CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Council Meetings of: December 19, 2017

Account Code #: 143.490.64701

Budgeted Amount: $ 2,213,500

Service Department
Originating Department

Michael Dreisbach, Service Director
Prepared By

Dec. 13, 2017
Date Prepared

Agenda Title: Purchase of Furnishings for new Municipal Building at 15 S. College Ave.

Recommendation: Approve

Discussion: The City has contracted for the renovation of the former Lane Library building at 15 S. College Ave. to provide administrative space for the Office of the City Manager (including the Clerk of Council), Economic Development, Community Development, Finance Department, Human Resources, and Service Department. As construction is nearing 50% completion, the City needs to order necessary furnishings to equip this new facility.

City Staff has been working with interior designers to develop quantities and specifications for the furnishings necessary to equip the new building. Typical furnishings include laminated surface desks and tables (similar to those currently in use), desk and guest chairs, lobby seating, partition panels, bookcases, and file cabinets. In cases where existing furnishings are still in good condition, that furniture will be reused either at the College Ave. project or future Police renovation project. The City has specified furnishings and equipment very similar in appearance to that already in use in City offices. Desks will have a mahogany toned laminate finish with charcoal colored cabinets allowing for a unified look where existing furnishings are kept in service adjacent to new furnishings. Fire rated filing cabinets are not included in this contract, and will be competitively bid or quoted at a future date.

Pricing for specified equipment is available through the National Intergovernmental Purchasing Alliance (NIPA - Contract R142208) or through the State of Ohio STS Contract – Schedule # 800290. Both of these contracts meet Ohio procurement specifications and do not require rebidding. Friends Service Company, Inc. has provided the following pricing to meet City specifications and quantities per plan:

NIPA Contract R142208	$ 20,467.44
Ohio DAS STS # 800290	$137,669.64
Total	$158,137.08

It is Staff's recommendation that the City Council authorize the City Manager to enter into Agreements with Friends Service Company, Inc. for the purchase of specified furnishings for an amount not to exceed **$158,137.08.** Staff is not requesting a contingency amount for this purchase. It should be noted the importance of approving this contract as the manufacturer has announced a 4% price increase effective in January 2018 (a negative impact of $6,325).

Approved By:

	Initial	Date
Department Head:	MBD	12/13/17
City Manager:	DRE	12/15/17

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS WITH FRIENDS SERVICE COMPANY, INC. FOR THE PURCHASE OF SPECIFIED FURNISHINGS FOR THE NEW MUNICIPAL BUILDING LOCATED AT 15 S. COLLEGE AVENUE THROUGH STATE AND NATIONAL CONTRACT PRICING AT A COST NOT TO EXCEED $158,137.08.

WHEREAS, the City has contracted for the renovation of the former Lane Library building located at 15 S. College Avenue to provide administrative space for the Office of the City Manager, Economic Development Department, Community Development Department, Finance Department, Human Resources Department and the Service Department; and

WHEREAS, City staff has worked with interior designers and specifically Friends Service Company, Inc. to develop quantities and specifications for the furnishings necessary to equip the new building; and

WHEREAS, pricing for specified furnishings is available through the National Intergovernmental Purchasing Alliance (NIPA – Contract R142208) or through State of Ohio STS Contract (Schedule #800290), and

WHEREAS, the City Manager and the Service Director recommend City Council authorize the City Manager to enter into agreements with Friends Service Company, Inc. for the purchase of specified furnishings for the new Municipal Building located at 15 S. College Avenue through State and National contract pricing at a cost not to exceed $158,137.08.

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 State and National contract pricing for the purchase of specified furnishings for the new Municipal Building located at 15 S. College Avenue at a cost not to exceed $158,137.08.

SECTION 2: Council further authorizes the City Manager to enter into agreements with Friends Service Company, Inc. for the purchase of specified furnishings for the new Municipal Building located at 15 S. College Avenue through State and National contract pricing at a cost not to exceed $158,137.08.

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

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-2017-32, 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: JHC / 11/23/17
City Attorney: /
City Manager: DRE / 12/1/17

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:

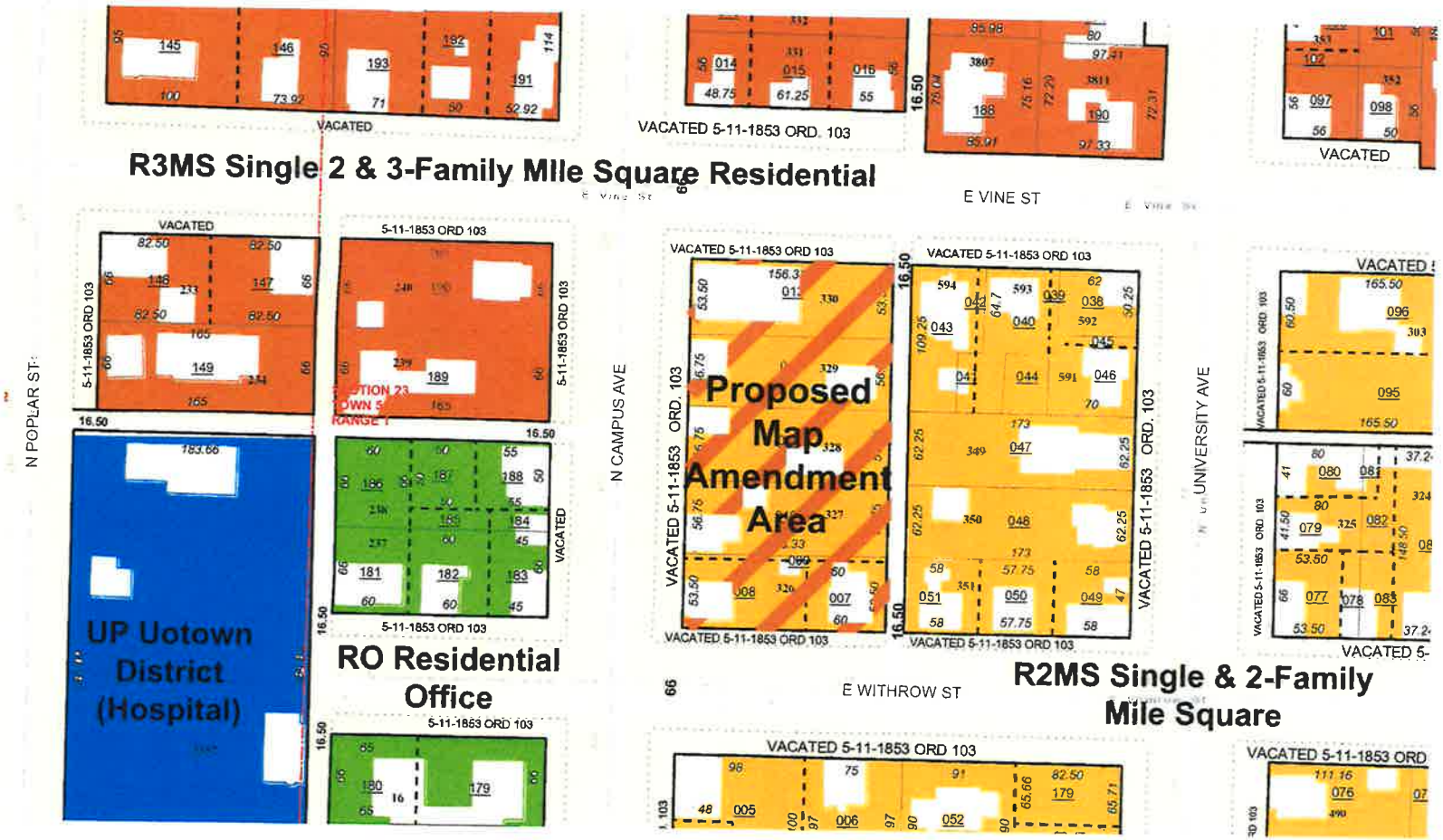
ATTEST:

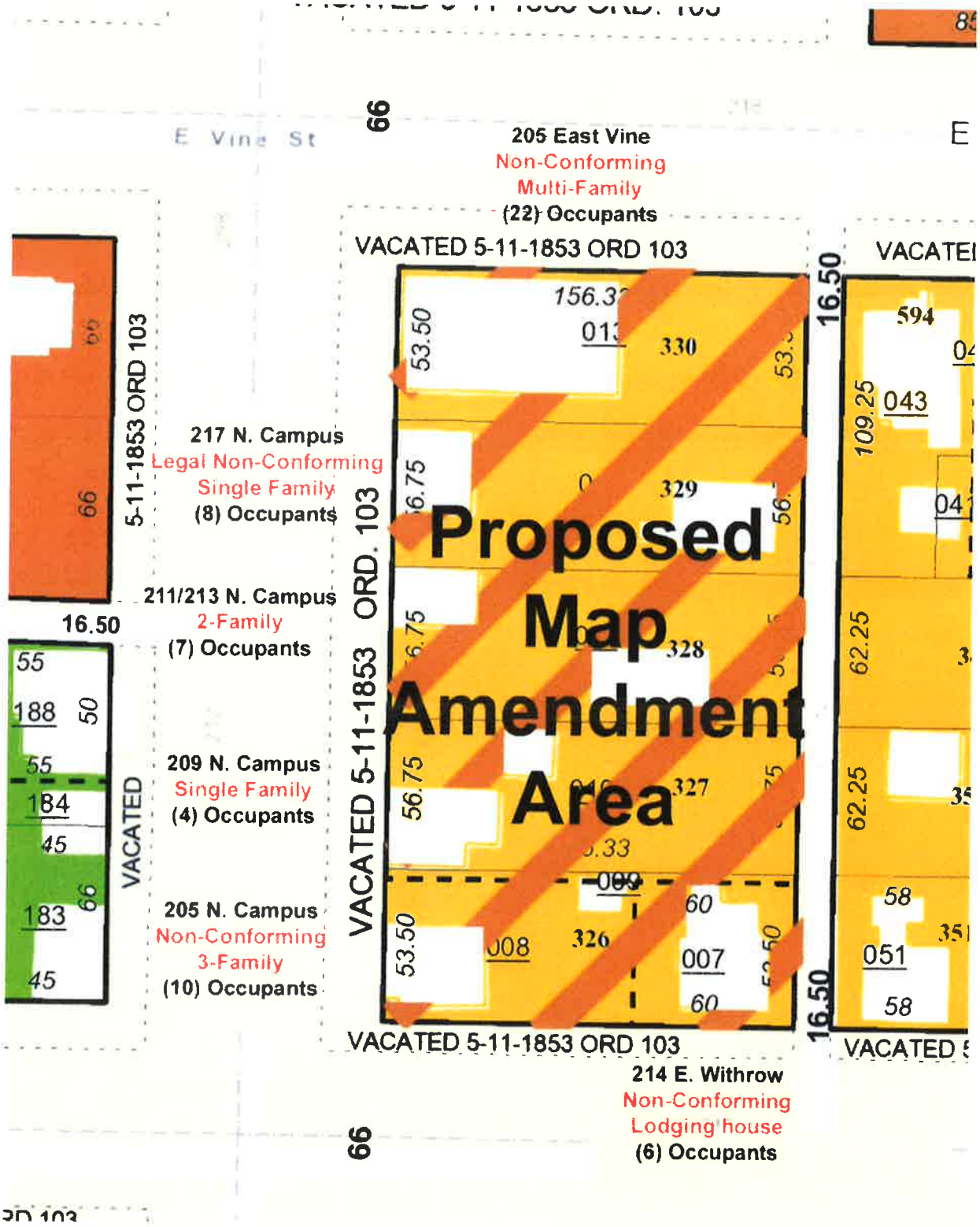
_____
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

Zoning Area Map
Showing Adjacent Zoning





Occupancy Map

Showing Existing Occupancy of Affected properties

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

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: _____ Date: 10-19-17

John Detherage
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: V. 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

CITY OF OXFORD
HOME OF MIAMI UNIVERSITY

PC-2017-32
Surrounding Property Owners Notifications Map

Legend

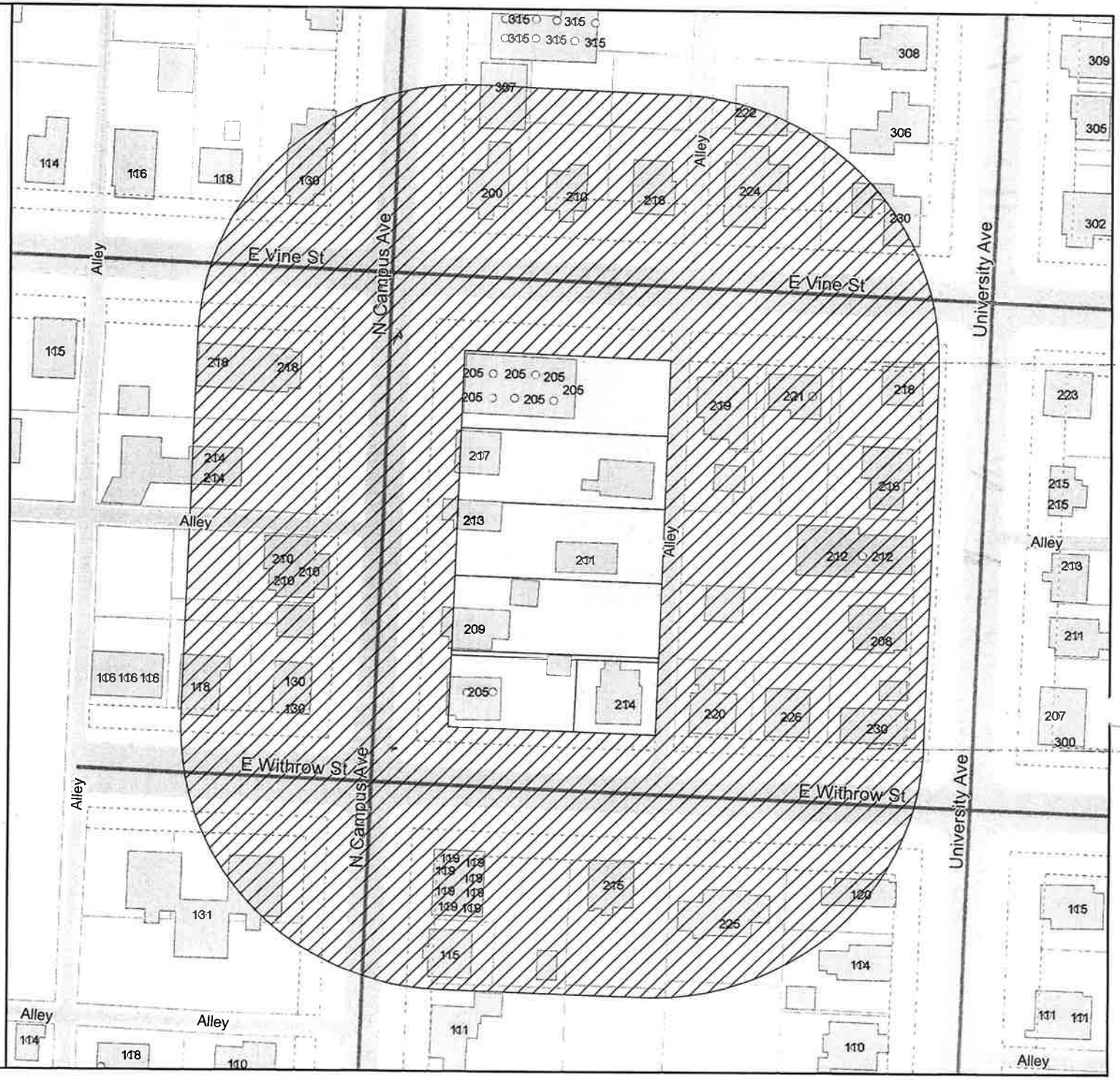
- Subject Parcels
- 200 Ft. Buffer
- Oxford Corp. Limit
- Address Point
- Parcel
- 16.5' Vacated ROW
- Building Footprint
- Paved Roadway

N

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.

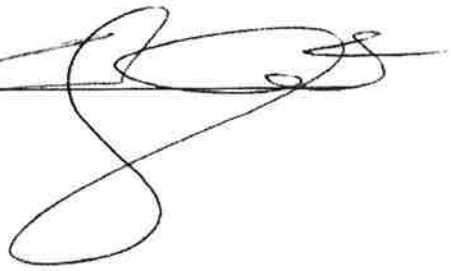


LETTER OF AGENCY

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

Date: 9/28/17

NOV

CITY OF OXFORD
HOME OF MIAMI UNIVERSITY

Internal Use Only:
Case No. PC-2017-32
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 Procedure[1].

(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 Standards[1].

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

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)**.

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[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 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

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: December 19, 2017

Service Department
Originating Department

Account Code #: N/A

David Treleaven
Prepared By

Budgeted Amount: N/A

December 11, 2017
Date Prepared

Agenda Title:	Environmental Commission Meeting of December 6, 2017

Recommendation:	For Review and Consideration

Discussion:
Environmental Commission members present at the Wednesday, December 6, 2017 meeting were: Chair, Mr. Wright Gwyn; Vice-Chair, Ms. Madeline Maurer; City Council Representative, Ms. Chantel Ragu; Planning Commission Representative, Mr. Bill Snavely; Mr. Vince Hand, Mr. Andor Kiss, and Mr. Jon Ralinovsky. A quorum was present. Ms. Celeste Bronson, Ms. Clare Quinlan, Ms. Page Jordan, Mr. Ryan Bourgart, and Ms. Sara Rudokas, graduate students with Miami University's (MU's) Institute for the Environment and Sustainability (IES) were also in attendance.

The Minutes from the November 1, 2017 Environmental Commission meeting were unanimously approved as presented.

City Council Representative Ragu was welcomed to the Commission.

During the morning of Wednesday, December 6, 2017, the IES Professional Service Project (PSP) student team (named above) made a mid-term presentation of their investigation into the feasibility of Oxford participating in the Global Covenant of Mayors for Climate and Energy (the Covenant). The Environmental Commission is the client for this PSP. Commissioners present at the mid-term presentation included Chair Gwyn, Vic-Chair Maurer, and Mr. Hand. Mayor Kate Rousmaniere and the City Staff Liaison to the Commission were also in attendance. During this Environmental Commission meeting, the IES PSP team summarized their earlier presentation. The Covenant is divided into four phases (register the commitment, conduct a greenhouse gas (GHG) inventory, set GHG reduction targets, and develop and implement a plan to achieve the reduction targets), with each containing a plan to mitigate/reduce the impact of city operations on the climate, and a plan for how a city will adapt to climate change. Following their summary, the PSP team had several questions for the Commission regarding focus of the investigation during the upcoming academic semester. The PSP team was requested to determine the labor hours and expenses associated with the four phases of the Covenant (particularly the GHG inventory), and to review a previous IES PSP on Assessment of Energy Efficiency and Environmental Impact by the City in an effort to evaluate if it could be used to establish a baseline year (2008-2009) for the Covenant. Commissioners indicated that future investigation should focus on City issues that would be affected by potential future actions taken by the City. Ultimately, by May 2018, the Commission would like to have sufficient information to evaluate the expense of participating in the Covenant and what benefits Oxford could anticipate from its potential participation in the Covenant.

(Continued)

Approved By:		Initial	Date
	Department Head:	NBD	12/12/17
	City Manager:	DRE	12/15/17

Commissioners were advised that the City Council had entered into a Memo of Understanding with the Butler County Soil and Water Conservation District (BCSWCD) for the BCSWCD to perform plan review services related to soil and wetland conditions for future subdivision and planned development projects in Oxford. Commissioners were pleased to learn of this, thought it was a good idea, with Mr. Hand commenting on how remarkably inexpensive the service from BCSWCD was.

Mr. Snavely informed the Commissioners that the Planning Commission had declined to approved a revised development plan for the Stadium Apartments (proposed in the East Sycamore Street and Homestead Avenue area) due to density issues. The final plan for the Gas Light planned development (south of the Stewart Square area) was approved with amendments.

Commissioners addressed Community Director Jung-Han Chen's comments following his review of the proposed revision to Oxford's Codified Ordinance regarding the preservation and replacement of trees on future private land development. Director Chen had eight major points and the Commission agreed with seven of these and amended the proposed ordinance's text. The eighth comment involved bonding, which the Commissioners did not believe they had sufficient experience or knowledge to resolve. Chair Gwyn and Mr. Hand are to meet with Director Chen to go over the revisions and to further discuss (and resolve) the concerns with bonding.

Mr. Kiss informed the Commission that Mr. Joe Williams, the Project Manager for Charging Infrastructure from Tesla, Inc. (formerly Tesla Motors), had recently contacted him. Mr. Kiss had been investigating Tesla's interest in establishing a charging station in the City. Tesla will donate and provide up to $1,500 (each) for the installation of 240 volt charging stations (full charge in one to three hours, intended for municipalities and hotels). Tesla will also maintain and repair the stations. No contract, agreement, or commitment is required. The cost of electricity is not covered by Tesla and would be the responsibility of the participating entity. Mr. Kiss indicated he would prepare a formal summary of the discussion and provide it to the Commission. It was suggested that Director Chen and Oxford's Economic Director, Mr. Alan Kyger, also be included in the distribution of the summary.

Staff updated Commissioners on the 2017 Tree City USA Application for Certification. Oxford achieved all standards to qualify for Tree City USA status, including a per capita expenditure of $5.52 (total qualified urban forestry expenditures were $118,030). The application was due Friday, December 1st to the Ohio Department of Natural Resources, Division of Forestry for their review, approval, and subsequent submittal of the application to the Arbor Day Foundation. If approved, this will be Oxford's 22st consecutive year as an Arbor Day Foundation's Tree City USA.

The Commissioners concluded discussion at 8:40 p.m. The Environmental Commission is next scheduled to meet at 7:00 p.m. on January 3, 2018, in the Municipal Building's Second Floor Conference Room.

