

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-10-2010

Date – August 10, 2010

APPLICATION

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

DESCRIPTION

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

SITE HISTORY

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

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

ZONING CODE

Section 1143.13 OI OFFICE & LIGHT INDUSTRIAL DISTRICT

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

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

Section 1143.14 LIGHT INDUSTRIAL DISTRICT

(c) Site Development Regulations.

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

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

COMPREHENSIVE PLAN

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

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

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

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

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

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

COMMENT FORMS

No public comment forms have been received to date.

AGENCY REVIEWS

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

The following comments have been received:

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

DECISION CRITERIA

A copy of the Zoning Code Amendment is attached.

ANALYSIS

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

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

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

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

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

RECOMMENDATION

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

SUBMITTED

BY:


Jung-Han Chen, AICP
Community Development Director

DATE: July 20, 2010

ATTACHMENT:

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

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

Text Amendments

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

Map Amendments

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

1143.13 OI OFFICE & LIGHT INDUSTRIAL DISTRICT

- (c) Site Development Regulations.
 - (1) Lot requirements. No minimum lot size or lot width is specified, however, lot size and width shall be adequate to provide for parking, access drive spacing, yard space and screening requirements.
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 - A. Minimum front yard depth 50 feet
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 - 1. If side or rear yard abuts onto a Residential District, yard shall have a minimum 50 feet for Permitted Use and minimum 100 feet for Conditional Use, and landscaped screening provided.
 - 2. Each side and rear yard shall be equal to the height of the principal building.
 - 3. Opaque fence may be substituted for plantings if approved by the Board of Zoning Appeals.
 - (3) Structural requirements.
 - A. Maximum height 45 feet
 - B. Lot coverage 70%

Section 1143.14 LIGHT INDUSTRIAL DISTRICT

- (c) Site Development Regulations.
 - (1) Lot requirements. No minimum lot size or lot width is specified, however, lot size and width shall be adequate to provide for parking, access drive spacing, yard space and screening requirements.
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 - 2. Each side and rear yard shall be equal to the height of the principal building.
 - 3. Opaque fence may be substituted for plantings if approved by the Zoning Board of Appeals.
 - (3) Structural requirements.
 - A. Maximum height 45 feet
 - B. Maximum Lot coverage 70%

Zoning Code Text Amendment Application
City of Oxford, Ohio

Aug mtg

REQUIRED INFORMATION

Name of Applicant:

City of Oxford

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

Mailing Address:

101 E High St.

Telephone Number(s)

513/524-5204

Email Address

SUBMISSION REQUIREMENTS

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

All applications must include:

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

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

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

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

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

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

1143.13(c)(3)B: Site Development Regs
1143.14(c) Site Development Regulations

SIGNATURE OF APPLICANT:

Jung-Han Chen

Date: 6/24/10

PRINTED NAME:

Jung-Han Chen

FEE / RECEIPT

\$150 Fee Paid / Receipt Number:

NA

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 7/26/2010

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-10-2010

Description:

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

☒ Review ☐ Revisions ☐ Other

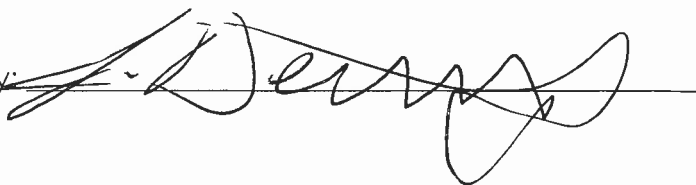
Comments or status update requested by: Lynn Taylor

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

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:



Drawings reviewed by: [Signature]

