

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2017-26

Date – September 12 , 2017

APPLICATION

Applicant:	City of Oxford
Action Request:	ZONING MAP AMENDMENT to Amend the zoning designation of certain properties between S. Poplar Street and S. Campus Avenue, along Bern Street and E. Rose Ave, from R-2MS District to R-3MS District, City of Oxford, Applicant

DESCRIPTION

This is a map amendment that reflects Planning Commission’s earlier discussion for the area highlighted in the attached map. The Planning Commission felt that this area deserved discussion whether a zoning re-classification would be warranted.

The Planning Commission in general was in agreement that a higher density should be contemplated and encouraged in the area closer to campus.

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 neighborhood character.

Urban Design

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

Housing Element

Improve housing conditions in the Mile Square

- Ensure quality residential environment through improved housing standards.

AGENCY REVIEWS

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

Fire: Returned with no comments

DECISION CRITERIA

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

ANALYSIS

This is a continuation discussion from a recent zoning map and text amendment the Planning Commission reviewed and made recommendations to City Council for consideration. The previous recommendations focused on the general area of Spring Street, Main Street and Campus Avenue, in between the RO District to the north and the R-1MS District to the south (See PC-2017-10). This amendment is to extend the R-3MS District all the way to just north of Central Avenue, between South Polar Street and South Campus Avenue.

During the previous work sessions and meetings, the Planning Commission was not in total agreement with “large scale” rezoning with the thought to let those changes take place to gauge how the development community responds to changes of zoning regulations and make more changes as the Planning Commission sees the need.

This area is wedged between the areas identified by the Planning Commission for re-classification. The Commission is in agreement that in anticipation of higher student enrollment, it needs to review the zoning regulations to encourage student rentals to be closer to campus.

It should be noted that the 2008 Comp Plan did not include these areas for enhancement or expansion on Map 3.4 and Map 3.5. But it also needs pointed out that the student enrollment was capped for many years, until the cap was removed and the number for enrollment increased from 17,000 to nearly 20,000. For a town like Oxford, an increase of 2,000 additional students does have significant impact to local housing.

The area is close to the academic central quad and, again, is within walking distance to the north academic quad. It is also close to the Goggin Ice Center and the Rec Center and to the Uptown.

The Planning Commission did discuss this area for possible reclassification, and the thought process at that time was that any changes to the zoning classification would not impact the actual redevelopment potential, since the new duplexes were built in 2012 and the apartment complex is still considered to be nonconforming even though the site is rezoned from the R-2MS District to the R-3MS District.

RECOMMENDATION

Staff does not have any objection to the map amendment, but would ask the Planning Commission to look at the potential impact of this extensive reclassification of a large area.

SUBMITTED

BY:


Jung-Han Chen
Community Development Director

DATE: August 22, 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.



Internal Use Only:

Case No.

PC-2017-26

Date Filed

7/28/17

Zoning Map Amendment Application

Applicant Information

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

Name *	Jung-Han Chen
Mailing Address *	101 E. High Street
City, State & Zip Code *	Oxford, OH 45056
Telephone Number(s) *	513-5245237
Email Address	jhchen@cityofoxford.org

Location and Lot Information

Location *	S. Campus Avenue
General Description of Proposed Amendment *	Zoning Map Amendment from R2MS to R3MS
Current Zoning *	R2MS
Proposed Zone(s) *	R3MS

Submission Requirements and Documentation

From Section 1135.02 Procedure¹.

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

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

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

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

Surrounding Property Owners

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

Decision Process

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

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

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

Fees & Receipt

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

Sign and Date

Applicant Signature *

Date *


2/12/17

Submit Application, Submission Requirements and Documentation, and Fees

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

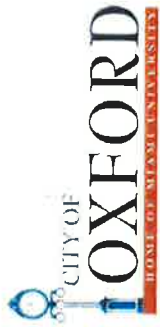
Send or drop off this application with required documentation as attachments and a check for fee and postage charge made payable to **City of Oxford**, to Community Development Director, 101 East High Street, Oxford, OH 45056.

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

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

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

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

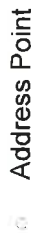


Zoning Map Amendment

Legend



Oxford Corp. Limit



Address Point



Parcel



Proposed R2MS to
R3MS

16.5' Vacated ROW



Building Footprint



Paved Roadway



1 inch = 175 feet

Prepared on Monday, August 07, 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
Inter-Office Review Transmittal Sheet

Date: August 7, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-26, ZONING CODE MAP AMENDMENT, to amend the zoning classification of certain properties between Poplar Street and Campus Avenue, Single and Two Family Mile Square Residential (R-2MS) District to Single, Two and Three Family Mile Square Residential (R-3MS) District, City of Oxford, 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: 8-16-17