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:

	Initial	Date
Department Head:		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:

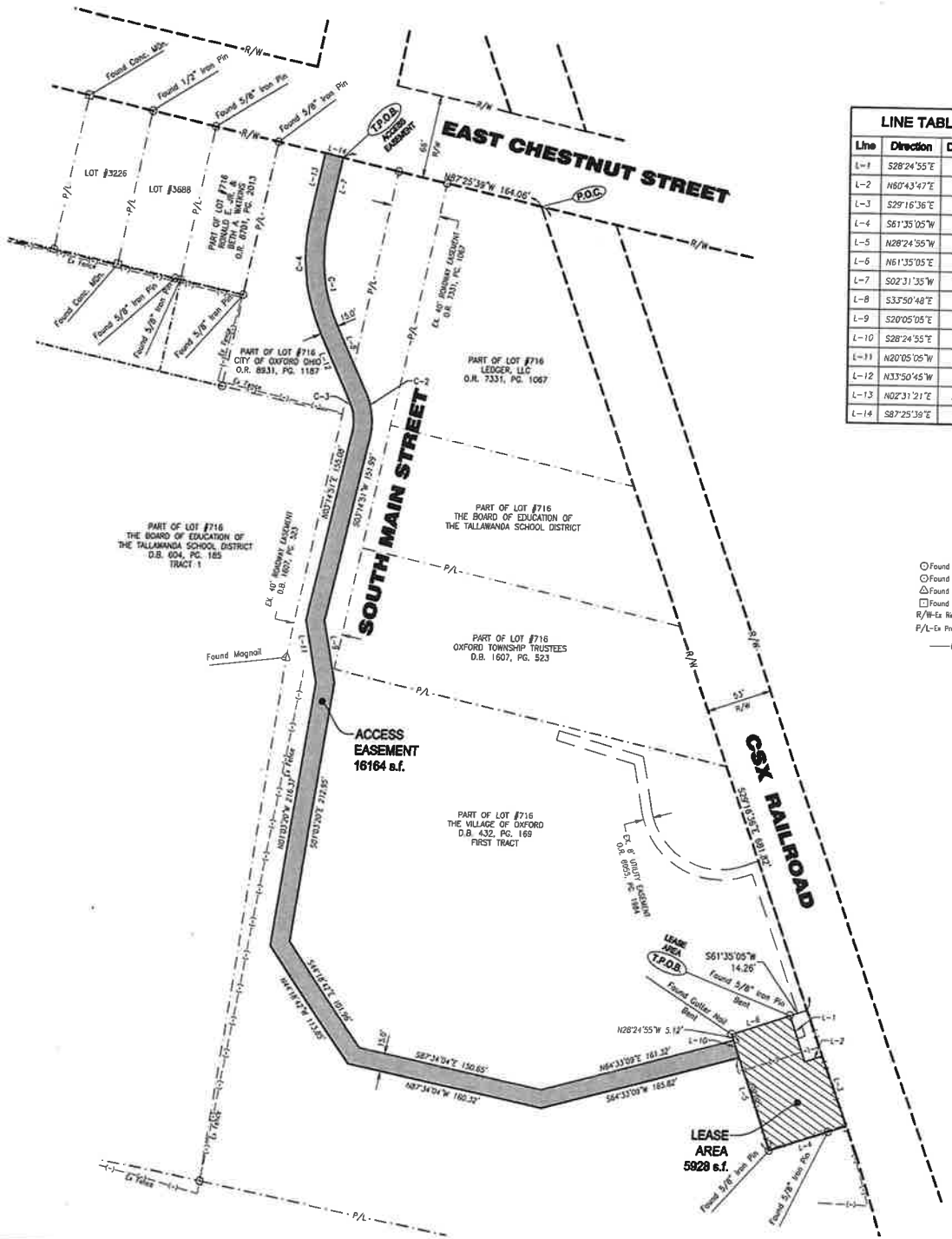
ATTEST:

_____
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW(STAFF)

EXHIBIT A



LINE TABLE

Line	Direction	Distance
L-1	S28°24'55"E	39.46'
L-2	N60°43'47"E	14.85'
L-3	S29°16'36"E	60.77'
L-4	S61°35'05"W	65.76'
L-5	N28°24'55"W	79.85'
L-6	N61°35'05"E	50.00'
L-7	S02°31'35"W	55.02'
L-8	S33°50'48"E	60.41'
L-9	S20°05'05"E	49.91'
L-10	S28°24'55"E	15.02'
L-11	N20°05'05"W	50.51'
L-12	N33°50'45"W	60.25'
L-13	N02°31'21"E	55.37'
L-14	S87°25'39"E	15.00'

EASEMENT CURVE TABLE

Curve	Delta	Radius	Length	Chord
C-1	35°41'04"	132.23'	82.36'	S16°37'18"E 81.03'
C-2	37°05'41"	53.50'	34.64'	S15°18'00"E 34.04'
C-3	37°05'41"	38.50'	24.93'	N15°18'00"W 24.49'
C-4	35°41'04"	147.23'	91.70'	N16°37'18"W 90.22'

LEGEND

- Found 5/8" Iron Pin
- Found Bent Spike
- Found MAG Spike
- Found Conc. Mon
- R/W-Ex Right of Way
- F/L-Ex Property Line
- Ex. Chainlink Fence

DENOTES ACCESS EASEMENT

DENOTES PROPOSED LEASE AREA

Basis of Bearing: B.V. 65, PG. 185

0 100 150

SCALE: 1" = 100'

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

STATE OF OHIO
DAVID D. SMITH
S-7121
REGISTERED
PROFESSIONAL SURVEYOR

Item	Revision Description	Date	Drwn	Chk

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

EXHIBIT

bayer becker
www.bayerbecker.com
110 S. College Avenue, Suite 100
Oxford, OH 45056 - 513.523.4270

Drawing:	17-0292 ES
Drawn by:	DDS
Checked By:	BRJ
Issue Date:	11-06-17
Sheet:	1/1

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Plot time: Nov 14, 2017 - 10:29am
Drawing name: J:\2017\17-0292\SV\DWG\17-0292 ES.dwg - Layout Tab: EXHIBIT

EXHIBIT B

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.

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

EXHIBIT C

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;

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

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Fort Mitchell, Kentucky 41017
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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

Council Meeting of: December 19, 2017

Account Code #: N/A

Budgeted Amount: N/A

Service Department
Originating Department

Michael Dreisbach, Service Director
Prepared By

December 7, 2017
Date Prepared

Agenda Title: Partial release of a Performance Bond in the amount of $2,647,164.92 for Trinitas Global Holdings, LLC & OH-MU Holdings, LLC and acceptance of a new Performance and Maintenance Bond.

Recommendation: Approval

Discussion:

The City of Oxford is the beneficiary of an Irrevocable Letter of Credit (LOC) with PNC Bank in the amount of $2,941,294.35 drawn on the account of Trinitas Global Holdings, LLC & OH-MU Holdings, LLC (Trinitas). This mechanism is the surety held by the City for public improvements related to the construction of "The Annex" (Annex) project on Southpointe Parkway and is currently valid through May 31, 2018. The Engineering Division has inspected "The Annex" and determined that the development's public infrastructure has been constructed in conformance with approved plans and specifications.

Trinitas has requested the City reduce the required LOC by a factor of 90%; thereby keeping a 10% surety for a period of one additional year during the development's maintenance and guarantee period. Staff concurs with this request.

Staff recommends City Council approve the reduction of the existing Letter of Credit by 90%; this would be a reduction of $2,647,164.92. Staff recommends City Council accept a new LOC in the amount of $294,129.43 which shall be effective for a period of one year expiring on December 19, 2018. This amount assures repairs of public infrastructure related to the project should any deficiencies arise.

Approved By:

	Initial	Date
Department Head:	[illegible]	12/7/17
City Manager:	DRE	12/15/17

RESOLUTION NO.

A RESOLUTION AUTHORIZING A $2,647,164.92 REDUCTION OF A $2,941,294.35 LETTER OF CREDIT PERFORMANCE BOND FOR TRINITAS GLOBAL HOLDINGS, LLC & OH-MU HOLDINGS, LLC, AND ACCEPTING A NEW LETTER OF CREDIT PERFORMANCE BOND IN THE AMOUNT OF $294,129.43.

WHEREAS, Trinitas has requested the City reduce the required Letter of Credit Performance Bond which is the surety held by the City for public improvements related to the construction of the "The Annex" by ninety percent (90%); thereby keeping a ten percent (10%) surety for a period of one additional year during the development's maintenance and guarantee period; and

WHEREAS, The City of Oxford's Engineering Division has inspected "The Annex" and determined that the development's public infrastructure has been constructed in conformance with approved plans and specifications.

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

SECTION 1: The developer, having met the terms and conditions for which a letter of credit performance bond in the amount of $2,941,294.35 was given, is hereby released by Council, and a new letter of credit performance bond in the amount of $294,129.43 is hereby accepted. This amount warranties the public improvements within the project footprint for a period of one year.

SECTION 2: The City Manager and the Clerk of Council are hereby authorized to execute the necessary paperwork, reducing the letter of credit performance bond and to take all other steps necessary.

SECTION 3: This reduction is hereby given upon report of the City Engineer that the work secured by the letter of credit performance bond has been satisfactorily completed.

SECTION 4: 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)

PNC Bank, National Association
International Trade Service Operations
500 First Avenue - 2nd Floor
Pittsburgh, PA 15219
Mail Stop: P7-PFSC-02-T

Customer Service: 1-800-682-4689
SWIFT Address: PNCCUS33

DATE: MARCH 20, 2017

BEESON, SARAH E
ATTENTION: PT28987
NA
NA

NOTICE OF AUTOMATIC EXTENSION

OUR REFERENCE: 18125802-00-000
APPLICANT: TRINITAS GLOBAL HOLDINGS LLC AND

THIS NOTICE IS TO ADVISE YOU THAT THE EXPIRATION DATE OF THE REFERENCED LETTER OF CREDIT NUMBER 18125802-00-000 HAS BEEN EXTENDED TO MAY 31, 2018.

THIS IS NOT TO BE CONSIDERED AS AN AMENDMENT TO THE LETTER OF CREDIT. THIS IS FOR INFORMATION PURPOSES ONLY.

PNC BANK, NATIONAL ASSOCIATION
INTERNATIONAL TRADE SERVICE OPERATIONS

THIS IS A COMPUTER GENERATED DOCUMENT; A MANUAL SIGNATURE IS NOT REQUIRED.

PNC Bank, National Association
International Trade Service Operations
500 First Avenue - 2nd Floor
Pittsburgh, PA 15219
Mail Stop: P7-PFSC-02-T

Customer Service: 1-800-682-4689
SWIFT Address: PNCCUS33

PNC

BENEFICIARY:
CITY OF OXFORD, OHIO
101 EAST HIGH STREET
OXFORD, OH 45056

ATTENTION: VICTOR POPESCU

APPLICANT:
TRINITAS GLOBAL HOLDINGS LLC AND
OH-MU HOLDINGS LLC
201 MAIN STREET, SUITE 1000
LAFAYETTE, IN 47906

IRREVOCABLE STANDBY LETTER OF CREDIT

OUR REFERENCE:	18125802-00-000
AMOUNT:	USD $2,941,294.35
ISSUE DATE:	MAY 31, 2016
EXPIRY DATE:	MAY 31, 2017
EXPIRY PLACE:	OUR COUNTERS

WE HEREBY ESTABLISH OUR IRREVOCABLE STANDBY LETTER OF CREDIT NO. 18125802-00-000 IN YOUR FAVOR FOR THE ACCOUNT OF TRINITAS GLOBAL HOLDINGS LLC AND OH-MU HOLDINGS LLC UP TO THE AGGREGATE AMOUNT OF USD$2,941,294.35 (TWO MILLION NINE HUNDRED FORTY ONE THOUSAND TWO HUNDRED NINETY FOUR AND 35/100 UNITED STATES DOLLARS) AVAILABLE FOR PAYMENT AT OUR COUNTERS AT 500 FIRST AVENUE, 2ND FLOOR, P7-PFSC-02-T, PITTSBURGH, PA 15219, BY PRESENTATION OF A DATED STATEMENT PURPORTEDLY SIGNED BY AN AUTHORIZED REPRESENTATIVE OF CITY OF OXFORD, OHIO, READING AS FOLLOWS:

"I, (STATE NAME AND TITLE) HEREBY CERTIFY THAT I AM A REPRESENTATIVE OF CITY OF OXFORD, OHIO AUTHORIZED TO EXECUTE THIS STATEMENT AND DEMAND PAYMENT OF USD (INSERT AMOUNT) UNDER PNC BANK, NATIONAL ASSOCIATION, LETTER OF CREDIT NO. 18125802-00-000. I FURTHER CERTIFY THAT THE AMOUNT OF OUR DRAWING REPRESENTS THE AMOUNT DUE US AS CORRECTIVE ACTIONS ARE NECESSARY BECAUSE OF SUBSTANDARD CONSTRUCTION AND/OR MAINTENANCE THAT TRINITAS GLOBAL HOLDINGS LLC AND OH-MU HOLDINGS LLC HAVE FAILED TO REMEDY IN A TIMELY MANNER."

THIS LETTER OF CREDIT EXPIRES AT 5:00PM EASTERN TIME AT THIS OFFICE ON MAY 31, 2017.

IT IS A CONDITION OF THIS LETTER OF CREDIT THAT IT WILL BE AUTOMATICALLY EXTENDED, WITHOUT AMENDMENT, FOR ADDITIONAL ONE (1) YEAR PERIODS FROM THE CURRENT EXPIRATION DATE SET HEREOF, OR ANY FUTURE EXPIRATION DATE, BUT NOT BEYOND SEPTEMBER 1, 2018, THE "FINAL EXPIRATION DATE", UNLESS AT LEAST 60 DAYS PRIOR TO ANY EXPIRATION DATE, WE NOTIFY YOU BY REGISTERED OR CERTIFIED MAIL, OR OVERNIGHT COURIER THAT WE ELECT NOT TO FURTHER EXTEND THIS LETTER OF CREDIT FOR ANY SUCH ADDITIONAL PERIOD. UPON RECEIPT OF SUCH NOTICE YOU MAY DRAW HEREUNDER BY PRESENTATION OF A DATED STATEMENT PURPORTEDLY SIGNED BY AN AUTHORIZED REPRESENTATIVE OF CITY OF OXFORD, OHIO, READING AS FOLLOWS:

"I, (STATE NAME AND TITLE), HEREBY CERTIFY THAT I AM A REPRESENTATIVE OF

FORM 163918

PNC Bank, National Association
International Trade Service Operations
500 First Avenue - 2nd Floor
Pittsburgh, PA 15219
Mail Stop: P7-PFSC-02-T

Customer Service: 1-800-682-4689
SWIFT Address: PNCCUS33

PNC

CITY OF OXFORD, OHIO, AUTHORIZED TO EXECUTE THIS STATEMENT AND DEMAND PAYMENT OF USD$ (INSERT AMOUNT) UNDER PNC BANK, NATIONAL ASSOCIATION, LETTER OF CREDIT NO. 18125802-00-000 WHICH REPRESENTS FUNDS DUE US AS WE HAVE BEEN NOTIFIED THAT PNC BANK, NATIONAL ASSOCIATION, HAS ELECTED NOT TO FURTHER EXTEND THIS LETTER OF CREDIT, AND WE HAVE NOT RELEASED TRINITAS GLOBAL HOLDINGS LLC AND OH-MU HOLDINGS LLC FROM ITS OBLIGATIONS TO US AND WE HAVE NOT RECEIVED A REPLACEMENT LETTER OF CREDIT SATISFACTORY TO US."

THIS LETTER OF CREDIT IS SUBJECT TO THE INTERNATIONAL STANDBY PRACTICES 1998 ("ISP98") INTERNATIONAL CHAMBER OF COMMERCE PUBLICATION NO. 590.

WE HEREBY ENGAGE WITH YOU THAT DRAWING(S) PRESENTED UNDER AND IN COMPLIANCE WITH THE TERMS AND CONDITIONS OF THIS LETTER OF CREDIT WILL BE DULY HONORED IF PRESENTED TO US AT THIS OFFICE ON OR BEFORE THE EXPIRY DATE OR ANY AUTOMATICALLY EXTENDED EXPIRY DATE.

Christian Harris

PNC BANK, NATIONAL ASSOCIATION
INTERNATIONAL TRADE SERVICE OPERATIONS

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to City Manager

Finance
Originating Department

Council Meeting Of : 12/5/2017

Joe Newlin
Prepared By

Account Code No. : see below

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) Increase/(Decrease)	(288,333.00)	

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) Increase/(Decrease)	36,788.00	

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) Increase/(Decrease)	230,000.00
Total Net Effect on Fund Balance/(s) Increase/(Decrease)	(26,545.00)

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) Increase/(Decrease)	(26,545.00)

Approved By:

	Initials	Date
Department Head:		11/29/17
City Manager:	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

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

Account Code No. #:

Sam Perry
Prepared By:

Budgeted Amount:

November 21, 2017
Date Prepared:

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: DRE / 11/21/17
City Attorney:
City Manager: DRE / 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)

NOVEMBER PLANNING MEETING

Memo

CITY OF OXFORD
HOME OF MIAMI UNIVERSITY

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.

CITY OF OXFORD
HOME OF MIAMI UNIVERSITY

Community Development Department

513-524-5204

October 27, 2017

ALSO VIA EMAIL:
rbruce@knothebruce.com
coe@remax-alpha.com
jcblaw24@yahoo.com

J. Randy Bruce
Knothe & Bruce Architects, LLC
7601 University Avenue
Suite 201
Middleton, WI 53562

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

Sam Perry, AICP
Planner
sperry@cityofoxford.org

CC: Jung-Han Chen, Douglas R. Elliott, Jr, Stephen M. McHugh

September 28, 2017

knothe bruce
ARCHITECTS

Mr. Sam Perry, AICP
Planner
Community Development Department
City of Oxford
101 East High Street
Oxford, Ohio 45056

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
Total Apartments:	59 apartments with 123 bedrooms
Building Height:	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

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

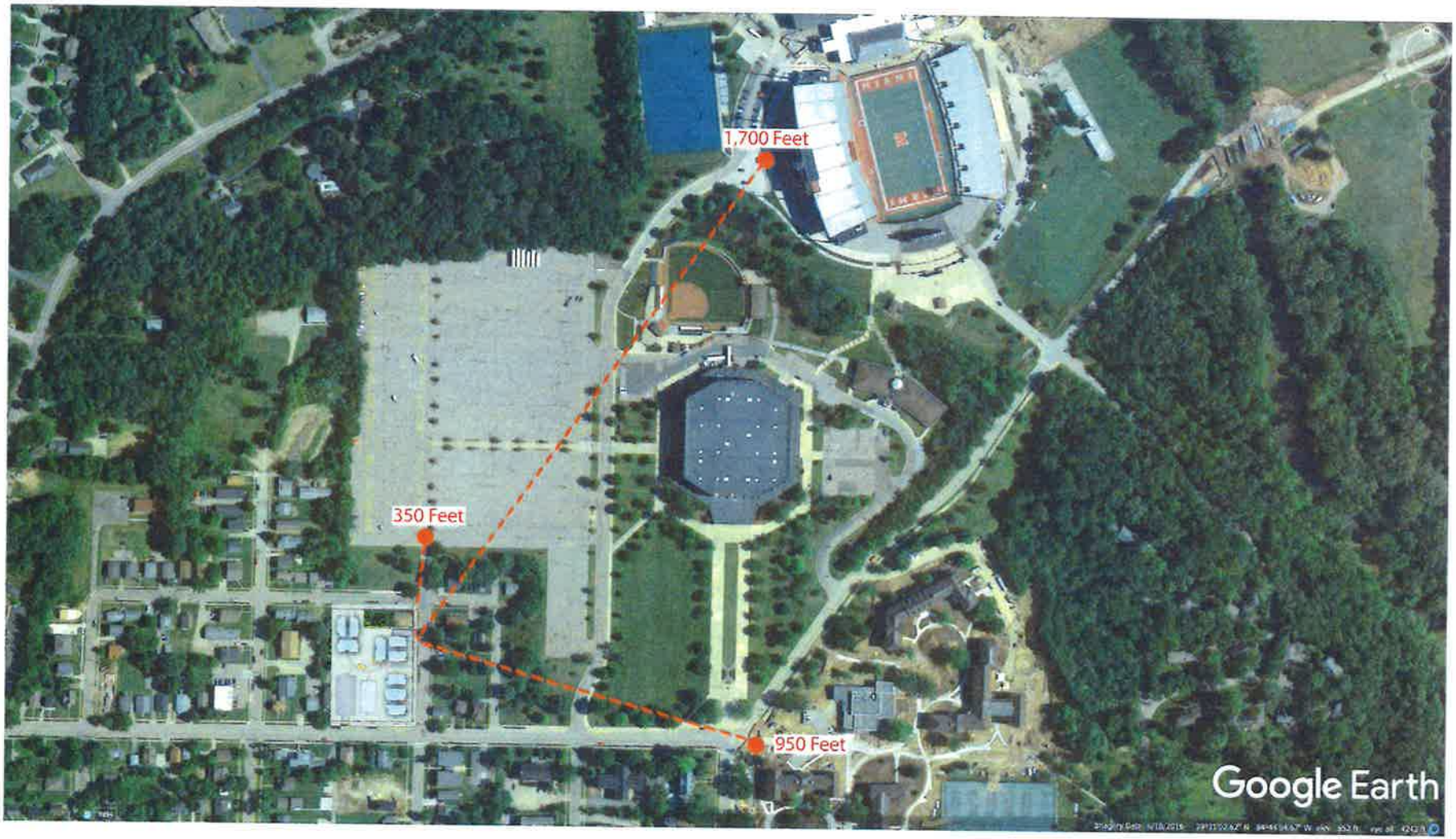
Stadium Apartments
E. Sycamore St.
& N. University Ave.
Oxford, Ohio
Sep. 27th, 2017

kba
knothe bruce

EXISTING SITE PHOTOS

Stadium Apartments
E. Sycamore St.
& N. University Ave.
Oxford, Ohio
Sep. 27th, 2017

kba
knothe • bruce



Proximity to Campus

Stadium Apartments
E. Sycamore St.
& N. University Ave.
Oxford, Ohio
Sep. 27th, 2017

