relatively light since we would be able to use the existing drive and tap into existing utilities.

Those that are familiar with our operation will tell you that our facility is very clean inside and out. Wild Berry Incense has a very light environmental footprint as far as most manufacturing goes. Our employees have benefits and are happy working at Wild Berry Incense. We look forward to expanding and bringing opportunities to more local workers.

It is my hope that the Planning Commission will approve the change of use that we are requesting. It will be good for us and good for the City of Oxford.

Yours truly,



Marc Biales
President, Wild Berry Incense Inc.



PC-2017-33 **Surrounding** **Property Owners** **Notifications Map**

Legend

 Subject Parcel

 200 Ft. Buffer

 Oxford Corp. Limit

 Address Point

 Parcel

 16.5' Vacated ROW

 Building Footprint

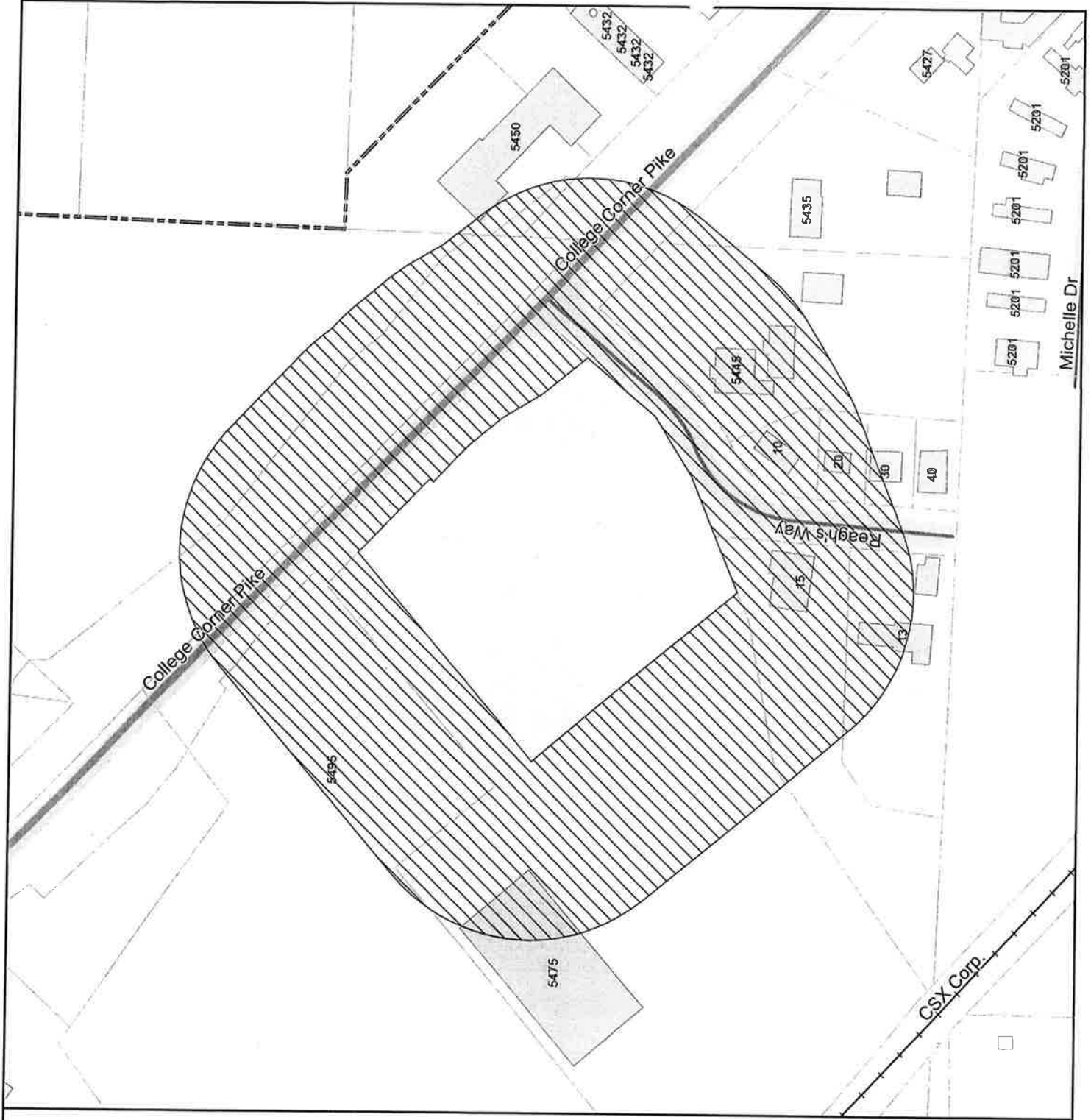
 Paved Roadway



1 inch = 150 feet

Prepared on Wednesday, October 25, 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.



LETTER OF AGENCY

To Whom It May Concern:

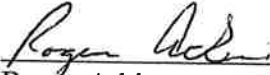
Please be advised that Jay C. Bennett, attorney at law, is authorized to represent our interests before any and all boards, committees, or other administrative bodies of the City of Oxford and to act on our behalf in the pursuance and completion of a zoning designation change regarding parcel H4000-030-000-003 also known as 5475 College Corner Pike, Oxford, Ohio 45056.

Thank-you,



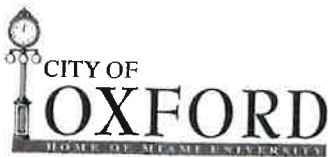
Marc Biales

9/30/17
Date



Roger Atkin

9/20/17
Date



Internal Use Only:

Case No.

Date Filed

PC-2017-33

9/29/17

Zoning Map Amendment Application

Applicant Information

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

Name *

Aroma Properties, LLC

Mailing Address *

5475 College Corner Pike

City, State & Zip Code *

Oxford, Ohio 45056

Telephone Number(s) *

513. 523. 8583

Email Address

Location and Lot Information

Location *

5475 College Corner Pike; Parcel No. H4000-030-000-003

General Description

of Proposed Amendment *

To rezone GB lot to LI

Current Zoning *

General Business (GB)

Proposed Zone(s) *

Light Industrial (LI)

Submission Requirements and Documentation

From Section 1135.02 Procedure¹.

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

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

- (1) **Contents of application.** The applicant shall contact the Zoning Administrator prior to submitting an application to discuss the submission requirement, which includes the following information. A written, detailed description, where applicable, is required for each subsection.

- ✓ A. Application Fee.
- ✓ B. The name, mailing address, and telephone number of the applicant.
- ✓ C. A general description of the proposed amendment.
- ✓ D. A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.
- ✓ E. A statement that identifies potential negative consequences of the proposed amendment.
- ✓ F. Such other information regarding the proposed amendment as may be pertinent to the application or required by Planning Commission or Council.
- ✓ G. A legal description of the area to be rezoned.
- ✓ H. The proposed zoning of the area.
- ✓ I. The current zoning of the area.
- ✓ J. A description of existing uses in the area.

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

Surrounding Property Owners

On a separate sheet, provide the parcel numbers, names, and mailing addresses of all property owners within 200 feet of all boundaries of the property in question. The Butler County Auditor Real Estate Search² is helpful when searching for the mailing address of adjoining property owners. It allows you to search by owner, address, or parcel number. *Property Owner names will not be provided in the agenda packet.*

Decision Process

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

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

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

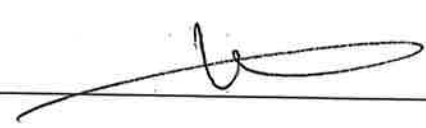
Fees & Receipt

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

Sign and Date

Applicant Signature *

Date *



 9/28/17

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

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

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

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/>

(b)(1)(D) A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.

The application for the Zoning Map Amendment filed herein meets favorably the special guidelines of the Comprehensive Plan. The following is an overview some relevant Comprehensive Plan aspirations that are consistent with the proposed map amendment. In the Executive Summary listed in the “Key Directions of the Plan” is the objective that encourages the creation of new jobs and services in the community stated:

“Many residents who participated in the Plan update mentioned creating and enhancing economic opportunities.”

Likewise, the Land Use portion of the Comprehensive Plan cites in the Public Input portion of Article 3 the importance of job creation as expressed by many residents. The proposed business expansion of Aroma Properties, LLC will create 15 potential jobs, and increase the taxable revenue from the business operation as well as resident employees. The Comprehensive Plan indicates that income tax is 53% of the local revenue collected by the City. The Comprehensive Plan also reveals that “property taxes represent a small share (7%) of the City’s overall revenues.” *Comprehensive Plan, Executive Summary, p 2.3.*

One of the objectives listed on page 2.4 of the Comprehensive Plan promotes new areas for “light industry” and manufacturing research, development and office space. Aroma Properties, LLC is the epitome of “light industry” in that the product is completely manufactured and packaged in the existing facility zoned LI (Light Industrial) without emitting fumes, noise, smoke, or glare commonly associated with industrial operations.

Though the present undeveloped cite would not be considered as a “new” area for light industry, as per an objective listed on page 2.4, the contiguous parcel sought to be rezoned from GB (General Business) to LI (Light Industrial) would utilize this existing adjacent site for an identical operation to be performed in an identical building.

This proposed use of the parcel to be rezoned helps to redevelop the US 27 North corridor in a “planned coordinated manner as proposed by the 6th Objective” found on page 2.4 of the Comprehensive Plan.

The zoning of the farthest northwest portion of the land abutting College Corner Pike (US 27 North corridor) is principally comprised of GB and LI uses. This proposed rezone parcel is bordered by GB and LI parcels and is directly across US 27 from another GB parcel. There will not be any changes or modification to access to the property that will require the Ohio Department of Transportation’s approval. The facilities on both parcels will use the existing drive for ingress and egress to US 27 North.

With regard to developable land, light industrial parcels account for only 65 acres of more than 4,000 acres contained within the City, 50 acres of which are currently developed. On page

3.6 of the Land Use portion of the Comprehensive Plan, the value of office and industrial uses is recognized as the highest revenue generator for the City due to income tax receipts therefrom.

In the Land Use portion overview, the land use principle of “building inward” is defined as using underutilized and undeveloped land already served by infrastructure. The subject parcel of this application is one of those areas.

Objective 4 of the Land Use section of the Comprehensive Plan; “promote new areas for light industrial and manufacturing, research and development, and office space” includes the strategy of “identify sites for commercial, office and industrial development along the US 27 North corridor”. Once again the Comprehensive Plan does not forget or ignore this underused and largely undeveloped portion of the City.

(b)(1)(E) A statement that identifies potential negative consequences of the proposed amendment.

There are no discernable negative consequences that would result from the granting of the proposed map amendment.

(b)(1)(F) Such other information regarding the proposed amendment as may be pertinent to the application or required by Planning Commission or Council.

Applicant has no other information regarding the proposed amendment that is pertinent to the application or required.

(b)(1)(J) A description of existing uses in the area.

The existing uses in the area are comprised of light industrial (LI), general business (GB), R3 Residential and R1B Residential (on the other side of the railroad tracks).

Based upon the foregoing, Applicant’s application describes an appropriate use of the property under the text amendment presented herein.

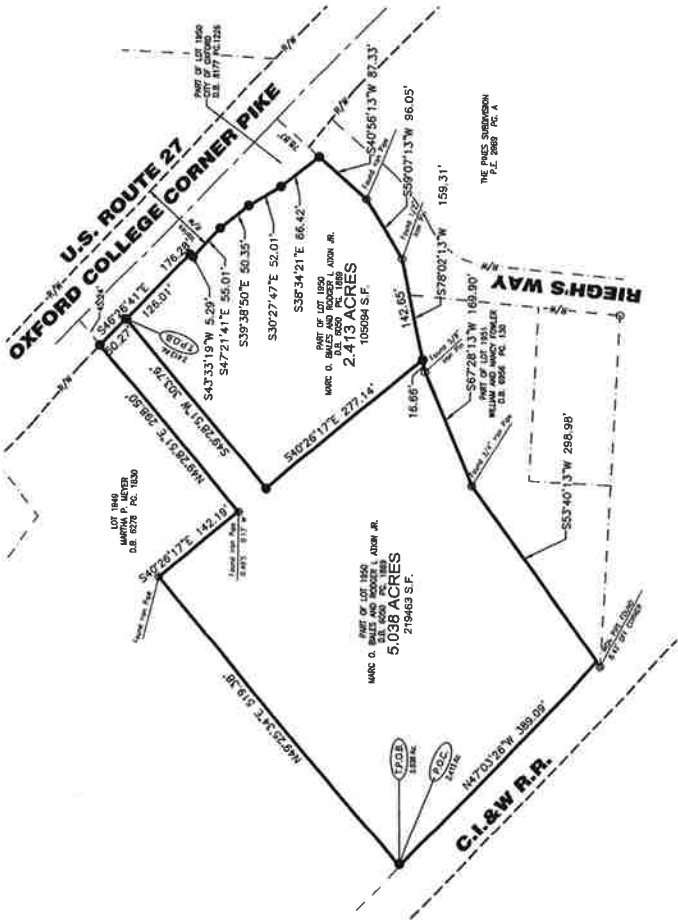
bayer
bayer
www.bayer.de
316 South College Ave.
Oxford, OH 45056-513, 523.4270

Drawing	100003-000 BIM
Drawn by	DOS
Checked by	br
Date	6-14-10

1/1

1/1

- SURVEY LEGEND**
- Found "i" for Pin ● Set 5/8" Iron Pin
⊗ Found Iron Pipe R/B - Ex. Road of Way



HEREBY CERTIFY THAT ALL MEASUREMENTS AND MONUMENTS SET AND/OR FOUND AS SHOWN. CURVE DISTANCES ARE MEASURED ON THE ARC. ALL WORK PERFORMED IN ACCORDANCE WITH THE "MINIMUM STANDARDS FOR BOUNDARY SURVEYS IN THE STATE OF OHIO."

David Douglas Smith
6/28/10



Scale: 1" = 100'



Legal description of property to be rezoned

Situated in the City of Oxford, being part of Lot 1950, Butler County Ohio, being part of the lands of Marc O. Bailes and Rodger L. Atkin, Jr. as recorded in deed book 6050 page 1869 of the Butler County Recorder's Office and being more particularly described as follows:

Commencing at a 5/8" iron pin set, said iron being on the west corner of Lot 1950; thence, with the west line of said lands of Marc O. Biales and Rodger L. Atkin, Jr., North 49°25'34" East for 519.38 feet to an iron pipe found; thence continuing with said lands of Marc O. Biales and Rodger L. Atkin Jr., South 40°26'17" East for 142.19 feet witnessed by an iron pipe found 0.49 feet south and .013 feet west; thence continuing with said lands of Marc O. Biales and Rodger L. Atkin North 49°28'51" East for 298.50 feet to a 5/8" iron pin set, said point being on the southwestern line of the lands of the City of Oxford as recorded in deed book 8177 page 1226 of the Butler County Recorder's Office; thence with the said southwestern line of the lands of the City of Oxford South 46°26'41" East for 50.27 feet to a 5/8" iron pin set, said iron pin being the **TRUE POINT OF BEGINNING**; thence continuing with said southwestern line of the lands of the City of Oxford for the following six courses:

- 1) South 46°26'41" East for 126.01 feet to a 5/8" iron pin set;
- 2) South 43°33'19" West for 5.29 feet to a 5/8" iron pin set;
- 3) South 47°21'41" East for 55.01 feet to a 5/8" rebar set;
- 4) South 39°38'50" East for 50.35 feet to a 5/8" iron pin set;
- 5) South 30°27'47" East for 52.01 feet to a 5/8" iron pin set;
- 6) South 38°34'21" East for 66.42 feet to a 5/8" iron pin set, said point being on the northwest right of way of Reagh Way

Thence with said northwest right of way of Reagh Way South 40°56'13" West for 87.33 feet to an iron pipe found; thence continuing with said northwest right of way of Reagh Way South 59°07'13" West for 96.05 feet to a 1/2" iron pin found; thence continuing with said northwest right of way of Reagh Way and then with the northwest line of the lands of William and Nancy Fowler as recorded in deed book 6956 page 130 of the Butler County Recorder's Office South 78°02'13" West for 142.65 feet to a 5/8" iron pin set; thence on a new division line through said lands of Marc O. Biales and Rodger L. Atkin, Jr. North 40°26'17" West for 277.14 feet to a 5/8" iron pin set; thence continuing through said lands of Marc O. Biales and Rodger L. Atkin, Jr. North 49°28'51" East for 303.76 feet to the **Point of Beginning** containing 2.413 acres of land, more or less, being subject to all legal highways, easements, restrictions and agreements or record.

The above description was prepared from a survey prepared by Bayer Becker, David Douglas Smith, Registered Surveyor #7121 in the State of Ohio, June 14, 2010. The Plat of which is recorded in Volume 53 Page 179 of the Butler County Engineer's Records.

CITY OF OXFORD STAFF SUMMARY REPORT

Report to City Manager

Finance
Originating Department

Council Meeting Of : 12/5/2017

Account Code No. : see below

Joe Newlin

Prepared By

Budgeted Amount : _____

11/29/2017

Date Prepared

Agenda Title:	2017 Supplemental Budget #9
----------------------	------------------------------------

Recommendation:	Approve
------------------------	----------------

Issue 1

To make adjustment to amended budget for Miami donation for Uptown Ice Rink and related expenses, HR additional expenses.

Action Needed:

Revenue Side

General Fund (110)	3,250.00	Miami Donation
--------------------	----------	----------------

Expense Side

General Fund (110)	3,250.00	Appropriation from unencumbered balance for ice rink
General Fund (110)	5,000.00	Appropriation from unencumbered balance for HR Professional Services

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

Issue 2

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

Action Needed:

Revenue Side

General (110)	45,000.00	Building, Electrical, Heating permits
Board of Building Standards (414)	519.30	BBS Fees

Expense Side

General (110)	45,000.00	Additional expenditures for NIC payments
Board of Building Standards (414)	519.30	Additional expenditures for BBS fees

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

Issue 3

To make adjustment to budget for additional personnel expenditures related to overtime and staffing in Fire & EMS Fund.

To make adjustment to budget revenue for EMS Billing, MU Contribution & Grant (associated with new equipment ordered 2017 due to be received in in 2018 at which time we will be reimbursed)

Action Needed:

Revenue Side

Fire & EMS (418)	75,000.00	EMS Billing
Fire & EMS (418)	(113,333.00)	M.U. Contribution
Fire & EMS (418)	(200,000.00)	Local Government Safety Capital Grant

Expense Side

Fire & EMS (418) 50,000.00 Additional expenditures for personnel expenditures

Net Effect on Fund Balance/(s) (288,333.00)
Increase/(Decrease)

Issue 4

To make adjustment to amended budget for projected increase in Hotel Tax Receipts and related expenses.

Action Needed:

Revenue Side

General Fund (110)	34,706.00	Hotel Tax Receipts
Hotel Tax Agency Fund (120)	34,706.00	Hotel Tax Receipts
General Fund (110)	2,082.00	Transfer from Hotel Tax Agency Fund

Expense Side

Hotel Tax Agency Fund (120)	32,624.00	Appropriation from unencumbered balance for payment to OVB 94%
Hotel Tax Agency Fund (120)	2,082.00	Appropriation from unencumbered balance for transfer to General Fund 6%
Net Effect on Fund Balance/(s)	36,788.00	
Increase/(Decrease)		

Issue 5

To make adjustment to amended budget for increase in reimbursements for reinsurance payment

Action Needed:

Revenue Side

Employee Benefit Fund (230)	230,000.00	Reimbursements for reinsurance payment
-----------------------------	------------	--

Expense Side

N/A

Net Effect on Fund Balance/(s)	230,000.00
Increase/(Decrease)	

Total Net Effect on Fund Balance/(s)	(26,545.00)
Increase/(Decrease)	

Breakdown by Fund

General (110)	31,788.00
Hotel Tax Agency Fund (120)	-
Employee Benefit Fund (230)	230,000.00
Board of Building Standards (414)	-
Fire & EMS (418)	(288,333.00)

Net Effect on Fund Balance/(s)	(26,545.00)
Increase/(Decrease)	

Approved By:

Department Head:

City Manager:

Initials

Date

11/29/17

DRE

12/1/17

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3381. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 9 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2017.