City of Oxford Zoning Districts

Legend

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

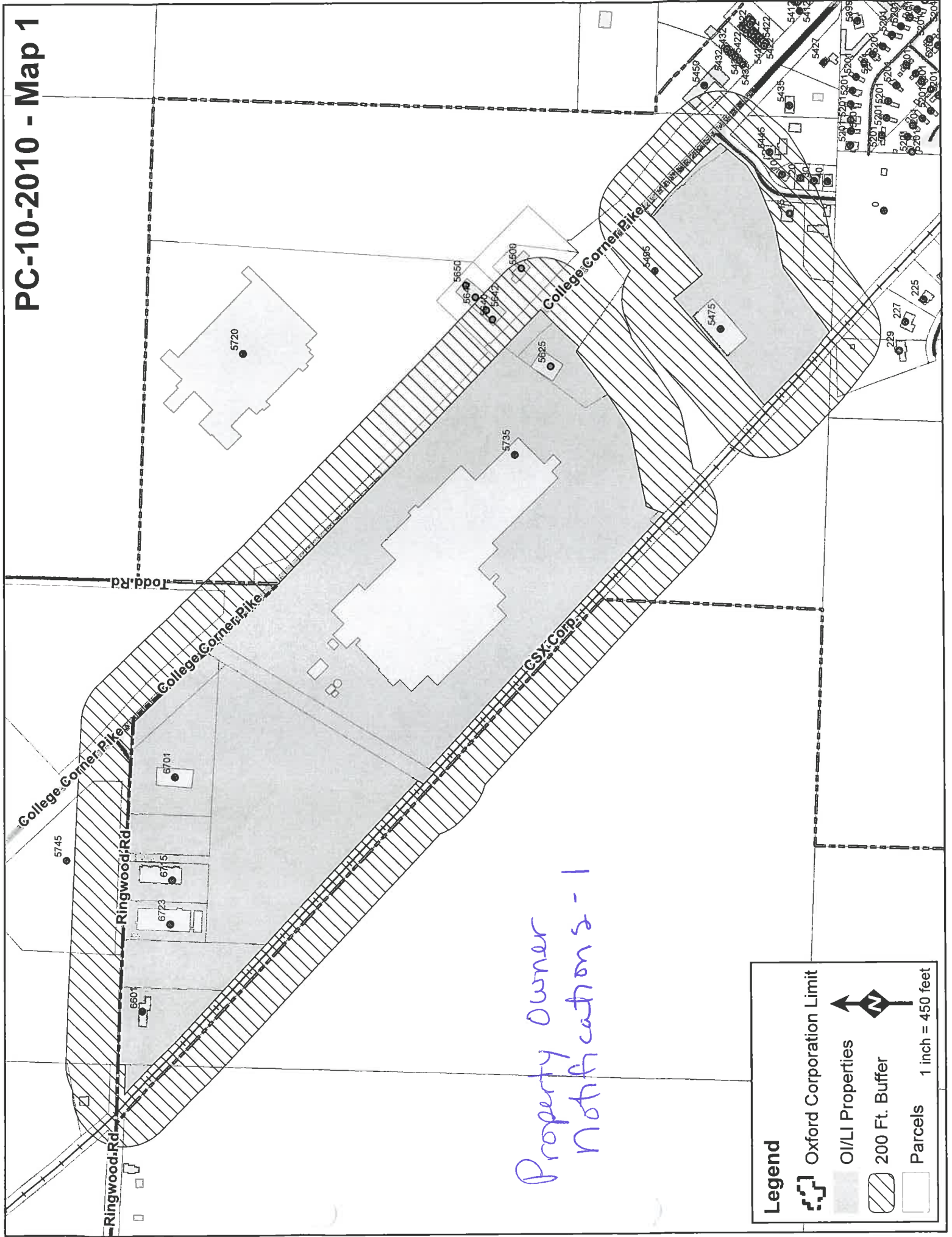
1 inch = 2,500 feet

**Zoning Code Text
is available online at
www.cityofoxford.org**

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

Prepared on Tuesday, July 6, 2010

PC-10-2010 - Map 1



Legend

- Oxford Corporation Limit
- OI/LI Properties
- 200 Ft. Buffer
- Parcels

1 inch = 450 feet

PC-10-2010 - Map 2

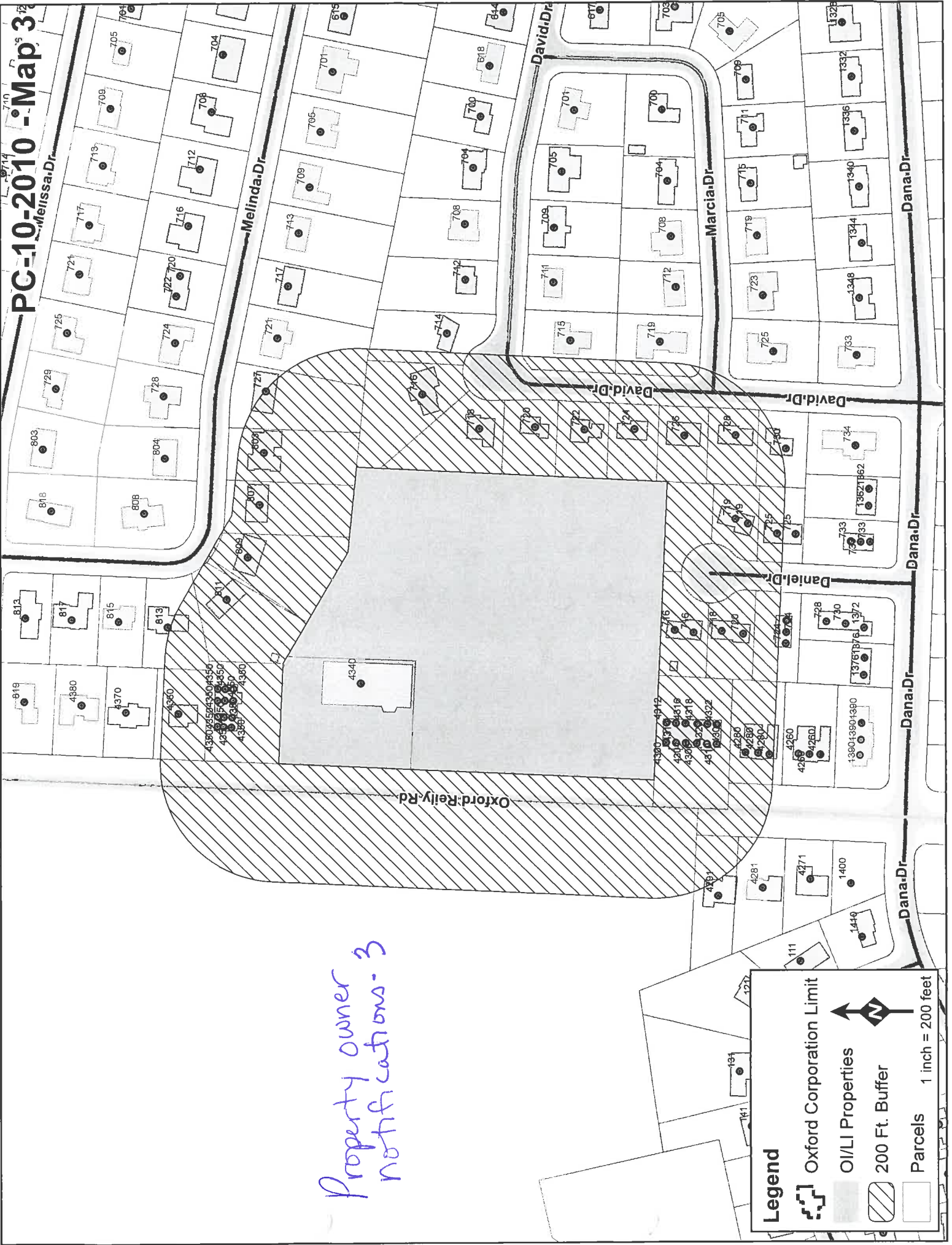
Property
Owner
Notifications-2



Legend

- Oxford Corporation Limit
- O/I/LI Properties
- 200 Ft. Buffer
- Parcels

1 inch = 200 feet



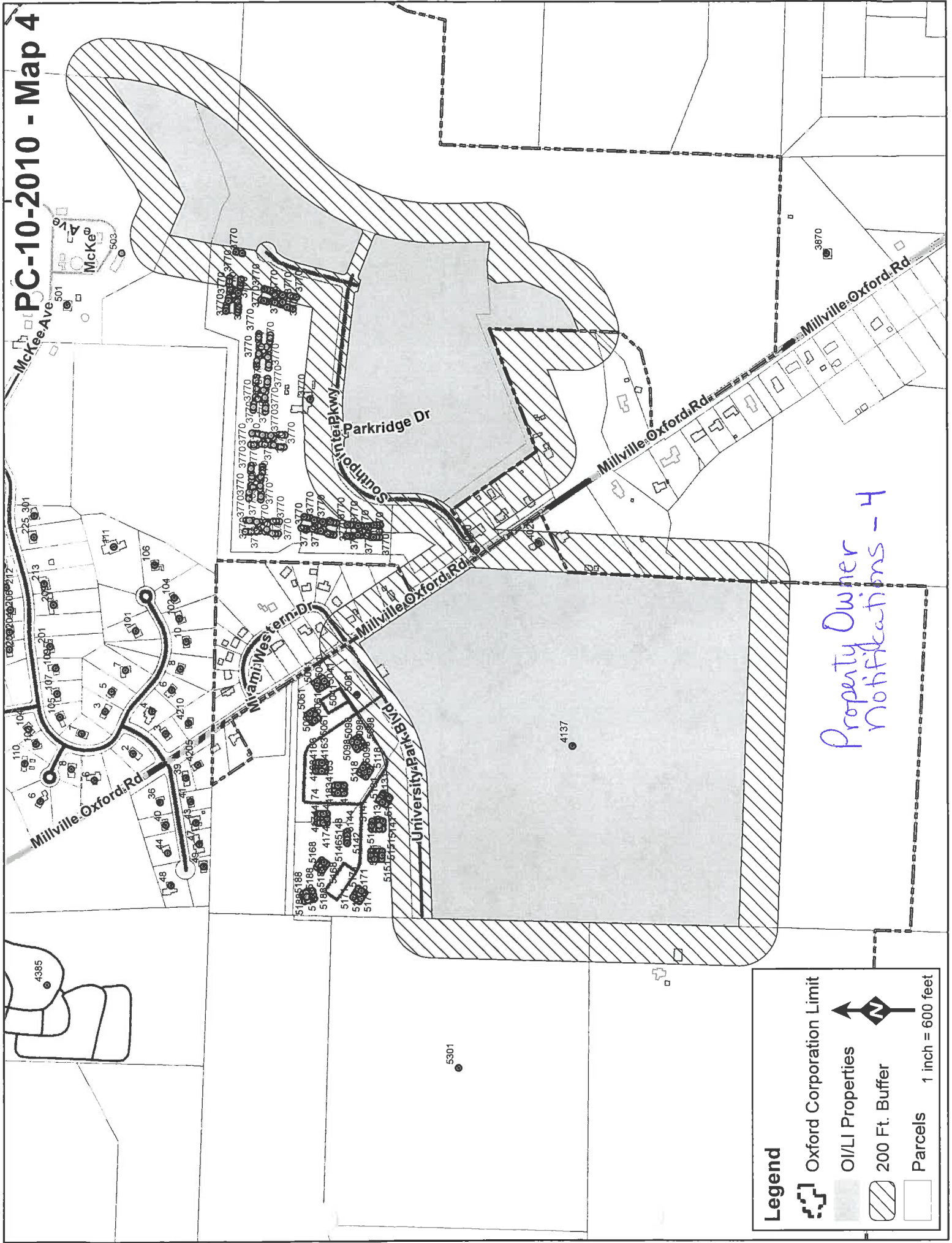
Property owner
notifications - 3

Legend

- Oxford Corporation Limit
- O/I/LI Properties
- 200 Ft. Buffer
- Parcels

1 inch = 200 feet

PC-10-2010 - Map 4



Property Owner
Notifications - 4

Marc Biales
6317 Buckley Rd.
Oxford, Ohio 45056

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

Dear Sirs:

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

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

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

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

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

Yours truly,



Marc Biales
President, Wild Berry Incense