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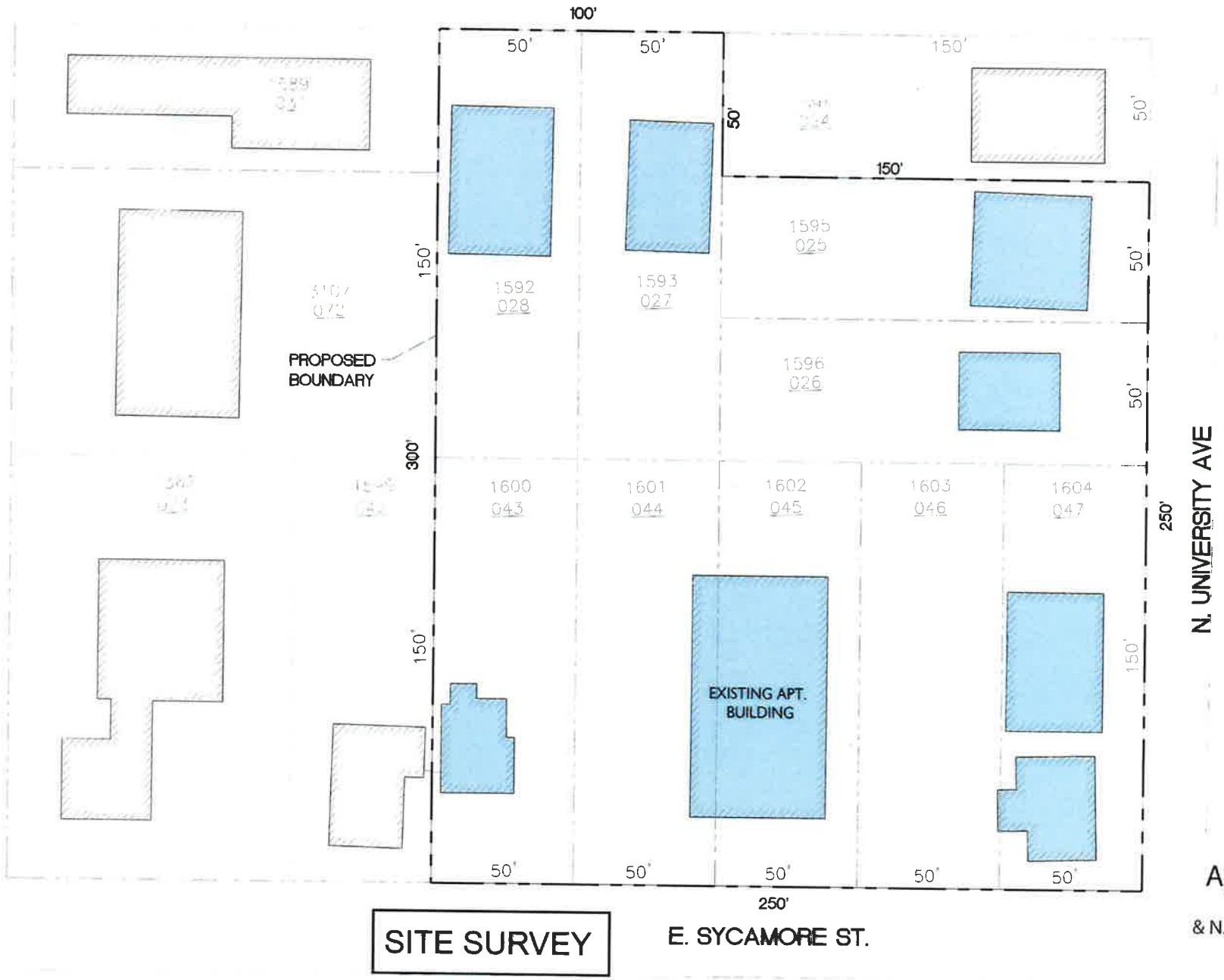


SITE SURVEY

Stadium Apartments
E. Sycamore St.
& N. University Ave.
Oxford, Ohio
Sep. 27th, 2017

knothe • bruce

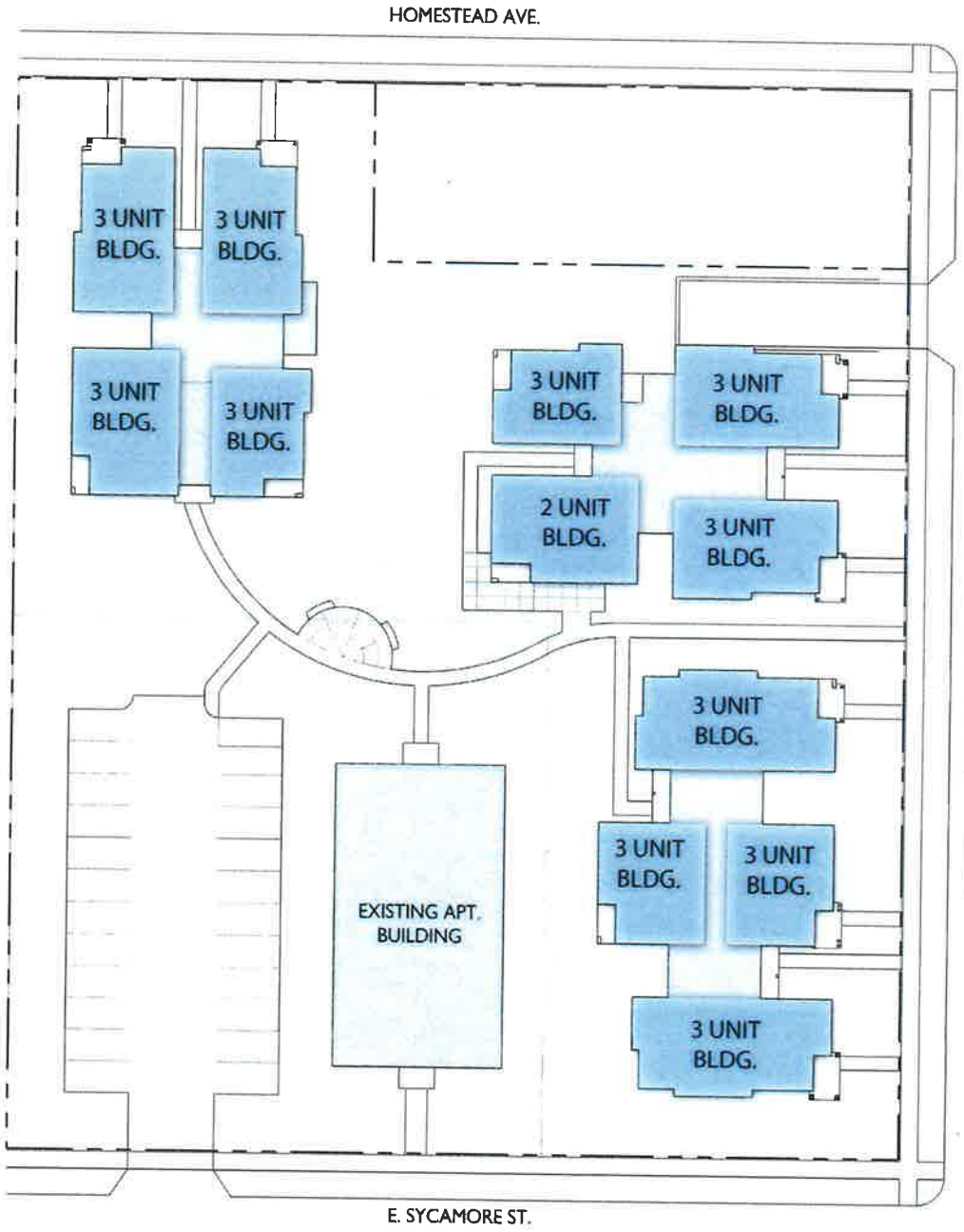
SCALE: $\frac{1}{32}$" - 1'-0"
(@ 11x17)

Previously Reviewed Site Plan

Stadium Apartments

E. Sycamore St.
& N. University Ave.
Oxford, Ohio

knothe • bruce



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:	
2 BEDROOM	12
3 BEDROOM	17
4 BEDROOM	6
# OF UNITS	35
BEDROOMS:	99

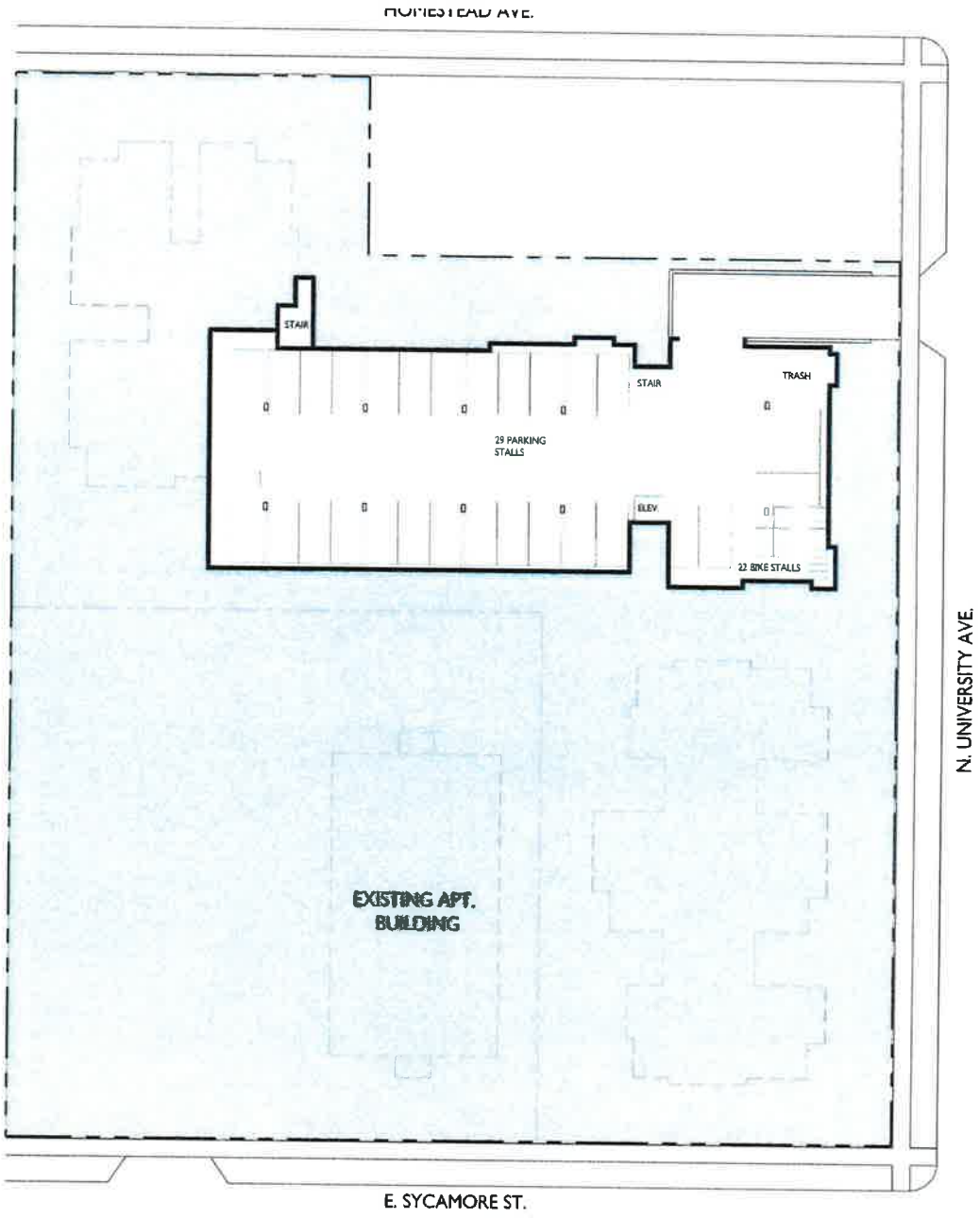
REVISED SITE PLAN

SCALE: $\frac{1}{32}$" - 1'-0"
(@ 11x17)

Stadium Apartments

E. Sycamore St.
& N. University Ave.
Oxford, Ohio
Sep. 27th, 2017

kba knothe • bruce



BASEMENT FLOOR PLAN

SCALE: 1/32" - 1'-0"
(@ 11x17)

Stadium Apartments

E. Sycamore St.
& N. University Ave.
Oxford, Ohio
Sep. 27th, 2017

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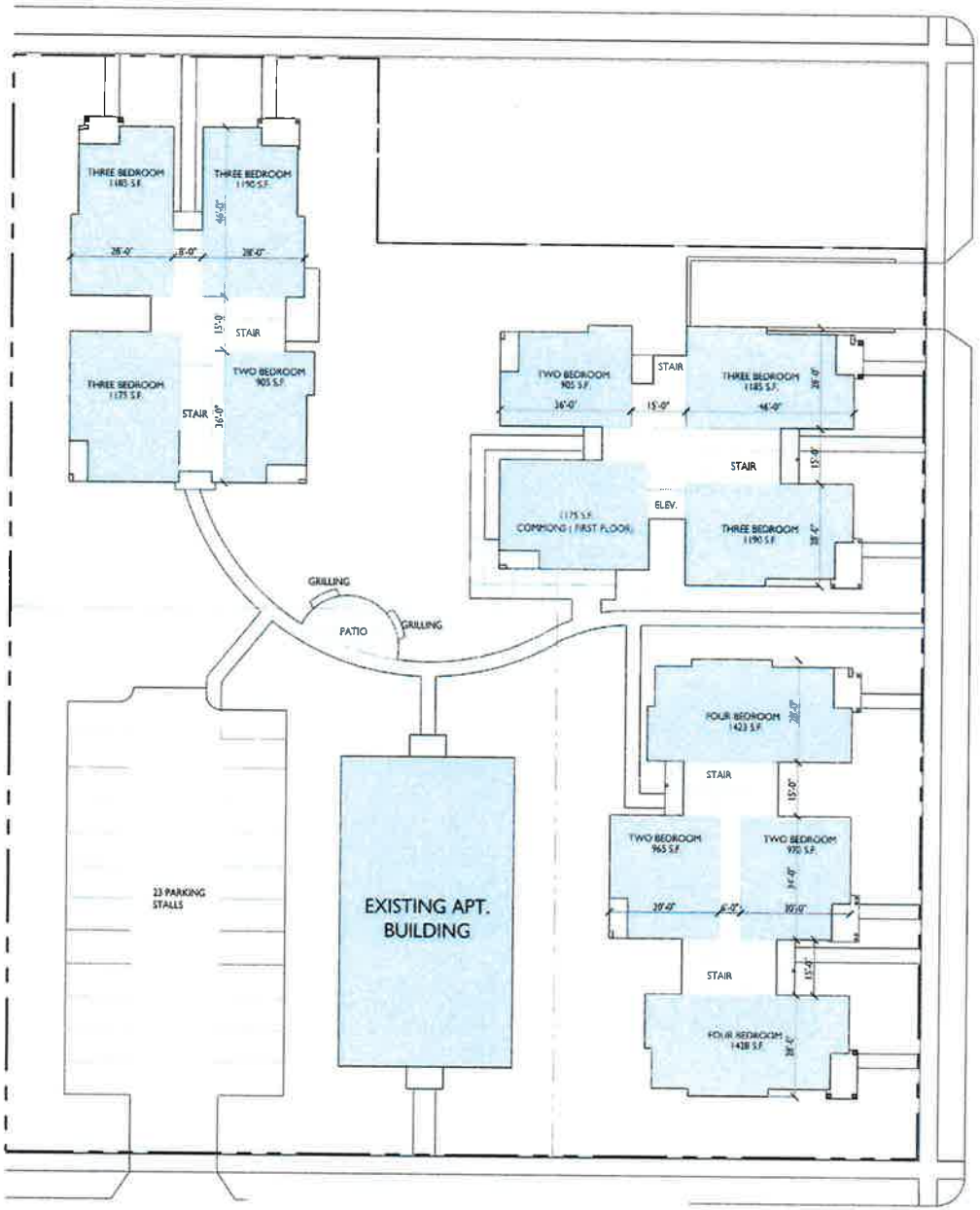


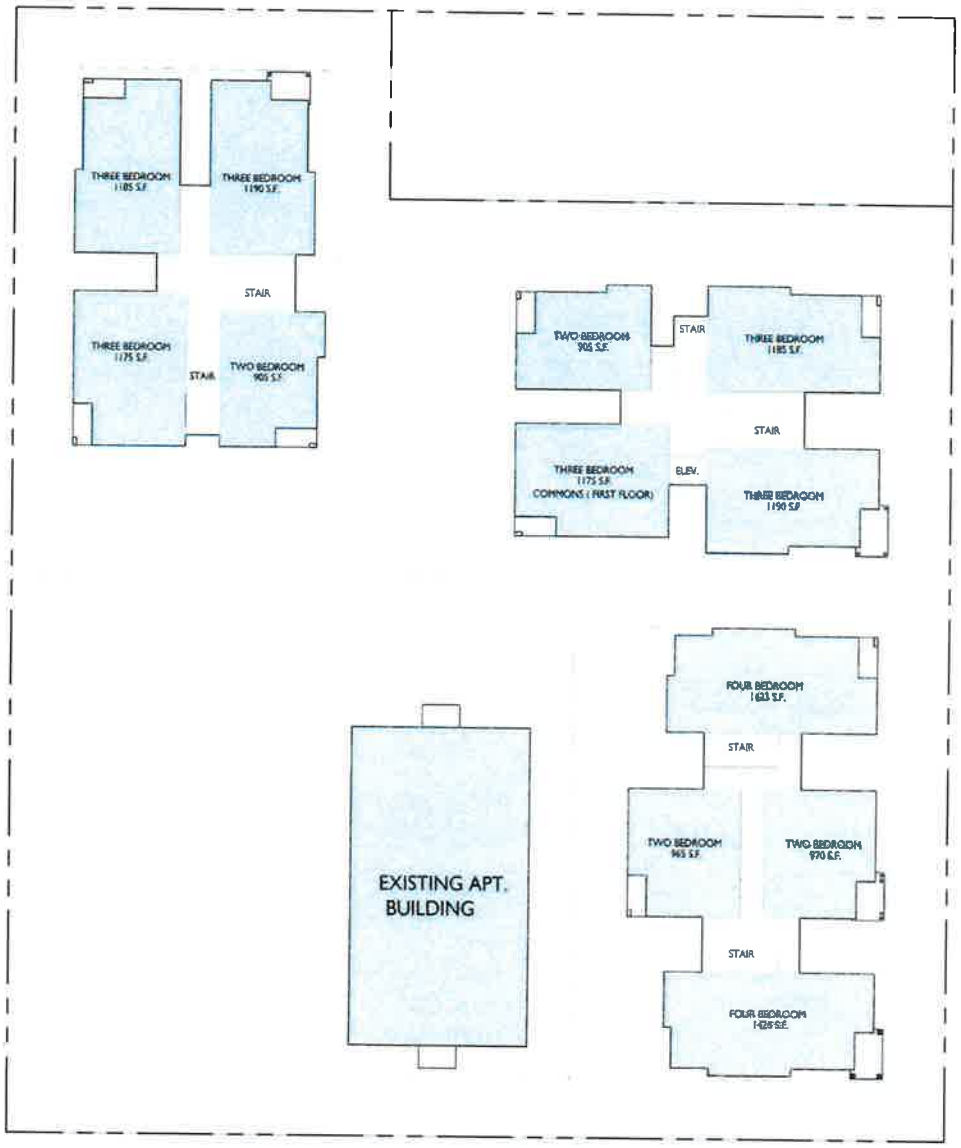
FIRST FLOOR
PLAN

SCALE: $\frac{1}{32}$" - 1'-0"
(@ 11x17)

Stadium Apartments

E. Sycamore St.
& N. University Ave.
Oxford, Ohio
Sep. 27th, 2017

kba
knothe • bruce



2ND & 3RD
FLOOR PLAN

SCALE: $\frac{1}{32}$" - 1'-0"
(@ 11x17)

Stadium
Apartments
E. Sycamore St.
& N. University Ave.
Oxford, Ohio
Sep. 27th, 2017

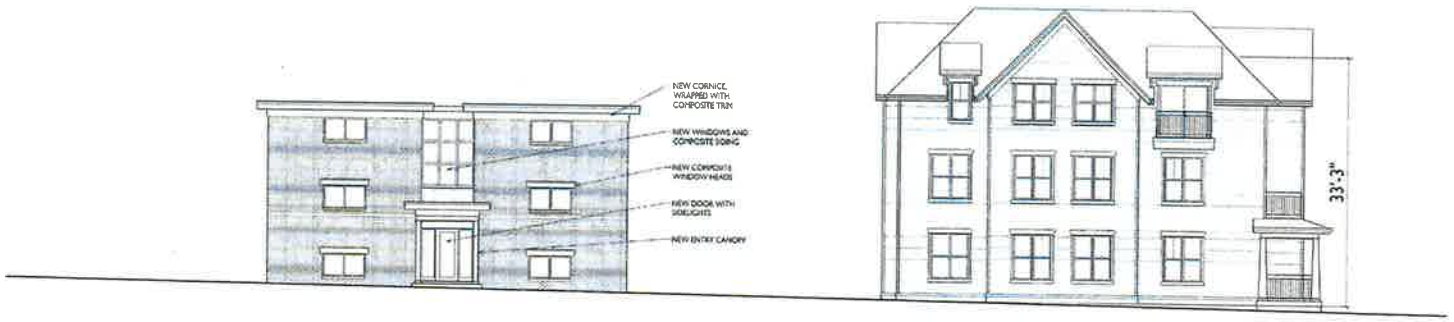
kba
knothe • bruce

NORTH UNIVERSITY AVENUE

BLDG ELEVATIONS + HEIGHT

Stadium Apartments
E. Sycamore St.
& N. University Ave.
Oxford, Ohio
Sep. 27th, 2017

kba
knothe • bruce



EAST SYCAMORE STREET

HOMESTEAD AVENUE

BLDG ELEVATIONS + HEIGHT

Stadium Apartments
E. Sycamore St.
& N. University Ave.
Oxford, Ohio
Sep. 27th, 2017

kba knothe • bruce

North University Ave.