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

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

SECTION 1: The following increase/(decrease) in revenues be made:

General Fund 110	3,250.00
General Fund 110	45,000.00
Board of Building Standards Fund 414	519.30
Fire & EMS Fund 418	75,000.00
Fire & EMS Fund 418	(113,333.00)
Fire & EMS Fund 418	(200,000.00)
General Fund 110	34,706.00
Hotel Tax Agency Fund 120	34,706.00
Employee Benefit Fund 230	230,000.00

SECTION 2: The following increase/(decrease) in appropriations from unencumbered balances be made:

General Fund 110	3,250.00
General Fund 110	5,000.00
General Fund 110	45,000.00
Board of Building Standards Fund 414	519.30
Fire & EMS Fund 418	50,000.00
Hotel Tax Agency Fund 120	32,624.00
Hotel Tax Agency Fund 120	2,082.00

SECTION 3: The following transfer(s) be executed:

Transfer from:	
Hotel Tax Agency Fund 120	2,082.00
Transfer to:	
General Fund 110	2,082.00

SECTION 4: The following increase/(decrease) in revenues be made:

General Fund 110	2,082.00
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SECTION 5: In all other respects, Ordinance No. 3381 shall remain in full force and effect.

SECTION 6: This ordinance shall take effect immediately upon its adoption.

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: December 5, 2017

Sam Perry
Prepared By:

Account Code No. #:

November 21, 2017
Date Prepared:

Budgeted Amount:

PC-2017-25, PRELIMINARY PLANNED DEVELOPMENT, Stadium Apartments, 1.55 acres, R-3MS District, Homestead Avenue, University Avenue and E. Sycamore Street, Madison Student Housing LLC, Applicant

Recommendation: Denial

Discussion:

This case was first heard by Oxford Planning Commission on September 12, 2017 and was tabled due to certain restrictions stipulated by the Oxford City Charter. It was heard again on November 14, 2017 following submittal of revised plans on September 28, 2017.

The proposal from Architect J. Randy Bruce is to re-develop approximately 2/3 of a city block between East Sycamore Street and Homestead Avenue. The project includes three new, three-story buildings (35 dwelling units total), in addition to an existing 24-unit building. This is a Preliminary Planned Development which, if approved, would require another review (Final). In September, the majority of Planning Commission was in support of the project but acknowledged the Oxford City Charter restriction in 2.11(4) which limited the number of dwelling units per structure to "no more than three". Based upon the unknown effect that a Planning Commission recommendation would have on a Charter restriction, the case was tabled for City Staff to further research. Staff researched all laws and polices related to the project. The applicant revised the plan to comply with the Charter restriction. However, City staff found a separate legal issue with the proposal. The residential density of the project is more than double allowed. 28 units is the maximum number permitted; however 59 are proposed. Dwelling unit density is not considered a dimensional regulation that the City has the ability to waive.

Planning Commission members discussed the challenge of the Oxford Zoning Code issue regarding the definition of density. The Commission voted 5-1-0 to recommend denial of the proposed Stadium Apartments Preliminary Planned Development based upon the staff reports; including but not limited to the City's inability to waive the dwelling unit increase more than 10% beyond the maximum of 16.33 dwelling units per acre in the underlying Zoning District: R3MS.

Approved By:

Department Head:
City Attorney:
City Manager:

[Signature] 11/21/17
[Signature] 12/1/17

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE PLANNING COMMISSION'S RECOMMENDATION TO DENY THE PRELIMINARY PLANNED DEVELOPMENT FOR STADIUM APARTMENTS ON 1.55 ACRES OF LAND ON EAST SYCAMORE STREET, UNIVERSITY AVENUE, AND HOMESTEAD AVENUE.

WHEREAS, the Planning Commission held a public hearing on September 12, 2017 and on November 24, 2017, in accordance with Section 1145 of the Codified Ordinances of the City of Oxford, on the application of Madison Student Housing LLC, Applicant, for the approval of a Preliminary Planned Development on approximately 1.55 acres of land on East Sycamore Street, University Avenue, and Homestead Avenue to allow a Planned Development for residential use; and

WHEREAS, the Planning Commission, after due deliberation, found that the application does not satisfy the requirements of the Oxford Zoning Code regarding density and recommended denial of the Preliminary Planned Development application for approximately 1.55 acres of land on East Sycamore Street, University Avenue, and Homestead Avenue.

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

SECTION 1: Council hereby accepts the recommendation of the Planning Commission and denies the Preliminary Planned Development application for approximately 1.55 acres of land on East Sycamore Street, University Avenue, and Homestead Avenue.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW(STAFF)

Memo

NOVEMBER PLANNING MEETING



To: Planning Commission

From: Sam Perry, Community Development

Date: 11/9/2017

Re: **PC-2017-25**: Stadium Apartments Revised Plans Submitted September 28, 2017

Attached:

- Four page letter from Architect J. Randy Bruce with 16 pages of revised plans (submitted September 28, 2017)
- Two page letter from City staff dated October 27, 2017 regarding residential density

On September 12, 2017, The Planning Commission reviewed this Preliminary Planned Development Proposal. After review of the staff report and applicant testimony, the case was tabled largely over legal concerns with the City Charter restriction 2.11(4): "Structures containing more than three dwelling units, as defined within the most current edition of Ohio Building Code are prohibited..... in this area". It appears from the applicant's recent letter that the City Charter restriction may be addressed by 'firewalls', however, more detailed construction drawings would still need to be drawn and submitted for review. The revised site plans show re-structured buildings which will 'architecturally separate' the same number of units into three unit structures. This is an acceptable method that has been used on other projects within the restricted area. Again, this would need to be drawn in more detail for Building Official review.

As noted in the attached letter from the City to the applicant, the increase of dwelling unit density was also an issue. Based on the Planning Commission's support of this project the City Law Director has further investigated this issue and found that the City cannot waive the dwelling unit density increase beyond 10% like it can with a dimensional regulations (setbacks, etc).

With the exception of the separated building blocks, the original plans are nearly identical to the revised plans. Therefore, City staff holds the same position that this Preliminary Plan should be recommended for denial to City Council. A likely resolution of the City Charter restriction does not resolve the substantial amount of revisions that would be necessary for this plan to be legally approved. The applicant has calculated the dwelling unit density incorrectly, as noted in the original staff report. The revised plans still show the incorrect calculation method. Aside from the substantial increase of dwelling unit density, there remains other outstanding concerns as noted in the original staff report.

The plan can be recommended for denial based upon the attached letter from City staff, as well as the previous staff report, as the legally defensible documentation required by Oxford Zoning Code. As noted in Section 1145.06(a) the City has no obligation to recommend or approve a planned development.



Community Development Department

513-524-5204

October 27, 2017

J. Randy Bruce
Knothe & Bruce Architects, LLC
7601 University Avenue
Suite 201
Middleton, WI 53562

ALSO VIA EMAIL:

rbruce@knothebruce.com

coe@remax-alpha.com

icblaw24@yahoo.com

RE: Stadium Apartments Residential Density (Planning Commission Case #PC-2017-25)

Dear Mr. Bruce:

This letter is a follow-up to a discussion held on October 19, 2017 between city staff members Sam Perry and Jung-Han Chen with representatives of Madison Student Housing, Coe Potter and Scott Webb and joining by phone: Randy Bruce and Etta Reed.

The purpose of the discussion, as requested by Madison Student Housing was to prepare for the November 14, 2017 Planning Commission meeting. As you are aware, your case was tabled on September 12 due largely to the unknown legal parameters of the City Charter as it pertains to the maximum number of dwelling units per building. We therefore have been researching all necessary codes and restrictions since that time.

As we discussed, there are two principal issues that will affect the design review process for Stadium Apartments: 1) The allowable number of dwelling units per building and 2) The allowable number of dwelling units per acre. My goal of the meeting was not to delve into the other details of design until these two issues were properly addressed.

Issue 1): We discussed the City Charter restriction issue which your team believed could be handled by fire separations. You touched on this in your letter dated September 28; however no detailed plans were submitted to confirm it for this preliminary stage. Only a revised site plan was submitted. Our Building Official will need to make a determination that this is possible before the Preliminary Plan can be approved by City Council.

Issue 2): City staff informed your team, that consistent with our staff report presented on September 12, the dwelling unit density was double of what was allowed by code (59 units instead of 28). Additionally

we made you aware that it was now our determination that the Planning Commission and City Council did not have the authority to waive the density limitation more than the 10% outlined by code.

You asked for a code citation for this determination. As you may be aware, Section 1145.07(b) states:

The Planning Commission shall base its recommendation and Council its decision upon how well the application satisfies the Decision Standards. Planning Commission, in its recommendation, and Council in its decision 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.

You may also be aware that Section 1145.12(d) states:

Residential Density. Residential density shall not exceed 110 percent of the density permitted in the underlying zoning district. Residential land uses in a planned development that overlays a commercial zoning district shall not exceed the density of the R1B Single-Family Medium-Density Residential Zoning District. Area devoted entirely to non-residential land uses, including buildings, vehicle management areas, and other associated land use elements shall be excluded from the area used to calculate residential density.

Our determination is that Residential Density is not a dimensional regulation of the underlying R3MS zoning district; therefore it cannot be waived. This is based on the definition of density being "the number of dwelling units which are allowed on an area of land". Examples of dimensional regulations found in Oxford code definitions are, but not limited to: setback, yard and lot coverage. Examples in this latter group have been waived in some Oxford development cases, but residential density over a 10% increase has not. Madison Student Housing is asking for a waiver of a number of units, not an area or dimension of land.

Let us know if you would like to meet again to discuss other options for this property.

Sincerely,



Sam Perry, AICP

Planner

sperry@cityofoxford.org

CC: Jung-Han Chen, Douglas R. Elliott, Jr, Stephen M. McHugh

September 28, 2017



Mr. Sam Perry, AICP
Planner
Community Development Department
City of Oxford
101 East High Street
Oxford, Ohio 45056

SEP 28 2017
RECEIVED

Re: Letter of Intent
Planned Development (PD) – Preliminary Plan
Stadium Apartments
N. University Ave. and E. Sycamore St.

Dear Mr. Perry:

The following letter of intent is submitted together with the preliminary plans and survey for the preliminary planned development application.

Organizational Structure:

Owner: Madison Student Housing LLC
2249 Pinehurst Drive
Middleton, WI 53562
jim@jmichaelrealestate.com

Architect: J. Randy Bruce
Knothe & Bruce Architects, LLC
7601 University Ave.
Suite 201
Middleton, WI 53562
rbruce@knothebruce.com

Consulting Architect: Scott Webb, Architect
103 West Walnut Street
Oxford, Ohio 45056
(513) 523-3838
scott@scottwebbarchitect.com

Civil Engineer: Etta Reed
Bayer Becker
110 South College Avenue
Oxford, OH 45056
ettareed@bayerbecker.com

Introduction and rationale for a planned development:

The following letter and plans are submitted to accompany the application materials for a rezoning application from the existing R3M3 to a Preliminary Planned Development. This follows both a concept review and a Preliminary Plan review by the plan commission.

This project proposes the redevelopment of 9 lots located on the south side of Homestead Street extending to the north side of East Sycamore Street. The combined sites are approximately 67,500 square feet. The property owner is an experienced student housing developer with over 30 years of experience.

The site is an excellent site for a planned development. It is an in-fill site that is currently occupied by student rentals in various stages of disrepair. The intent of the development is to provide new, high-quality student housing adjacent to the campus where the negative impacts of student housing to the Oxford community is minimized. By placing new student housing close to campus the demand for student housing in neighborhoods where student housing is not desirable are lessened. The planned development zoning allows the City to fully utilize the site and place student housing in its most appropriate location.

Design Revisions

The project has been re-designed to meet the Charter Amendment that states that no more than 3 units can be in any one building. The 3 unit buildings can be connected to one another and the City has accepted this in prior projects including the Stewart Square project and the preliminary approval for the former Wal-Mart site. In this case, the 3-unit buildings are connected into groupings with 11 or 12 units total.

The 3-unit buildings are architecturally independent. Each building is designed as a three-flat and is connected only to the exit corridor and stairway. The buildings are completely separated from the other buildings. The buildings will also be separated from the connecting corridor with a fire separation wall that has a one-hour fire resistance rating and that will extend from the concrete foundation slab to the uppermost ceiling. Where the buildings are located over the underground parking a 2-hour fire-rated concrete slab will separate the parking area and provide the foundation for the 3-unit buildings above.

Other than the redesign that was required to meet the Charter Amendment, the plan is consistent with the previously reviewed preliminary plan. The revisions include a small adjustment in the dwelling unit bedroom mix and slight improvements to the parking, open space and lot coverage.

Bayer- Becker is addressing the City Engineer's comments that were brought up in the prior review.

Legal Description:

The legal description is Lots 1592, 1593, 1595, 1596, 1600, 1601, 1602, 1603 and 1604. A list of all the property addresses, parcel numbers and legal descriptions is attached to this letter.

Project Description:

The project site includes 8 student rental-housing buildings that are in various stages of disrepair with one of the buildings unoccupied. The proposed redevelopment maintains the 24-unit apartment building on E. Sycamore Street and adds a series of new 3- unit buildings. The buildings are connected to each other by the exit corridor and stairways to form three groupings of buildings. The new apartment buildings are three stories in height and are designed to fit within the context of the surrounding neighborhood. From the street the buildings form a series of historically scaled residential homes or three-flats with unique designs and entry porches. The surface parking is limited due to the sites location adjacent to the campus parking area and the inclusion of underground parking. Vehicular access to the underground parking is achieved from University Avenue on the east side of the site. The traffic impacts of this development are minimal since the residents will be making almost all of their trips to and from campus as pedestrians.

An exterior courtyard for outdoor cooking and interior common amenities such as a community room and exercise facilities will be available to the residents. The interior of the apartments will have upscale designs and finishes including private bedroom-bathroom suites, stainless steel appliances, granite counter tops, and attractive wood-look flooring.

Site Development Data:

Existing Apartments to Remain:

One-Bedroom	24 apartments with 24 bedrooms
-------------	--------------------------------

Newly Constructed Apartments:

Two-Bedroom	12
Three-Bedroom	17
Four-Bedroom	6
Total New Dwelling Units	35 apartments with 99 bedrooms

<u>Total Apartments:</u>	59 apartments with 123 bedrooms
---------------------------------	---------------------------------

<u>Building Height:</u>	3 Stories
--------------------------------	-----------

On- Site Vehicle Parking:

Below Grade Parking Garage	29 Stalls
Surface Parking Garage	23 Stalls

Off-site Vehicle Parking

On-street parking	18 stalls
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Upper-classmen students of the university may apply for a parking permit that will allow them to park in the Ditmer (875 spaces), Chestnut Fields (500 spaces) and Millet Hall (1500 spaces) parking lots. The University issues approximately 2000 permits each year leaving a surplus of approximately 875 spaces. The Millet-Yager parking lot is

particularly under-utilized and only a portion of the lot is closed for special events such as football games or graduation. The Millet lot is only 300 feet from the site and would be available to the residents of this development. More fully utilizing the existing Millet lot is good land-use planning.

Project Schedule:

It is anticipated that the construction will start in June 2018 and be completed for occupancy in August 2019.

Compatibility with the general vicinity:

This proposal replaces a group of older student apartments with new, high-quality apartments for the students of Miami of Ohio. These 9 lots and most of the surrounding properties are student rentals. The proposed development is a compatible use and an efficient development pattern that is appropriate in close proximity to campus. The scale and rhythm of the buildings on the street will be compatible with the residential structures that surround the campus. Each three-flat will have historically-inspired architectural exteriors that will enhance the residential character of the neighborhood. The existing 24 unit apartment building will also be reinvested and improved with exterior façade improvements and interior upgrades.

The properties will be owned and operated as a single development with professional local management. The management will be active and will work to minimize the noise and problems associated with student housing. The safety and security of the residents will be maintained by providing security cameras throughout the common areas of the buildings and exterior courtyard.

Social & Economic Impacts:

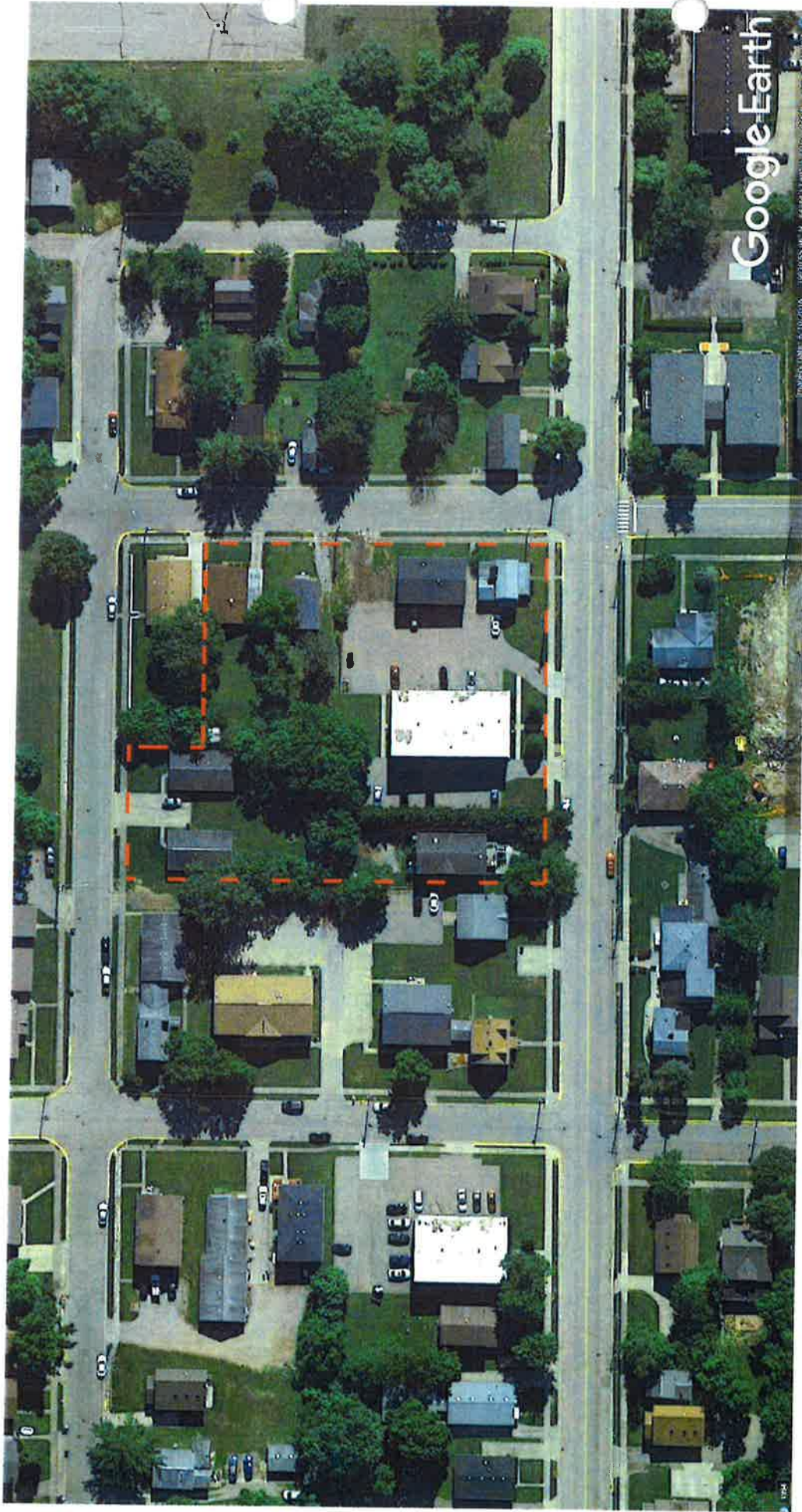
This development will provide high-quality student housing adjacent to the campus and thereby reduce the impacts of student housing on other neighborhoods in the city. The redevelopment will encourage pedestrian traffic (in place of vehicular traffic) and high quality, energy efficient, safe and secure housing will replace a blighted area. The project will also provide support to the local construction industry and a substantially increase to the tax base of the City.