John Dethierage
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-2017-26, ZONING CODE MAP AMENDMENT, to amend the zoning classification of certain properties between Poplar Street and Campus Avenue, Single and Two Family Mile Square Residential (R-2MS) District to Single, Two and Three Family Mile Square Residential (R-3MS) District, City of Oxford, 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: *A. Popescu* Date: 8-15-17

VICTOR POPESCU
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-2017-26, ZONING CODE MAP AMENDMENT, to amend the zoning classification of certain properties between Poplar Street and Campus Avenue, Single and Two Family Mile Square Residential (R-2MS) District to Single, Two and Three Family Mile Square Residential (R-3MS) District, City of Oxford, Applicant

☒ 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

THIS AREA ADJUTS THE MIAMI CAMPUS. IT IS CURRENTLY DEVELOPED WITH MULTI-FAMILY AND DUPLEX UNITS. IT IS, I IMAGINE, 100% RENTAL PROPERTY.

SO, IF THE RE-ZONING ENCOURAGES THE RE-DEVELOPMENT OF THESE OLDER MULTI-FAMILY UNITS, ALL IS GOOD.

"This area abuts the Miami campus. It is currently developed with multi-family and duplex units. It is, I imagine, 100% rental property. So, if the rezoning encourages the re-development of these older multi-family units, all is good."

Drawings reviewed by:



Date: 9-5-17

G. Alan Kuchin
PRINTED NAME



PC-2017-26 **Surrounding** **Property Owners** **Notifications Map**

Legend

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

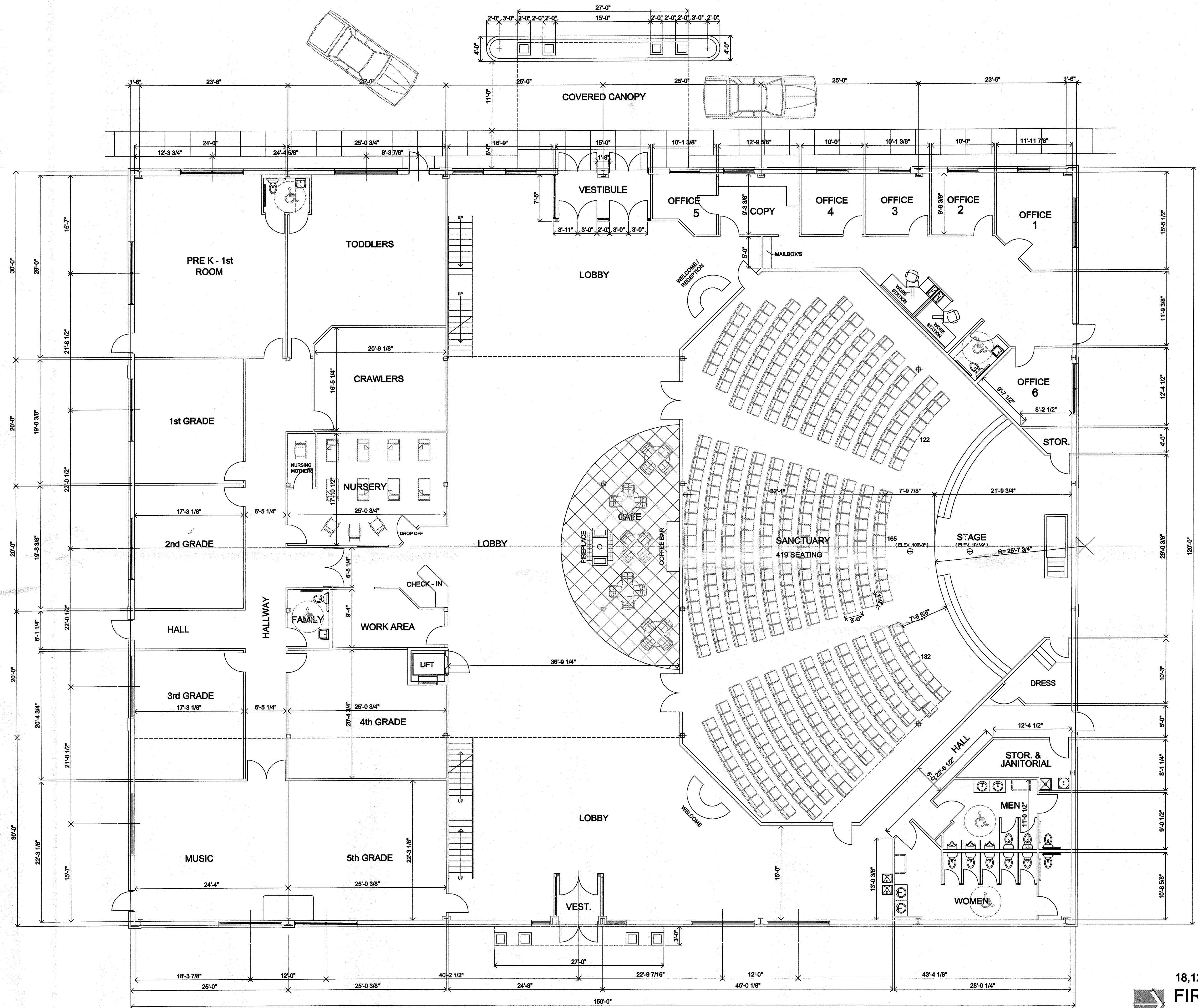


1 inch = 200 feet

Prepared on Friday, August 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.