Conceptual Street View

Stadium Apartments

E. Sycamore St.
& N. University Ave.
Oxford, Ohio
Sep. 27th, 2017

kba
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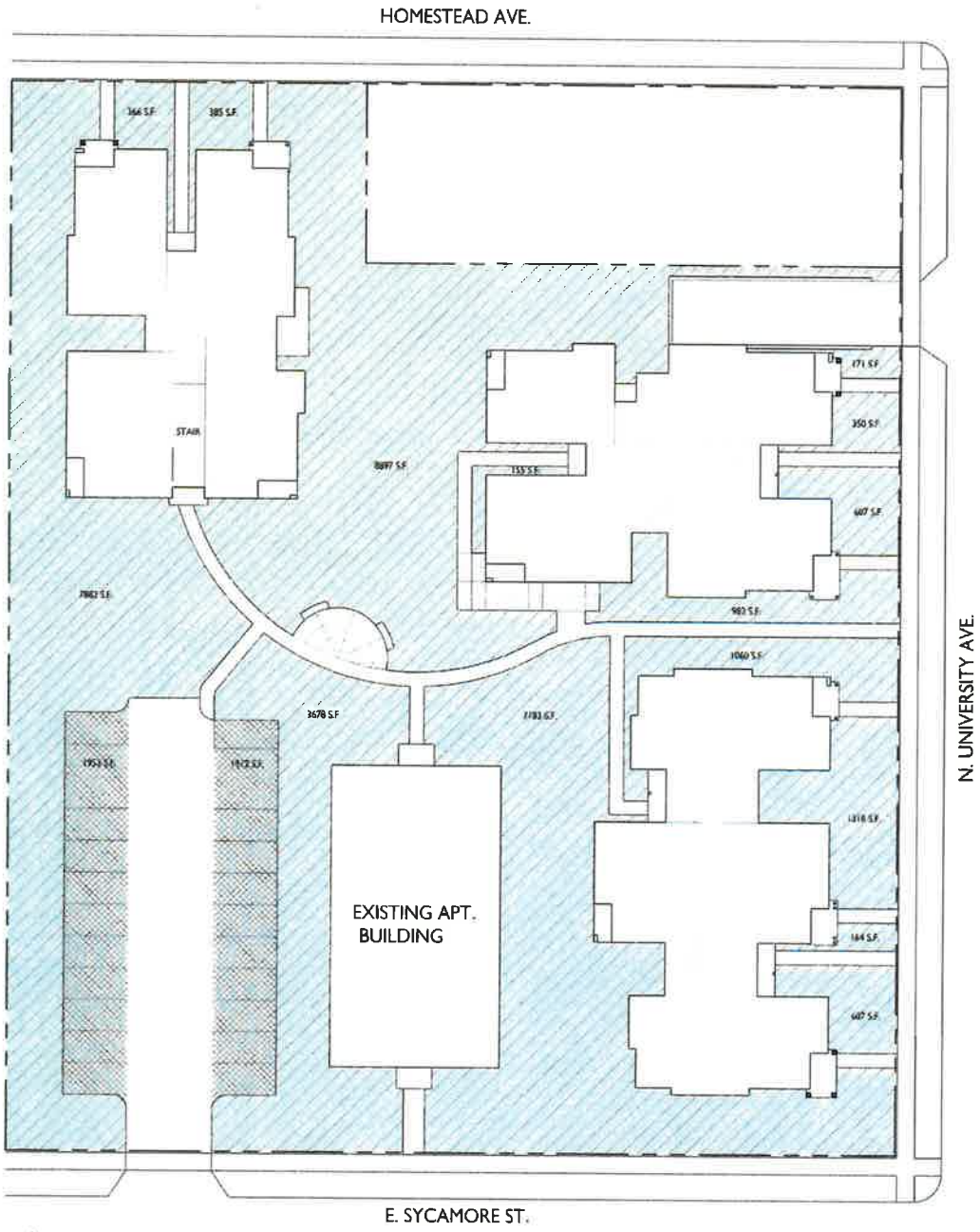


LOT COVERAGE:

+ TOTAL LOT AREA - 67,500 S.F.

+ TOTAL LOT COVERAGE IS LIMITED TO 45%
  MAX. LOT COVERAGE : 67,500 S.F. x .45 = 30,375 S.F.
  LOT COVERAGE OF PROPOSED DESIGN = 29,830 S.F.

+ OPEN SPACE INCLUDES 3,865 S.F. OF PERMEABLE PAVERS FOR THE PARKING SPACES ON THE SURFACE LOT (SEE PLAN FOR LOCATION)

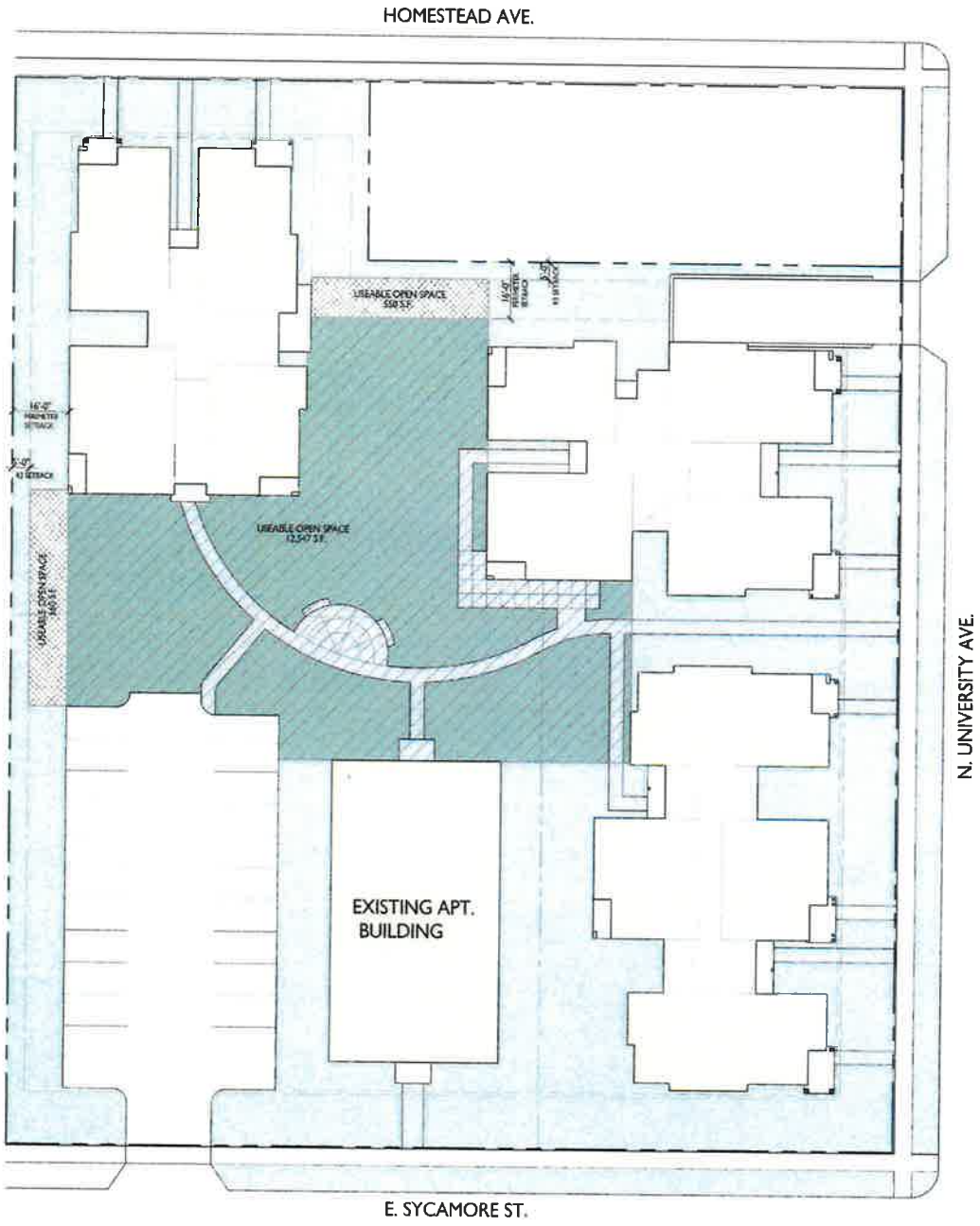
LOT COVERAGE

SCALE: $\frac{1}{32}$" - 1'-0"
(@ 11x17)

Stadium Apartments

E. Sycamore St.
& N. University Ave.
Oxford, Ohio
Sep. 27th, 2017

kba knothe • bruce



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 S.F. x .20 = 13,500 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.

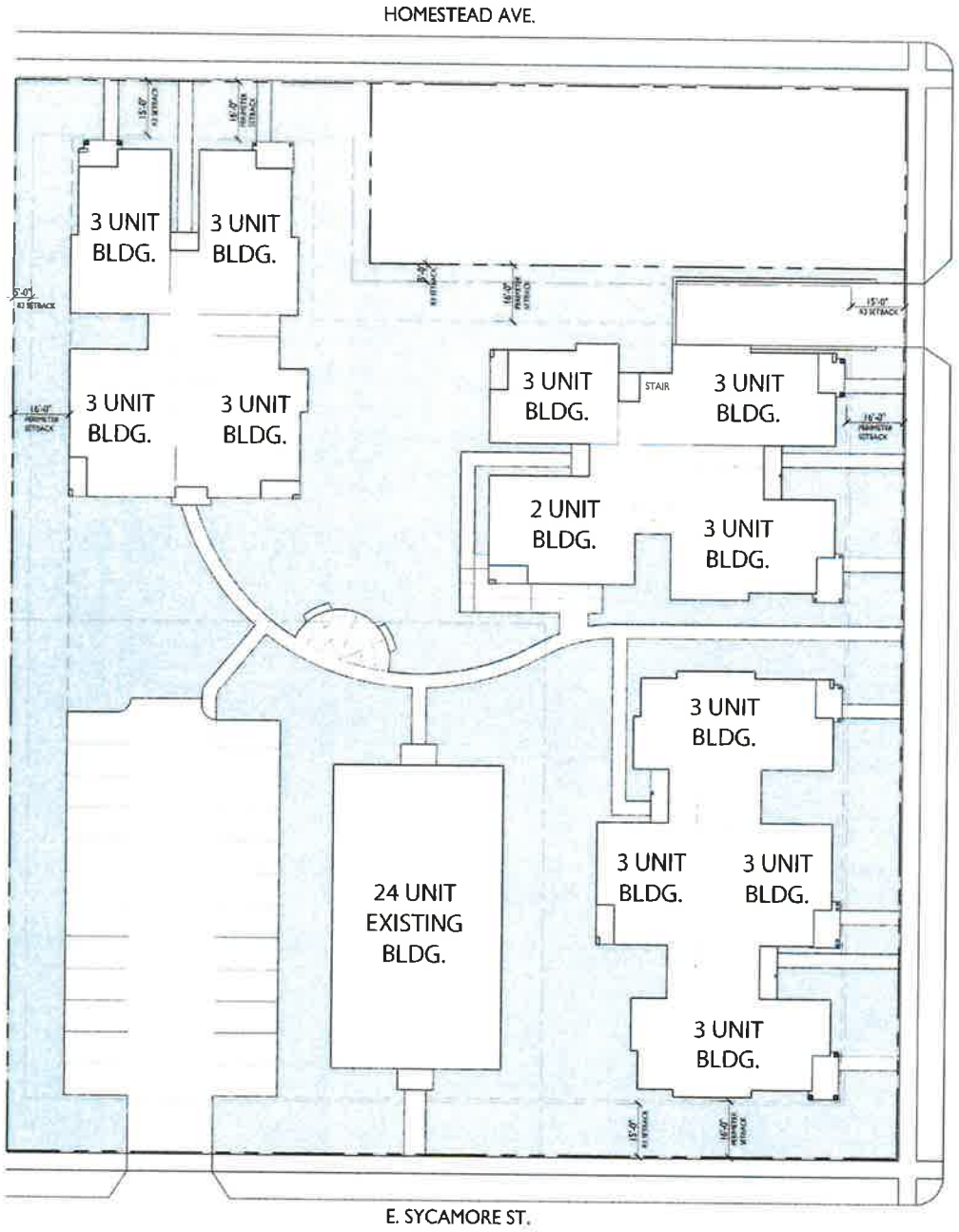
OPEN SPACE

SCALE: $\frac{1}{32}$" - 1'-0"
(@ 11x17)

Stadium Apartments

E. Sycamore St.
& N. University Ave.
Oxford, Ohio
Sep. 27th, 2017

kba knothe • bruce



DENSITY:

+ ALLOWED DENSITY FOR SITE: 12 BEDS / 8,000 S.F.

+ ALLOWABLE DENSITY CALCULATION:
67,500 S.F. ÷ 8,000 S.F. = 8.44 x 12 = 101 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

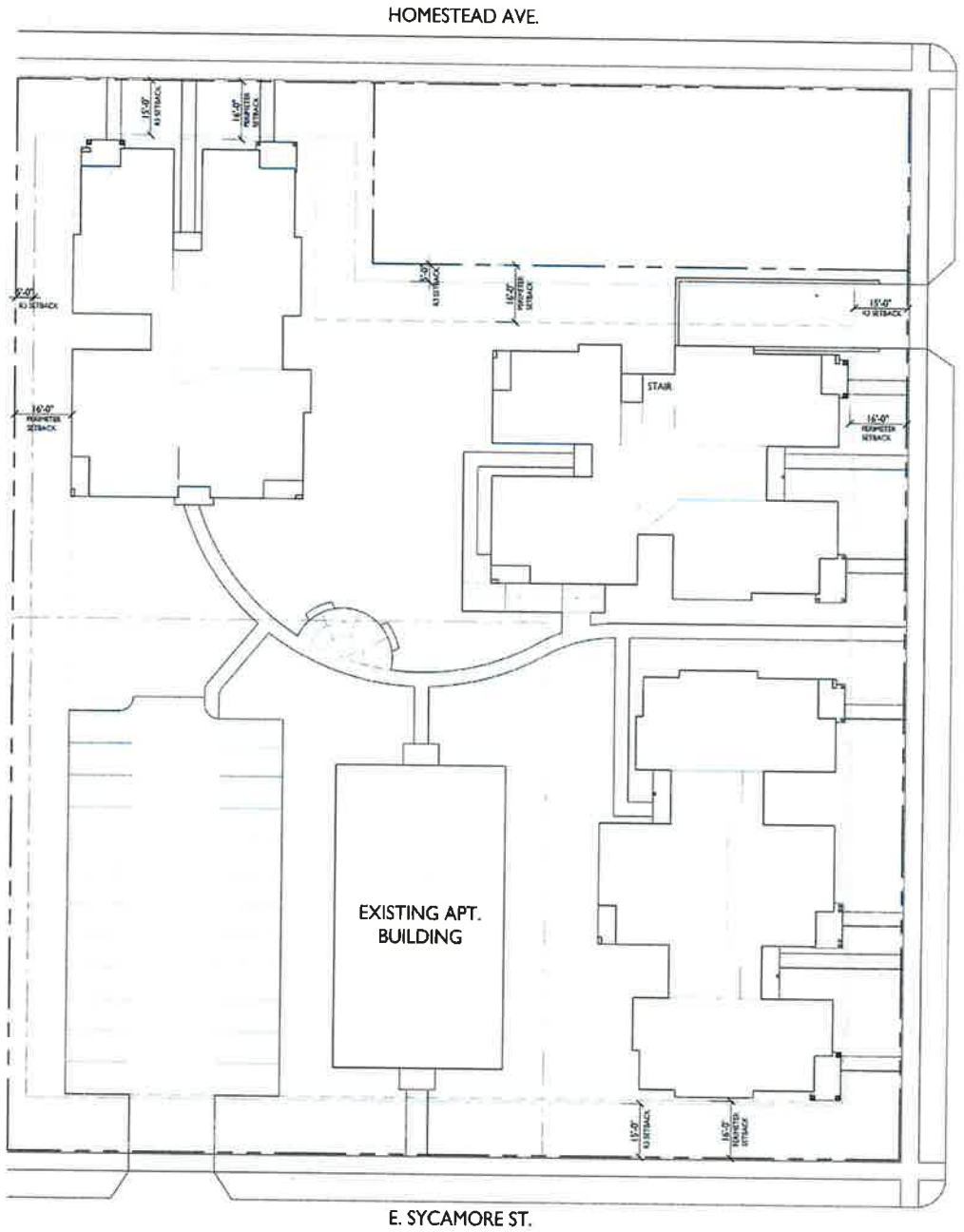
DENSITY

SCALE: 1/32" - 1'-0"
(@ 11x17)

Stadium Apartments

E. Sycamore St.
& N. University Ave.
Oxford, Ohio
Sep. 27th, 2017

knothe bruce

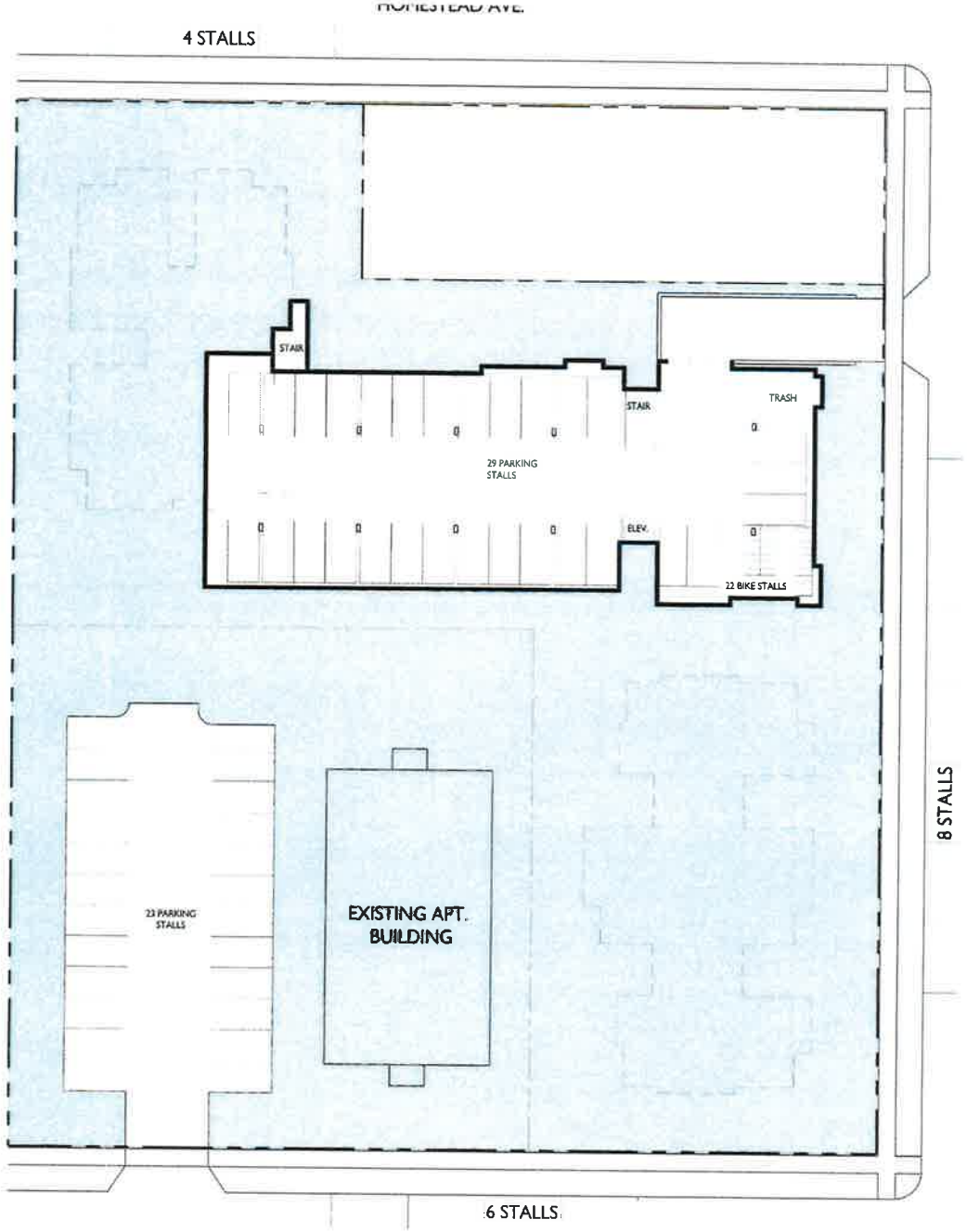


SCALE: $\frac{1}{32}$" - 1'-0"
(@ 11x17)

BUILDING SETBACKS

Stadium Apartments
E. Sycamore St.
& N. University Ave.
Oxford, Ohio
Sep. 27th, 2017

knothe • bruce



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: 1/32" - 1'-0"
(@ 11x17)

Stadium Apartments

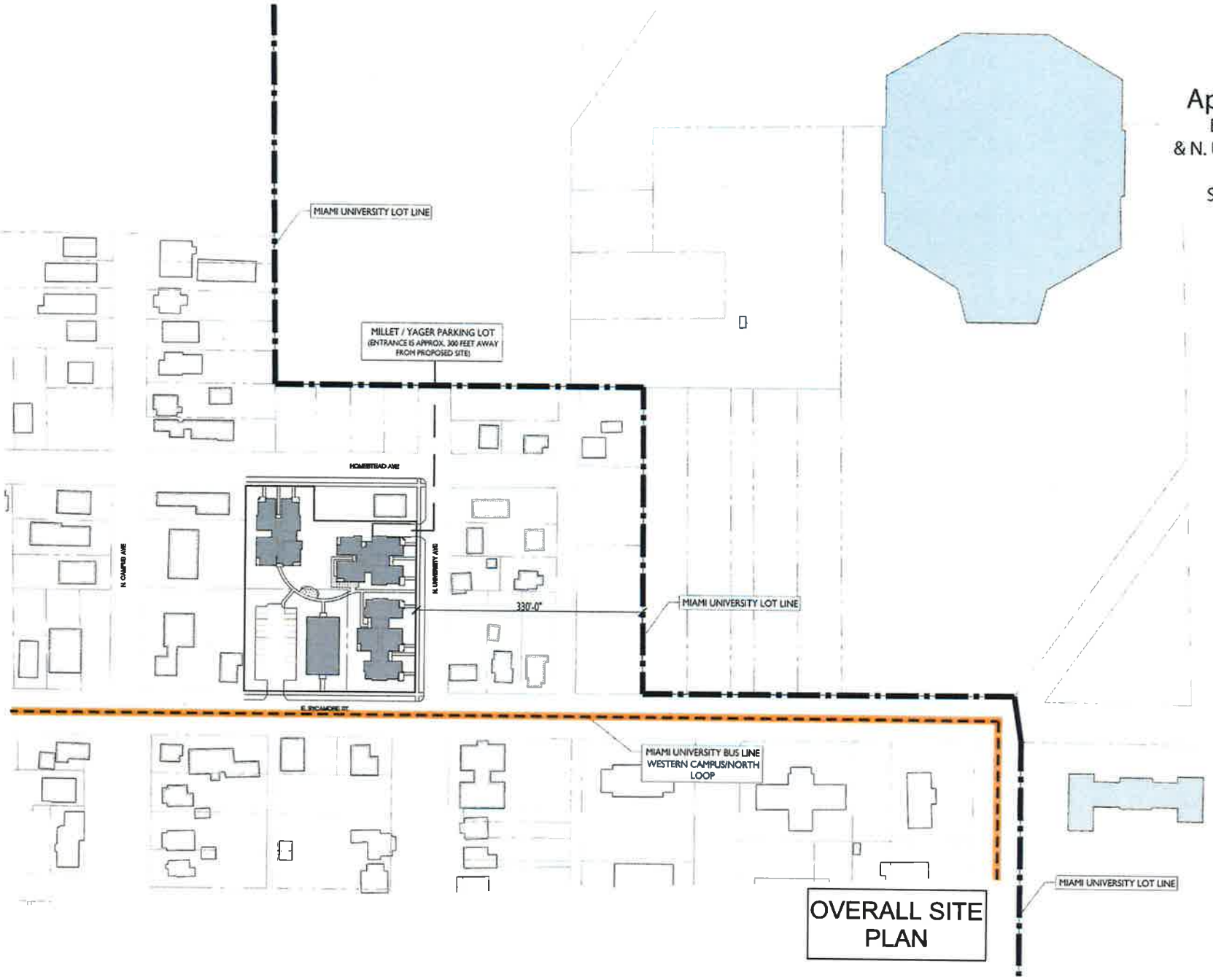
E. Sycamore St.
& N. University Ave.
Oxford, Ohio
Sep. 27th, 2017

knothe bruce architects

Stadium Apartments

E. Sycamore St.
& N. University Ave.
Oxford, Ohio
Sep. 27th, 2017

knothe • bruce ARCHITECTS



OVERALL SITE PLAN

OCTOBER PLANNING MEETING

Memo

To: Planning Commission for October 10, 2017 Meeting

From: Sam Perry, Community Development

Date: 10/5/2017

Re: PC-2017-25, Preliminary Planned Development, Stadium Apartments

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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 Dethrage 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)**

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

SEE MEMO DATED 10-2-17

Drawings reviewed by: V. Popescu Date: 10-2-17

VICTOR POPESCU

CITY OF
OXFORD
HOME OF MIAMI UNIVERSITY

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

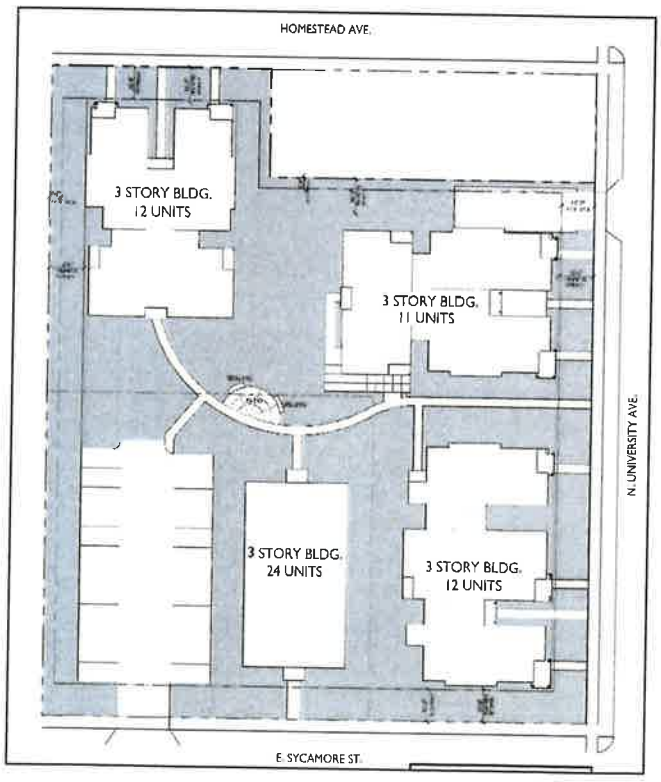
APPLICATION

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."