Thank you for your time in reviewing our proposal.

Very Truly Yours,



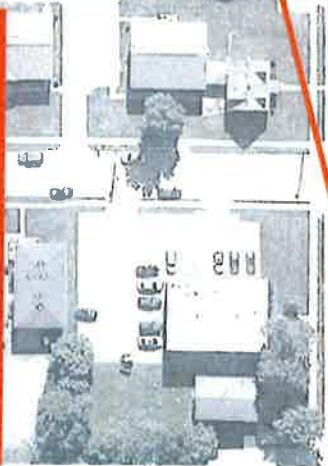
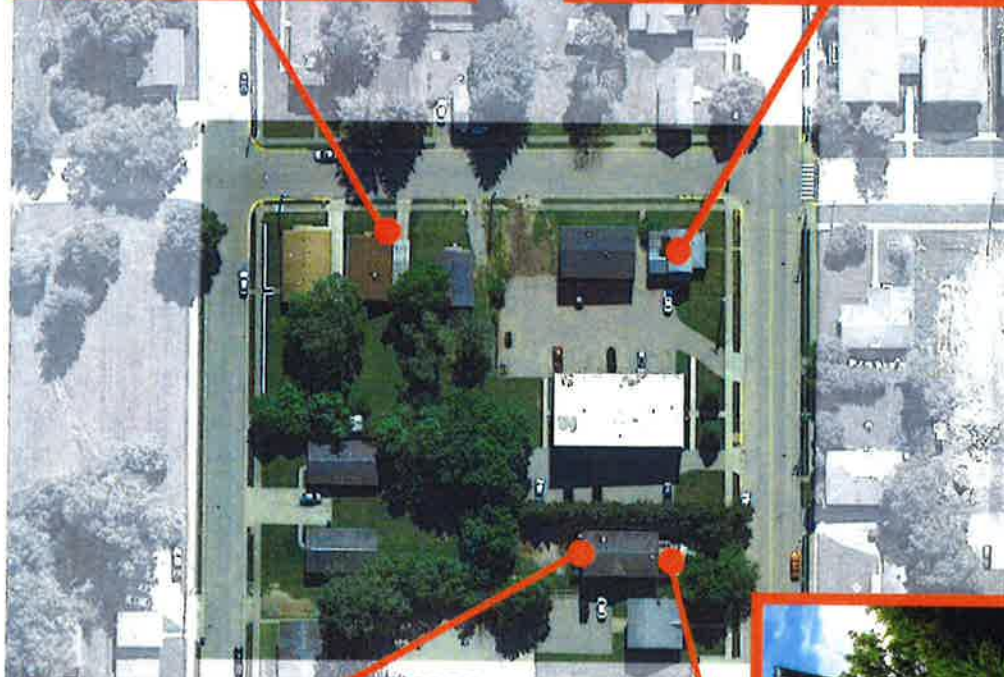
J. Randy Bruce
Managing Member
Knothe & Bruce Architects



Existing Site



Stadium
Apartments
E. Sycamore St.
& N. University Ave.
Oxford, Ohio
Sep. 27th, 2017





Stadium

Apartments

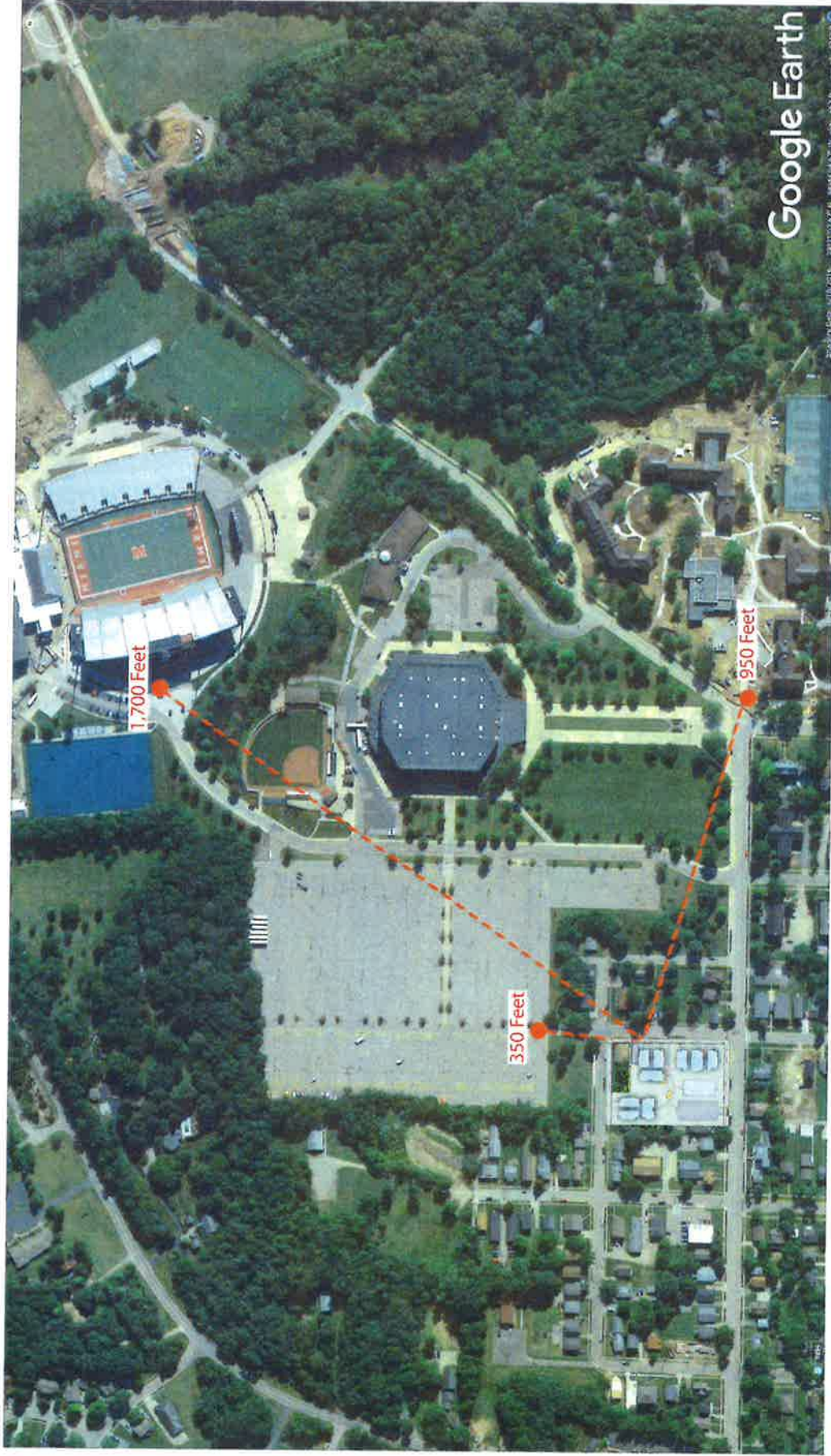
 E. Sycamore St.

 & N. University Ave.

 Oxford, Ohio

 Sep. 27th, 2017

EXISTING SITE PHOTOS



Proximity to Campus

**Stadium
Apartments**
E. Sycamore St.
& N. University Ave.
Oxford, Ohio
Sep. 27th, 2017



SITE SURVEY



AA /U 00



**Stadium
Apartments**
E. Sycamore St.
& N. University Ave.
Oxford, Ohio

**Previously Reviewed
Site Plan**

E. SYCAMORE ST.

N. UNIVERSITY AVE



SCALE: 1" = 1'-0"
(@ 11x17)

HOMESTEAD AVE.



N. UNIVERSITY AVE.

E. SYCAMORE ST.

SITE INFORMATION:

- + NUMBER OF LOTS - 9 LOTS
- + TOTAL LOT AREA - 67,500 S.F.
- + AMOUNT OF PROPOSED UNITS:
EXISTING: 24 UNITS
NEW: 35 UNITS
- + AMOUNT OF BEDS:
EXISTING: 24 BEDS
NEW: 99 BEDS

UNIT MIX:	12
2 BEDROOM	17
3 BEDROOM	6
4 BEDROOM	35
# OF UNITS	99
BEDROOMS:	

REVISED SITE PLAN

SCALE: $\frac{1}{32}" = 1'-0"$
(@ 11x17)

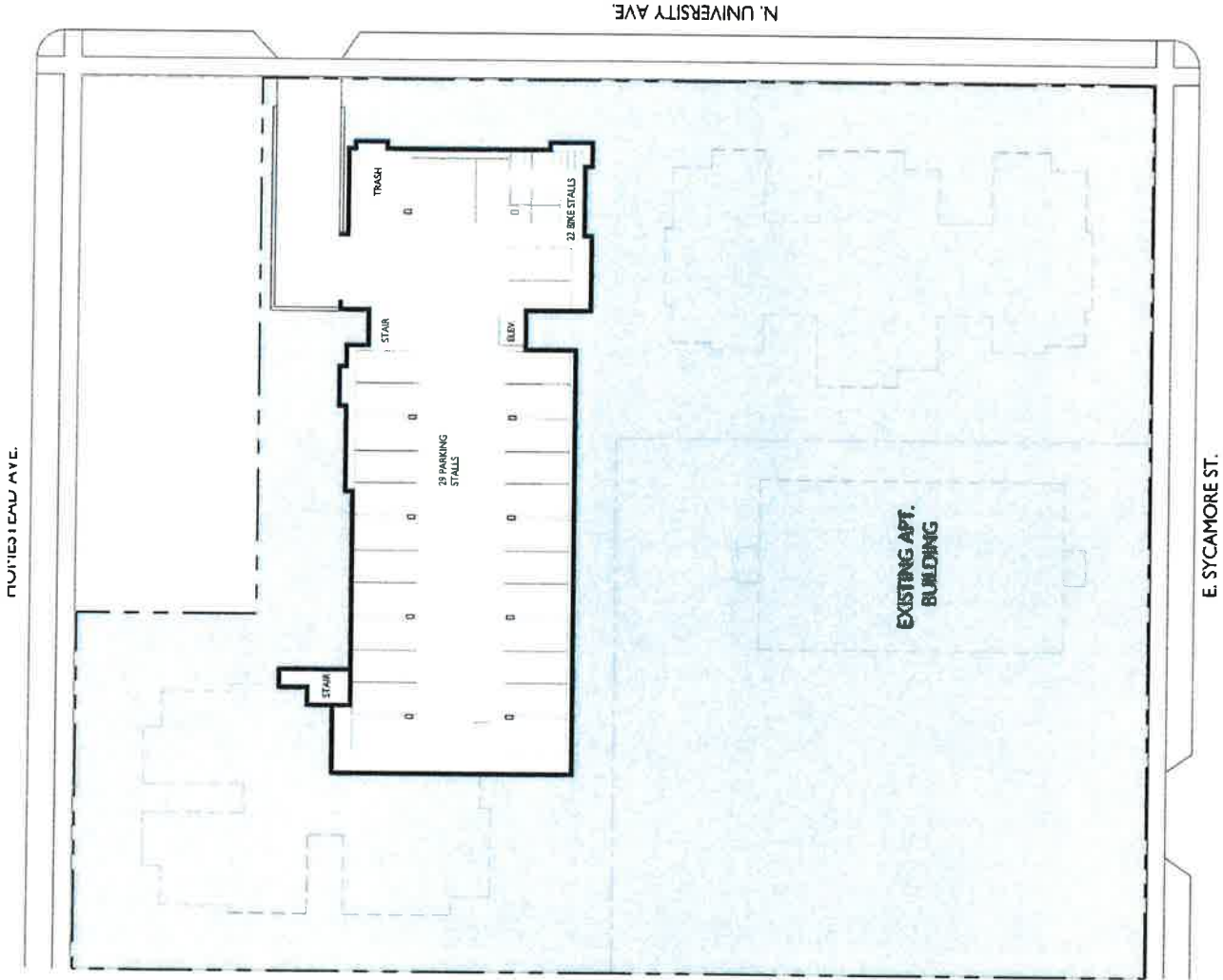


DATE: 09/27/17



**Stadium
Apartments**
E. Sycamore St.
& N. University Ave.
Oxford, Ohio
Sep. 27th, 2017

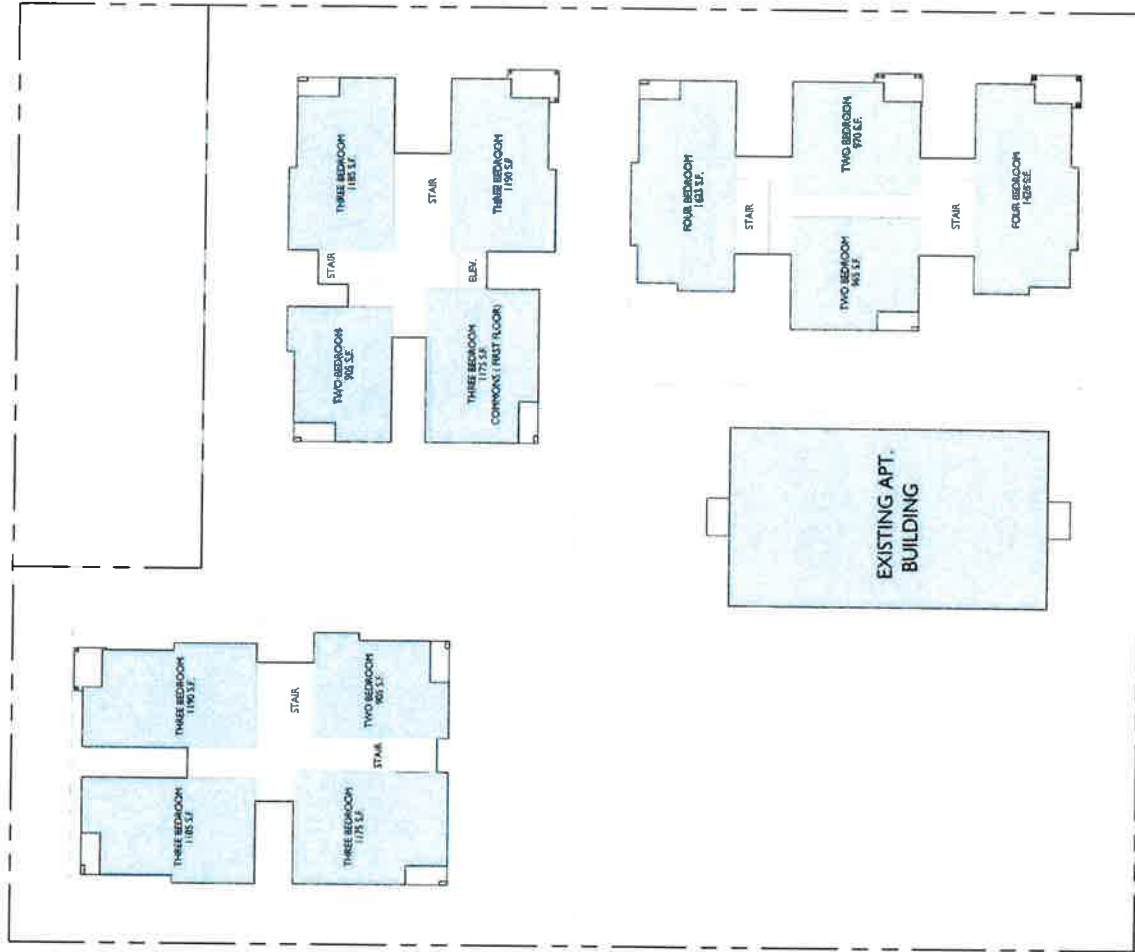
**BASEMENT
FLOOR PLAN**

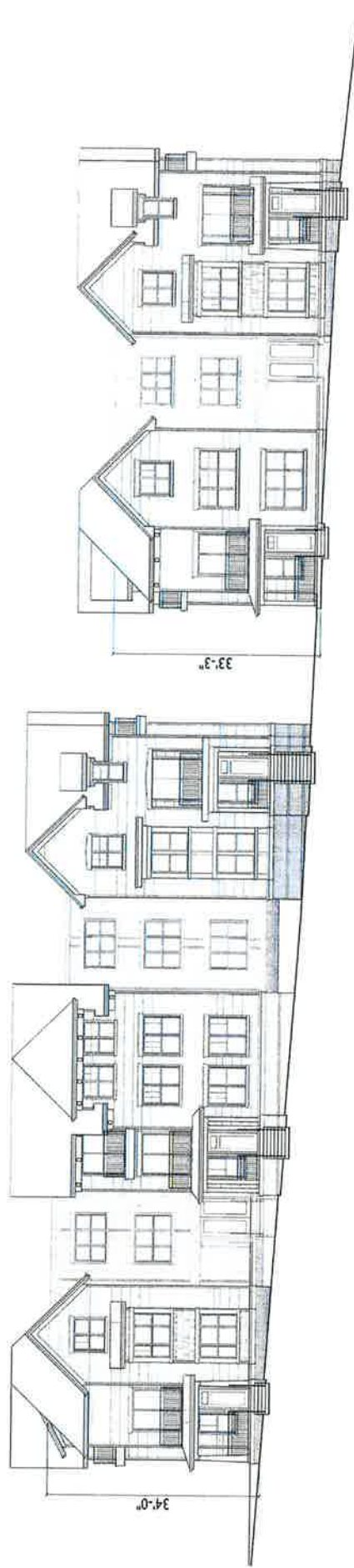


**FIRST FLOOR
PLAN**



**2ND & 3RD
FLOOR PLAN**



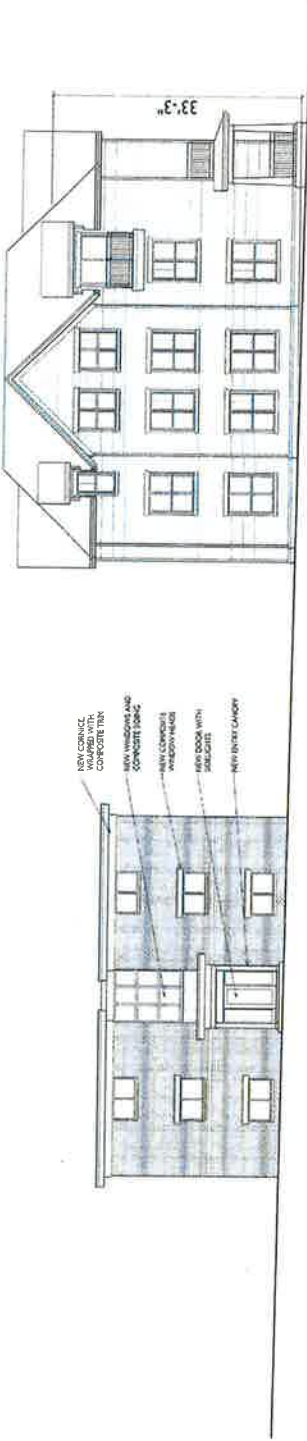


NORTH UNIVERSITY AVENUE

**Stadium
Apartments**
E. Sycamore St.
& N. University Ave.
Oxford, Ohio
Sep. 27th, 2017



BLDG ELEVATIONS + HEIGHT



EAST SYCAMORE STREET



HOMESTEAD AVENUE

BLDG ELEVATIONS + HEIGHT



North University Ave.