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-09-2010

Date – June 16, 2010

APPLICATION

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

DESCRIPTION

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

SITE HISTORY

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

ZONING CODE

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

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

Churches, Libraries, Community and Recreation Centers

A. Potential Concerns:

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

B. Regulations

1. None

COMPREHENSIVE PLAN

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

COMMENT FORMS

No public comment forms have been received to date.

AGENCY REVIEWS

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

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

DECISION CRITERIA

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

ANALYSIS

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

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

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

RECOMMENDATION

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

SUBMITTED

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

ATTACHMENT

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

(1) Burden of proof.

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

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

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

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 6/3/2010

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

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

Description:

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

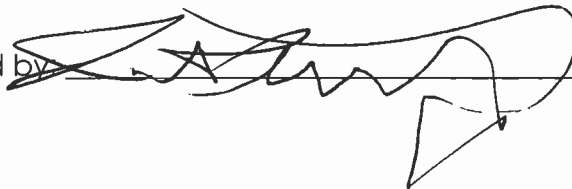
 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

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

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

Drawings reviewed by



Date: 6-3-10

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 6/3/2010

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

From: Community Development

Drawings are being submitted to you for the following:

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

Description:

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

☒ Review ☐ Revisions ☐ Other

Comments or status update requested by: Lynn Taylor

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

Drawings are returned: w/comments without/comments

Drawings reviewed by: A. J. [Signature]

Date: 6-3-10

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 6/3/2010

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

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

Description:

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

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

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

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

Drawings reviewed by: _____



Date: _____

6/3/10

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 6/3/2010

To: Fire Department Engineering Division Police Department Economic Development

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

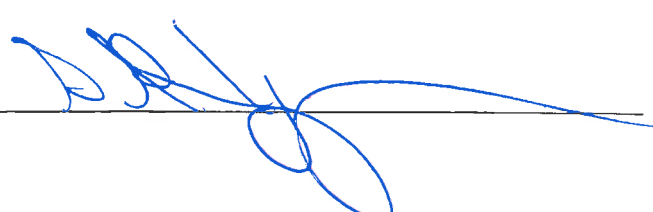
 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

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

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

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

Drawings reviewed by: 

Date: 7-5-10



Legend

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

Property Notifications

Letter of Agency

To Whom It May Concern:

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

Thank you,



Signed: Robert L. Blackburn
Blackburn Rentals

Date: 5 / 26 / 10

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

Conditional Use Permit Application
City of Oxford, Ohio

REQUIRED INFORMATION (print clearly)

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

SUBMISSION REQUIREMENTS

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

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

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

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

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

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

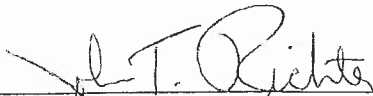
On a separate sheet of paper, provide the names and addresses of all adjoining property owners within 200 feet of the site, including those across streets, roads, alleys and highways. *Property Owner names will not be included in the agenda packet.

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

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

Incomplete applications will not be processed.

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


 Signature of Applicant

JOHN T. RICHTER Date: 5-17-2010
 Printed Name

FEE / RECEIPT

\$400 Fee Paid / Receipt Number: 15649

Oxford Vineyard Narrative Summary of Conditional Use Permit Application

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

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

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

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

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

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

Objective 2 Enhance Neighborhoods within the Mile Square

Objective 3 Continue to enhance Uptown

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

Objective 8 Expand urban green space.

Objective 10 Be a leader in environmental stewardship

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

No material changes are proposed to the building.

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

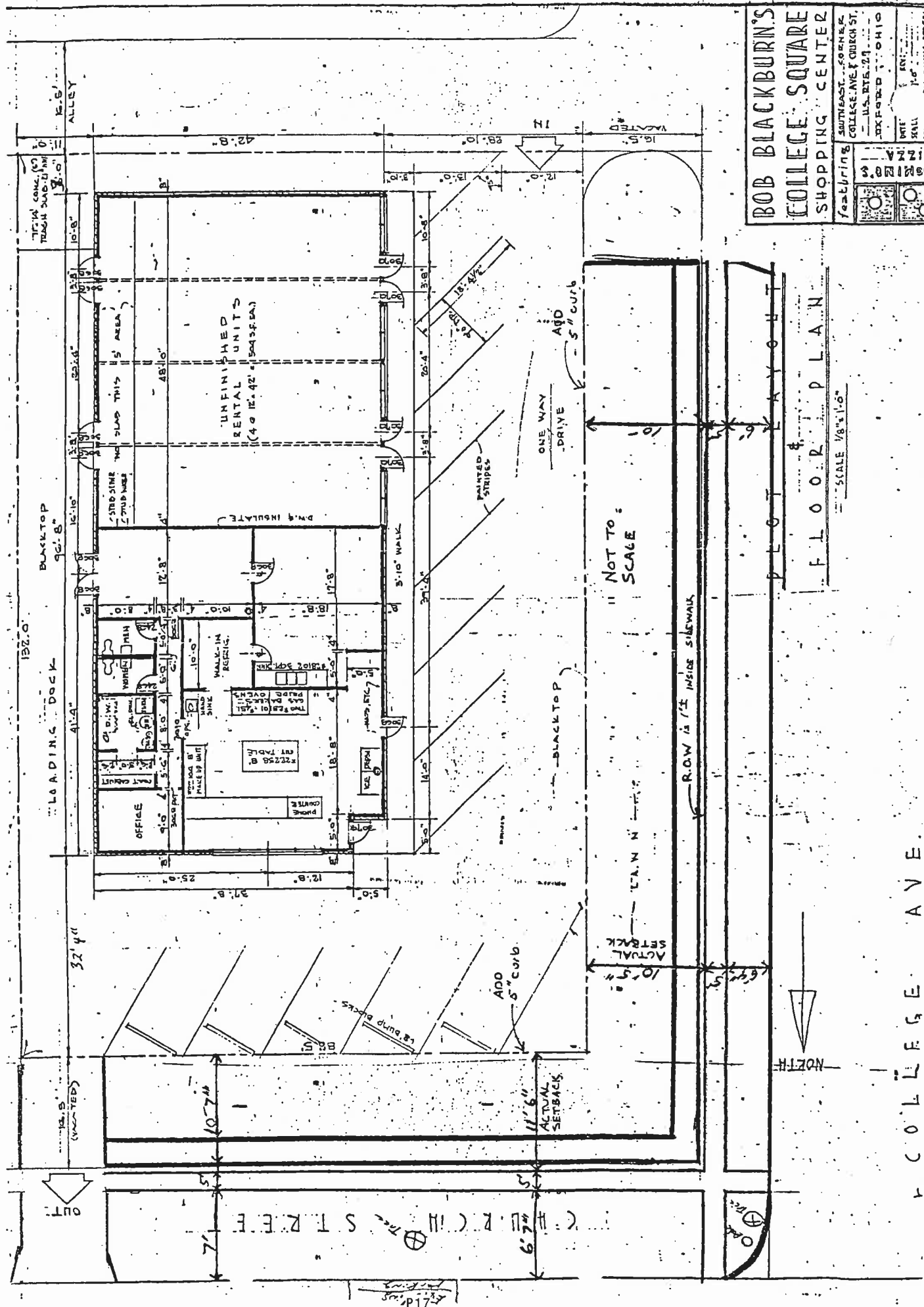
This place of worship is intended to service a significantly pedestrian population. 8 parking spaces are available on-site. Traffic flow through this area should not be effected.