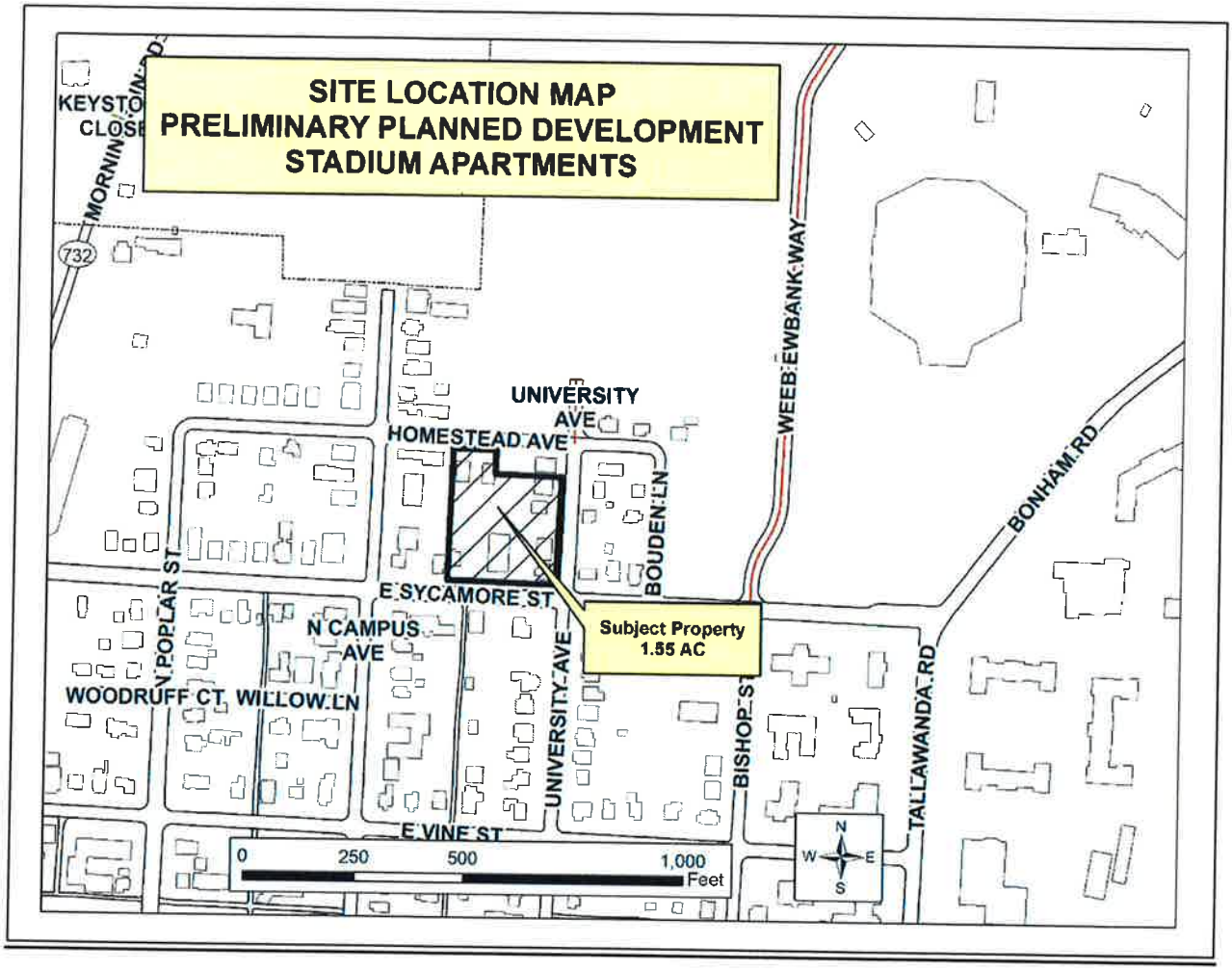


SITE HISTORY

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 keeps 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

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:

Sam Perry

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: _____ Date: 8-29-17

John Dethmage
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: August 7, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-25, 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: _____ W. Popescu Date: 8-22-17

VICTOR POPESCU
PRINTED NAME

CITY OF
OXFORD
HOME OF MIAMI UNIVERSITY

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.

CITY OF OXFORD
HOME OF MIAMI UNIVERSITY

PC-2017-25
Surrounding Property Owners Notifications Map

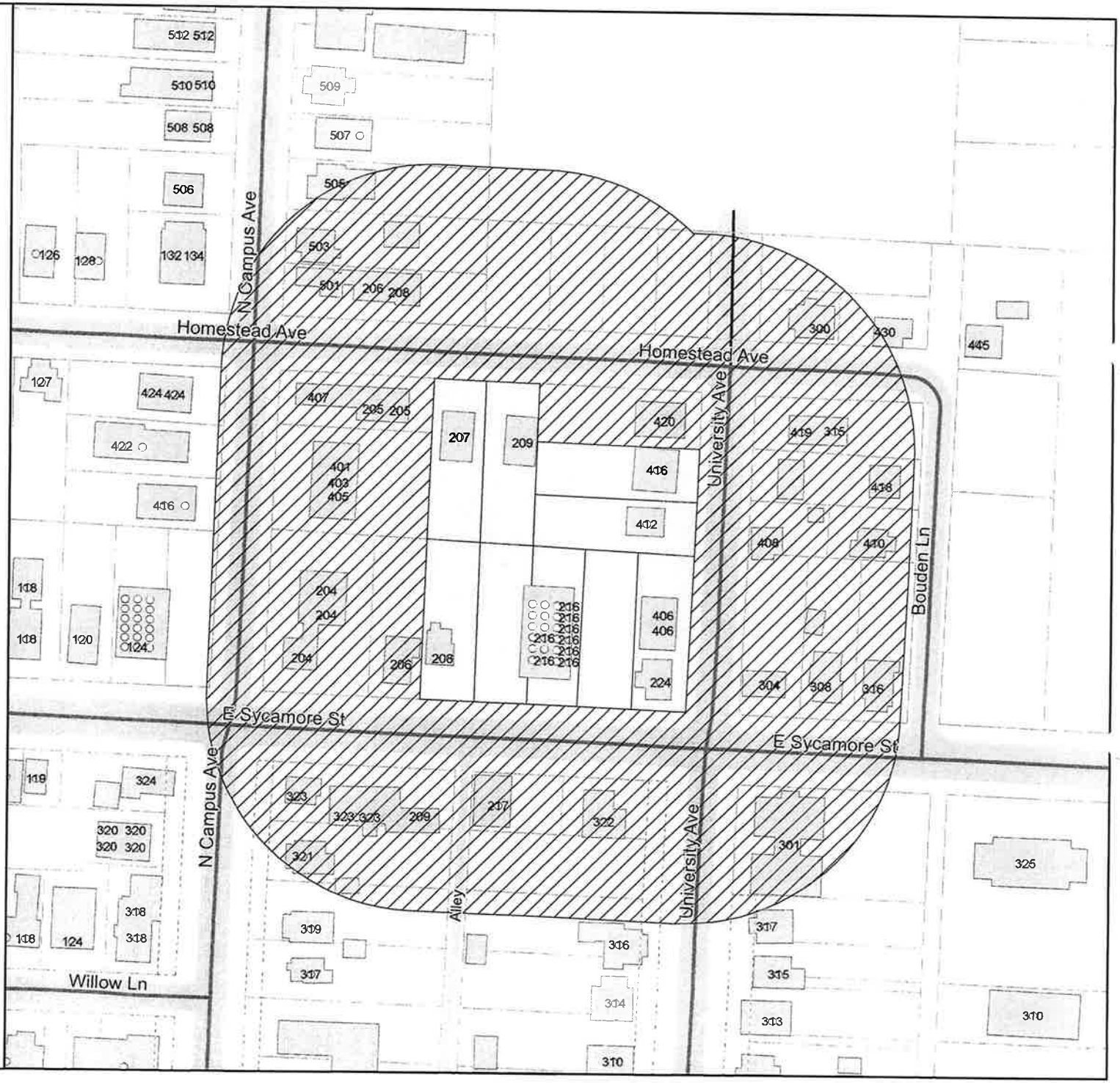
Legend

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

1 inch = 125 feet

Prepared on Tuesday, August 29, 2017

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



CITY OF OXFORD
HOME OF MIAMI UNIVERSITY

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) Loveland Hdding LLC. – Justin Greiwe Managing Member

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 Greiwe
Signature

9/1/17
Date

CITY OF OXFORD
HOME OF MIAMI UNIVERSITY

CITY OF OXFORD
PLANNING COMMISSION
REVIEW AND COMMENT FORM

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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) Greg Reichert

Address: 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

9/6/17
Date

CITY OF OXFORD
HOME OF MIAMI UNIVERSITY

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) ROBERT WOLFE

Address: 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 so I 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 Univ. serves as major entrances and exits for miller Hall, the football stadium and a university car parking area. The streets now are used with care with the exception of Bouden Ln where residents managed a restricted parking designation for which we pay $25. to park near our homes.

Robert Wolfe
Signature

September 8, 2017 (COVER)
Date

CITY OF
OXFORD
HOME OF MIAMI UNIVERSITY

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 exit onto University ave which is heavily traveled and at time 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 uncontrolable 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

R W

Scanned & included in 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."

CITY OF OXFORD
HOME OF MIAMI UNIVERSITY

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@jmichaelrealestate.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@jmichaelrealestate.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 1145.05[1]) 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 1145.06[1].

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).**

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[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

knothe • bruce
ARCHITECTS

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@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 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
Total Apartments:	59 apartments with 123 bedrooms
Building Height:	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,

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	h4100010000025	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

Facsimile No.: 608-257-5444 412 University

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SELLER:

Adam Longmore

By: Charlotte Pendergrass

Its: Licensed Realtor in Ohio

Date: 10-3-16, 2016

https://siltemail.hostway.com/mail/index.php/mail/viewmessage/getattachment/folder/INBOX/uniqueId/41561/mimeType/YXBwbGljYXRpb24v
bXN3b3Jk/filenameOriginal/Purchase+Agreement++-
+Oxford%2C+Ohio+%2802061365x9D8829%29.doc/filenameIS/INBOX41561Purchase+Agreement++-
+Oxford%2C+Ohio+%2802061365x9D8829%29.doc

CHARLOTTE PENDERGRASS

ADAM LONGMORE

EXHIBIT A TO PURCHASE AGREEMENT

LEGAL DESCRIPTION OF REAL PROPERTY

PARID: H6100010000026
LACEY CHARLOTTE A

Parcel — 412 UNIVERSITY ST

Parcel Id	H6100010000026
Address	412 UNIVERSITY ST
Class	RESIDENTIAL
Land Use Code	510, R - SINGLE FAMILY DWELLING, PLATTED LOT
Neighborhood	00015016
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

CAUV & Agricultural District What is this?

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
Tot Payments	0.00	-578.50	-578.50	-1,157.00
Total:	0.00	0.00	0.00	0.00

Owner and Legal

Owner 1	
Owner 2	LACEY CHARLOTTE A
Legal 1	
Legal 2	1999 ENT
Legal 3	

Taxbill Mailing Address Don't change my mail to address?

Mailing Name 1	
Mailing Name 2	CHARLOTTE A LACEY
Address 1	
Address 2	412 N UNIVERSITY AVE
Address 3	
	OXFORD OH 45056 1909

Sales

https://altemail.hostway.com/mail/index.php/mail/viewmessage/getattachment/folder/INBOX/uniqueId/41561/mimeType/YXBwbGljYXRpb24v
bXN3b3Jk/filenameOriginal/Purchase+Agreement++-
+Oxford%2C+Ohio+%2802061365x9D8829429.doc/filenameFS/INBOX41561Purchase+Agreement++-

416 University

Facsimile No.: 608-257-5444

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SELLER: Roy Curtis

By: Beverly A. Curtis

Its:

Date: DECEMBER 7, 2016

https://sitemail.hostway.com/mail/index.php/mail/viewmessage/getattachment/folder/INBOX/uniquid/41561/mimeType/YXBwbGljYXRpb24vbXN3b3Jk/filenameOriginal/Purchase+Agreement+-+Oxford%2C+Ohio+%2802061365x9D8829%29.doc/filenameFS/INBOX41561Purchase+Agreement+-+Oxford%2C+Ohio+%2802061365x9D8829%29.doc

Roy Curtis

Beverly Curtis

EXHIBIT A TO PURCHASE AGREEMENT

LEGAL DESCRIPTION OF REAL PROPERTY

PARID: H4100010000025
CURTIS ROY E &

Parcel 416 UNIVERSITY AVE

Parcel Id	H4100010000025
Address	416 UNIVERSITY AVE
Class	RESIDENTIAL
Land Use Code	510, R - SINGLE FAMILY DWELLING, PLATTED LOT
Neighborhood	0001E016
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

https://sitemail.hostway.com/mail/index.php/mail/viewmessage/getattachment/folder/INBOX/uniqueId/41561/mimeType/YXBwbGljYXRpb24vbXN3b3Jk/filenameOriginal/Purchase+Agreement+-+Oxford%2C+Ohio+%2802061365x9D882%29.doc/filenameFS/INBOX41561Purchase+Agreement+-+

207/209 Homestead

Facsimile No.: 608-257-5444

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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

Its: Managing Member

Date: December 3, 2016

https://tltemail.hostmyy.com/mail/index.php/mail/viewmessage/getattachment/folder/INBOX/uniqueid/41561/mimeType/2XRwbGFyXRpb24v
bXN3b3Rfilename/Original+Purchase+Agreement++-
+Outland%2C+Ohio+%2810206136%3D8829629.doc/filename/RE/INBOX41561Purchase+Agreement++-
+Outland%2C+Ohio+%2810206136%3D8829629.doc

EXHIBIT A TO
PURCHASE AGREEMENT

LEGAL DESCRIPTION
OF
REAL PROPERTY

207 Homestead Ave
Oxford, OH 45056
Part # H4000010000028

AND

209 Homestead Ave
Oxford, OH 45056
Part # 4000010000027

Seller: Twin Realty Holdings, LLC.
By: Justin Greine
It's: Managing Member
12/3/2016

Buyer: Madison Student Housing LLC
By:

216 E Sycamore

If to Buyer: James M. Corcoran
2607 Monroe Street
Madison, WI 53711
Facsimile No.: 608-233-9130

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.

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.

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: _____

Name: Susanne Morgan

Title: President

BUYER:
MADISON STUDENT HOUSING, LLC

Date: February 21, 2017

By: _____

Name: Jim Corcoran

Title: Managing Partner

EXHIBIT A TO
PURCHASE AGREEMENT

DESCRIPTION
OF
REAL PROPERTY

Parcel ID	H4100010000045
Address	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.

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:

Date: 3-12-17, 2017

Bruce Hautau Bruce Hautau

BUYER:
MADISON STUDENT HOUSING, LLC

By: _____

Dated: _____, 2017

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

City Manager
Originating Department

Council Meeting Of: December 19, 2017

Doug Elliott
Prepared By

Account Code No. #: N/A

Budgeted Amount: N/A

December 12, 2017
Date Prepared

Agenda Title: A Resolution authorizing the City Manager to sign an agreement between the City of Oxford and the Oxford Community Choice Pantry Board of Directors for the lease of land at the City owned Merry Day Park.

Recommendation: Adopt the Resolution

Discussion:
This lease would permit the construction and ownership of a 3,500 sq. ft. (50 x 70) structure. The building will be utilized for the collection, storage and distribution of food items by the Oxford Community Choice Pantry (OCCP). The proposed lease is for 25 years with 10 year renewable options. If the structure is no longer utilized by the OCCP, ownership would revert to the City of Oxford or OCCP would be required to restore the site to its original condition.

Approved By:

	Initial	Date
Department Head:		
City Manager:	DRE	12/15/17

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT "A" WITH THE OXFORD COMMUNITY CHOICE PANTRY BOARD OF DIRECTORS TO LEASE A PORTION OF THE CITY OWNED PREMISES KNOWN AS MERRY DAY PARK FOR AN INITIAL TERM OF TWENTY FIVE (25) YEARS.

WHEREAS, on May 2, 2017, Oxford City Council adopted Resolution No. 5062 authorizing the City Manager to develop an agreement for City Council approval between the City of Oxford and the Oxford Community Choice Pantry Board of Directors for the lease of land at the City owned Merry Day Park; and

WHEREAS, the proposed lease would permit the construction and ownership of up to a a 3,500 square foot structure to be utilized for the collection, storage and distribution of food items by the Oxford Community Choice Pantry; and

WHEREAS, the City Manager recommends that City Council authorize the City Manager to enter into a lease agreement a copy of which is attached hereto as Exhibit "A" with the Oxford Community Choice Pantry Board of Directors to lease a portion of the City owned premises known as Merry Day Park for an initial term of twenty five (25) years.

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 enter into a lease agreement a copy of which is attached hereto as Exhibit "A" with the Oxford Community Choice Pantry Board of Directors to lease a portion of the City owned premises known as Merry Day Park for an initial term of twenty five (25) years.

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)

EXHIBIT 'A'

LEASE AGREEMENT

THIS LEASE AGREEMENT (hereinafter the "Lease") made this ____ day of _____, 2017, by and between the **City of Oxford** (hereinafter "Lessor"), an Ohio municipal corporation, having an address of 101 East High Street, Oxford, OH 45056 and the **Oxford Community Choice Pantry Board of Directors** (hereinafter "Lessee), an Ohio nonprofit corporation, having an address of 400 West Withrow Street, Oxford, OH 45056.

LEASEHOLD

Subject to the terms and conditions set forth herein, Lessor leases to Lessee, and Lessee leases from Lessor, a portion of the premises known as Merry Day Park, located off U.S. Route 27 on Reagh Way (hereinafter the "Premises"). The Premises covered by this Lease includes an area within the Merry Day Park described as follows and any structure constructed by Lessee thereon.

TERM

Initial Term. The Initial Term of this Lease is for a period of 25 years commencing on January 1, 2018 ("Commencement Date") and ending on December 31, 2042 unless terminated sooner as provided in this Lease.

Option to Renew. The Lessor hereby grants the Lessee the right and option to renew this Lease for an additional term of 25 years from and after the expiration of the Initial Term hereof upon the same terms and conditions, provided written notice of the exercise of the option is given by the Lessee to the Lessor, at least 90 days prior to the expiration of the Initial Term; and provided further that Lessee has not committed an Event of Default. The period including the Initial Term and any renewal term shall be referred to herein as the "Term".

RENT AND SECURITY DEPOSIT

Rent. Lessee shall pay Lessor as rent, for the possession and use of the Premises, the sum of $1.00 per year. Rent is payable at the address of Lessor at 101 East High Street, Oxford, OH 45056.

TAXES

Lessee shall pay any and all taxes, real property and otherwise, to which the Premises is subject.

USE OF PREMISES

Lessor shall allow Lessee to build a building structure up to 3,500 square feet in size. Lessee shall use the structure only for the collection, storage, and distribution of food items by Lessee to low and moderate income persons and those in immediate crises who reside in the City of Oxford or the surrounding area.

Lessee shall not create or allow any nuisance to exist on or about the Premises and shall conduct its use of the Premises in accordance with all applicable laws and regulations. All uses of the Premises shall take place within the building.

Lessee shall construct adequate parking and facility access for the structure pursuant to the Chapter 1149 of the Codified Ordinances of the City of Oxford Ohio.

Lessee shall comply with all applicable zoning and building regulations of the City of Oxford pursuant to the Ohio Building Code (published in the Ohio Administrative Code 4101:1-1-01 *et seq.*) as adopted by the section 1301 of the Codified Ordinances of the City of Oxford Ohio.