Conceptual Street View

**Stadium
Apartments**
E. Sycamore St.
& N. University Ave.
Oxford, Ohio
Sep. 27th, 2017



knothe • bruce
ARCHITECTS

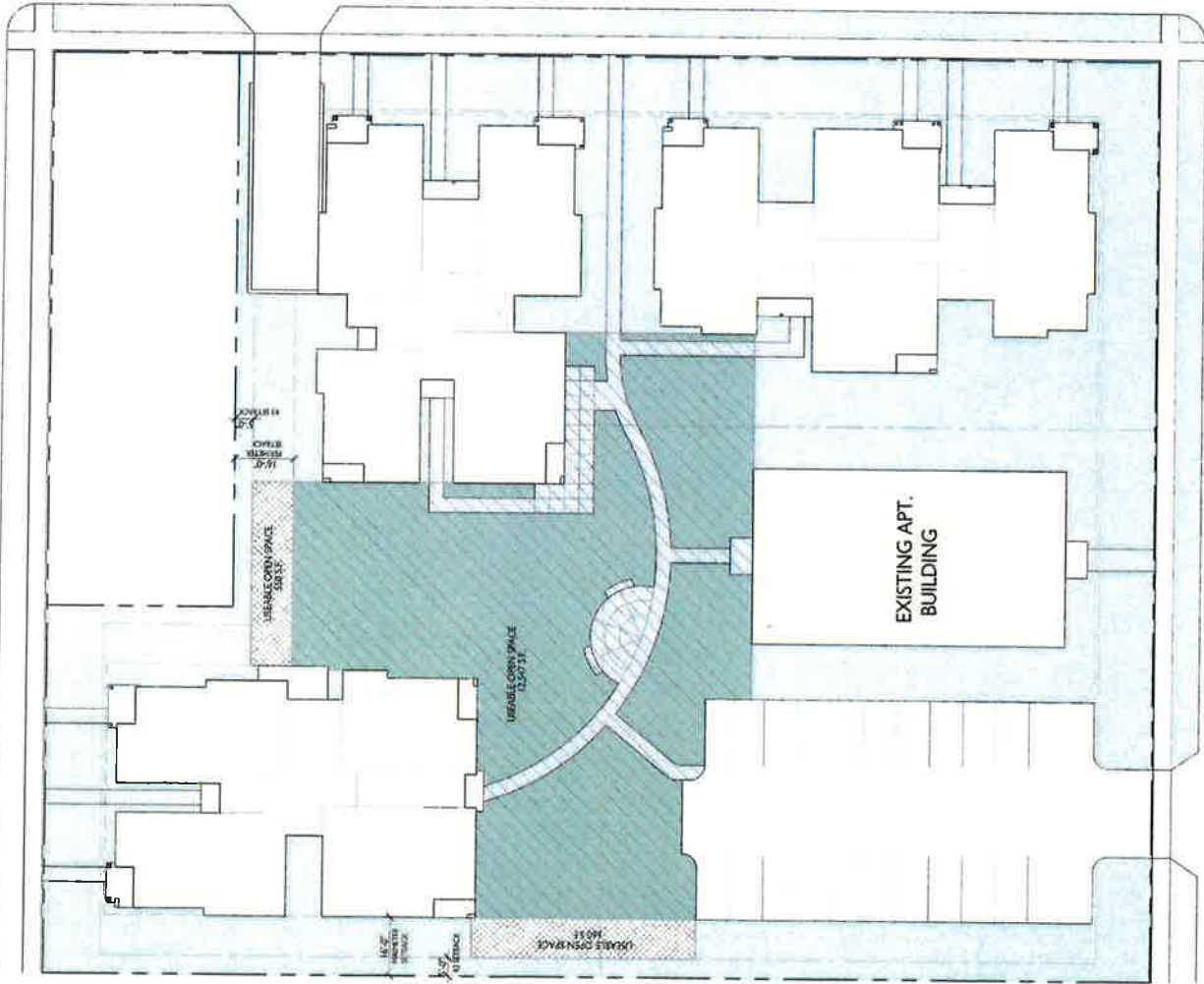
+ OPEN SPACE INCLUDES 3,865 S.F. OF PERMEABLE PAVERS FOR THE PARKING SPACES ON THE SURFACE LOT
(SEE PLAN FOR LOCATION)

SCALE: $\frac{1"}{32} = 1'-0"$
(@ 11x17)

Stadium
Apartments
E. Sycamore St.
& N. University Ave.
Oxford, Ohio
Sep. 27th, 2017



HOMESTEAD AVE.



E. SYCAMORE ST.

N. UNIVERSITY AVE.

OPEN SPACE

OPEN SPACE:

+ TOTAL LOT AREA - 67,500 S.F.

+ OPEN SPACE IS TO BE AT LEAST 20% OF LOT AREA:

MIN. OPEN SPACE REQ. : $67,500 \text{ S.F.} \times .20 = 13,500 \text{ S.F.}$

OPEN SPACE OF PROPOSED DESIGN = 12,547 S.F.

+ THE OPEN SPACE CAN BE INCREASED BY EXTENDING THE
USEABLE OPEN SPACE INTO THE PERIMETER SETBACK TO R3MS
REQ. (SEE PLAN FOR LOCATION)

12,547 S.F.

+ 660 S.F.

+ 550 S.F.

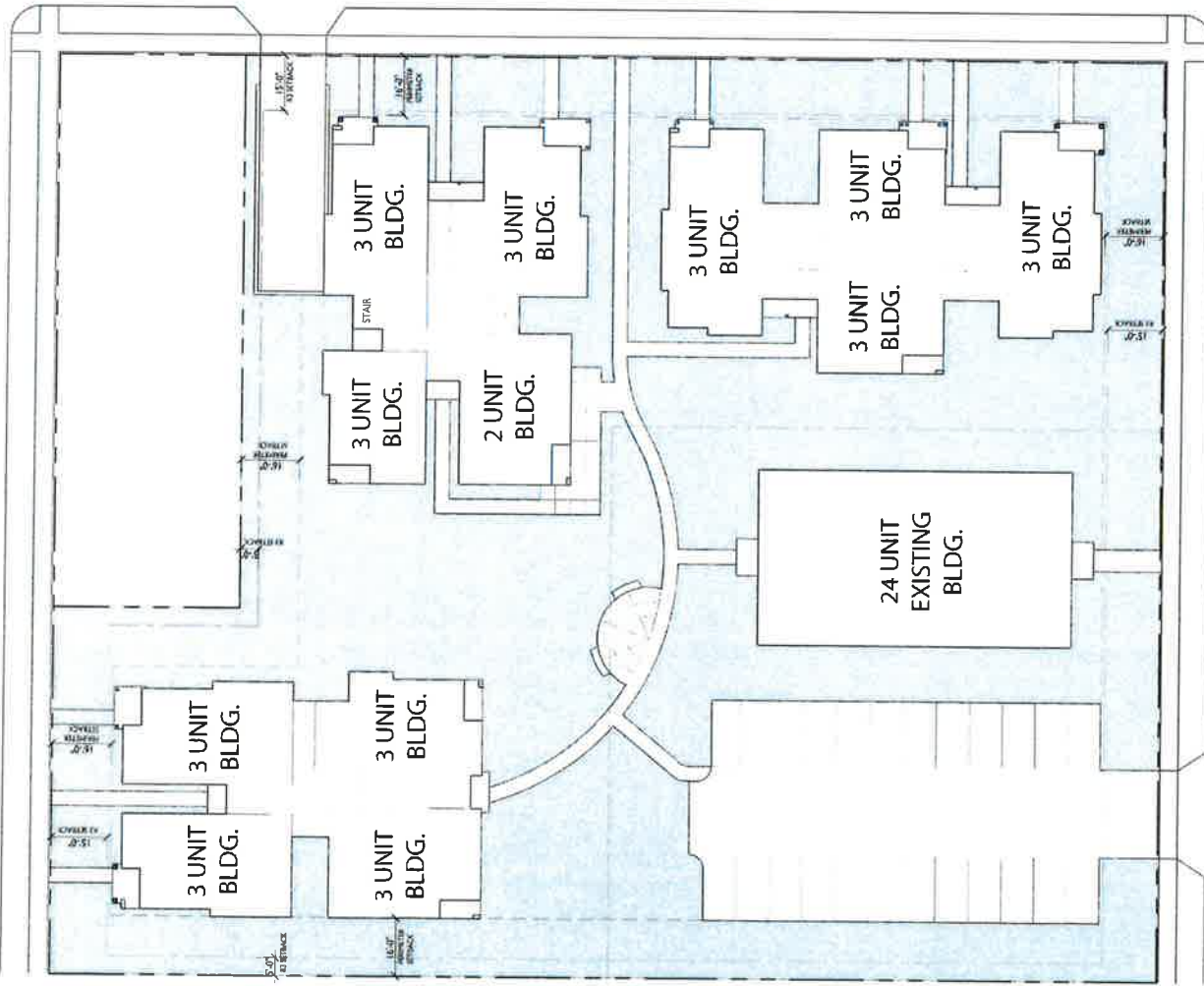
= 13,757 S.F.

SCALE: $\frac{1}{32}'' = 1'-0''$
(@ 1x17)

**Stadium
Apartments**
E. Sycamore St.
& N. University Ave.
Oxford, Ohio
Sep. 27th, 2017



HOMESTEAD AVE.



N. UNIVERSITY AVE.

E. SYCAMORE ST.

DENSITY



DENSITY:

+ ALLOWED DENSITY FOR SITE: 12 BEDS / 8,000 S.F.

+ ALLOWABLE DENSITY CALCULATION:

$$67,500 \text{ S.F.} \div 8,000 \text{ S.F.} = 8.44 \times 12 = 101 \text{ BEDS}$$

PLANNED DEVELOPMENT BONUS - 10%

111 BEDS

+ PROPOSED AMOUNT OF BEDS:

EXISTING: 24 BEDS

NEW: 99 BEDS

PROPOSED UNIT MIX:

2 BEDROOM 12

3 BEDROOM 17

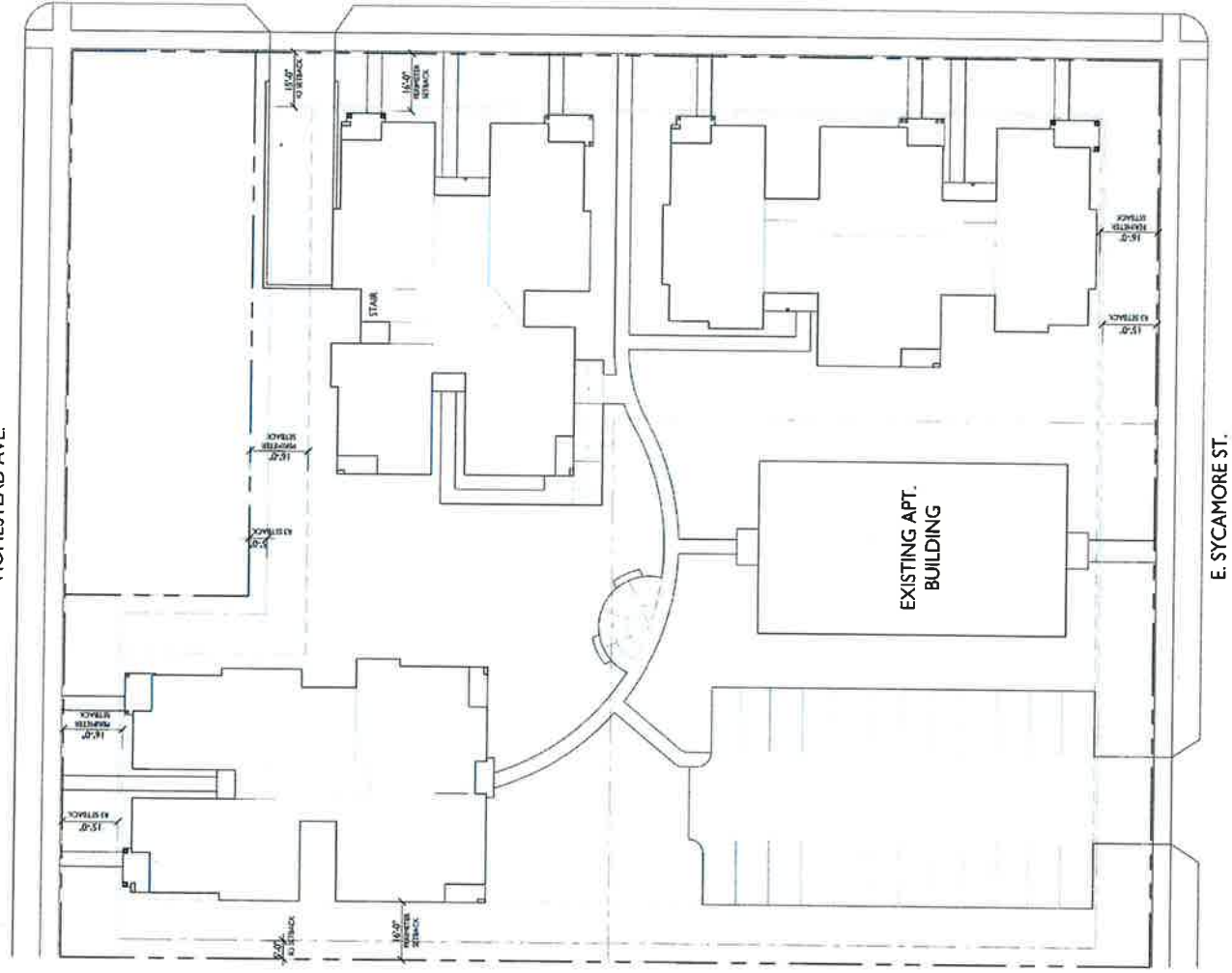
4 BEDROOM 6

TOTAL BEDS: 99

+ 24 (EXISTING APARTMENT)

123 TOTAL BEDS

HOMESTEAD AVE.



N. UNIVERSITY AVE.

BUILDING SETBACKS

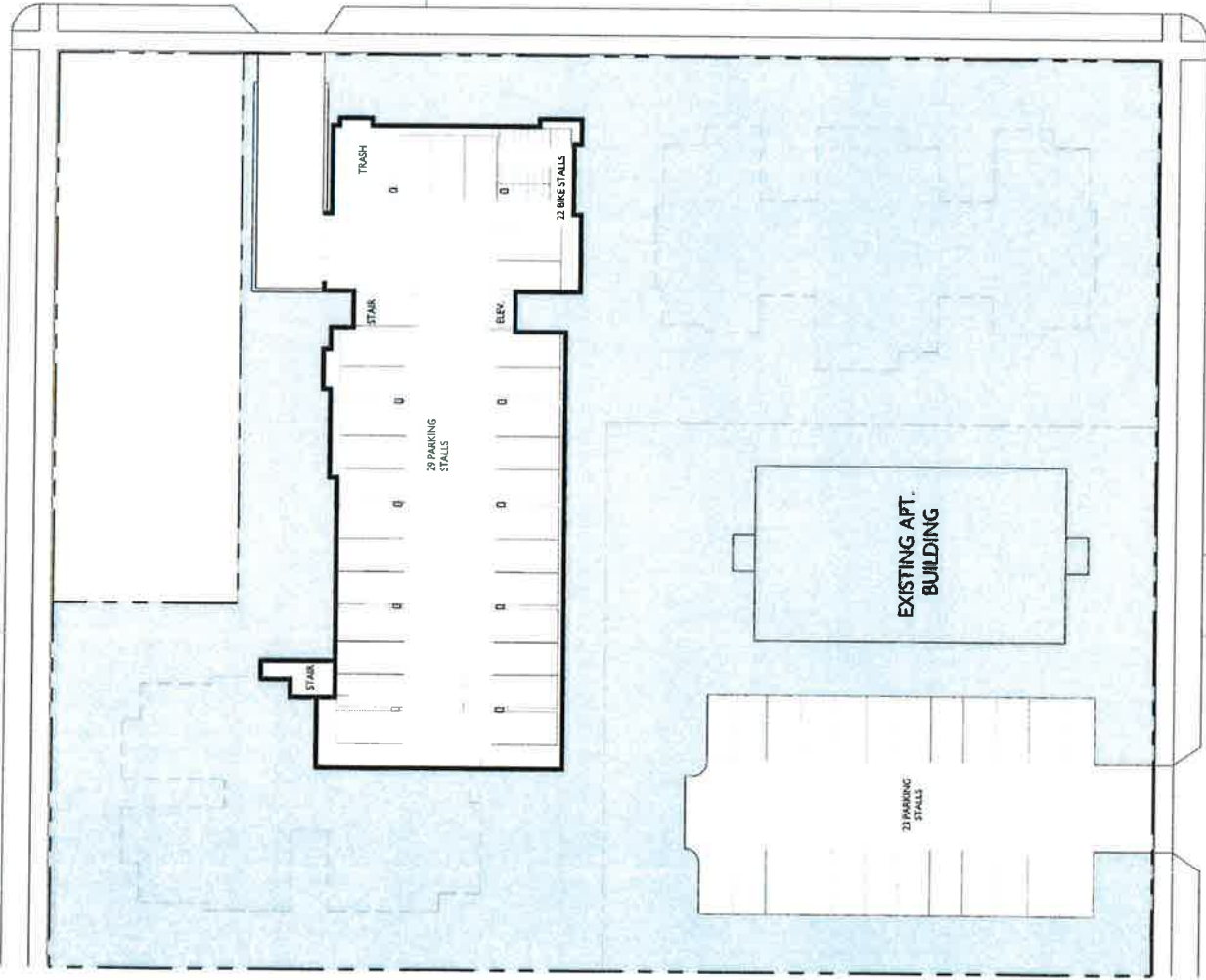
**Stadium
Apartments**
E. Sycamore St.
& N. University Ave.
Oxford, Ohio
Sep. 27th, 2017



SCALE: $\frac{1}{32}" = 1'-0"$
(@ 11x17)

N. UNIVERSITY AVE.

4 STALLS



PARKING:

- + REQ. PARKING FOR SITE:
R3MS - 2.5 STALLS / DWELLING UNIT
R3 - 1 STALL / 2 OCCUPANTS
- + CREDITS:
PROXIMITY TO CAMPUS - 10% REDUCTION
PROXIMITY TO BUS LINE - 10% REDUCTION
BIKE PARKING - 3% REDUCTION
* ON-STREET PARKING - 18 STALLS
- + PROVIDED PARKING:
UNDERGROUND - 29
SURFACE PARKING - 23
* ON-STREET - 18
70
- + TO MEET R3MS PARKING REQ. :
59 D.U. x 2.5 = 147.5 STALLS
- + TO MEET R3 PARKING REQ. :
1/2 STALL x 123 BEDS = 62 STALLS
(WITH 23% REDUCTION) = 48 STALLS
- + ADJACENT MILLET / YAGER PARKING LOT AVAILABLE TO STUDENTS UPON REQUEST. STALLS ARE AVAILABLE YEAR ROUND

PARKING

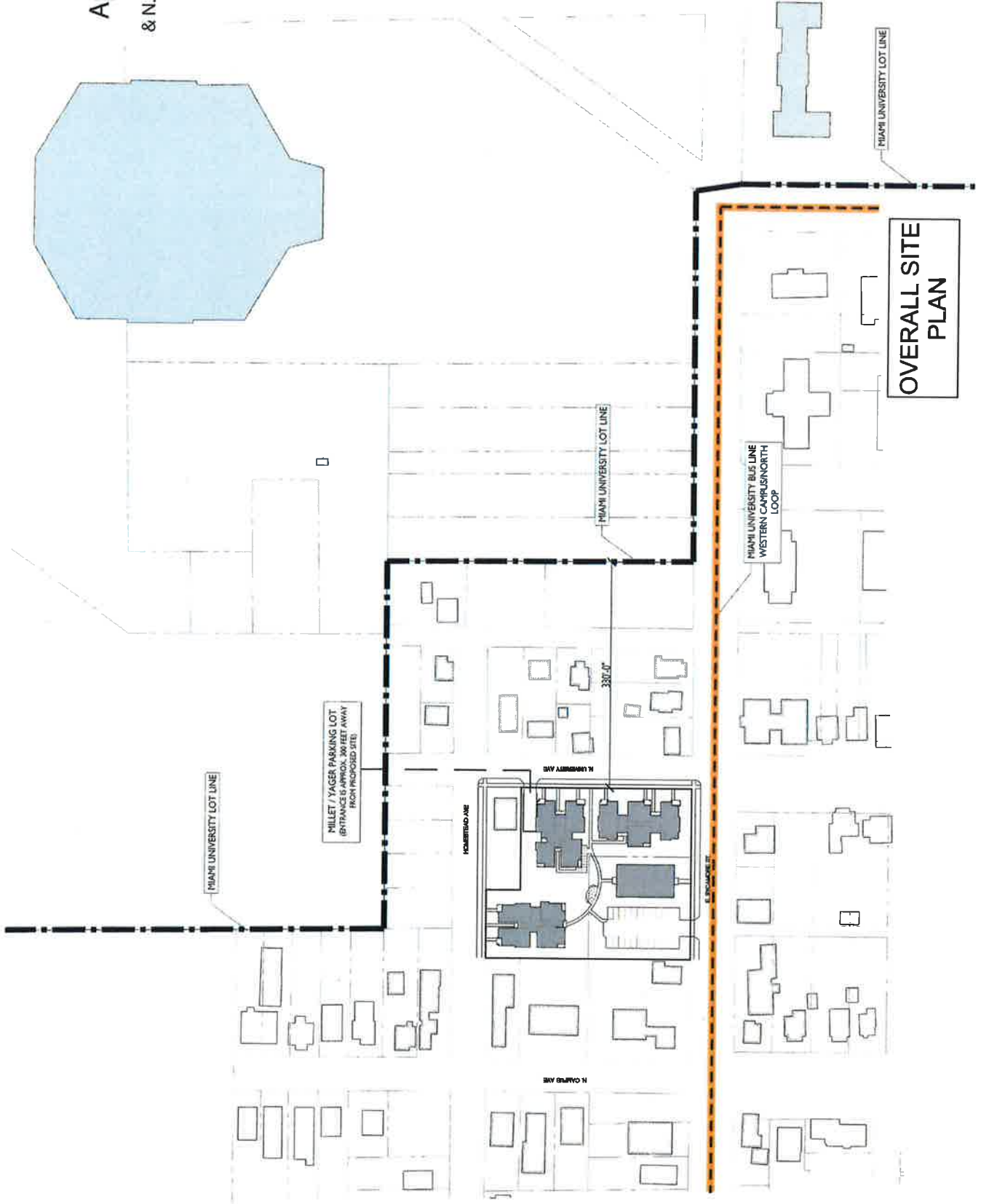
SCALE: $\frac{1}{32}'' = 1'-0''$
(@ 11x17)



**Stadium
Apartments**
E. Sycamore St.
& N. University Ave.
Oxford, Ohio
Sep. 27th, 2017



**Stadium
Apartments**
E. Sycamore St.
& N. University Ave.
Oxford, Ohio
Sep. 27th, 2017



Memo

OCTOBER PLANNING MEETING



To: Planning Commission for October 10, 2017 Meeting
From: Sam Perry, Community Development *SP*
Date: 10/5/2017
Re: PC-2017-25, Preliminary Planned Development, Stadium Apartments

Following the September 12, 2017 Planning Commission meeting, additional information was submitted to the City on September 29, 2017.

Staff has not completed a review of the additional information nor the question of compliance with the City Charter, therefore, staff recommends that the case remain tabled.

City of Oxford
Inter-Office Review Transmittal Sheet



Date: October 2, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-25, PLANNED DEVELOPMENT, Stadium Apartments, 1.55 acres, (Single-, Two- and Three-Family Mile Square Residential (R-3MS) District, N. University Avenue and E. Sycamore Street, Madison Student Housing LLC, Applicant (Tabled 9/12/2017)

New Items were submitted Friday, September 29, 2017 for the October 10, 2017 meeting

 X Review Revisions Other

Please return no later than: **October 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 Dethlefsen

Date:

10-5-17

City of Oxford
Inter-Office Review Transmittal Sheet

Date: October 2, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-25, PLANNED DEVELOPMENT, Stadium Apartments, 1.55 acres, (Single-, Two- and Three-Family Mile Square Residential (R-3MS) District, N. University Avenue and E. Sycamore Street, Madison Student Housing LLC, Applicant (Tabled 9/12/2017)

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 X Review Revisions Other

Please return no later than: **October 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 10-2-17

Drawings reviewed by:

A. Popescu
VICTOR POPESCU

Date: 10-2-17



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-2017-25; Planned Development
Stadium Apartments

DATE: October 2, 2017

The following are our comments to the submittal received by the Engineering Division on October 2, 2017.

Reference is made to the memo dated August 22, 2017. In that memo, certain issues were raised. The Site Engineer addressed them all, to the Engineering Divisions' satisfaction.

Briefly, we are emphasizing the major issues that were raised and addressed by the Site Engineer.

- How would the storm water be managed (i.e. underground detention, connect to city storm system)?

As stated in Bayer Becker's memo of September 29, 2017, based on storm water calculations, any increase in runoff will be controlled by underground detention. The underground detention will be released into the City storm water system. The release will be controlled, so as not to burden the storm water system.

- Can the City's sanitary sewer system within the area handle the additional sanitary discharge? Upsizing certain segments of the City's sanitary sewer main may be necessary.

The proposed development will increase the burden on the sanitary sewer system serving the area. The Developer will work with the City to resolve all the issues that may arise from the additional burden. All modifications to the sanitary sewer system are to be made at the Developer's expense.

- Traffic Study would be necessary.

Bayer Becker has provided a Traffic Impact Study, as requested by the Engineering Division. The TIS adequately addressed the concerns related to such a development. The close proximity to the MU Campus, will encourage students to walk, rather than drive to campus. Additionally, the presence of nearby offsite parking and public transportation will significantly aid in keeping the vehicular traffic impact low. The existing sidewalks are adequate to serve any increase in pedestrian traffic.

The Engineering Division accepts the TIS, as submitted.

NOTE: The above comments are based on a submittal that, as the previous one, did not include a site plan that indicated proposed public / private utilities.

If there are questions, please contact the Engineering Division.

City of Oxford
Community Development Department
STAFF REPORT
To
Planning Commission

**SEPTEMBER PLANNING
MEETING**

Case # PC-2017-25

Date **September 12, 2017**

APPLICATION

Applicant:	Mike Fisher (Madison Student Housing LLC)
Location:	9 lots between East Sycamore Street, University Avenue and Homestead Avenue: 208-224 East Sycamore Street, 406-416 University Avenue and 207-209 Homestead Avenue; 1.55 Acres
Proposed Owner:	Madison Student Housing LLC
Current Owner:	Various, See attached excerpts of signed land contracts
Action Request:	Recommendation of Preliminary Planned Development for Stadium Apartments
Current Use:	Single and Multi-Family Residential Units
Surrounding Existing Land Uses:	Single and Multi-Family Residential Units

DESCRIPTION

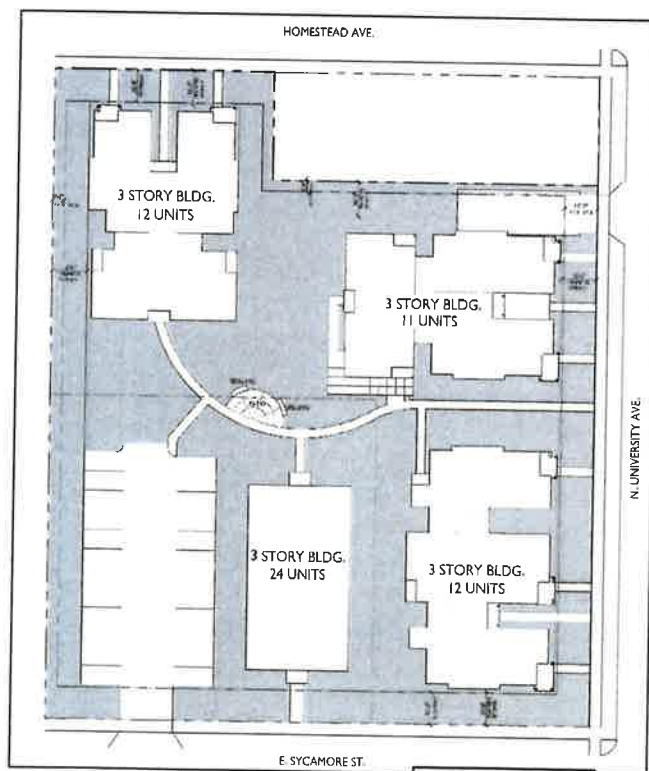
Architect J. Randy Bruce, on behalf of Madison Student Housing LLC, is requesting a recommendation of approval for a Preliminary Planned Development located on approximately 2/3 of a city block between East Sycamore Street, Homestead Avenue and University Avenue. The proposal is to build three new buildings but retain one of eight existing buildings. The final result would be a total of 59 apartments on 1.55 acres of consolidated land. The building to be retained has 24 apartments. Oxford Zoning Code allows a Planned Development application to be reviewed first by Planning Commission and then City Council.

As noted in Oxford Code Section 1145.01, the planned development is "intended to permit and encourage creative and flexible land development that is not permitted by-right but meets goals of the City's Comprehensive Plan."

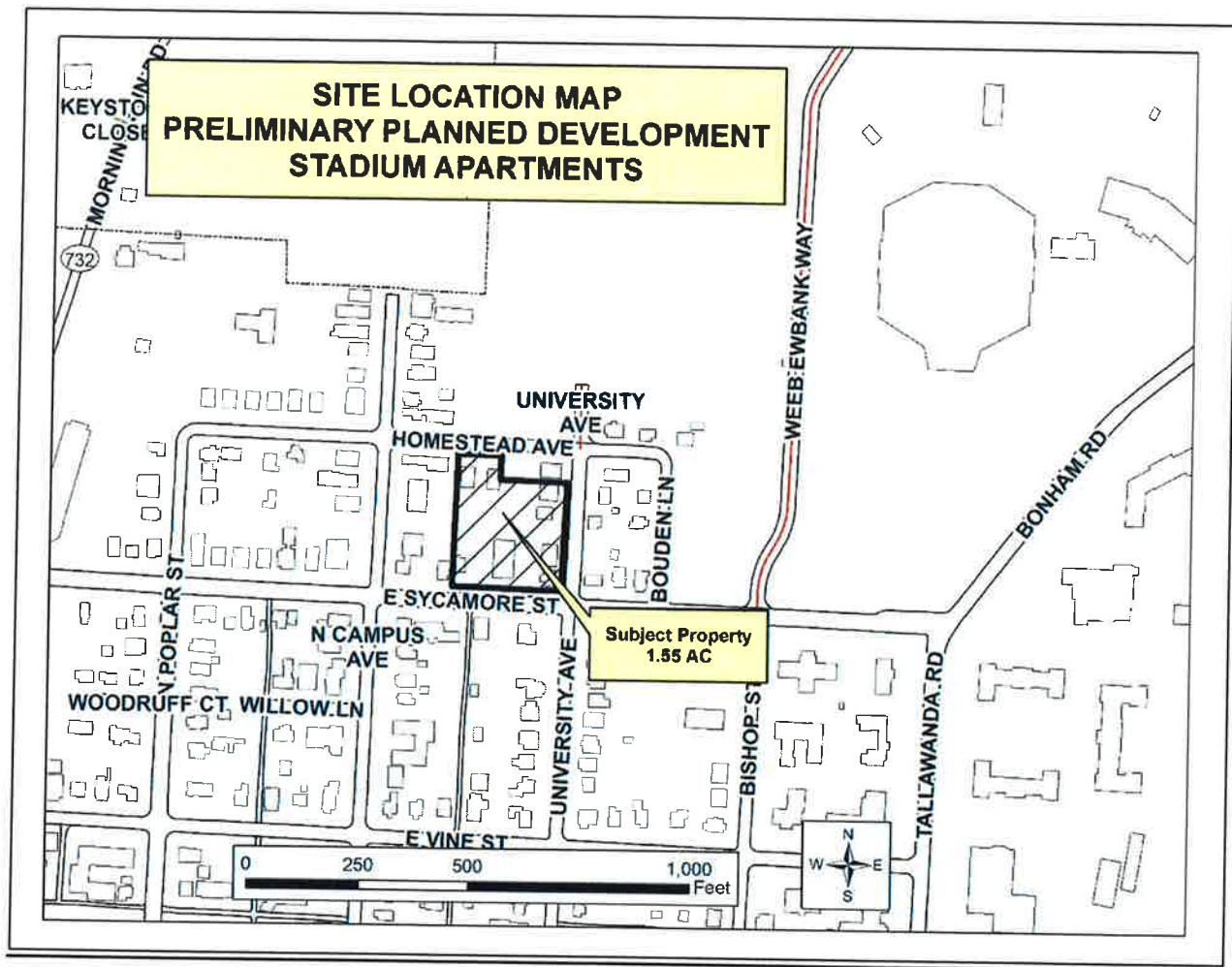
SITE HISTORY

Madison Student Housing LLC presented a concept review of the project at the July 2017 Planning Commission meeting. Feedback was offered by Planning Commission members to assist the developers in preparing a complete application for review.

It is believed that the eight existing buildings within the project footprint were all built throughout the 20th century. Six of the buildings are currently occupied. Two are vacant, having lost their legal nonconforming use rights in 2012 following a sheriff-ordered sale process.



LOCATION MAP:



PURPOSE STATEMENTS:

Quoted below are purpose and goal statement excerpts from both the underlying zoning district (R3MS) and the Planned Development Overlay. Two statements are provided for the R3MS code due to an active text amendment in process. The purpose statement is proposed to be expanded.

1143.07 R3MS Single and Two Family Mile Square Residential District

Current: (a) Purpose. This district is designed to preserve and encourage a mix of single-family, two-family, and three-family residences in the established residential areas of historically significant character.

PROPOSED: R3MS Single and Two Family and Three Family Mile Square Residential District.

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

Planned Development Common Goals from Section 1145.01(a)

(a) Purpose. Planned developments incorporate land uses and development patterns that are intended to permit and encourage creative and flexible land development that is not permitted by-right under the administrative regulations of underlying zoning districts. The planned development is particularly well suited to address two distinct goals of the Comprehensive Plan: to provide for environmentally sensitive and cohesive developments that are an attractive alternative to traditional subdivision and infill development that fully utilizes available land and existing utility resources where they already exist.

(1) Planned developments share these common goals:

- A. Protect the neighbors of a planned development and the City in general to at least the same degree normally inherent in the Zoning Code.
- B. Produce a development equal to or better than that resulting from single-use or traditional subdivision
- C. Have a site and situation that permits comprehensive planning both on the site and relative to its immediate surroundings
- D. Result in a design in which the placement, height, and uses of buildings, vehicle management areas, and open spaces efficiently utilize potentials of the site
- E. Include covenants, easements, and other private measures that will help ensure the long-term administrative viability of a development
- F. Be functional within a time period that helps ensure a viable development

(2) Infill (already within corporate limits) development also satisfies the following goals:

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

PROCESS:

1145.06 PLANNING COMMISSION AND COUNCIL REVIEW

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

The Planning Commission shall base its review of a proposed planned development upon the complete application, upon any staff report, and upon any relevant and credible public comment presented during the public hearing. Council shall base its decision on the same materials and shall also consider the Planning Commission recommendation.

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

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

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

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

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

- (1) The proposed planned development is in fact permitted in the zoning districts in which it is proposed. **Not as drawn**

- (2) If the application is for the same site where a planned development application has been denied within one year, the plan is substantially different from the application so denied. **n/a**
- (3) The uses and site plan will satisfy the general intent of this Zoning Code. **Not as drawn**
- (4) The uses and site plan will be compatible with the general intent of the Comprehensive Plan. **Impacts unknown at this time**
- (5) The size and shape of the site are sufficient for the proposed planned development. **Not as drawn**
- (6) The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district. **Not hazardous or disturbing**
- (7) The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions. **Traffic impact unknown**
- (8) Accessory uses will be directly related to the operation of the principal uses and will not be operated independent of the principal uses. **Typical residential accessory uses**
- (9) The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately. **Insufficient information**
- (10) Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services. **Insufficient information**
- (11) The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district. **Character will be changed**
- (12) The site is designed so that on-site traffic and traffic accessing the site will not adversely impact the movement or safety of all modes of traffic on adjacent public streets. **Traffic impact unknown**
- (13) Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance. **None reported by applicant**

DESIGN REQUIREMENTS

The requirements for Planned Developments, pertaining to the proposed Planned Development are outlined under Section 1145.12 for any projects to adhere to.

COMMENT FORMS

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

AGENCY REVIEWS

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

Police:	Not returned
Fire:	Returned without comment
Service/Engineering:	Returned with comment memo
Econ. Dev.	Not returned



North University Ave.

Stadium
Apartments
E. Sycamore St.
& N. University Ave.
Oxford, Ohio
kba
knothe + bruce

ANALYSIS

Summary of this project: The proposal from Knothe & Bruce Architects is to redevelop, almost entirely, a 1.55 acre land area by removing seven buildings and constructing three new, three-story buildings, each with 12 apartments. The project, as-proposed would result in a total of 59 apartments which would be managed and operated as one cohesive development. The project would include common amenities such as parking, recreation and storage.

Development Regulations reviews:

There are design requirements outlined in the Planned Development Chapter 1145 that this project will need to address. There are also site development regulations of the underlying district, R-3MS Single, Two and Multi-Family Mile Square Residential, that this project needs to address. This report will highlight those issues for the Commission to review. Underlined sections are what staff has determined are code conflicts that will need to be addressed.