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

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

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

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





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



Rec	Parcel ID	Owner Name	Location Address	Land Use Code	LEGAL1	LEGAL2	LEGAL3
1	H44000008000183	BLACKBURN ROBERT L	23 N COLLEGE AVE	447	117 W 1/2 & N & W VAC STS		

Butler County Real Estate Tax Bill

Nancy Nix, CPA
Butler County Treasurer



Government Services Center
315 High Street, 10th Floor
Hamilton, Ohio 45011
www.butlercountytreasurer.org

Office Hours:
8:00 am to 5:00 pm, Monday thru Friday

Real Property Second Half Tax Year 2008 August 3, 2009		Parcel No. H4000-008-000-183										
		Taxing District OXFORD CORP TAL CSD										
		Parcel Location 23 N COLLEGE AVE										
		Owner Name BLACKBURN ROBERT L										
ROBERT L BLACKBURN 226 4368 KEHR RD OXFORD OH 45056		Legal Description 117 W 1/2 & N & W VAC STS										
Gross Tax Rate 71.690000 Reduction Factor 0.407528 Effective Tax Rate 42.474326	Acres 0.1840 Class C Code 447	100% Appraised Value Land [REDACTED] Bldg/Improv [REDACTED] Total [REDACTED]										
Calculation of Taxes		Annual Tax Distribution										
Gross Taxes Reduction Factor Subtotal Current Net Real Estate Taxes Current Special Assessments Current Net Taxes & Asmts(YEAR) Current Net Taxes & Asmts(HALF)	[REDACTED]	General Fund 221.36 Mental Retardation 297.51 Miami Conservancy 3.46 Mental Health 134.32 Children Services 207.36 Senior Citizens 133.43 Talawanda Csd 3,228.45 Butler Tech Jvs 222.51 Oxford Township 27.67 Oxford City 420.81 Assessments 1.46 Elderly Service levy tax reduced by 1/3 for 2009	35% Taxable Value Land [REDACTED] Bldg/Improv [REDACTED] Total [REDACTED]									
		Stub No. 292360	Special Assessments									
			<table border="1"> <thead> <tr> <th></th> <th>Delq.</th> <th>Current Yr.</th> </tr> </thead> <tbody> <tr> <td>11900-AQUIFER PRESERVATION</td> <td>0.00</td> <td>1.46</td> </tr> <tr> <td>Assessment Totals</td> <td>0.00</td> <td>1.46</td> </tr> </tbody> </table>		Delq.	Current Yr.	11900-AQUIFER PRESERVATION	0.00	1.46	Assessment Totals	0.00	1.46
	Delq.	Current Yr.										
11900-AQUIFER PRESERVATION	0.00	1.46										
Assessment Totals	0.00	1.46										
Full Year Total Payments Other Credits	[REDACTED] [REDACTED] 0.00	Homestead Reduction in Value 0 CAUV Value 0										
Amount Due	[REDACTED]	For information on monthly payment programs, please contact the Treasurer's Office at (513) 887-3181. Please save top portion of bill for income tax purposes.										
		DUE DATE August 3, 2009										

115N