UTILITY CHARGES

Lessor is providing no utilities whatsoever at its own expense. Lessee shall be responsible for and pay all utilities, trash removal, and similar expense. All utilities should be in Lessee's name as of the Commencement Date and remain in the Lessee's name during the Term of this Lease. Lessee shall also be responsible for the cost of utilities installation and all connection charges.

LESSEE IMPROVEMENTS

Lessee accepts the Premises "as is," and Lessor is not required to undertake, maintain, or construct any Lessee improvements to the Premises prior to the Commencement Date or at anytime thereafter.

MAINTENANCE BY LESSEE

The Lessee shall, during the Term of this Lease and any renewal thereof, at its sole expense keep the Premises in good order and repair, including, but not limited to any repairs to the structure built by Lessee thereon excepting such repairs and replacements as are occasioned by any act, neglect or failure of the Lessor to perform its covenants under this Lease. Lessee agrees to have any heating and/or air conditioning equipment inspected and serviced prior to the heating and cooling seasons each year.

Lessor shall not be liable for any damage occasioned by reason of the construction of any structure on the premises. Lessor shall not be liable for any damage done or occasioned by or from any electrical system, heating and/or air conditioning system, the plumbing and sewer system, or failure of any security system in, above, upon, or about the premises, nor for damage occasioned by water, snow, or ice being upon or coming through the roof, trapdoor, walls, windows, doors, or otherwise.

INSURANCE

Lessee shall save Lessor harmless against all claims for property damage, loss or bodily injury or death, of all persons coming upon said premises and Lessee shall, during the entire Term hereof and any renewal Term, keep in full force and effect a policy of liability insurance with respect to the leased Premises and the operations of Lessee, in which both Lessor and Lessee shall be named as parties covered thereby, or which provided equivalent protection to and is approved by Lessor, with a combined single limit of $1,000,000 for bodily and/or property damage liability. Prior to the Commencement Date, Lessee shall furnish Lessor with a Certificate or Certificates of Insurance, or other acceptable evidence that such insurance is in full force and effect at all times during the term hereof.

Lessee shall not carry any stock of goods or do anything in or about said premises which will in any way tend to increase insurance rates on said premises or the building in which the same are located. If Lessee installs any electrical equipment that overloads the power lines to any structure built upon the Premises, Lessee shall, at its own expense, make whatever changes are necessary to comply with the requirements of insurance underwriters and insurance rating bureaus and governmental authorities having jurisdiction.

All property which may be upon said premises during the term hereof or any renewal thereof shall be at and upon the sole risk and responsibility of Lessee.

TOTAL OR PARTIAL DESTRUCTION

In the event the Leased Premises shall be so destroyed by fire or other casualty as to substantially destroy the same, then this Lease shall cease and terminate, and any unearned rent paid by the Lessee shall be refunded to it. Lessor shall have no responsibility to restore the Premises, or any structure built by Lessee thereon, whatsoever.

INDEMNIFICATION

Indemnification. Lessor shall not be liable for any loss or damage to person or property caused by theft, fire, acts of God, acts of a public enemy, riot, strike, insurrection, was, court order, requisition, or order of government body or authority, unless caused by the acts of Lessor. Lessee will indemnify and defend Lessor, by counsel acceptable to Lessor, against any liabilities, including reasonable attorney fees and court costs, arising out of or relating to the Premises.

ABANDONMENT OF PREMISES

If Lessee for any reason abandons the Premises or any structure it has built thereon, Lessor shall have the option to take possession of the Premises and any such structure. If Lessor does not exercise the option, either through express decision or through non-action within 30 days from the date of abandonment, Lessee shall take all actions necessary to restore the Premises and pay any costs arising out of such restoration.

Under no circumstances shall Lessor be required to take possession of the Premises upon Lessee's abandonment of it.

ASSIGNMENT AND SUBLETTING

Lessee may not assign or sublet, whether voluntarily or involuntarily or by operation or law, the Premises or any part of the Premises, without Lessor's written consent, which consent may be withheld at Lessor's sole discretion.

DEFAULT BY LESSEE

Events of Default. The occurrence of any of the following events will, at Lessor's option, constitute an event of default ("Event of Default"):

(a) In the event Rent is late as defined hereunder, failure to pay Rent within 15 days following written demand to pay Rent by Lessor;

(b) Abandonment of the Premises for a period of 30 consecutive days;

(c) Failure to perform Lessee's covenants under this Lease (except default in the payment of Rent); provided that if this default is susceptible of cure and Lessee has promptly commenced the cure of this default and is diligently prosecuting the cure to completion, then the default must remain uncured for thirty (30) days after written notice from Lessor.

Remedies. In the event of any default by Lessee under this Lease, Lessor shall have the following remedies:

(a) **Termination.** In the event of the occurrence of any Event of Default, Lessor will have the right to give a written termination notice to Lessee and, on the date specified in that notice, this Lease will terminate unless on or before that date all arrears of Rent and all other sums payable by Lessee under this Lease and all costs and expenses incurred by or on behalf of Lessor have been paid by Lessee and all other Events of Default at the time existing have been fully cured to the satisfaction of Lessor.

(b) **Repossession.** Repossession following termination, without prejudice to other remedies Lessor may have, Lessor may (i) peaceably re-enter the Premises on voluntary surrender by Lessee; (ii) remove Lessee and any other persons occupying the Premises, using any legal proceedings that may be available; (iii) repossess the Premises or re-let the Premises, any structure built thereon during the Term of this Lease, or any part of the Premises for any term (which may be for a term extending beyond the Term), at any rental and on any other terms and conditions that Lessor in Lessor's sole discretion may determine, with the right to make reasonable alterations and repairs to the Premises; and (iv) remove all personal property.

(c) **Unpaid Rent.** Lessor will have all the rights and remedies of a Lessor provided by applicable law, including the right to recover from Lessee (i) the worth, at the time of award of the unpaid Rent that had been earned at the time of termination; (ii) the worth, at the time of award, of the amount by which the unpaid Rent that would have been earned after the date of termination until the time of award exceeds the amount of loss of rent that Lessee proves could have been reasonably avoided; (iii) the worth, at the time of award, of the amount by which the unpaid Rent for the balance of the Term after the time of award exceeds the amount of the loss of rent that Lessee proves could have been reasonably avoided; and (iv) any other amount, and court costs, necessary to compensate Lessor for all detriment proximately caused by Lessee's default.

(d) **Cumulative.** Each right and remedy of Lessor provided for in this Lease or now or later existing at law, in equity, by statute, or otherwise, will be cumulative and will not preclude Lessor from exercising any other rights or remedies provided for in this Lease or now or later existing at law or in equity, by statute, or otherwise. No payment by Lessee of a lesser amount than the Rent, or any endorsement on any check or letter accompanying any check or payment as Rent, will be deemed an accord and satisfaction of full payment of Rent. However, Lessor may accept this payment without prejudice to Lessor's right to recover the balance of Rent or to pursue other remedies.

NOTICES

Any notice under this Lease shall be in writing and shall be deemed to be duly given only if delivered personally or mailed by first class U.S. Mail, addressed to the Lessor and Lessee at the addresses noted on this Lease, to an address as either party may hereafter designate to the other in writing.

MISCELLANEOUS

Entire Agreement. This Lease sets forth all the agreements between Lessor and Lessee concerning the Premises, and there are no other agreements, either oral or written, other than as set forth in this Lease.

Attorney's Fees. In any action that either party brings to enforce its rights under this Lease, the prevailing party shall be entitled to all of its costs plus reasonable attorney fees to be fixed by the court. Those costs and attorney fees will be considered a part of the judgment in that action.

Severable. If any provision of this Lease or the application of any provision is held by a court of competent jurisdiction to be invalid, void, or unenforceable to any extent, the remaining provisions of this Lease and the application of it will remain in full force and will not be affected, impaired, or invalidated.

Governing Law. This Lease will be construed and enforced in accordance with the laws of the state of Ohio.

Successors. This Lease will be binding on and inure to the benefit of the successors and assigns of Lessor and Lessee, their heirs and court appointed representative.

No Waiver. No waiver of any default or breach under this Lease will be implied from any omission to take action on account of this Lease, regardless of any custom and practice or course of dealing. No waiver will affect any default other than the default specified in the waiver, and then the waiver will be operative only for the time and to the extent stated in the Lease. Waivers of any covenant will not be construed as a waiver of any subsequent breach of the same covenant. No waiver by either party of any provision under this Lease will be effective unless in writing and signed by that party.

Surrender. Upon the termination of this Lease or Lessee's right to possession of the Premises, Lessee will surrender the Premises to Lessor.

Counterparts. This Agreement may be executed simultaneously in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

This Lease is executed on this ____ day of _____, 20__, in the City of Oxford, Ohio.

LESSOR:

CITY OF OXFORD, OHIO

BY:_____
Douglas R. Elliott, Jr., City Manager

LESSEE:

OXFORD COMMUNITY CHOICE PANTRY BOARD OF DIRECTORS

BY:_____

Merry Day Park Revised 9/29/2017

Legend

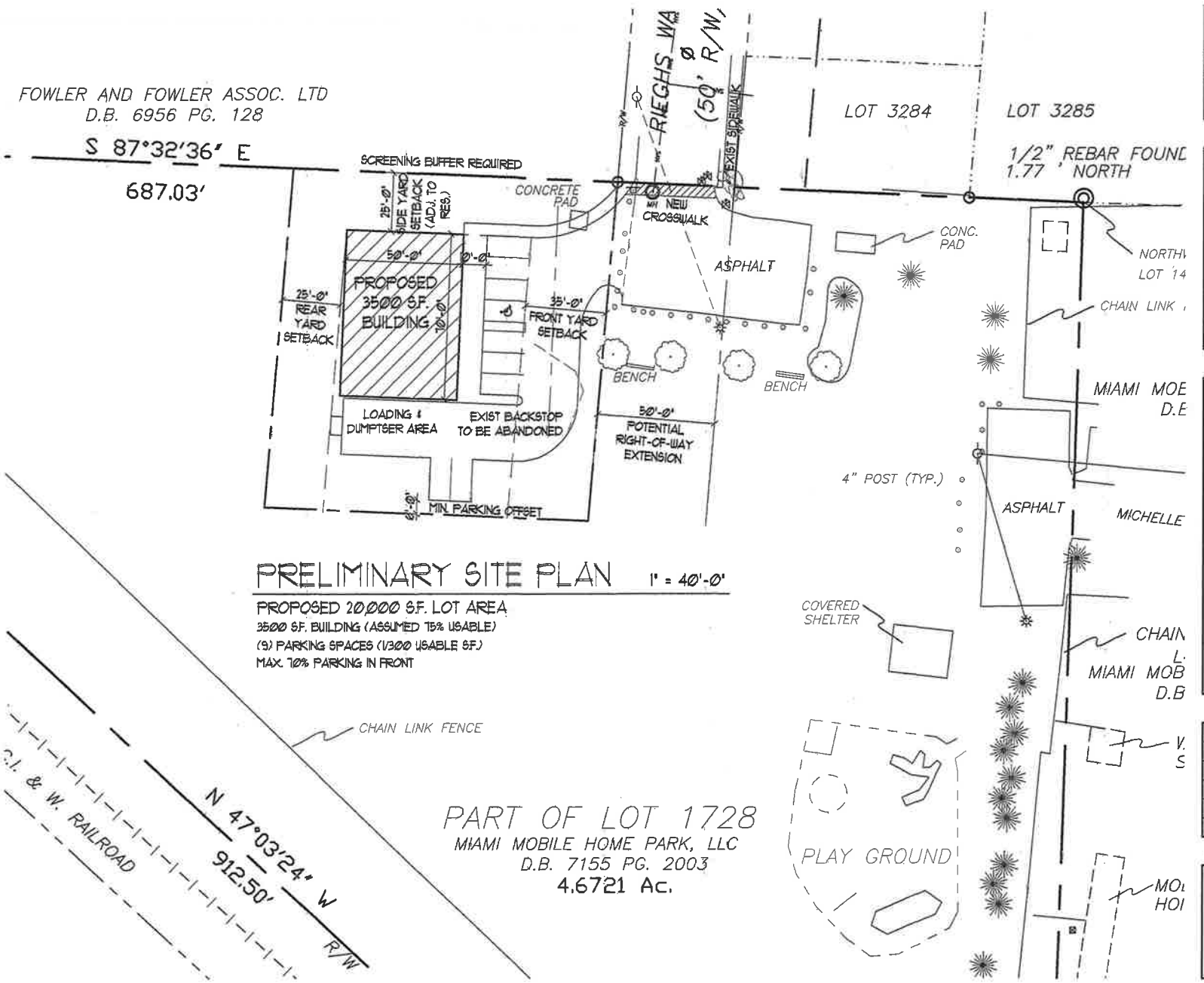
- Merry Day Park
- Oxford Corporation Limit
- Parcels
- U.S. Highway
- State Route
- Public Street
- Miami Univ Street
- Private Street

N

0 100 200 400 Feet

1 inch = 200 feet

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.



PRELIMINARY SITE PLAN 1" = 40'-0"

PROPOSED 20,000 S.F. LOT AREA
3500 S.F. BUILDING (ASSUMED 75% USABLE)
(9) PARKING SPACES (1300 USABLE S.F.)
MAX. 70% PARKING IN FRONT

STATE OF OHIO L. SCOTT WEBB 11193 REGISTERED ARCHITECT

SCOTT WEBB
ARCHITECT
103 West Walnut Street
Oxford, Ohio 45056
(513) 523-3838
www.scottwebbarchitect.com

PRELIMINARY SITE PLAN
Oxford Community Choice Pantry
REAGH'S WAY
OXFORD, OHIO 45056

DATE
August 5, 2011
REVISIONS

A-1

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: December 5, 2017

Account Code No. #:

Jung-Han Chen
Prepared By:

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: JHC / 11/23/17
City Attorney: /
City Manager: 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 additional 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

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 throughput 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.

Kate R

MAYOR

ADOPTED: August 1, 2017

ATTEST: MaryAnn Eaton

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: _____ Date: 10-3-17

John Dethrage
PRINTED NAME

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

CITY OF
OXFORD
HOME OF MIAMI UNIVERSITY

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: _____ Date: 11/8/17

John A. Jones
PRINTED NAME

CITY OF OXFORD
HOME OF MIAMI UNIVERSITY

PC-2017-31
Surrounding Property Owners Notifications Map

Legend

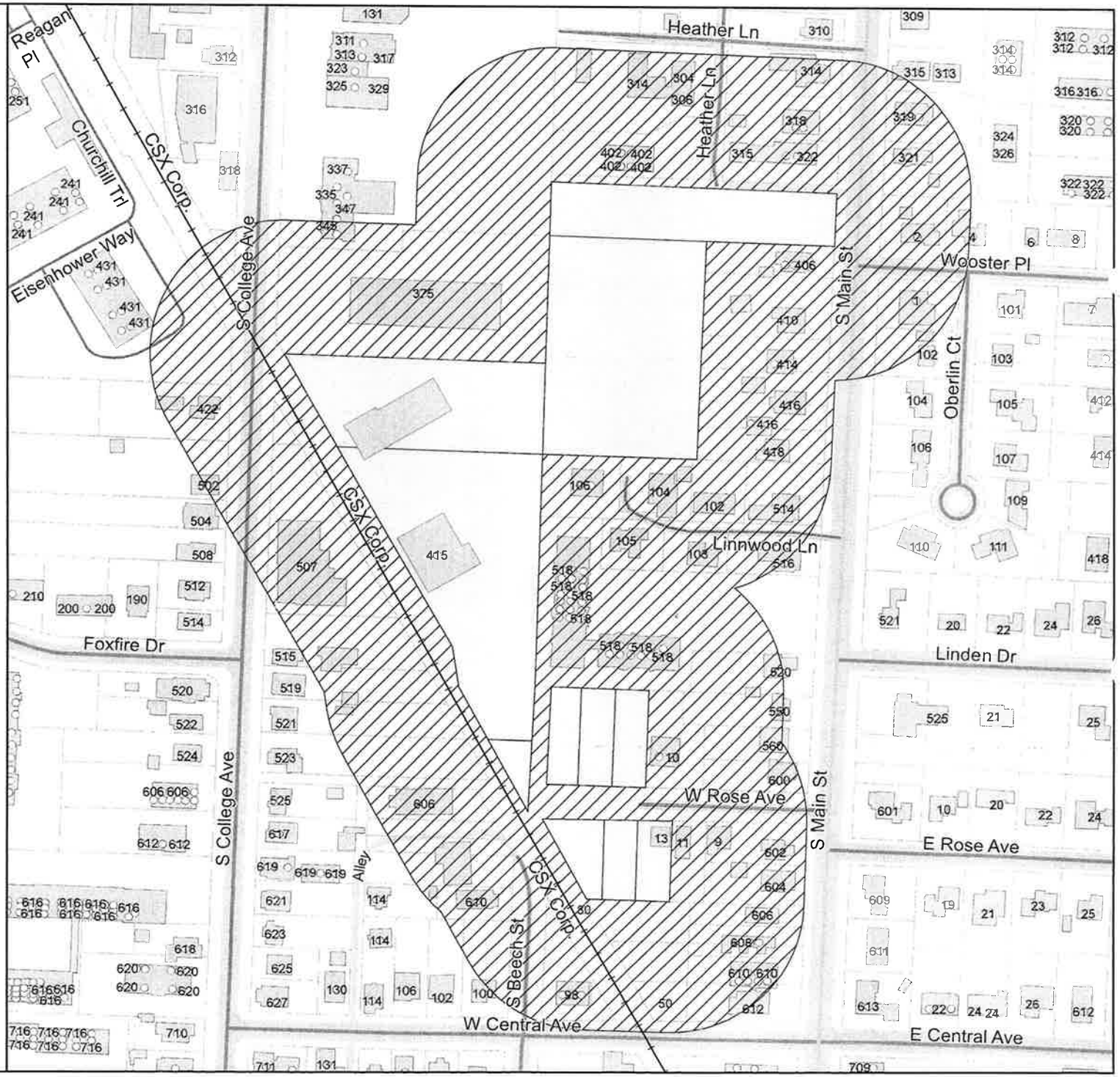
- Subject Parcels
- 200 Ft. Buffer
- Oxford Corp. Limit
- Address Point
- Parcel
- 16.5' Vacated ROW
- Building Footprint
- Paved Roadway

N

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

CITY OF OXFORD
HOME OF MIAMI UNIVERSITY

Internal Use Only:
Case No. PC-2017-31
Date Filed 8/23/17

Planned Development Application

Nov mtg

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 1145.05[1]) 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 1145.06[1].

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)**.

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[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/

bayer becker

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

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

bayer becker

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.

- 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
ARCHITECT
103 West Walnut Street
Oxford, Ohio 45056
(513) 523-3838
www.scottwebbarchitect.com

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

August 25, 2017

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,

Scott Webb, Architect

Date: August 25, 2017

Description: Gaslight
Subject Properties

Location: City of Oxford
Butler County, Ohio

Subject Properties

Total Area of Development = 6.682 Acres

Lot	Acreage	Parcel #
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

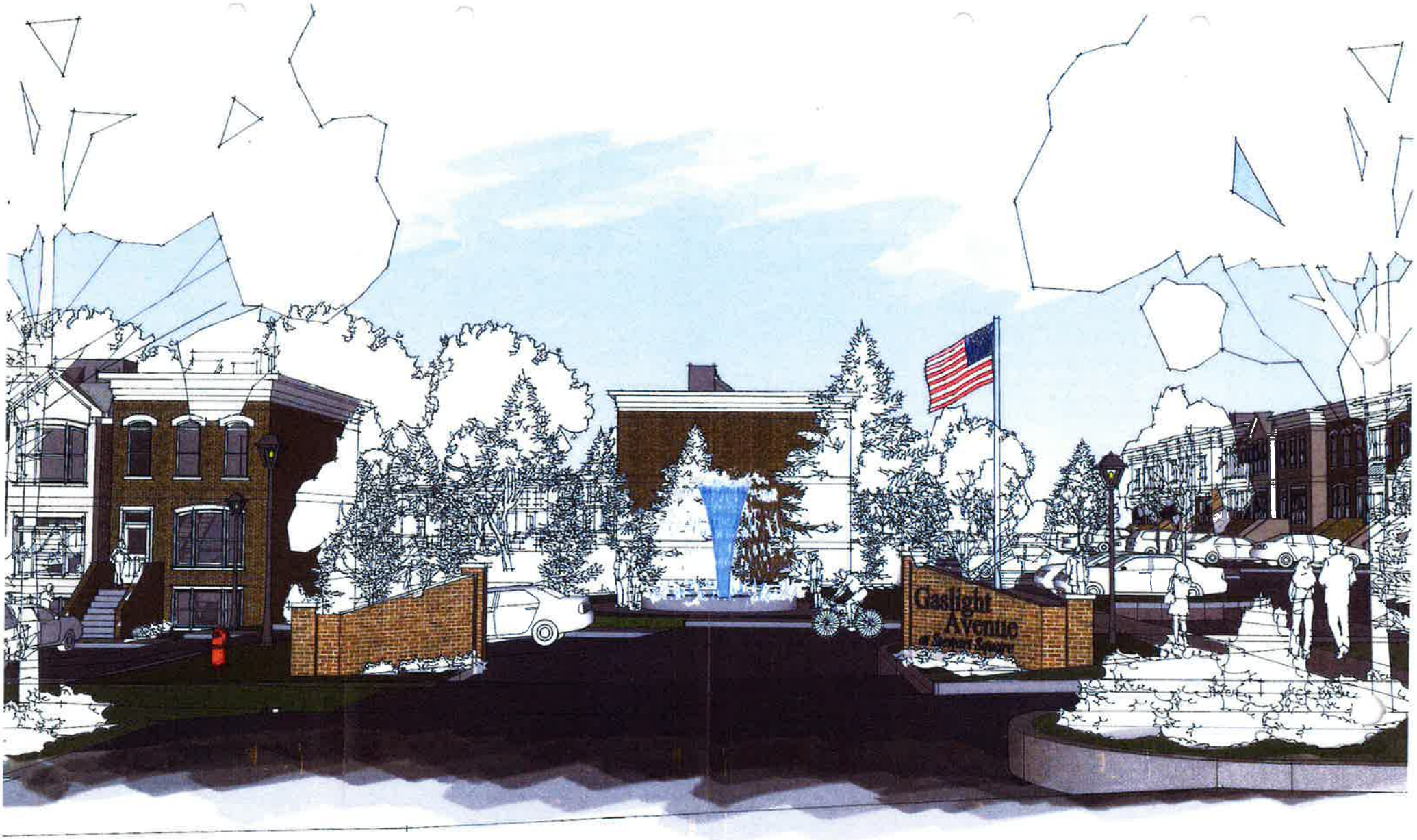
6900 Tylersville Road, Suite A
Mason, OH 45040
513-336-6600