1. Lot area/Density:
 - a. PUD: one (1) contiguous acre or more. Density shall not exceed 110% of the underlying zone.
 - b. R-3MS: Minimum of 8,000 Sq. Ft. for three-family dwelling.

Review: Based upon the proposed drawings and new proposed R3MS code, the maximum allowable density is 28 units for this 1.55 acre area. The proposal is 59 units, which is double of what is permitted. There are currently 32 units within the project footprint. For comparison purposes, recent developments in the Uptown District are being approved administratively at 60 dwelling units per acre (DU/AC). Stadium Apartments is proposed at 38 DU/AC. The zoning code permits up to 18 DU/AC based upon the new R3MS district standards. The existing surrounding city blocks range 8 to 15 DU/AC. Other than the Uptown District, the City of Oxford's residential density maximums range from 3 to 24 DU/AC. The recently approved "The

Verge" Planned Development located on Arrowhead Drive was approved at 21 DU/AC and "Gaslight Ave" Preliminary Planned Development is approved at 12 DU/AC.

2. Setbacks:

- a. Planned Development-25' perimeter setback for residential development. All building and vehicle management areas shall be setback from the perimeter of a planned development.
- b. R-3MS – 15' min front yard setback, 25' max front yard setback, 35' on rear setback and 5 feet on side yard setback.

Review: The proposed development is shown to comply with the 15' minimum front setback but not the 25' Planned Development perimeter.

3. Building Heights:

- a. R3MS code limits building heights to 35 feet, measured at the mid-point of the ridge.

Review: The proposed development as drawn appears to comply with the requirements. More detailed drawings will be required for the final plan, given the limited margin of error shown.

4. Lot coverage

- a. PUD- 40% maximum for residential development
- b. R-3MS- 45%

Review: The proposed development as shown, has 50% lot coverage. The pervious parking is not considered exempt from lot coverage calculations. No data of existing, compared to proposed lot coverage, was provided.

5. Open Space

- a. PUD- No development shall have less than 20 percent of open space, not including the required setbacks or areas less than 50 by 50 feet.
- b. Nothing other than natural area.

Review: The proposed development as shown has 17 % of open space. The incorrect perimeter setback was used (16'). Additionally, open space in required setbacks cannot be counted. No data of existing, compared to proposed, was provided.

6. Landscaping and Screening

- a. The required setback shall be retained in natural woods or suitably landscaped with grass, ground cover, shrubs, trees, or earthen mounds.

Review: The proposed plans are preliminary in nature. There is no indication that the required parking lot landscaping will be provided. Street trees or front yard trees as shown in the building elevations would be expected to be included on the final plan to include complete landscaping plans.

7. Environmental

Review: No information was provided regarding environmental resources to be protected or restored as part of this project.

8. Access and Mobility

- (1) At residential densities greater than would be permitted in the R-1A District, have direct and principal access from a collector or arterial road.
- (2) Bicycle rack spaces shall be provided at all planned developments that overlay a commercial zoning district at a rate of 3 per acre.
- (3) Adequate pedestrian connectivity shall be provided to and through a planned development.

Review: The proposed plans as drawn, highlight the non-motorized access options to the project. Covered bike storage has been shown on the plans and would be expected to be included. A BCRTA bus route line has been shown to pass through the area; however per BCRTA policy, no special accommodations are provided to a new development without a private agreement between the developer and BCRTA. Additionally, since the City Engineer has stated that a traffic study would be required, it is expected that all modes of transportation will be included with the Final Plan, as noted in the submittal requirements.

9. Parking and Site Access: All residential uses of more than three dwelling units must meet the non-residential parking lot design requirements, except for the number of parking spaces required.

Review: Given that the project design is preliminary in nature, there is insufficient information for a complete review. However, the numbers of parking spaces as it relates to the location of this particular property should be reviewed. The project developers are intending for the project to be student housing, therefore facts and trends regarding student car ownership and parking demand should be considered. The plans show 51 off-street parking spaces, which is approximately 1/3 of the required parking of 148, based upon the ratio of 2.5 spaces per unit (59). The architect has shown comparisons with requirements of the R3 district, which may have value in the decision-making process. The architect also states in the narrative the proximity of the project to Miami's Millett Hall Parking lot. City staff briefly discussed the project with Miami University Physical Facilities staff. No agreements or special accommodations have been made for this project. Miami staff do not permit parking permit holders to store vehicles in the lot on game days. Additional parking, special arrangements or a waiver will need to be granted by the City.

10. Utilities and Infrastructure: In numerous locations throughout the Planned Development Code Chapter, the sufficiency, availability and existence of utilities and infrastructure is questioned in regards to the review of a planned development.

Review: Given that the project is considered a redevelopment within existing urban area, it may be assumed that there are sufficient utilities and infrastructure. However due to the City Engineer's memo inquiring about traffic study, sewer, storm water and water, it is clear the several different topics of additional information are needed in order to determine if adequate utilities and infrastructure are provided.

11. City Charter 2.11(4): Under the authority of the City Council this subsection of the Charter of the City of Oxford prohibits structures containing more than three dwelling units in the subject area.

Review: This is not a section of the Planning and Zoning Code of the City of Oxford, but it will present a City Council approval problem for the proposed development due to the fact that there are three new buildings with 12 dwelling units each.

RECOMMENDATION

The review and recommendation for this project can be divided into two broad categories: (1) Administrative-level issues, such as infrastructure and architectural design and (2) Policy-level issues, such as dwelling unit /building density. Setting aside the Administrative-level issues, this project could present both positive and negative impacts for Oxford. For example, increases in land values could have both positive and negative effects. Increased land values results in additional revenue for public uses. Steep increases in taxable values could result in limitations for others to enter the Oxford market in the near future.

Given that substantial effort was recently made by the Planning Commission to amend the Mile Square zoning regulations to encourage redevelopment, there could be some overlap for discussion. It is recommended that the Planning Commission provide guidance on the building density issue before significant effort is made by the applicant to respond to other requests for information or revisions from city staff. It is unclear to city staff what impact any revisions in density will have on also meeting the City Charter dwelling unit limit or vice versa, revisions to comply with the City Charter impacting the dwelling unit density.

Lot coverage, open space, parking requirements and building setbacks could also be considered Policy-level decisions; however, these topics have been more frequently reviewed and recommended by the Planning Commission than the dwelling unit per acre limits.

Based upon the dwelling unit per building and dwelling unit per acre conflicts stated within this report, Staff recommends that a recommendation of denial be forwarded to City Council. Any additional reasons for denial should be stated in writing per Code. Based upon Section 1145.06(b)2, a denial would not preclude a new future application to be submitted within one year as long as it is substantially different. An identical application could be submitted after one year.

Alternatively, the Planning Commission could (1) table (suspend) the review until sufficient information is submitted (Per Section 1145.06 "Planning Commission and Council Review") or (2) it could recommend approval of the case.

If Planning Commission decides to forward a recommendation of approval to City Council, the recommendation may be based upon the architect providing additional information for City staff review prior to scheduling City Council first reading. An approval of a Preliminary Plan by City Council would be valid for up to two years, and void if a Final Plan is not submitted within those two years.

SUBMITTED

BY:

A handwritten signature in black ink, appearing to read "Sam Perry", written over a horizontal line.

Sam Perry, AICP
Planner

DATE: September 6, 2017

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-2017-25, PLANNED DEVELOPMENT, Stadium Apartments, 1.55 acres, (Single-, Two- and Three-Family Mile Square Residential (R-3MS) District, N. University Avenue and E. Sycamore Street, Madison Student Housing LLC, Applicant

 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 Duthuase
PRINTED NAME

Date:

8-29-17

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-2017-25, PLANNED DEVELOPMENT, Stadium Apartments, 1.55 acres, (Single-, Two- and Three-Family Mile Square Residential (R-3MS) District, N. University Avenue and E. Sycamore Street, Madison Student Housing LLC, Applicant

 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 8-22-17.



Drawings reviewed by: *H. Popescu* Date: 8-22-17

 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-2017-25; Planned Development
Stadium Apartments

DATE: August 22, 2017

The following are our comments.

- All unnecessary curb cuts and driveway aprons shall be removed and replaced with curbs and tree lawns. The new curb shall match the existing curb.
- How would the storm water be managed (i.e. underground detention, connect to city storm system)?
- Would the City's storm water system in the area be capable of receiving the additional storm water, or would upsizing be necessary?
- Master metering of the water would not be permitted. City policy.
- All water mains shall be located within recorded easements.
- The Fire Chief will determine the need and locations of the fire hydrants and FDC's.
- Water meters are to be purchased from the City, and installed by the Developer / Contractor.
- The water meters will be read, and billed by the City.
- Will there be irrigation?

- All taps on live water mains shall be made by City Staff.
- Can the City's sanitary sewer system within the area handle the additional sanitary discharge? Upsizing certain segments of the City's sanitary sewer main may be necessary.
- Infrastructure (water, sanitary, and storm), is to be constructed prior to initiating construction of the buildings.
- Traffic Study would be necessary.
- City Staff will inspect the construction of the infrastructure to assure that the City of Oxford Specifications are met.
- To assure that the utilities are constructed and maintained to City Standards, a performance bond will be required during the construction of the Development. The subject bond will be replaced by a maintenance bond, once the Development is completed.

NOTE: The above comments are based on a submittal that did not include a site plan that indicated proposed public / private utilities.

If there are questions, please contact the Engineering Division.

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



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

CASE NO.: PC-2017-25

DATE OF HEARING: September 12, 2017

PLANNED DEVELOPMENT, Stadium Apartments, 1.55 acres, (Single-, Two- and Three-Family Mile Square Residential (R-3MS) District, N. University Avenue and E. Sycamore Street, Madison Student Housing LLC, Applicant

If you cannot attend this public hearing being held before the City of Oxford Planning Commission, but would like to comment on this matter, please complete this form and return it at your earliest convenience to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name: Loveland Holding LLC. - Justin Greine Managing Member
(Print)
Address: 423 Wards Corner Rd, STE F
LOVELAND OH 45140

Telephone: Home: Work: 513-620-4514

COMMENT:

As an owner of properties in and around this area I fully support and approve of this development and any zoning changes necessary for its moving forward.

Justin Greine
Signature

9/1/17
Date



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

CASE NO.: PC-2017-25

DATE OF HEARING: September 12, 2017

PLANNED DEVELOPMENT, Stadium Apartments, 1.55 acres, (Single-, Two- and Three-Family Mile Square Residential (R-3MS) District, N. University Avenue and E. Sycamore Street, Madison Student Housing LLC, Applicant

If you cannot attend this public hearing being held before the City of Oxford Planning Commission, but would like to comment on this matter, please complete this form and return it at your earliest convenience to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name:

(Print)

Address:

Greg Reichert
224 East Sycamore Street
Oxford, OH 45056

Telephone: Home: (513) 598-9768

Work: (513) 806-9701

COMMENT:

I think this development would be a
WONDERFUL addition to north campus.

It will make the area much nicer and
hopefully more attractive for more future development.
More than half of the housing up there looks
run-down and dilapidated.

Signature

Date

[Signature]

9/6/17



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

CASE NO.: PC-2017-25

DATE OF HEARING: September 12, 2017

PLANNED DEVELOPMENT, Stadium Apartments, 1.55 acres, (Single-, Two- and Three-Family Mile Square Residential (R-3MS) District, N. University Avenue and E. Sycamore Street, Madison Student Housing LLC, Applicant

If you cannot attend this public hearing being held before the City of Oxford Planning Commission, but would like to comment on this matter, please complete this form and return it at your earliest convenience to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name:

(Print)

Address:

ROBERT WOLFE

418 BOUDEN LN. OXFORD OH, 45056

PROPERTY EXTENDS TO UNIV. AVE. 411

Telephone:

Home: 8127010372

Work: RETIRED

COMMENT: The information included in this notice does not give enough information for an adequate reply and visited the planning Commission office and received more relevant information. As I understand the development is intended for 54 units indicated as family rentals but probably be a major student rental complex which could mean 222 persons. Currently (not including the apartment Bldg. to the west part of the plot serves approx 17 persons. The increased density would certainly influence the area unfavorably. The number of autos would increase proportionately. North University serves as major entrances and exits for milled Hall, the football stadium and a university car parking area. The streets now are lined with cars with the exception of Bouden Ln where residents managed a restricted parking designation for which we pay \$5. to park near our homes.

Robert Wolfe
Signature

September 8, 2017 (OVER)
Date



PUBLIC HEARING

On Tuesday, September 12, 2017 beginning at 7:30 p.m., the Oxford Planning Commission will hold a Public Hearing at the Oxford Courthouse, 118 West High Street, Oxford, Ohio in order to consider the following:

PC-2017-25, PLANNED DEVELOPMENT, Stadium Apartments, 1.55 acres, (Single-, Two- and Three-Family Mile Square Residential (R-3MS) District, N. University Avenue and E. Sycamore Street, Madison Student Housing LLC, Applicant

Lynn Taylor
Administrative Assistant
Community Development Department
513/524-5204

continued statement:

The underground parking would spit onto University ave which is heavily traveled and at times blocked for one half hour or more.

with increased numbers of students noise and party noise and disturbances would increase. For example check the fraternities and lower apartments on party days and nights which is unbearable and seems uncontrollable by city police.

Hannah: I do feel that the design elevations I saw (with out being able to judge scale) seem to consider a "neighborhood feeling" with the division of structures into smaller divisions

R U

Scanned & included
on Granicus prior
to mtg / let

Typed-

Received by Mr. Wolfe Friday, September 8, 2017 11:15a.m.

(Agenda had already been ran)

"Robert Wolfe, 418 Bouden Lane"

"The information included in this notice does not give enough information for an adequate reply so I visited the Planning Commission office and received more relevant information. As I understand the development is intended for 59 units indicated as family rentals but probably be a major "student rental" complex which could mean 222 persons. Currently (not including the apartment building to the west) part of the plat serves approximately 17 persons. The increased density would certainly influence the area unfavorably. The number of autos would increase proportionately. North University Avenue serves as major entrances and exits for Millett Hall, the football stadium and a university car parking area. The streets now are lined with cars with the exception of Bouden Lane where residents managed a restricted parking designation for which we pay \$25.00 to park near our homes.

The underground parking would exit on to University Avenue which is heavily traveled and at times blocked for one half hour or more. With increased numbers of students noise and party noise and disturbances would increase. For example, check the fraternities and Tower apartments on party days and nights which is unbearable and seems uncontrollable by City Police.

However, I do feel that the design elevations I saw (without being able to judge scale) seem to consider a "neighborhood feeling" with the division of structures into smaller divisions."



Internal Use Only:	
Case No.	PC-2017-25
Date Filed	7/28/17

Planned Development Application

Application Type

Choose One

☒

Preliminary

☐

Final

☐

Preliminary & Final

Applicant Information

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

Name *

Madison Student Housing LLC

Mailing Address *

2249 Pinehurst Drive

City, State & Zip Code *

Middleton, WI 53562

Telephone Number *

608-233-4440

Email Address

jim@jmmichaelrealestate.com

Owner Information

Name *

Madison Student Housing LLC

Mailing Address *

2249 Pinehurst Drive

City, State & Zip Code *

Middleton, WI 53562

Telephone Number *

608-233-4440

Email Address

jim@jmmichaelrealestate.com

Engineer/Surveyor Information

Name *

Etta Reed - Bayer Becker

Mailing Address *

110 South College Avenue

City, State & Zip Code *

Oxford, Ohio 45056

Telephone Number *

513-492-9847

Email Address

ettareed@bayerbecker.com

Location and Lot Information

Name of Subdivision *

Stadium Apartments

Location of Property *

N. University Ave. and E. Sycamore St. - Oxford, Ohio

Legal Description *

Lots: 1592, 1593, 1595, 1596, 1600, 1601, 1602, 1603, 1604

Zoning District *

R3MS

Total Area *

1.55

Acres

Submission Requirements and Documentation

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

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

O. Other information as required by the Planning Commission or Council.

(7) Elevations. Elevations of proposed structures or typical elevations if structures are not yet designed.

(8) Other. Photographs of the existing site and its surroundings.

(b) Final Plan.

- (1) The same items and information as required for the preliminary plan, except that the approximations shall be refined to specific locations, dimensions, and descriptions.
- (2) A detailed traffic impact analysis, including all modes of transportation, prepared by a qualified professional engineer
- (3) Any additional description or information requested by the Planning Commission or Council during the preliminary plan approval process.
- (4) Detailed agreements, contracts, deed restrictions, and sureties that will be used to guarantee performance of the development during and after construction.

Surrounding Property Owners

On a separate sheet, provide the parcel numbers, names, and mailing addresses of all property owners within 200 feet of all boundaries of the property in question. The [Butler County Auditor Real Estate Search](#)² is helpful when searching for the mailing address of adjoining property owners. It allows you to search by owner, address, or parcel number.

Decision Process

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

Fees & Receipt

The fees for a Preliminary, Final, or combined Preliminary and Final Planned Development application are \$400.00 plus \$100.00 per acre, plus \$10.00 postage charge.

Sign and Date

Applicant Signature *

Mike Fisher - Mike Fisher

Date *

7/27/2017

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 containing all required information as attachments and a check for fees and postage charge made payable to **City of Oxford**, to Community Development Director, 101 East High Street, Oxford, OH 45056.

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

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

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

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

June 27, 2017

Mr. Sam Perry, AICP
Planner
Community Development Department
City of Oxford
101 East High Street
Oxford, Ohio 45056



Re: Letter of Intent
Planned Development (PD) – Preliminary Plan
Stadium Apartments
N. University Ave. and E. Sycamore St.

Dear Mr. Perry:

The following letter of intent is submitted together with the preliminary plans and survey for the preliminary planned development application.

Organizational Structure:

Owner: Madison Student Housing LLC
2249 Pinehurst Drive
Middleton, WI 53562
jim@jlmichaelrealestate.com

Architect: J. Randy Bruce
Knothe & Bruce Architects, LLC
7601 University Ave.
Suite 201
Middleton, WI 53562
rbruce@knothebruce.com

Consulting Architect: Scott Webb, Architect
103 West Walnut Street
Oxford, Ohio 45056
(513) 523-3838
scott@scottwebbarchitect.com

Civil Engineer: Etta Reed
Bayer Becker
110 South College Avenue
Oxford, OH 45056
ettareed@bayerbecker.com

Introduction and rationale for a planned development:

The following letter and plans are submitted to accompany the application materials for a rezoning application from the existing R3MS to a Preliminary Planned Development. This follows a recent concept review by the plan commission.

This project proposes the redevelopment of 9 lots located on the south side of Homestead Street extending to the north side of East Sycamore Street. The combined sites are approximately 67,500 square feet. The property owner is an experienced student housing developer with over 30 years of experience.

The site is an excellent site for a planned development. It is an in-fill site that is currently occupied by student rentals in various stages of disrepair. The intent of the development is to provide new, high-quality student housing adjacent to the campus where the negative impacts of student housing to the Oxford community is minimized. By placing new student housing close to campus the demand for student housing in neighborhoods where student housing is not desirable are lessened. The planned development zoning allows the City to fully utilize the site and place student housing in its most appropriate location.

Legal Description:

The legal description is Lots 1592, 1593, 1595, 1596, 1600, 1601, 1602, 1603 and 1604. A list of all the property addresses, parcel numbers and legal descriptions is attached to this letter.