18,122.14 SQUARE FEET
FIRST FLOOR PLAN
 SCALE: 1/8" = 1'-0"
 NORTH

Sproles™ Corp.
 COMMERCIAL
 BUILDING CONTRACTORS
 NEW CASTLE, INDIANA

New Religious
 Facility
 For

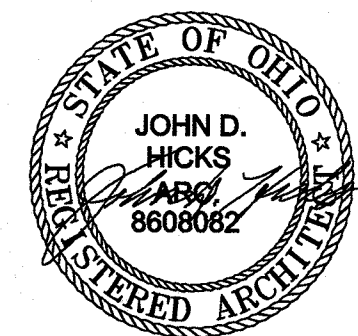
Oxford Bible Fellowship Church

800 South Maple Ave.
 Oxford, Ohio
 45056

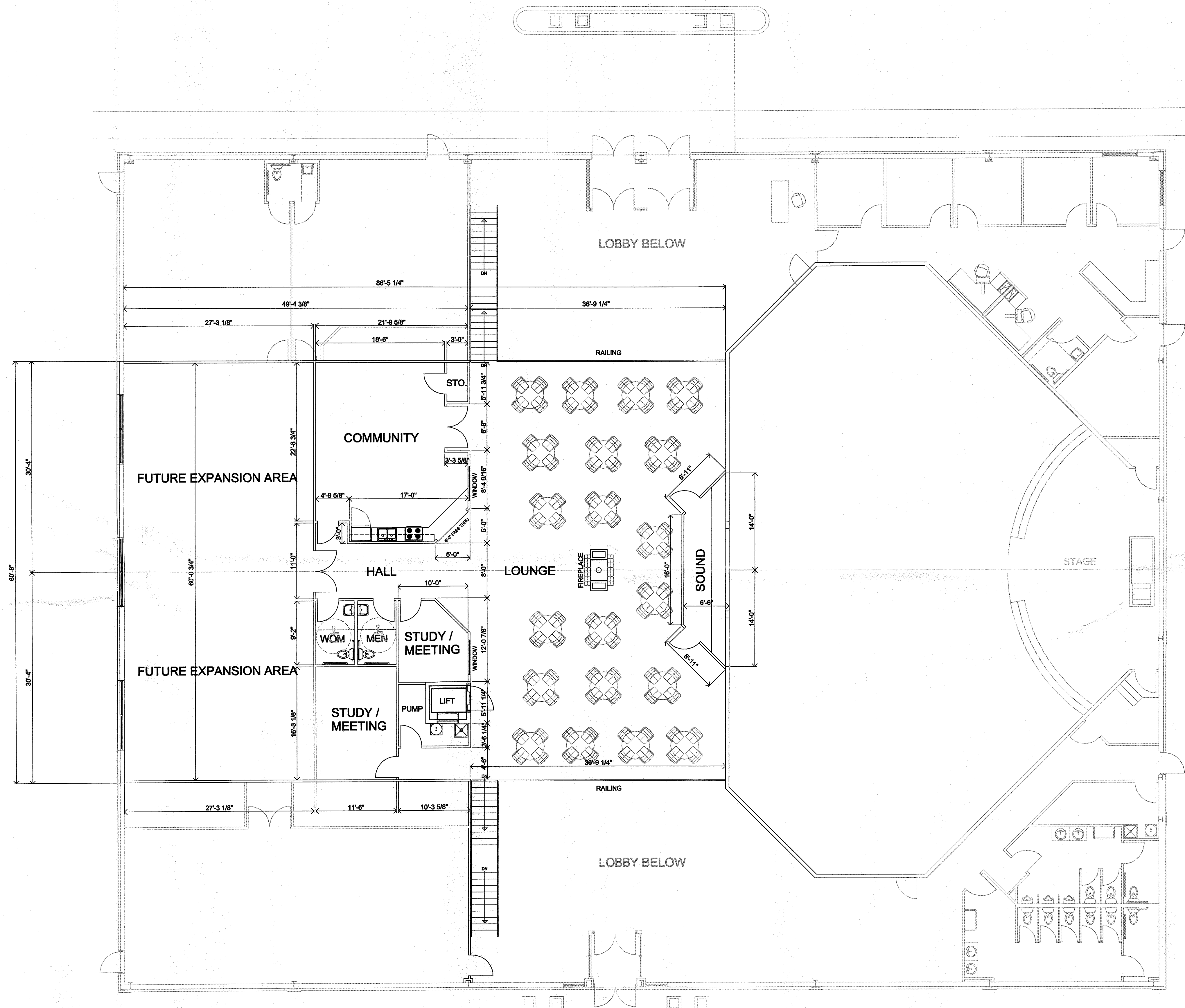
JOHN D. HICKS ASSOCIATES
 ARCHITECT

1107 N. BALSAM DRIVE
 MUNCIE, IN 47304
 765-748-3000
 jhicksarch@aol.com

Drawing Date: July 21 2017
 Drawn By: John D. Hicks
 Checked By: John D. Hicks
 Revision Dates:



Sheet Number:
A1
 First Floor Plan



5244.10 SQUARE FEET
SECOND FLOOR PLAN
 SCALE: 1/8" = 1'-0"
 NORTH

Sproles™ Corp.
 COMMERCIAL
 BUILDING CONTRACTORS
 NEW CASTLE, INDIANA

New Religious
 Facility
 For

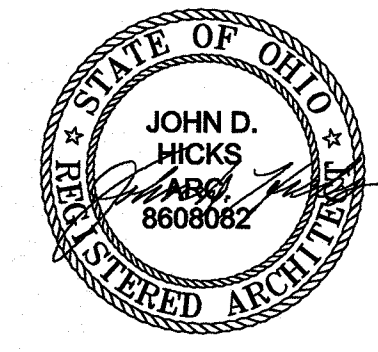
Oxford Bible Fellowship Church

800 South Maple Ave.
 Oxford, Ohio
 45056

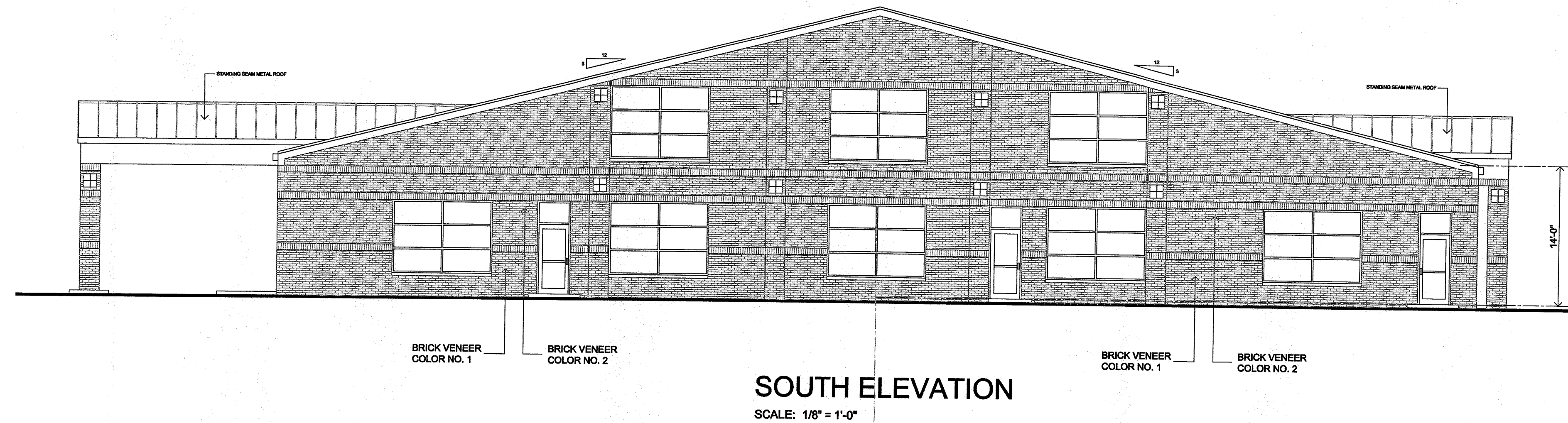
JOHN D. HICKS ASSOCIATES
 ARCHITECT

1107 N. BALSAM DRIVE
 MUNCIE, IN 47304
 765 . 748 . 3000
 jhicksarch@aol.com

Drawing Date: July 26, 2017
 Drawn By: John D. Hicks
 Checked By: John D. Hicks
 Revision Dates:



Sheet Number:
A2
 Second Floor Plan



Sproles™ Corp.
COMMERCIAL
BUILDING CONTRACTORS
NEW CASTLE, INDIANA

New Religious
Facility
For

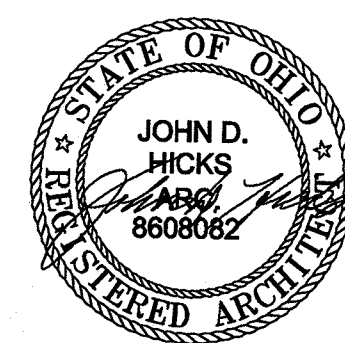
**Oxford Bible
Fellowship Church**

800 South Maple Ave.
Oxford, Ohio
45056

**JOHN D. HICKS
ASSOCIATES
ARCHITECT**

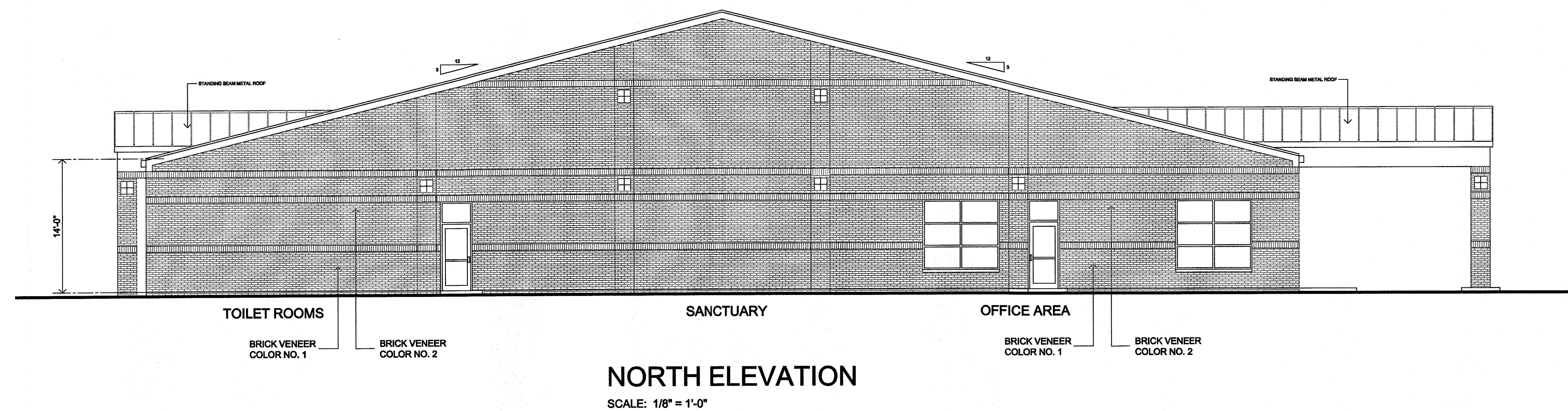
1107 N. BALSAM DRIVE
MUNCIE, IN 47304
765 . 748 . 3000
jhicksarch@aol.com

Drawing Date: July 25, 2017
Drawn By: John D. Hicks
Checked By: John D. Hicks
Revision Dates:



Sheet Number:

A4
Exterior Elevations





PC-2017-28
Community Development Department
Phone: 513-524-5204

August 15, 2017

Peter W. C. Barnhart
Alpha Chapter House Company
Beta Theta Pi
P.O. Box 943
Oxford, Ohio 45056

PC-2017-28, MINOR AMENDMENT TO AN APPROVED CONDITIONAL USE, Beta Theta Pi Fraternity Renovation and Expansion, 200 East High Street

Dear Mr. Barnhart:

On July 31, City staff held a teleconference with Randy Kirschner and Tom Converse regarding your July 12 letter requesting removal of the loading zone from the plans. As follow-up to that teleconference, the Oxford Planning Commission Chair and Community Development Director determined that based upon the city staff solution of creating a new on-street loading zone, this modification is considered a minor amendment. Therefore, this amendment to City Council Ordinance # 3379, originally approved November 15, 2016, is hereby approved per Section 1147.02 of Oxford Planning and Zoning Code:

- (f) Changes to a Conditional Use.
- (1) Minor Changes to an Approved Conditional Use. An operator of an approved Conditional Use may submit a written request for approval of changes to the site or operating conditions of the use.
- A. Will not change the use.
 - B. The proposed construction is of a magnitude that will not substantially alter the appearance of the use from off of the site.
 - C. Will not substantially or detrimentally affect the provision of public services to the site or general vicinity.
 - D. Will not substantially or detrimentally increase potential demand on public or private utilities.
 - E. Is not of a scope, scale, or character that would cause a negative impact on adjoining properties and neighborhood.
 - F. Is not contrary to and in no way will diminish the intent of the originally approved permit.

The construction of a loading zone by Beta Theta Pi is hereby eliminated from the plans.

Sincerely,

 8/21/17
Jung-Han Chen, AICP / Date
Community Development Director

 8/21/17
Robert Bell / Date
Planning Commission Chair

cc: Mike Dreisbach, Oxford Service Director
Lt. Geoff Robinson, Oxford Police Department

ORDINANCE NO. 3379

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT TO ALLOW FOR AN ADDITION AND SITE MODIFICATIONS OF AN EXISTING FRATERNITY HOUSE IN A R2MS (SINGLE, TWO FAMILY MILE SQUARE RESIDENTIAL) DISTRICT AT 200 and 208 E. HIGH STREET, OXFORD, OHIO 45056 WITH CONDITIONS.