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

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

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

http://www.bayerbecker.com


Gaslight
Avenue

VIEW FROM ABOVE

STATE OF OHIO
L. SCOTT WEBB
11193
REGISTERED ARCHITECT

SCOTT
WEBB
ARCHITECT
103 West Walnut Street
Oxford, Ohio 45056
(513) 523 3838
www.scottwebbarchitect.com

PROPOSED PLANNED DEVELOPMENT

Gaslight Avenue at Stewart Square

FORMER MIAMI VALLEY LUMBER SITE
OXFORD, OHIO 45056

DATE
January 21, 2011

REVISIONS

A-1

STREETSCAPE LOOKING SOUTH FROM HEATHER LANE CONNECTION

STATE OF OHIO
L. SCOTT WEBB
11193
REGISTERED ARCHITECT

SCOTT
WEBB
ARCHITECT
103 West Walnut Street
Oxford, Ohio 45056
(513) 523-3838
www.scottwebbarchitect.com

PROPOSED PLANNED DEVELOPMENT

Gaslight Avenue
at Stewart Square

FORMER MIAMI VALLEY LUMBER SITE
OXFORD, OHIO 45056

DATE
January 27, 2011

REVISIONS

A-2

LOOKING NORTH TOWARD STEWART SQUARE

STATE OF OHIO
L. SCOTT WEBB
11193
REGISTERED ARCHITECT

SCOTT
WEBB
ARCHITECT
103 West Walnut Street
Oxford, Ohio 45056
(513) 523 3838
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PROPOSED PLANNED DEVELOPMENT

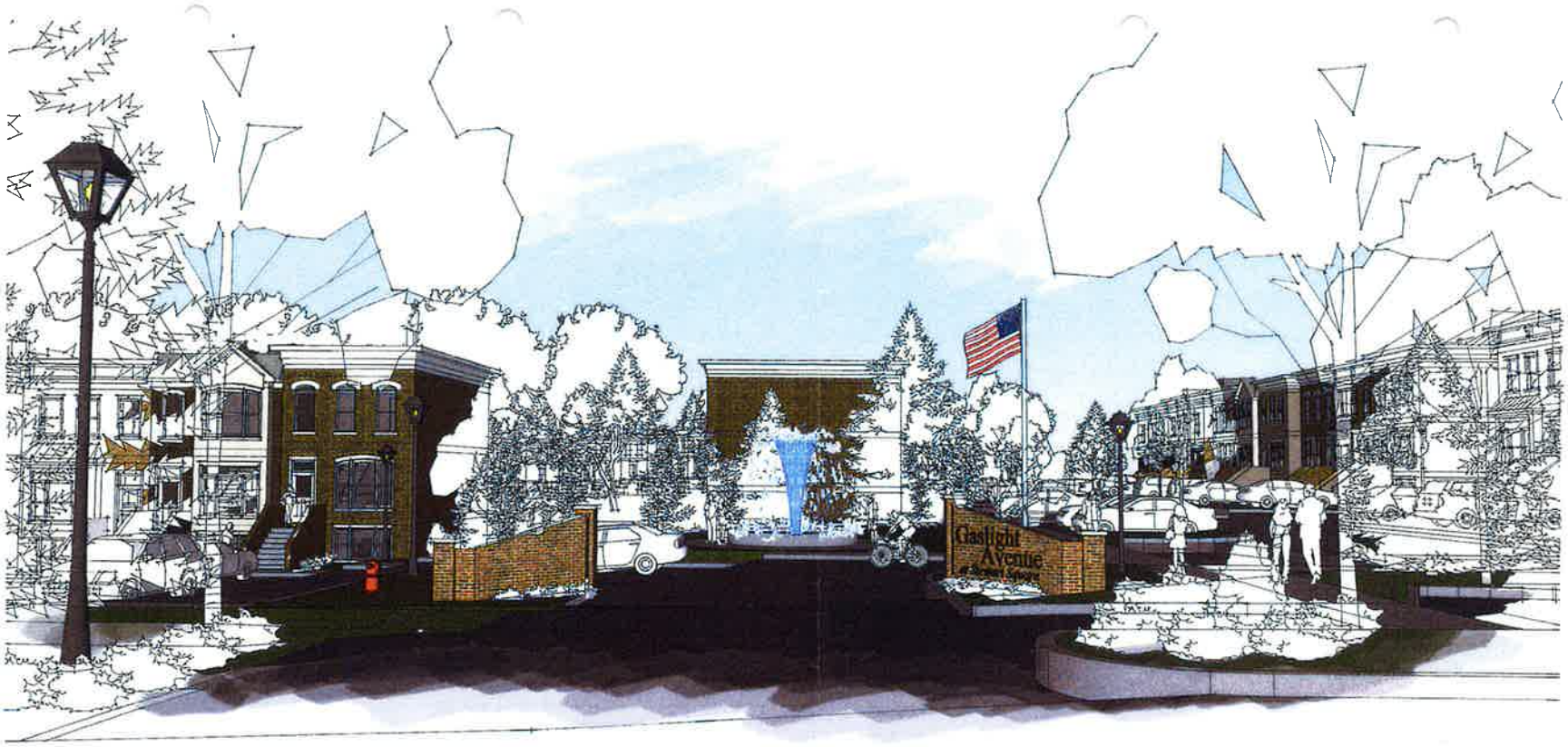
Gaslight Avenue
at Stewart Square

FORMER MIAMI VALLEY LUMBER SITE
OXFORD, OHIO 45056

DATE
January 27, 2011

REVISIONS

A-3



ENTRANCE FROM STEWART SQUARE

STATE OF OHIO
L. SCOTT WEBB 11193
REGISTERED ARCHITECT

SCOTT
WEBB
ARCHITECT
103 West Walnut Street
Oxford, Ohio 45056
(513) 523 3838
www.scottwebbarchitect.com

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

DATE
January 27, 2011
REVISIONS

A-4

TYPICAL 4-BEDROOM 3-UNIT TOWNHOUSE GROUPS

TYPICAL 2-BEDROOM 2-UNIT GROUP

STATE OF OHIO REGISTERED ARCHITECT
SCOTT WEBB 11193

SCOTT WEBB
ARCHITECT
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Oxford, Ohio 45056
(513) 523 3838
www.scottwebbarchitect.com

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

DATE
January 27, 2011
REVISIONS

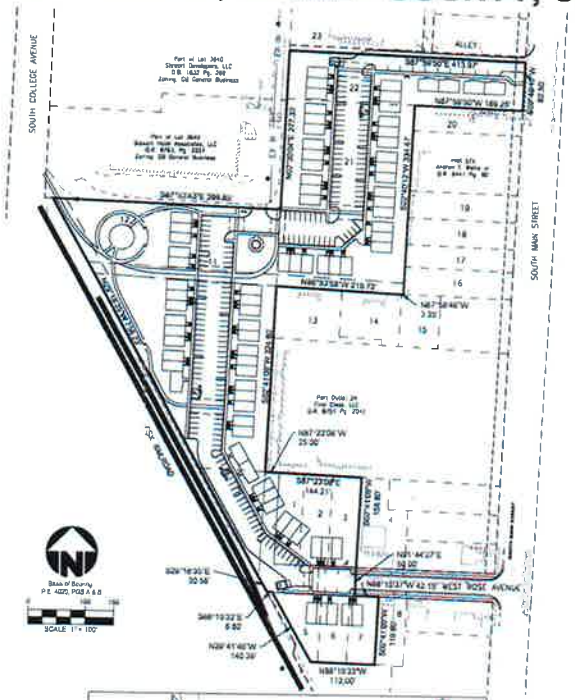
A-5

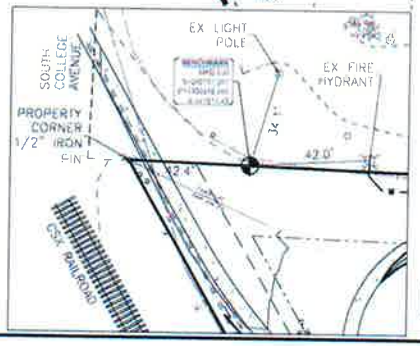
LARGER DRAWINGS ARE AVAILABLE FOR REVIEW IN THE COMMUNITY DEVELOPMENT DEPARTMENT DURING NORMAL BUSINESS HOURS

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	ISSUE DATE	REVISION NO	REVISION DATE
1	FINAL PLAN - TITLE SHEET	XX-XX-XX		
2	SITE LAYOUT PLAN - DETAILED	XX-XX-XX		
3	SITE LAYOUT PLAN - DETAILED	XX-XX-XX		





VICINITY MAP
NOT TO SCALE

CIVIL ENGINEER, SURVEYOR
BAYER BECKER, INC
110 S COLLEGE AVENUE, SUITE 101
OXFORD, OHIO 45056
PH 513-523-4270

OWNER & DEVELOPER
DUDLEY PRIME PROPERTIES LLC
8744 CONTRERAS ROAD
OXFORD, OH 45056
PH 513-529-1800

ARCHITECT AND LANDSCAPE ARCHITECT
SCOTT WEBB ARCHITECT
103 W WALNUT STREET
OXFORD, OH 45056
PH 513-523-3838

IN WITNESS WHEREOF, WE HAVE UNTO SET OUR HAND ON THIS ____ DAY OF _____, A.D. 2017

OWNER
DUDLEY PRIME PROPERTIES LLC

STATE OF _____ S.S.
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, A.D. 2017 BY _____ OF _____, AN _____ ON ITS BEHALF

NOTARY PUBLIC, STATE OF _____

MY COMMISSION EXPIRES

CITY OF OXFORD

CLERK OF COUNCIL _____ DATE _____

COMMUNITY DEVELOPMENT DIRECTOR _____ DATE _____

SERVICE DIRECTOR/CITY ENGINEER _____ DATE _____

FILE FOR RECORD _____ AT _____

RECORDED _____ A.D. 20____

PLAT ENVELOPE _____ PAGES _____

RECORDER, BUTLER COUNTY, OHIO _____ BY _____ DEPUTY

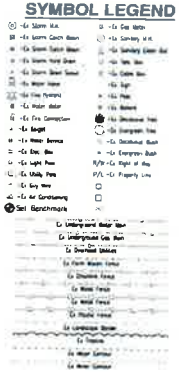
FILE _____ FEE _____

FINAL PLAN APPROVED BY CITY COUNCIL

ON

BY ORDINANCE

SYMBOL LEGEND



BENCHMARK
EXISTING MAG NAIL EAST OF THE INTERSECTION OF SOUTH COLLEGE AVENUE AND CSX RAILROAD 42.0' WEST OF AN EXISTING FIRE HYDRANT AND 34.1' SOUTHWEST OF AN EXISTING LIGHT POLE
N 536137.867
E 1335016.288
ELEVATION = 911.13

811 Know what's below. Call before you dig.

LOCATION OF ALL EXISTING UTILITIES TO BE DETERMINED IN THE FIELD PRIOR TO CONSTRUCTION

PROPERTY OWNERS

1
Inlot 535
Dudley Prime Properties, LLC
O.R. 8757 Pg. 2050

2
Inlot 536
Dudley Prime Properties, LLC
O.R. 8757 Pg. 2050

3
Inlot 537
Dudley Prime Properties, LLC
O.R. 8757 Pg. 2050

4
Inlot 3235
Tree View Investments, LLC
O.R. 8753 Pg. 769

5
Inlot 547
Dudley Prime Properties, LLC
O.R. 8757 Pg. 2050

6
Inlot 545
Dudley Prime Properties, LLC
O.R. 8757 Pg. 2050

7
Inlot 543
Dudley Prime Properties, LLC
O.R. 8757 Pg. 2050

8
Inlot 544
Tree View Investments, LLC
O.R. 8753 Pg. 766

9
Part of Outlot 38
Dudley Prime Properties, LLC
D.B. 8757 Pg. 2050
Zoning: R1MS Single Family Mile Square Residential

10
Part of Outlot 23
Dudley Prime Properties, LLC
D.B. 8757 Pg. 2050
Zoning: R1MS Single Family Mile Square Residential

11
Part of Outlot 16
Dudley Prime Properties, LLC
D.B. 8757 Pg. 2050
Zoning: R1MS Single Family Mile Square Residential

12
Part of Outlot 18
7D Limited, LLC
O.R. 6828 Pg. 2367
Zoning: GB General Business

13
Part Outlot 24
Schraer Investments, Inc
O.R. 6753 Pg. 1181

14
Part Outlot 24
Schraer Investments, Inc
O.R. 6753 Pg. 1181

15
Part Outlot 24
Schraer Investments, Inc
O.R. 5561 Pg. 110

16
Inlot 578
Dudley Prime Properties, LLC
O.R. 8757 Pg. 2050

17
Inlot 577
Uptown 2, LLC
O.R. 8373 Pg. 1552

18
Inlot 576
Uptown 2, LLC
O.R. 8373 Pg. 1552

19
Inlot 575
Uptown 2, LLC
O.R. 8373 Pg. 1552

20
Inlot 574
Tim Myers Rentals, LLC
O.R. 7276 Pg. 1872

21
Inlot 578
Dudley Prime Properties, LLC
O.R. 8757 Pg. 2050
Zoning: R1MS Single Family Mile Square Residential

22
Part of Outlot 17
Dudley Prime Properties, LLC
O.R. 8757 Pg. 2050
Zoning: R1MS Single Family Mile Square Residential

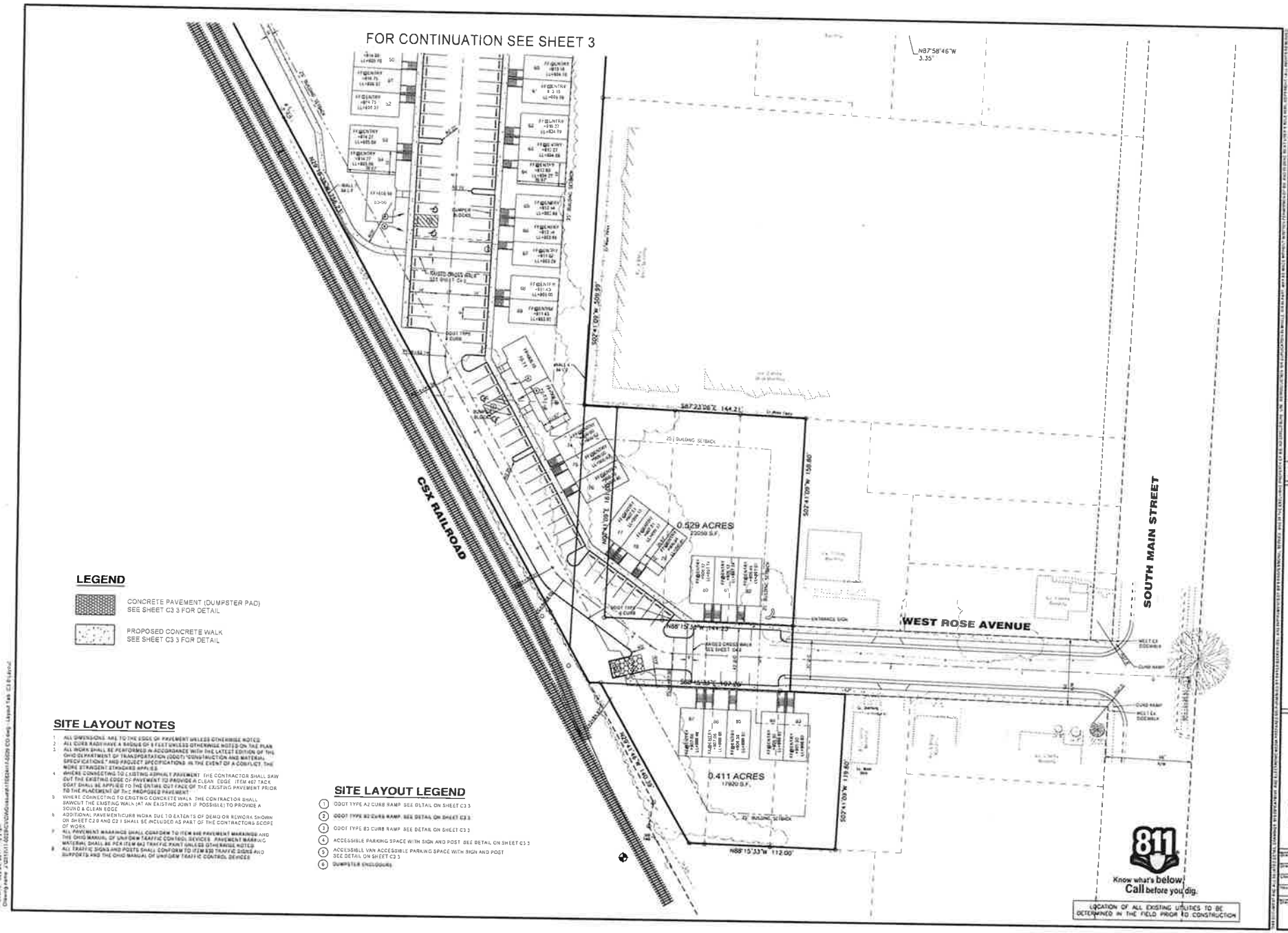
23
Part of Inlot 320
D & B Family Limited Partnership
O.R. 5078 Pg. 1045

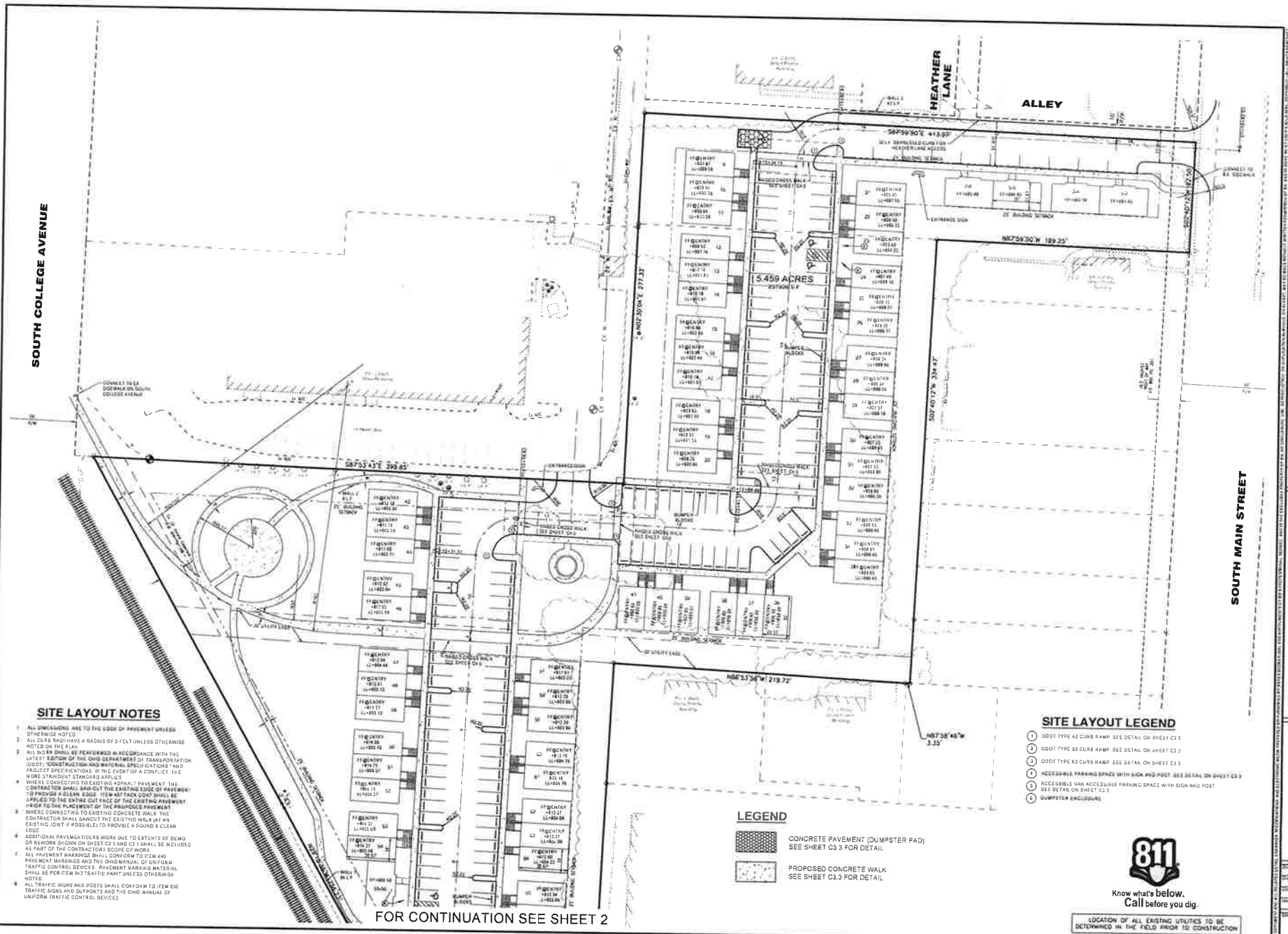
GASLIGHT AVENUE
AT STEWART SQUARE
CONGRESS LANDS WEST OF MIAMI RIVER
SECTION 27, TOWN 5, RANGE 1
CITY OF OXFORD, BUTLER COUNTY, OHIO
PLAN - TITLE SHEET

bayer becker
www.bayerbecker.com
110 S. College Avenue, Suite 101
Oxford, OH 45056

Drawing: 17-0029.CD
Drawn by: JLM
Checked By: XXX
Issue Date: XX-XX-XX
Sheet: 1

Plotted: Sep 29, 2017 - 11:43a
Drawing name: J:\2017\17-0029\CD\Working\17-0029 CD Dwg - Layout Tab - C1.0 Title