Project Description:

The project site includes 8 student rental-housing buildings that are in various stages of disrepair with one of the buildings unoccupied. The proposed redevelopment maintains the 24-unit apartment building on E. Sycamore Street and adds three new buildings with 11 or 12 apartments in each building. The three new apartment buildings are three stories in height and are designed to fit within the context of the surrounding neighborhood. From the street the buildings will appear as a series of historically scaled residential homes or "three-flats" with unique designs and entry porches. The surface parking is limited due to the sites location adjacent to the campus parking area and the inclusion of underground parking. Vehicular access to the underground parking is achieved from University Avenue on the east side of the site. The traffic impacts of this development are minimal since the residents will be making almost all of their trips to and from campus as pedestrians.

An exterior courtyard for outdoor cooking and interior common amenities such as a community room and exercise facilities will be available to the residents. The interior of the apartments will have upscale designs and finishes including private bedroom-bathroom suites, stainless steel appliances, granite counter tops, and attractive wood-look flooring.

Site Development Data:**Existing Apartments to Remain:**

One-Bedroom	24 apartments with 24 bedrooms
-------------	--------------------------------

Newly Constructed Apartments:

Two-Bedroom	9
Three-Bedroom	23
Four-Bedroom	3
Total New Dwelling Units	35 apartments with 99 bedrooms

<u>Total Apartments:</u>	59 apartments with 123 bedrooms
---------------------------------	---------------------------------

<u>Building Height:</u>	3 Stories
--------------------------------	-----------

On- Site Vehicle Parking:

Below Grade Parking Garage	23 Stalls
Surface Parking Garage	28 Stalls

Off-site Vehicle Parking

On-street parking	18 stalls
-------------------	-----------

Upper-classmen students of the university may apply for a parking permit that will allow them to park in the Ditmer (875 spaces), Chestnut Fields (500 spaces) and Millet Hall (1500 spaces) parking lots. The University issues approximately 2000 permits each year leaving a surplus of approximately 875 spaces. The Millet-Yager parking lot is particularly under-utilized and only a portion of the lot is closed for special events such as football games or graduation. The Millet lot is only 300 feet from the site and would be available to the residents of this development. More fully utilizing the existing Millet lot is good land-use planning.

Project Schedule:

It is anticipated that the construction will start in June 2018 and be completed for occupancy in August 2019.

Compatibility with the general vicinity:

This proposal replaces a group of older student apartments with new, high-quality apartments for the students of Miami of Ohio. These 9 lots and most of the surrounding properties are student rentals. The proposed development is a compatible use and an efficient development pattern that is appropriate in close proximity to campus. Although the new buildings are composed of apartments, they are designed to appear as a series of independent "three-flats". As such the scale and rhythm on the street will be compatible with the residential structures that surround the campus. Each "three-flat" will have historically-inspired architectural exteriors that will enhance the residential character of the neighborhood. The existing 24 unit apartment

building will also be reinvested and improved with exterior façade improvements and interior upgrades.

The properties will be owned and operated as a single development with professional local management. The management will be active and will work to minimize the noise and problems associated with student housing. The safety and security of the residents will be maintained by providing security cameras throughout the common areas of the buildings and exterior courtyard.

Social & Economic Impacts:

This development will provide high-quality student housing adjacent to the campus and thereby reduce the impacts of student housing on other neighborhoods in the city. The redevelopment will encourage pedestrian traffic (in place of vehicular traffic) and high quality, energy efficient, safe and secure housing will replace a blighted area. The project will also provide support to the local construction industry and a substantially increase to the tax base of the City.

Thank you for your time in reviewing our proposal.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "J. Randy Bruce", with a long, sweeping horizontal line extending to the right.

J. Randy Bruce
Managing Member
Knothe & Bruce Architects

✓ 224 E Sycamore	h4000010000047	lot 1604	ENT
✓ 412 N University	h4100010000026	lot 1596	ENT
✓ 416 N University	h4100010000026	lot 1595	ENT
✓ 209 Homestead	h4000010000027	lot 1593	ENT
✓ 207 Homestead	h4000010000028	lot 1592	ENT
✓ 216 E Sycamore	h4100010000044	lot 1601	ENT
✓ " "	h4100010000045	lot 1602	ENT
✓ " "	h4100010000046	lot 1603	ENT
✓ 208 E Sycamore	h4100010000043	lot. 1600	ENT

Purchased Property
Addresses

224 E
Sycamore

Notices shall be deemed effective on the earlier of the date of receipt or the date of deposit as aforesaid; provided, however, that if notice is given by deposit in the United States Mails, the time for response to any notice by the other party shall commence to run two (2) business days after any such deposit. Any party may change its address for the service of notice by giving written notice of such change to the other party, in any manner above specified, ten (10) days prior to the effective date of such change.

11. Confidentiality. Neither Seller nor Buyer shall disclose the terms of this Agreement to any third party except for professional advisors under an obligation to preserve such confidentiality, or, with regard to Section 12, below, to municipal authorities to establish Buyer's authority.

12. Municipal Submissions. Seller, upon execution of this Agreement, hereby appoints Buyer has his/her/its agent to submit development plans and any other documents or requests Buyer deems necessary to obtain municipal approval of buyer's proposed development. Buyer shall provide copies of the submissions at Seller's request.

13. Captions. The paragraph headings or captions appearing in this Agreement are for convenience only, are not a part of this Agreement and are not to be considered in interpreting this Agreement.

14. Entire Agreement; Modifications. This written Agreement constitutes the complete agreement between the Parties and supersedes any prior oral or written agreements between the parties regarding the Property. There are no verbal agreements that change this Agreement and no waiver of any of its terms will be effective unless in a writing executed by the parties.

15. Binding Effect. This Agreement binds and benefits the parties and their successors and assigns.

16. Controlling Law. This Agreement has been made under the laws of the State of Ohio, and the laws of such state shall control its interpretation.

17. Facsimile Signatures. Transmission of a signature on this Agreement or a counterpart of this Agreement by facsimile or electronic mail shall be sufficient for all purposes and shall be of the same force and effect as an original signature.

Seller and Buyer have executed and delivered this Agreement as of the dates indicated opposite their signatures below.

SELLER:
GOLD DUST PROPERTIES, LLC

By: _____

Greg Reichert

EXHIBIT A TO
PURCHASE AGREEMENT

**DESCRIPTION
OF
REAL PROPERTY**

Parcel Id	H4000010000047
Address	224 E. Sycamore St.
Class	Residential
Land Use Code	530, R - Three Family Dwelling, Platted Lot
Neighborhood	0001E016
Total Acres	.1722
Taxing District	H40
District Name	OXFORD CORP TAL CSD
Gross Tax Rate	71.29
Effective Tax Rate	43.255862
Non Business Credit	.099538
Owner Occupied Credit	N/A

412 University

Notices shall be deemed effective on the earlier of the date of receipt or the date of deposit as aforesaid; provided, however, that if notice is given by deposit in the United States Mails, the time for response to any notice by the other party shall commence to run two (2) business days after any such deposit. Any party may change its address for the service of notice by giving written notice of such change to the other party, in any manner above specified, ten (10) days prior to the effective date of such change.

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Seller and Buyer have executed and delivered this Agreement as of the dates indicated opposite their signatures below.

SELLER:

Adam Perlegron

By: Charlotte Perlegron

Its: Licensed Realtor in Ohio

CHARLOTTE PERLEGRON

FRANK DISAPPOINTED

Date: 10-3-16, 2016

<https://sitemail.hostway.com/mail/index.php/mail/viewmessage/gotattachment/folder/INBOX/uniqueid/41561/mimeType/YXBwYDQjYXRpb24vYXN3b3Jk/filenameOriginal/Purchase+Agreement+-+Oxford%2C+Ohio+42802061365x9D882%29.doc/filenamePS/INBOX41561Purchase+Agreement+-+Oxford%2C+Ohio+42802061365x9D882%29.doc>

EXHIBIT A TO
PURCHASE AGREEMENT

LEGAL DESCRIPTION
OF
REAL PROPERTY

PARID: H4100010000028
LACEY CHARLOTTE A

412 UNIVERSITY ST

Parcel

Parcel Id	H4100010000028
Address	412 UNIVERSITY ST
Class	RESIDENTIAL
Land Use Code	510, R - SINGLE FAMILY DWELLING, PLATTED LOT
Neighborhood	00015018
Total Acres	.1722
Taxing District	144
District Name	OXFORD CORP TAL DL
Gross Tax Rate	72.09
Effective Tax Rate	44.041472
Non Business Credit	.1
Owner Occupied Credit	N/A

CAUV & Agricultural District What is Used

CAUV	NO
Agricultural District	NO

Current Year Real Estate Taxes

TAX TYPE	Prior Year	First Half Tax	Second Half Tax	Total
Real Estate	0.00	578.50	578.50	1,157.00
Total Payments	0.00	-578.50	-578.50	-1,157.00
Total:	0.00	0.00	0.00	0.00

Owner and Legal

Owner 1	LACEY CHARLOTTE A
Owner 2	
Legal 1	1998 ENT
Legal 2	
Legal 3	

Taxable Mailing Address (Can't change any mail to address?)

Mailing Name 1	CHARLOTTE A LACEY
Mailing Name 2	
Address 1	412 N UNIVERSITY AVE
Address 2	OXFORD OH 45086 1350
Address 3	

Sales

416 University

Facsimile No.: 608-257-5444

Notices shall be deemed effective on the earlier of the date of receipt or the date of deposit as aforesaid; provided, however, that if notice is given by deposit in the United States Mails, the time for response to any notice by the other party shall commence to run two (2) business days after any such deposit. Any party may change its address for the service of notice by giving written notice of such change to the other party, in any manner above specified, ten (10) days prior to the effective date of such change.

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Seller and Buyer have executed and delivered this Agreement as of the dates indicated opposite their signatures below.

SELLER:

Roy Curtis

By: Beverly A. Curtis

Its:

Date: DECEMBER 7, 2016

<https://sftomall.hostway.com/mail/index.php/mail/viewmessage/getattachedment/1bden/INBOX/uniquaid/41561/mimeofType/YXBwOGQjYXRpb24vYXNjb3Jk/FileNameOriginal/Purchase+Agreement+-+Ox8rd9%2C+Ohio+%2802061365%9D8829%29.doc/FileNameF8/INBOX41561Purchase+Agreement+-+Ox8rd9%2C+Ohio+%2802061365%9D8829%29.doc>

Roy Curtis
Beverly Curtis

EXHIBIT A TO
PURCHASE AGREEMENT

LEGAL DESCRIPTION
OF
REAL PROPERTY

PARID: H4100010000025
CURTIS ROY E &

418 UNIVERSITY AVE

Parcel

Parcel Id	H4100010000025
Address	418 UNIVERSITY AVE
Class	RESIDENTIAL
Land Use Code	S10, R - SINGLE FAMILY DWELLING, PLATTED LOT
Neighborhood	0001ED16
Total Acres	.1722
Taxing District	H41
District Name	OXFORD CORP TAL DL
Gross Tax Rate	72.09
Effective Tax Rate	44.041472
Non Business Credit	.1
Owner Occupied Credit	N/A

207/209 Homestead

Facsimile No.: 608-257-5444

Notices shall be deemed effective on the earlier of the date of receipt or the date of deposit as aforesaid; provided, however, that if notice is given by deposit in the United States Mails, the time for response to any notice by the other party shall commence to run two (2) business days after any such deposit. Any party may change its address for the service of notice by giving written notice of such change to the other party, in any manner above specified, ten (10) days prior to the effective date of such change.

11. Confidentiality. Neither Seller nor Buyer shall disclose the terms of this Agreement to any third party except for professional advisors under an obligation to preserve such confidentiality, or, with regard to Section 12, below, to municipal authorities to establish Buyer's authority.

12. Municipal Submissions. Seller, upon execution of this Agreement, hereby appoints Buyer as his/her/its agent to submit development plans and any other documents or requests Buyer deems necessary to obtain municipal approval of buyer's proposed development. Buyer shall provide copies of the submissions at Seller's request.

13. Captions. The paragraph headings or captions appearing in this Agreement are for convenience only, are not a part of this Agreement and are not to be considered in interpreting this Agreement.

14. Entire Agreement; Modifications. This written Agreement constitutes the complete agreement between the Parties and supersedes any prior oral or written agreements between the parties regarding the Property. There are no verbal agreements that change this Agreement and no waiver of any of its terms will be effective unless in a writing executed by the parties.

15. Binding Effect. This Agreement binds and benefits the parties and their successors and assigns.

16. Controlling Law. This Agreement has been made under the laws of the State of Ohio, and the laws of such state shall control its interpretation.

17. Facsimile Signatures. Transmission of a signature on this Agreement or a counterpart of this Agreement by facsimile or electronic mail shall be sufficient for all purposes and shall be of the same force and effect as an original signature.

Seller and Buyer have executed and delivered this Agreement as of the dates indicated opposite their signatures below.

SELLER:

TWIN REALTY HOLDINGS, LLC.

By: Justin Greiwe, Justin Greiwe
Title: Managing Member

Date: December 3, 2016

http://twinrealty.com/mail/index.php?mail/viewmessage/getattachment/INBOX/uniqueid41561/inlineType/EXB6bGfYXR624v
bXN363Jd/MessageOriginalPurchase+Agreement++
+CzRd363C+Olo+42402061365308429629.doc/MessageR/INBOX41561Purchase+Agreement++
+CzRd363C+Olo+42402061365308429629.doc

EXHIBIT A TO
PURCHASE AGREEMENT

LEGAL DESCRIPTION
OF
REAL PROPERTY

207 Homestead Ave

Oxords. OH 45056

Parcel# 114000010000028

AND

209 Homestead Ave

Oxords. OH 45056

Parcel# 4000010000027

Seller: Twin Realty Holdings, LLC.

By: Justin Greene

Its: Managing Member

12/3/2016

Buyer: Madison Student Housing LLC

By: [Signature]

11/11/2016

If to Buyer: James M. Corcoran
2607 Monroe Street
Madison, WI 53711
Facsimile No.: 608-233-9130

216
E
Sycamore

With a copy to: Axley Brynelson, LLP
Attn: Attorney Steven A. Brezinski
2 East Mifflin Street
Post Office Box 1767
Madison, WI 53701-1767
Facsimile No.: 608-257-5444

Notices shall be deemed effective on the earlier of the date of receipt or the date of deposit as aforesaid; provided, however, that if notice is given by deposit in the United States Mails, the time for response to any notice by the other party shall commence to run two (2) business days after any such deposit. Any party may change its address for the service of notice by giving written notice of such change to the other party, in any manner above specified, ten (10) days prior to the effective date of such change.

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12. Municipal Submissions. Seller, upon execution of this Agreement, hereby appoints Buyer has his/her/its agent to submit development plans and any other documents or requests Buyer deems necessary to obtain municipal approval of buyer's proposed development. Buyer shall provide copies of the submissions at Seller's request. ★

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15. Binding Effect. This Agreement binds and benefits the parties and their successors and assigns.

16. Controlling Law. This Agreement has been made under the laws of the State of Ohio, and the laws of such state shall control its interpretation.

Seller and Buyer have executed and delivered this Agreement as of the dates indicated opposite their signatures below.

SELLER:
RGS PROPERTIES, LLC

Date: February 20, 2017

By: [Signature]
Name: Susanne Morgan
Title: President

BUYER:
MADISON STUDENT HOUSING, LLC

Date: February 21, 2017

By: [Signature]
Name: Jim Corcoran
Title: Managing Partner

EXHIBIT A TO
PURCHASE AGREEMENT

**DESCRIPTION
OF
REAL PROPERTY**

Parcel ID	^{H41} H4100010000045
Address	^{H41} 216 E. Sycamore Street
Class	COMMERCIAL
Land Use Code	402, C - Apartments 20-39 Rental Units
Neighborhood	80016002
Total Acres	.1622
Taxing District	H41
District Name	OXFORD CORP TAL DL
Gross Tax Rate	71.29
Effective Tax Rate	47.221553
Non Business Credit	N/A
Owner Occupied Credit	N/A

208
E Sycamore

11. Confidentiality. Neither Seller nor Buyer shall disclose the terms of this Agreement to any third party except for professional advisors under an obligation to preserve such confidentiality, or, with regard to Section 12, below, to municipal authorities to establish Buyer's authority. The parties shall sign a Non-Disclosure Agreement.

12. Municipal Submissions. Seller, upon execution of this Agreement, hereby appoints Buyer has his/her/its agent to submit development plans and any other documents or requests Buyer deems necessary to obtain municipal approval of buyer's proposed development. Buyer shall provide copies of the submissions at Seller's request.

13. Captions. The paragraph headings or captions appearing in this Agreement are for convenience only, are not a part of this Agreement and are not to be considered in interpreting this Agreement.

14. Entire Agreement; Modifications. This written Agreement constitutes the complete agreement between the Parties and supersedes any prior oral or written agreements between the parties regarding the Property. There are no verbal agreements that change this Agreement and no waiver of any of its terms will be effective unless in a writing executed by the parties.

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16. Controlling Law. This Agreement has been made under the laws of the State of Ohio, and the laws of such state shall control its interpretation.

17. Facsimile Signatures. Transmission of a signature on this Agreement or a counterpart of this Agreement by facsimile or electronic mail shall be sufficient for all purposes and shall be of the same force and effect as an original signature.

Seller and Buyer have executed and delivered this Agreement as of the dates indicated opposite their signatures below.

SELLER:

Date: 3-12-17, 2017


Bruce Hautau *Bruce Hautau*

BUYER:

MADISON STUDENT HOUSING, LLC

Dated : _____, 2017

By: 
Its: Authorized Signatory

EXHIBIT A TO
PURCHASE AGREEMENT

DESCRIPTION
OF
REAL PROPERTY

Parcel Id	H4100010000043
Address	208 E. Sycamore St.
Class	Residential
Land Use Code	530, R - HTRL/Mobile Home on Real Estate
Neighborhood	0001E016
Total Acres	.1722
Taxing District	H40
District Name	OXFORD CORP TAL DL
Gross Tax Rate	71.29
Effective Tax Rate	43.255862
Non Business Credit	.099538
Owner Occupied Credit	N/A

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: December 5, 2017

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

November 23, 2017

Date Prepared:

PC-2017-32, ZONING MAP AMENDMENT, to amend the zoning classification of certain properties located on the eastern side of the 200 block of North Campus Avenue, from Single- and Two-Family Mile Square Residential (R-2MS) District to Single, Two and Three Family Mile Square Residential (R-3MS) District, affecting four parcels, **Scott Webb Applicant**

Recommendation: Recommended Denial

Discussion:

The application is to amend the zoning classification of properties located on the eastern side of the 200 block of North Campus Avenue from an R-2MS District to R-3MS District.

This area encompasses 6 different parcels, 5 of which are considered to be nonconforming uses. By amending the zoning of these properties, potentially could allow for 2 properties to become conforming uses. The Planning Commission discussed the potential development of this area and the rationale for the zoning changes along Sycamore Street, Tallawanda Road, Campus Avenue, and Main Street.

After the public hearing the Planning Commission deliberated the merit of the request and determined that they would like to see results from the recent large-scale map amendment adopted by City Council and analyze the effects of those adopted regulations, before considering more areas for zoning changes. The Planning Commission recommended approval of the proposed changes with a vote of 1-5-0 that failed to recommend favorably to City Council for the request.

Approved By:

Department Head:

City Attorney:

City Manager:

JHC / 11/23/17
DRE / 12/11/17

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE PLANNING COMMISSION'S RECOMMENDATION AND DENYING A ZONING MAP AMENDMENT FOR CERTAIN PROPERTIES LOCATED ON THE EASTERN SIDE OF THE 200 BLOCK OF NORTH CAMPUS AVENUE FROM SINGLE- AND TWO-FAMILY MILE-SQUARE RESIDENTIAL (R-2MS) DISTRICT TO SINGLE-, TWO- AND THREE-FAMILY MILE-SQUARE RESIDENTIAL (R-3MS) DISTRICT.