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

SECTION 1: Council hereby finds that the Planning Commission held a public hearing on October 11, 2016 in accordance with Section 1147.02 of the Codified Ordinances of the City of Oxford, on the application of Renouveau Design Inc., Applicant, for a conditional use permit to allow for an addition and site modifications of an existing Fraternity House in a R2MS (Single, Two-Family Mile Square Residential) District at 200 and 208 E. High Street, Oxford, Ohio 45056.

SECTION 2: The Planning Commission, after a public hearing and discussion, voted to approve a motion recommending approval of the conditional use permit application to allow for an addition and site modifications of an existing Fraternity House in a R2MS (Single, Two-Family Mile Square Residential) District at 200 and 208 E. High Street, Oxford, Ohio 45056 with the following conditions:

1. That the consolidation of lots will occur prior to a building permit being issued;
2. That the review and approval of a right-of-way permit for Campus Avenue loading zone takes place;
3. That an evaluation of mature trees on site for potential preservation takes place;
4. That no roof areas are to be used as outdoor activity areas;
5. That screening will be provided along the eastern side of the parking lot.

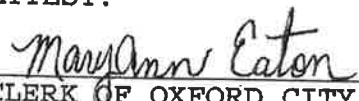
SECTION 3: Council hereby accepts the recommendation of the Planning Commission and accepts the recommendation report submitted by the Planning Commission and incorporates the same herein and further grants the conditional use permit application to allow for an addition and site modifications of an existing Fraternity House in a R2MS (Single, Two-Family Mile Square Residential) District at 200 and 208 E. High Street, Oxford, Ohio 45056 in accordance with the conditions set forth above.

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


MAYOR

ADOPTED: November 15, 2106

ATTEST:

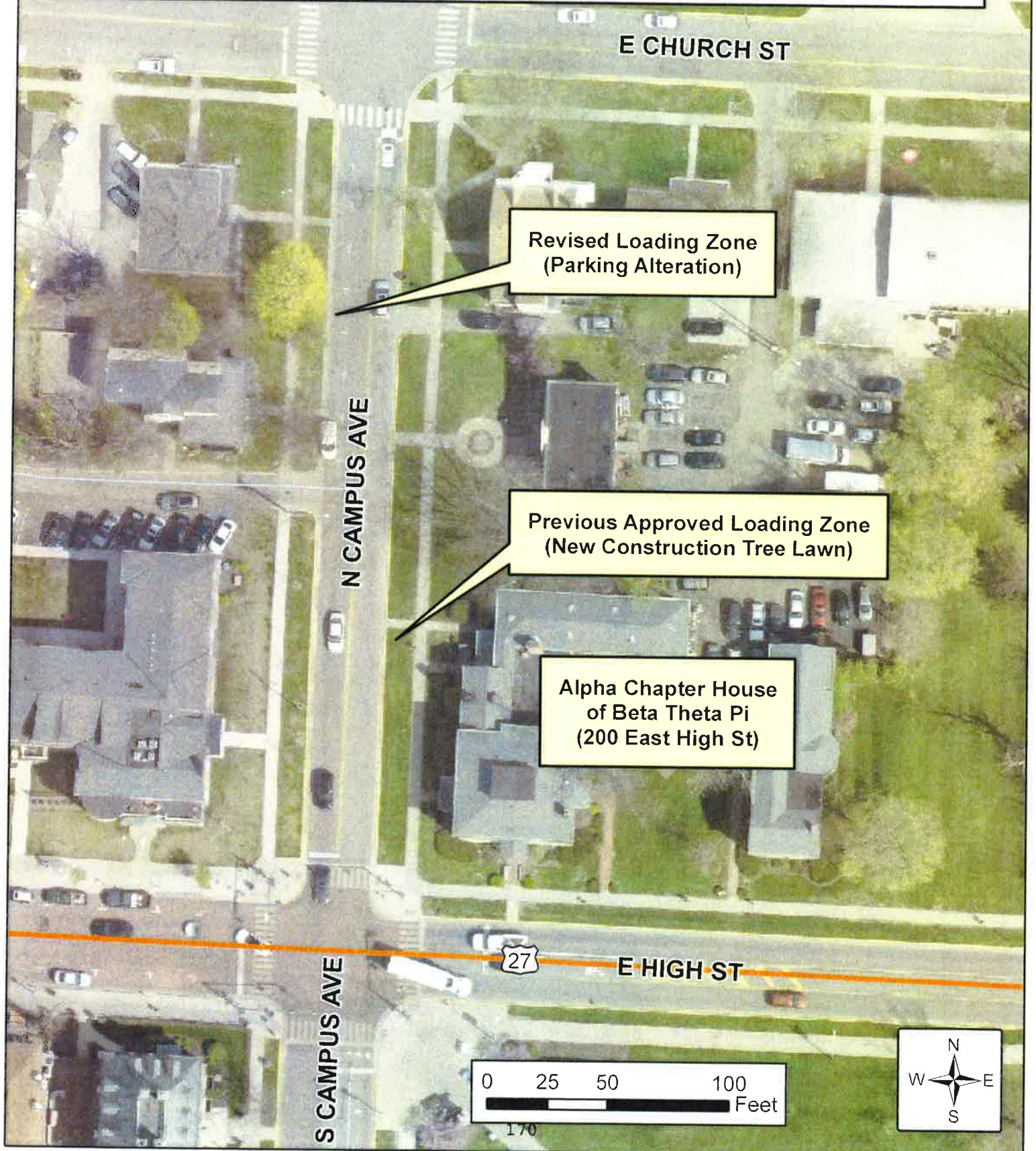

CLERK OF OXFORD CITY COUNCIL

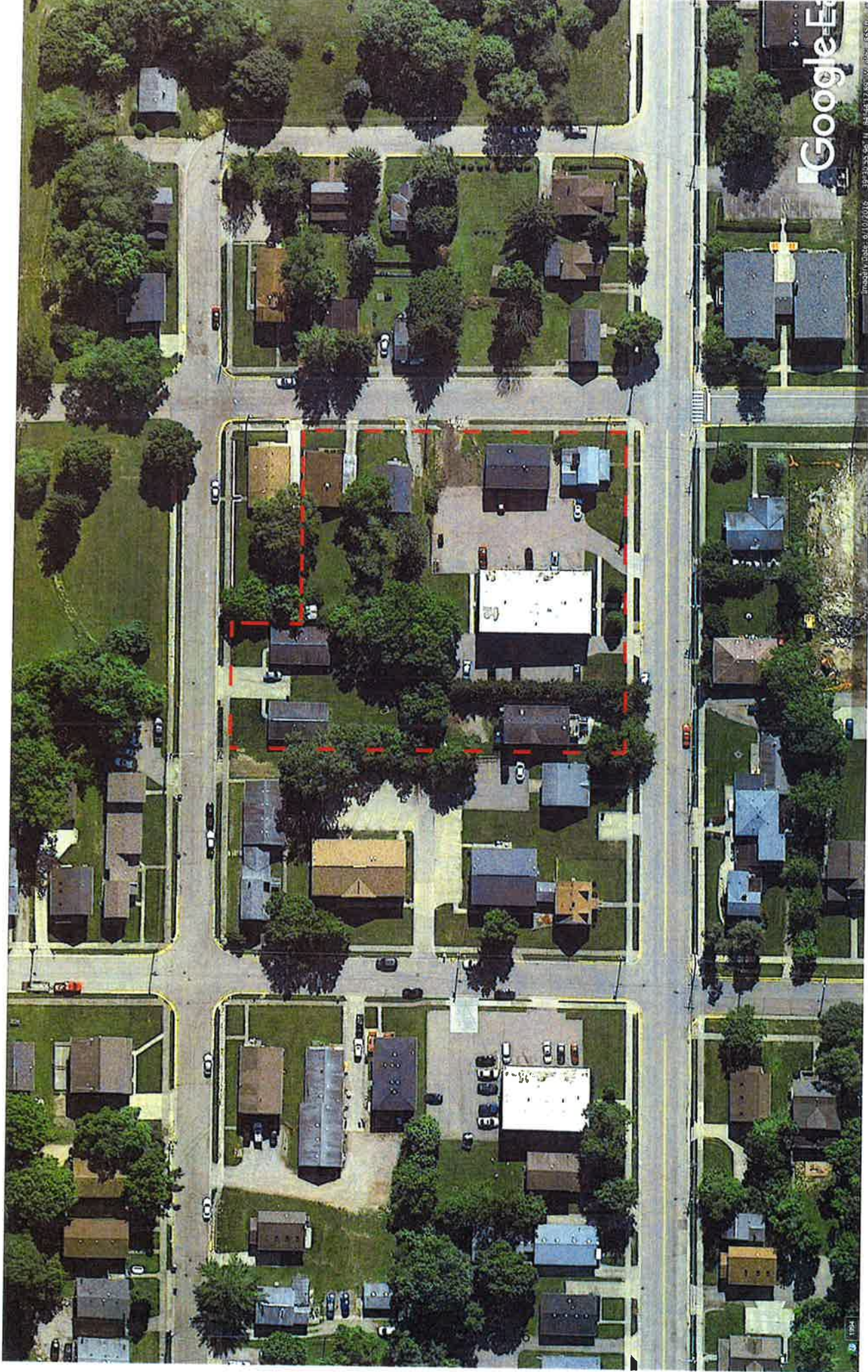
INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