FOR CONTINUATION SEE SHEET 3
CSX RAILROAD
SOUTH MAIN STREET
WEST ROSE AVENUE
0.529 ACRES
22050 S.F.
0.411 ACRES
17920 S.F.
N87°58'46"W
3.35'
S87°23'06"E 144.21'
S02°41'09"W 158.80'
N88°15'33"W 112.00'
N02°41'09"E 158.80'
25' BUILDING SETBACK
LEGEND
CONCRETE PAVEMENT (DUMPSTER PAD)
SEE SHEET C3 3 FOR DETAIL
PROPOSED CONCRETE WALK
SEE SHEET C3 3 FOR DETAIL
SITE LAYOUT NOTES
1 ALL DIMENSIONS ARE TO THE EDGE OF PAVEMENT UNLESS OTHERWISE NOTED
2 ALL CURB RADII HAVE A RADIUS OF 5 FEET UNLESS OTHERWISE NOTED ON THE PLAN
3 ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE LATEST EDITION OF THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) "CONSTRUCTION AND MATERIAL SPECIFICATIONS." AND PROJECT SPECIFICATIONS. IN THE EVENT OF A CONFLICT, THE MORE STRINGENT STANDARD APPLIES.
4 WHERE CONNECTING TO EXISTING ASPHALT PAVEMENT, THE CONTRACTOR SHALL SAW CUT THE EXISTING EDGE OF PAVEMENT TO PROVIDE A CLEAN EDGE. ITEM 407 TACK COAT SHALL BE APPLIED TO THE ENTIRE CUT FACE OF THE EXISTING PAVEMENT PRIOR TO THE PLACEMENT OF THE PROPOSED PAVEMENT.
5 WHERE CONNECTING TO EXISTING CONCRETE WALK, THE CONTRACTOR SHALL SAWCUT THE EXISTING WALK (AT AN EXISTING JOINT IF POSSIBLE) TO PROVIDE A SOUND & CLEAN EDGE.
6 ADDITIONAL PAVEMENT/CURB WORK DUE TO EXTENTS OF DEMO OR REWORK SHOWN ON SHEET C2.0 AND C2.1 SHALL BE INCLUDED AS PART OF THE CONTRACTORS SCOPE OF WORK.
7 ALL PAVEMENT MARKINGS SHALL CONFORM TO ITEM 646 PAVEMENT MARKINGS AND THE OHIO MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES. PAVEMENT MARKING MATERIAL SHALL BE PER ITEM 642 TRAFFIC PAINT UNLESS OTHERWISE NOTED.
8 ALL TRAFFIC SIGNS AND POSTS SHALL CONFORM TO ITEM 630 TRAFFIC SIGNS AND SUPPORTS AND THE OHIO MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES.
SITE LAYOUT LEGEND
1 ODOT TYPE A2 CURB RAMP. SEE DETAIL ON SHEET C3 3
2 ODOT TYPE B2 CURB RAMP. SEE DETAIL ON SHEET C3 3
3 ODOT TYPE B3 CURB RAMP. SEE DETAIL ON SHEET C3 3
4 ACCESSIBLE PARKING SPACE WITH SIGN AND POST. SEE DETAIL ON SHEET C3 3
5 ACCESSIBLE VAN ACCESSIBLE PARKING SPACE WITH SIGN AND POST SEE DETAIL ON SHEET C3 3
6 DUMPSTER ENCLOSURE
811
Know what's below.
Call before you dig.
LOCATION OF ALL EXISTING UTILITIES TO BE DETERMINED IN THE FIELD PRIOR TO CONSTRUCTION
GASLIGHT AVENUE
AT STEWART SQUARE
CONGRESS LANDS WEST OF MIAMI RIVER
SECTION 1, TOWN 3, RANGE 1
CITY OF OXFORD
BUTLER COUNTY, OHIO
SITE & UTILITY PLAN - DETAILED
bayer becker
2



SITE LAYOUT NOTES

1. ALL DIMENSIONS ARE TO THE EDGE OF PAVEMENT UNLESS OTHERWISE NOTED
2. ALL CURB RADII HAVE A RADIUS OF 5 FEET UNLESS OTHERWISE NOTED ON THE PLAN
3. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE LATEST EDITION OF THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) "CONSTRUCTION AND MATERIAL SPECIFICATIONS " AND PROJECT SPECIFICATIONS. IN THE EVENT OF A CONFLICT, THE MORE STRINGENT STANDARD APPLIES
4. WHERE CONNECTING TO EXISTING ASPHALT PAVEMENT, THE CONTRACTOR SHALL SAW CUT THE EXISTING EDGE OF PAVEMENT TO PROVIDE A CLEAN EDGE. ITEM 407 TACK COAT SHALL BE APPLIED TO THE ENTIRE CUT FACE OF THE EXISTING PAVEMENT PRIOR TO THE PLACEMENT OF THE PROPOSED PAVEMENT
5. WHERE CONNECTING TO EXISTING CONCRETE WALK, THE CONTRACTOR SHALL SAWCUT THE EXISTING WALK (AT AN EXISTING JOINT IF POSSIBLE) TO PROVIDE A SOUND & CLEAN EDGE
6. ADDITIONAL PAVEMENT/CURB WORK DUE TO EXTENTS OF DEMO OR REWORK SHOWN ON SHEET C2.0 AND C2.1 SHALL BE INCLUDED AS PART OF THE CONTRACTORS SCOPE OF WORK
7. ALL PAVEMENT MARKINGS SHALL CONFORM TO ITEM 646 PAVEMENT MARKINGS AND THE OHIO MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES. PAVEMENT MARKING MATERIAL SHALL BE PER ITEM 642 TRAFFIC PAINT UNLESS OTHERWISE NOTED
8. ALL TRAFFIC SIGNS AND POSTS SHALL CONFORM TO ITEM 630 TRAFFIC SIGNS AND SUPPORTS AND THE OHIO MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES

LEGEND

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

SITE LAYOUT LEGEND

1. ODOT TYPE A2 CURB RAMP SEE DETAIL ON SHEET C3.3
2. ODOT TYPE B2 CURB RAMP SEE DETAIL ON SHEET C3.3
3. ODOT TYPE B3 CURB RAMP SEE DETAIL ON SHEET C3.3
4. ACCESSIBLE PARKING SPACE WITH SIGN AND POST SEE DETAIL ON SHEET C3.3
5. ACCESSIBLE VAN ACCESSIBLE PARKING SPACE WITH SIGN AND POST SEE DETAIL ON SHEET C3.3
6. DUMPSTER ENCLOSURE

811 Know what's below. Call before you dig.

LOCATION OF ALL EXISTING UTILITIES TO BE DETERMINED IN THE FIELD PRIOR TO CONSTRUCTION

GASLIGHT AVENUE AT STEWART SQUARE

CONGRESS LANDS WEST OF MIAMI RIVER
SECTION 27, TOWN 3, RANGE 1
TWP. OF COLERAIN
HAMILTON COUNTY, OHIO

SITE PLAN - DETAILED

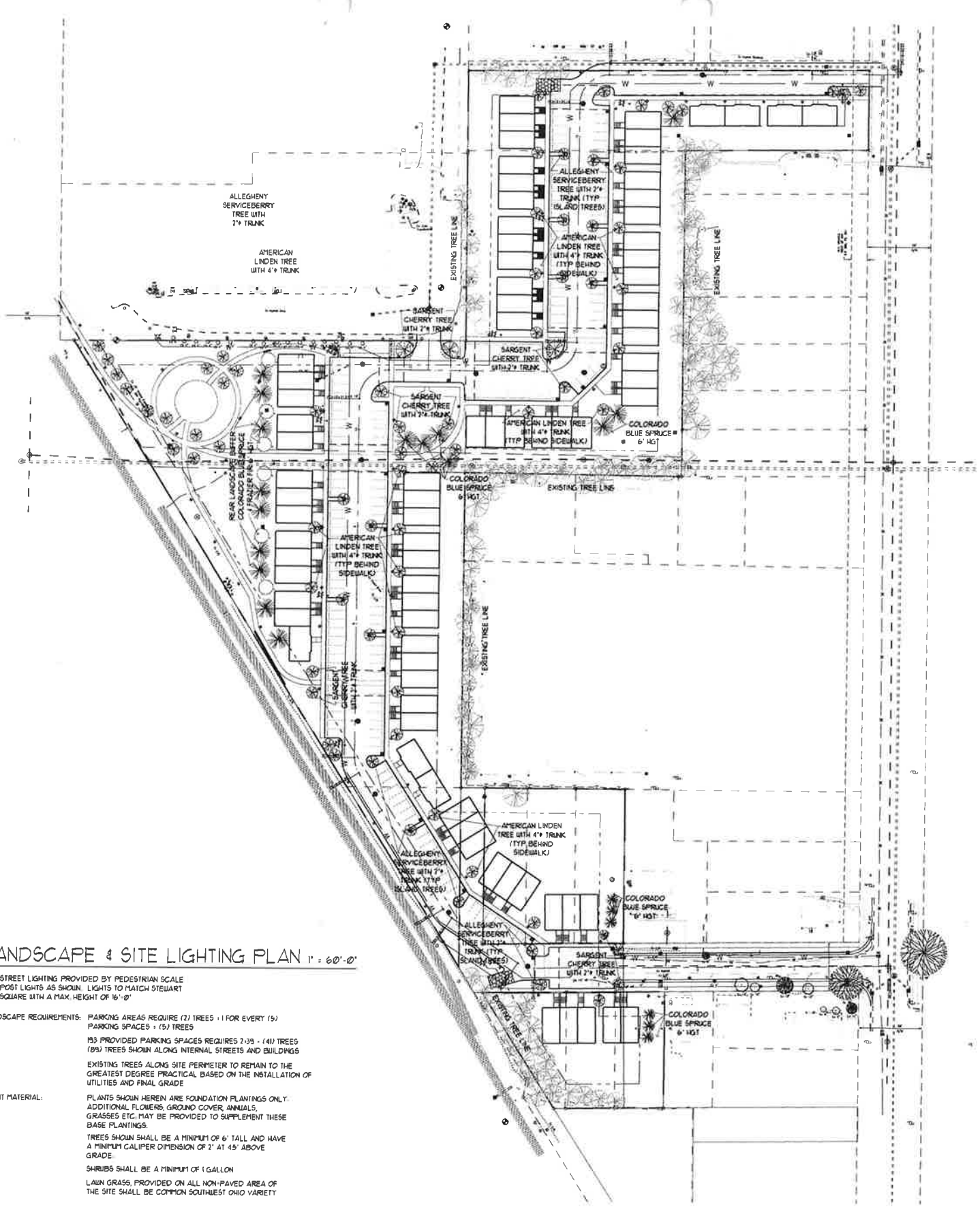
bayer becker
www.bayerbecker.com
110 S College Avenue, Suite 101
Oxford OH 45056

Revision Description | Date | Drawn | Chkd

Quantity: LT-0004-C01
Drawn By: JLR
Checked By: KBK
Issue Date: 9-25-17
Sheet: 3

Plot Date: Sep 25, 2017 - 12:31pm
Drawing name: J:\2017\17-0025\Civil\Drawings\17025x01.dgn CD dwg - Layout Tab: C3.0 Layout

SCOTT
WEBB
ARCHITECT
107 West Walnut Street
Oxford, Ohio 45056
(513) 523-6393
scottwebbarchitect.com
REVISIONS
PROPOSED PLANNED DEVELOPMENT
Gaslight Avenue
at Stewart Square
VALLEY LUMBER SITE
OHIO 45056
July 20, 2011
1" = 1'
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
PLANT MATERIAL
ALLEGHENY SERVICEBERRY
AMERICAN LINDEN TREE
COLORADO BLUE SPRUCE
EXISTING TREE LINE



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

193 PROVIDED PARKING SPACES REQUIRES 2+39 = (41) 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

LANT 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 4.5' ABOVE GRADE.

SHRUBS SHALL BE A MINIMUM OF 1 GALLON

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

STATE OF OHIO SCOTT WEBB

SCOT
WEBB
ARCHIT
103 West Walnut
Oxford, Ohio 4
(513) 523-3E
scottwebbarchite

REVISIONS

PROPOSED PLANNED DEVELOPMENT

Gaslight Avenue
at Stewart Square

July 10, 2e

1" = 1'

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting Of: December 5, 2017

Account Code No. #:

Budgeted Amount:

Community Development
Originating Department

Sam Perry
Prepared By:

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: jhc / 11/21/17
City Attorney: /
City Manager: DRE / 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

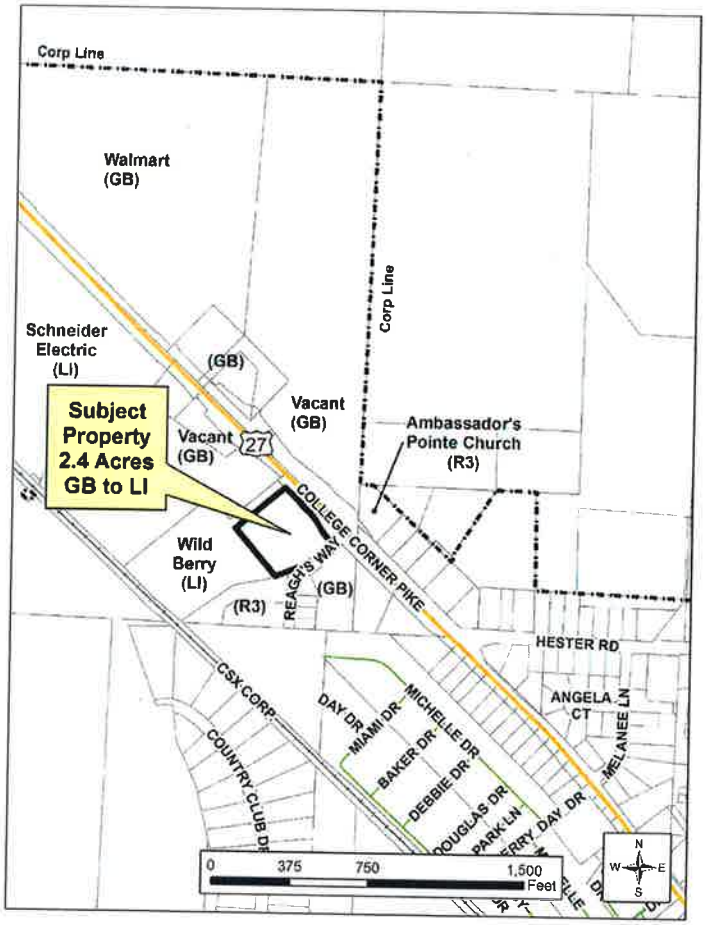
Action Request: **ZONING MAP AMENDMENT** to Amend the Zoning Designation of a 2.4 Acre Parcel Located in Front of 5475 College Corner Pike from General Business (GB) to Light Industrial (LI)

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: _____ Date: 10-19-17

John Detherage
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

Drawings reviewed by: _____ 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-2017-33, 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 A. 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 Kychan

PRINTED NAME

CITY OF OXFORD
HOME OF MIAMI UNIVERSITY

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: (Print) MARC BIALES

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.

CITY OF OXFORD
HOME OF MIAMI UNIVERSITY

PC-2017-33
Surrounding Property Owners Notifications Map

Legend

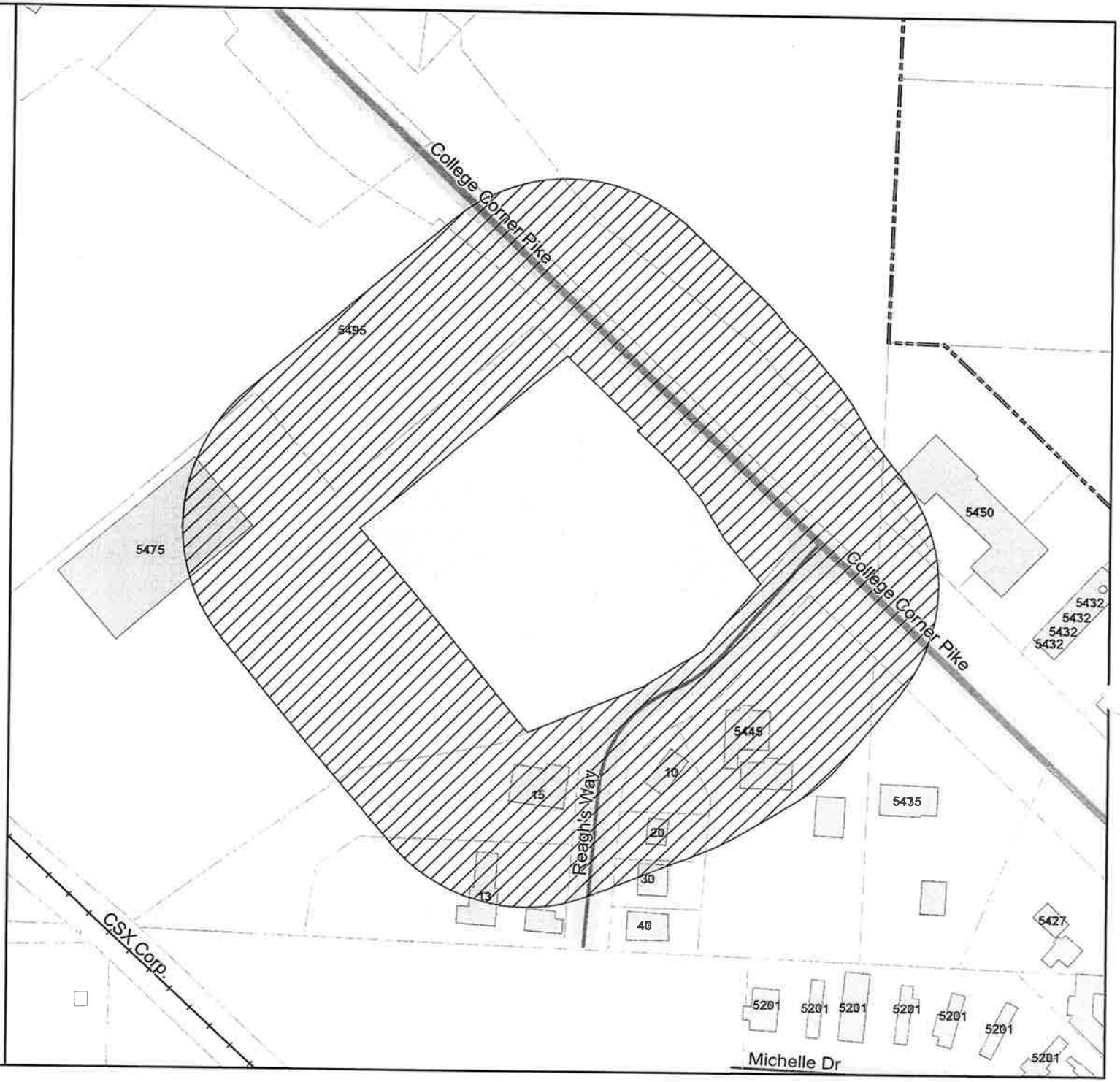
- Subject Parcel
- 200 Ft. Buffer
- Oxford Corp. Limit
- Address Point
- Parcel
- 16.5' Vacated ROW
- Building Footprint
- Paved Roadway

N

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

9/28/17
Date

NOV

CITY OF OXFORD
HOME OF MIAMI UNIVERSITY

Internal Use Only:	
Case No.	PC-2017-33
Date Filed	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 Procedure[1].

(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 Standards[1].

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

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).**

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[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.

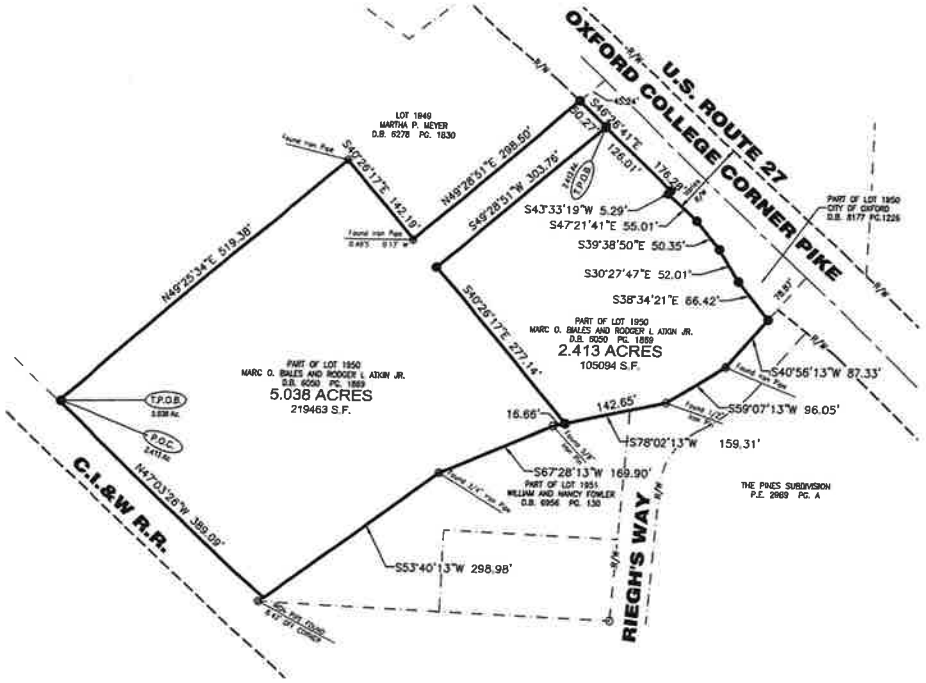
(b)(1)(F) Such other information regarding the proposed amendment as may be pertinent to the application or required by Planning Commission or Council.

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.



NOTES

1. Prior Deed Ref: D.B. 6050 PG. 1869
2. Basis of Bearings: GPS observation NAD 83 Ohio (North Zone)
3. Documents used as shown
4. Monumentation is in good condition unless otherwise shown
5. Lines of occupation, wherever they exist, generally agree with the boundary lines except as shown.

SURVEY LEGEND

○ Found "J" Iron Pin ● Set 5/8" Iron Pin
⊕ Found Iron Pipe R/W-Ca Right of Way

I 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 PROFESSIONAL SURVEYOR NO.7121 DATE 6/28/10

STATE OF OHIO
DAVID D. SMITH
S-7121
REGISTERED
PROFESSIONAL SURVEYOR

State Plane NAD83 GPS Observations
0 100 150
SCALE: 1" = 100'

VOLUME 53
PLAT NO. 179
BUTLER COUNTY ENGINEERS
RECORD OF LAND SURVEYS

Item	Revision Description	Date	Drwn:	Chk:

WILD BERRY INCENSE FACTORY

5475 COLLEGE CORNER PIKE
PART OF LOT 1950
CITY OF OXFORD
BUTLER COUNTY, OHIO

PLAT OF SURVEY

bayer becker
www.bayerbecker.com
312 South Main Street
Oxford, OH 45056 - 513.523.4210

Drawing: 100023-000 BM
Drawn by: DDS
Checked by: brj
Issue Date: 6-14-10
Sheet: 1/1

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Plot time: Jun 28, 2010 - 1:16pm
Drawing name: J:\2010\100023-000\SVY\DWG\100023-000 BM.dwg - Layout Tab: Layout1

GB
GB
GB
LI
R3
R1B
REAGH'S WAY
COLLEGE CORNER PIKE
MICHELLE DR
Oxford

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 ½" 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.