WHEREAS, in accordance with Section 1135 of the Codified Ordinances of the City of Oxford, the Planning Commission held a public hearing on November 14, 2017, on the application of Scott Webb for a Zoning Map Amendment for certain properties located on the eastern side of the 200 block of North Campus Avenue, Oxford, Ohio, rezoning the property from Single- And Two-Family Mile-Square Residential (R-2MS) District To Single-, Two- And Three-Family Mile-Square Residential (R-3MS) District; and

WHEREAS, the Planning Commission, after due deliberation, recommended denying the Zoning Map Amendment to allow time to analyze the effects of a recent large-scale map amendment adopted by Council before considering more areas for zoning changes.

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

SECTION 1: Council hereby accepts the recommendation of the Planning Commission, and after due deliberation, finds for the denial of the Zoning Map Amendment rezoning certain properties located on the eastern side of the 200 block of North Campus Avenue, Oxford, Ohio from Single- And Two-Family Mile-Square Residential (R-2MS) District To Single-, Two- And Three-Family Mile-Square Residential (R-3MS) District.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

Zoning Area Map Showing Adjacent Zoning



City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2017-32

Date – November 14 , 2017

APPLICATION

Applicant:	Scott Webb
Action Request:	ZONING MAP AMENDMENT to Amend the zoning designation of certain properties located on the east side of the 200 block of North Campus Avenue from Single and Two-Family Mile Square Residential (R-2MS) District to Single, Two- and Three-Family Mile Square Residential (R-3MS) District Scott Webb, Applicant, Agent

DESCRIPTION

This is a map amendment request for properties located on the east side of the 200 block of North Campus Avenue, between East Vine and East Withrow Streets. The area in question consists of 5 properties.

The request is to reclassify this area from R-2MS (Single, and two-Family Mile Square Residential) District to R-3MS (Single, Two-Family and Three-Family Mile Square Residential) District.

ZONING CODE

The attached map amendment illustrates changes to the area from R-2MS (Single- and Two-Family Mile-Square Residential) District to R-3MS (Single-, Two- and Three-Family Mile Square Residential) District.

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, Map 3.6 and 3.7 also show the neighborhood enhancement area as well as the 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. No comments returned
Fire: Returned with no comments

DECISION CRITERIA

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

ANALYSIS

This is a request from several property owners, represented by the applicant, to amend the zoning classification from R-2MS to the R-3MS District. The primary rationale of the proposed change is to address the nonconforming issue.

The Planning Commission went through the area along Tallawanda Road, Sycamore Street, Spring Street, and Main Street, to change the zoning classification. These streets are generally considered to be major roadways between the community and campus. Additionally these streets are adjacent to or near the campus. The Planning Commission did not plan or propose any amendments to other areas. Nonconformities were one of several considerations throughout discussion, but the Planning Commission specifically dealt with the dimensional aspect in amending the R-3MS site development regulations.

The applicant applauds the Planning Commission for having gone through the map revision in a measured and careful manner to reach the conclusion of the areas for reclassification for Council's approval with the understanding that the amended zoning map does not and will not reflect the actual land use and will not address the nonconforming issue. Given that the changes to the areas near the campus represents a thoughtful consideration to realistically entice redevelopment to occur, it is the Commission's hope to see the development take place before any zoning changes are being proposed.

There are different ways to address nonconforming issues relating to redevelopment projects from building a conforming building/land use, to applying adjudication requests before the Board of Zoning Appeals, to considering text amendments of a particularly dimensional issue. A zoning map change should be the last resort when other venues are exhausted. There is the nonconforming chapter of the Oxford Zoning Code specifically dealing with nonconforming issues. It is recognized that the rights of a nonconforming use, buildings that lawfully exist, but the idea is that these nonconforming will eventually become conforming, either through property owner's action to eliminate the nonconforming aspect or new regulations would eliminate the nonconformity.

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

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

As stated before, the Planning Commission went through a deliberate, thoughtful measure to recommend changes in zoning classifications, and believes that it would be a good planning effort to see how changes take place and to determine whether additional areas might be ready for reclassification, based upon good planning processing and a variety of reasons to consider a map amendment. Once the area is being reclassified to a higher category, the vested rights may never be able to be taken back.

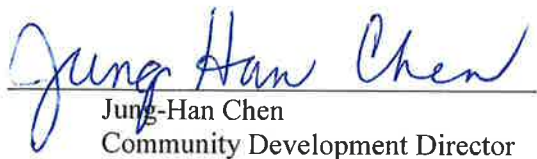
The Planning Commission needs to evaluate the application based on the decision standards outlined in Chapter 1135 to determine whether the request meets at least one criteria and if the benefits will likely outweigh any potential pitfalls.

RECOMMENDATION

Staff cannot find that the application meets the decision standards to warrant the consideration. However, if the Planning Commission determines that the application, then staff would recommend the Planning Commission cite specific criteria that this application meets the decision standards as outlined in Chapter 1135.

SUBMITTED

BY:


Jung-Han Chen
Community Development Director

DATE: October 26, 2017

ATTACHMENT

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

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

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

Map Amendments

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

City of Oxford
Inter-Office Review Transmittal Sheet

Date: **October 12, 2017**

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

From: **Community Development Department**

PC-2017-32, ZONING MAP AMENDMENT, to amend the zoning classification of certain properties located on the eastern side of the 200 block of North Campus Avenue, from Single- and Two-Family Mile Square Residential (R-2MS) District to Single, Two and Three Family Mile Square Residential (R-3MS) District, and affect four parcels, **Scott Webb Applicant, Agent**

 X Review Revisions Other

Please return no later than: **November 3, 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: 10-19-17

City of Oxford
Inter-Office Review Transmittal Sheet

Date: October 12, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-32, ZONING MAP AMENDMENT, to amend the zoning classification of certain properties located on the eastern side of the 200 block of North Campus Avenue, from Single- and Two-Family Mile Square Residential (R-2MS) District to Single, Two and Three Family Mile Square Residential (R-3MS) District, and affect four parcels, **Scott Webb Applicant, Agent**

 X Review Revisions Other

Please return no later than: **November 3, 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:

H. Popescu

Date: 10-13-17

VICTOR POPESCU

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: October 12, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-32, ZONING MAP AMENDMENT, to amend the zoning classification of certain properties located on the eastern side of the 200 block of North Campus Avenue, from Single- and Two-Family Mile Square Residential (R-2MS) District to Single, Two and Three Family Mile Square Residential (R-3MS) District, and affect four parcels, **Scott Webb Applicant, Agent**

 X Review Revisions Other

Please return no later than: **November 3, 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: _____

10/16/17

John A. Jones
PRINTED NAME



PC-2017-32

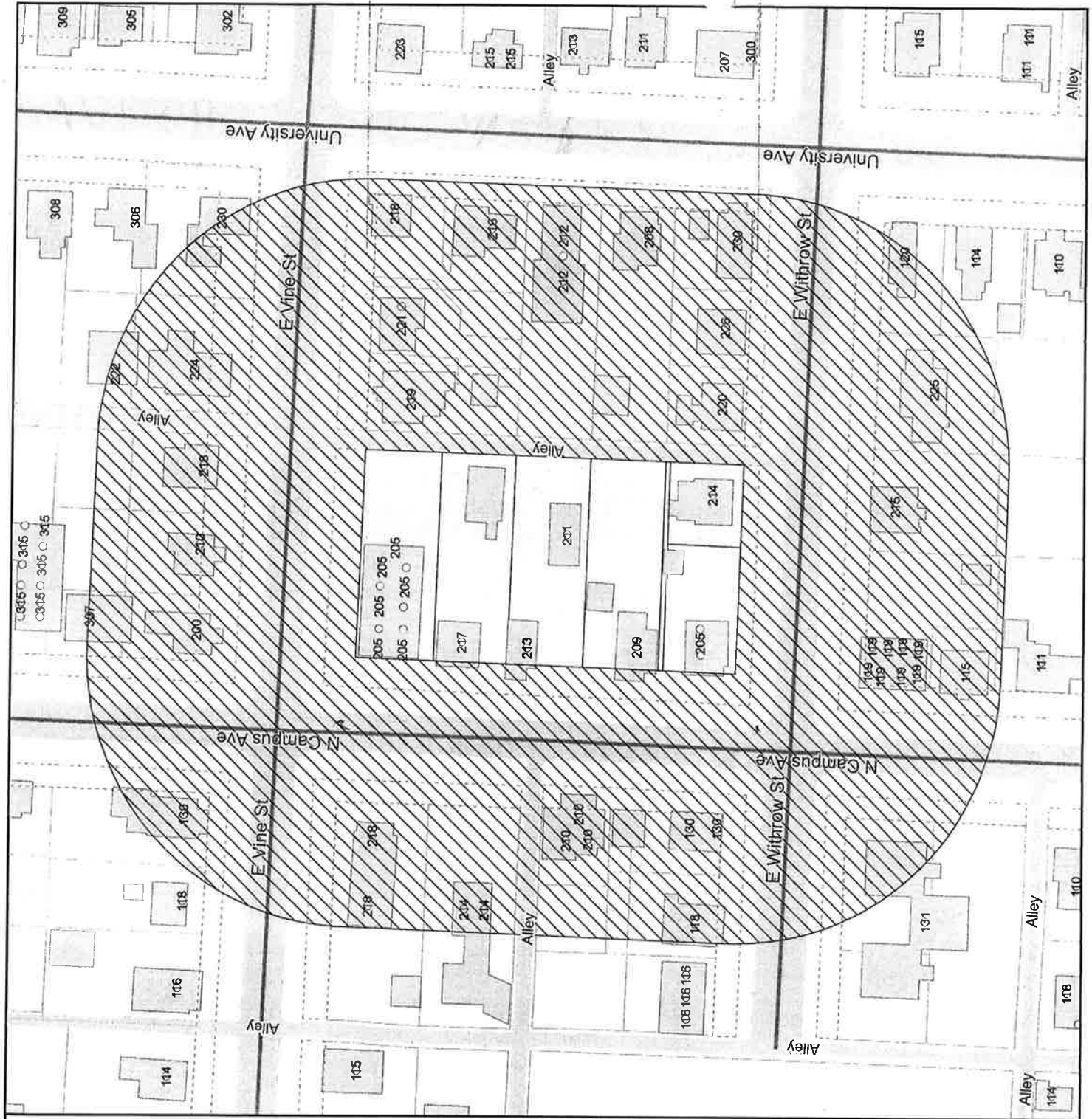
Surrounding Property Owners Notifications Map

Legend

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



1 inch = 100 feet



Prepared on Wednesday, October 25, 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.

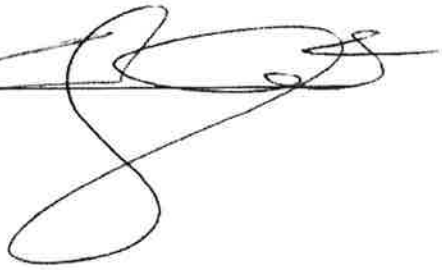
LETTER OF AGENCY

To Whom It May Concern:

Please be advised that Scott Webb, Architect has permission to represent our interest with the City of Oxford's Planning Commission regarding a Zoning Map Amendment.

Thank-you,

Signed: _____
Oberlin Ct LLC

A handwritten signature in black ink, appearing to be 'S. Webb', written over a horizontal line.

Date: 9/28/17



Internal Use Only:	PC-2017-32
Case No.	
Date Filed	9/28/17

Zoning Map Amendment Application

Applicant Information

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

Name *	Scott Webb
Mailing Address *	103 W Walnut St
City, State & Zip Code *	Oxford, Ohio 45056
Telephone Number(s) *	513-523-3838
Email Address	scott@scottwebbarchitect.com

Location and Lot Information

Location *	East side of the 200 block of South ^{North} Campus St
General Description of Proposed Amendment *	Zoning Map Amendment from R2MS to R3MS
Current Zoning *	R2MS
Proposed Zone(s) *	R3MS

Submission Requirements and Documentation

From Section 1135.02 Procedure¹.

- (a) Initiation. A map amendment may be initiated by adoption of a motion by Planning Commission, by adoption of a motion by Council, or by application to Planning Commission by at least one owner of the property within the area proposed to be rezoned.
- (b) Application. If Planning Commission or Council initiates an amendment, then the Zoning Administrator shall provide information as necessary for proper consideration of the motion. The information provided shall be substantially similar to that required of an application for amendment.
An application for amendment shall be filed with the Zoning Administrator. An application shall be complete prior to being scheduled for a public hearing. An application will be considered complete only if the Zoning Administrator is satisfied that all of the materials required by this chapter are included and are sufficient in their content to satisfy the intent of the application requirements.
- (1) Contents of application. The applicant shall contact the Zoning Administrator prior to submitting an application to discuss the submission requirement, which includes the following information. A written, detailed description, where applicable, is required for each subsection.
 - A. Application Fee.
 - B. The name, mailing address, and telephone number of the applicant.
 - C. A general description of the proposed amendment.
 - D. A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.
 - E. A statement that identifies potential negative consequences of the proposed amendment.
 - F. Such other information regarding the proposed amendment as may be pertinent to the application or required by Planning Commission or Council.
 - G. A legal description of the area to be rezoned.
 - H. The proposed zoning of the area.
 - I. The current zoning of the area.
 - J. A description of existing uses in the area.

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

Surrounding Property Owners

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

Decision Process

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

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

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

Fees & Receipt

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

Sign and Date

Applicant Signature *

Date *


9/28/2017

Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

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

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/>

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



SCOTT
WEBB

ARCHITECT

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

www.scottwebbarchitect.com

Re: Application for Zoning Map Amendment
200 Block, North Campus Street
Oxford, Ohio 45056

September 27, 2017

Dear Mr. Chen,

Please accept this letter as a formal request for a review hearing by the City of Oxford Planning Commission and Oxford City Council for a Zoning Map Amendment for the Eastern side of the 200 block of North Campus Street. The proposed Zoning Map Amendment will change the affected properties from R2MS to R3MS

This proposal affects (4) parcels, owned by (4) different entities and is supported by all property owners. Letters of Agency have been provided by all affected property owners.

Statement responding to questions posed on the Application.

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

- A. *What is the relationship of the proposed zone change to the City of Oxford's Comprehensive Plan?*

The Comprehensive Plan refers to this area as part of the Mile Square "Neighborhood 1" in "Developable Character Area" with specific recommendations to preserve the character, street grid and walkability of this area. As the area in question currently houses an apartment building, two & three -family residences, some being non-confirming, the current two-family designation does not address the actual uses in the area, nor its potential for redevelopment. The home at 209 North Campus is the only home on both sides of the street that is a single-family home.

- B. *How will the zone change affect the neighborhood in which the property is located? Briefly describe any impacts of the change as proposed.*

A zoning change in this area will affect the properties in the neighborhood, by making some non-conforming properties more conforming and allow for the preservation and/or reconfiguration of others.

- C. *How will the zone change affect public facilities such as sewer and water service, drainage, schools and roads, if applicable?*

Public facilities will not be affected, as the area is already developed, supporting more residents than the current Zoning allows.

- D. *What mitigating actions might be suggested to offset problems resulting from adverse impacts on private property and public facilities (e.g., landscape screening, drainage improvements, changes in traffic signalization, provision of additional turn lanes).*

Three of the (5) affected properties already have approved occupancies above what would be allowed by the current Zoning change in non-conforming rooming houses or grandfathered 2-family structures.

- E. *Why is the current zoning classification of the property no longer appropriate?*

The current zoning does not reflect the uses or occupancy of the area. Currently designated as R2MS, none of the affected properties are owner occupied, and based on their location, will likely never return to single family uses.

The Non-Conforming Chapter of the Zoning Code restricts the improvement of these properties. An occupancy reduction of 30% is required for any redevelopment of these properties, the effect of the current Zoning Code is to perpetuate the non-conforming lodging houses

Planning Commission's 2017 Zoning Map Amendment for the Mile Square took a careful and measured approach to rezoning, researching actual lot sizes and existing uses. Using this information, areas of the Mile Square were identified as areas where additional density may be encouraged as infill in proximity to the university and other rental units.

It is our opinion that this block meets the standards Planning Commission used in their consideration of the broader map amendment; Reducing non-conformities, allowing for infill and improvements. Extending the R3MS district on this side of North Campus allows properties in this area the opportunities granted to adjacent properties by the latest map amendment.

Properties in the Proposed Zoning Map Amendment

East Side of the 200 Block of North Campus Ave.

214 East Withrow Street.

Currently non-conforming, this single-family home is designated as a Lodging House with a permit for ten (6) total occupants in a R2MS area. This property would be unaffected, as it would remain non-conforming with only 4200 square feet of lot area.

205 North Campus Ave.

Currently non-conforming, this home is already approved as a 3-family residence with a permit for ten (10) total occupants in a R2MS area. This property would become conforming, and would be allowed to improve the structure without taking a reduction in occupancy.

209 North Campus Ave.

Currently permitted for (4), this original mile square lot is quite large, at over 10,000 square feet with 60' of width, but the current R2MS zoning restricts it to a single dwelling unit based on lot width requirement. The recently approved Map Amendment targeted lots in the adjacent area for redevelopment, but this block was overlooked.

The Zoning change would allow for the improvement and redevelopment of the property allowing additional density on a large lot in this highly concentrated student rental area.

211/13 North Campus Ave.

This property currently has 2 dwelling units on the lot with a combined permitted occupancy of seven (7) with a non-conforming lot width. The proposed zoning change would make the lot width conforming for the two-family structure. At less than 60' in lot width, the property would remain limited to a 2-family structure.

217 North Campus Ave.

This property currently protected by an agreement as a *Legal Non-Conforming Single Family Residence* with a permitted occupancy of eight (8) with a non-conforming lot width. The proposed zoning change would make the lot width conforming for the two-family structure and would allow the property to be reconfigured as a 2-family structure. At less than 60' in lot width, the property would remain limited to a 2-family structure.

205 East Vine Street (corner of Campus Ave. & Vine Street)

This Non-Conforming Multi-Family structure currently contains (11) Dwelling Units with 22 approved rental permits. This property will remain non-conforming, as multi-family structures are prohibited in the Mile Square.

Other Adjacent Properties**West Side of the 200 Block of North Campus St. (unaffected)****130 East Withrow Street.**

Currently a conforming 2-family dwelling in in the RO zoning district, this area was unaffected by Planning Commission's 2017 Mile Square Map Amendment.

210 North Campus Ave.

Currently a non-conforming lot and building in the RO zoning district, this 3-unit building permitted for ten (10) people is directly across the street from the properties in the proposed map amendment. This property is owned by McCollough Hyde and is zoned to allow a future use as an office.

214 North Campus Ave.

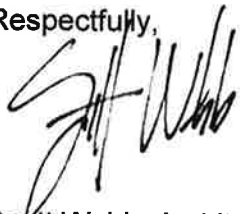
Recently rezoned to from R2MS to R3MS as part of Planning Commission's 2017 Mile Square Map Amendment, this property is now conforming in use and lot requirements.

218 North Campus Ave.

Recently rezoned to from R2MS to R3MS as part of Planning Commission's 2017 Mile Square Map Amendment, this property is now conforming in use and lot requirements.

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

Respectfully,



Scott Webb, Architect