BETA THETA PI LOADING ZONE

ORD #3379 MINOR AMENDMENT AUGUST 2017



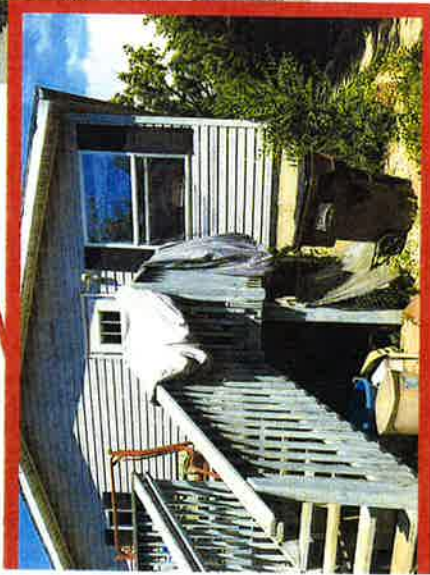
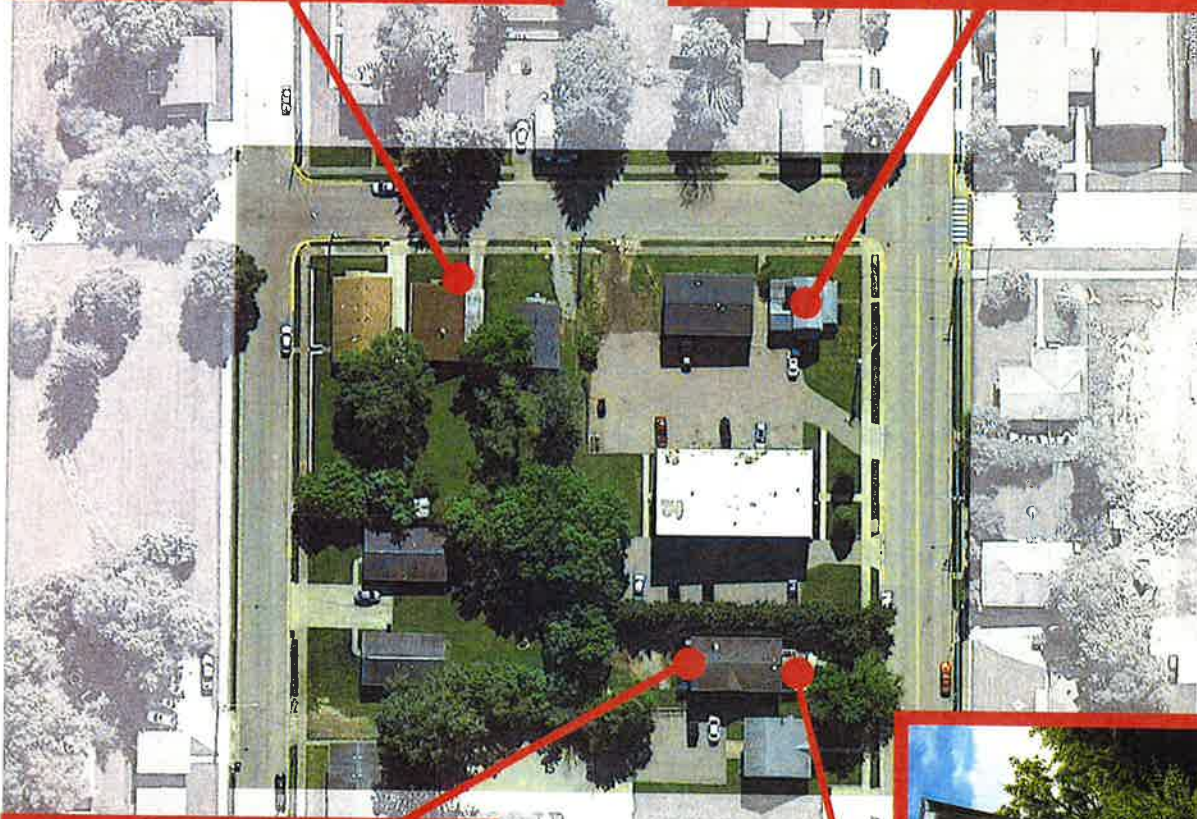
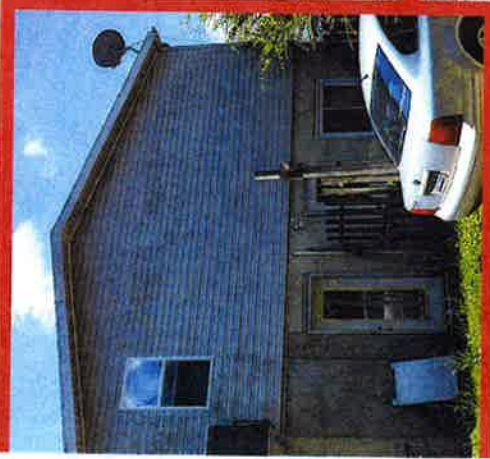


Existing Site

Stadium
Apartments
E. Sycamore St.
& N. University Ave.
Oxford, Ohio
July 28th, 2017

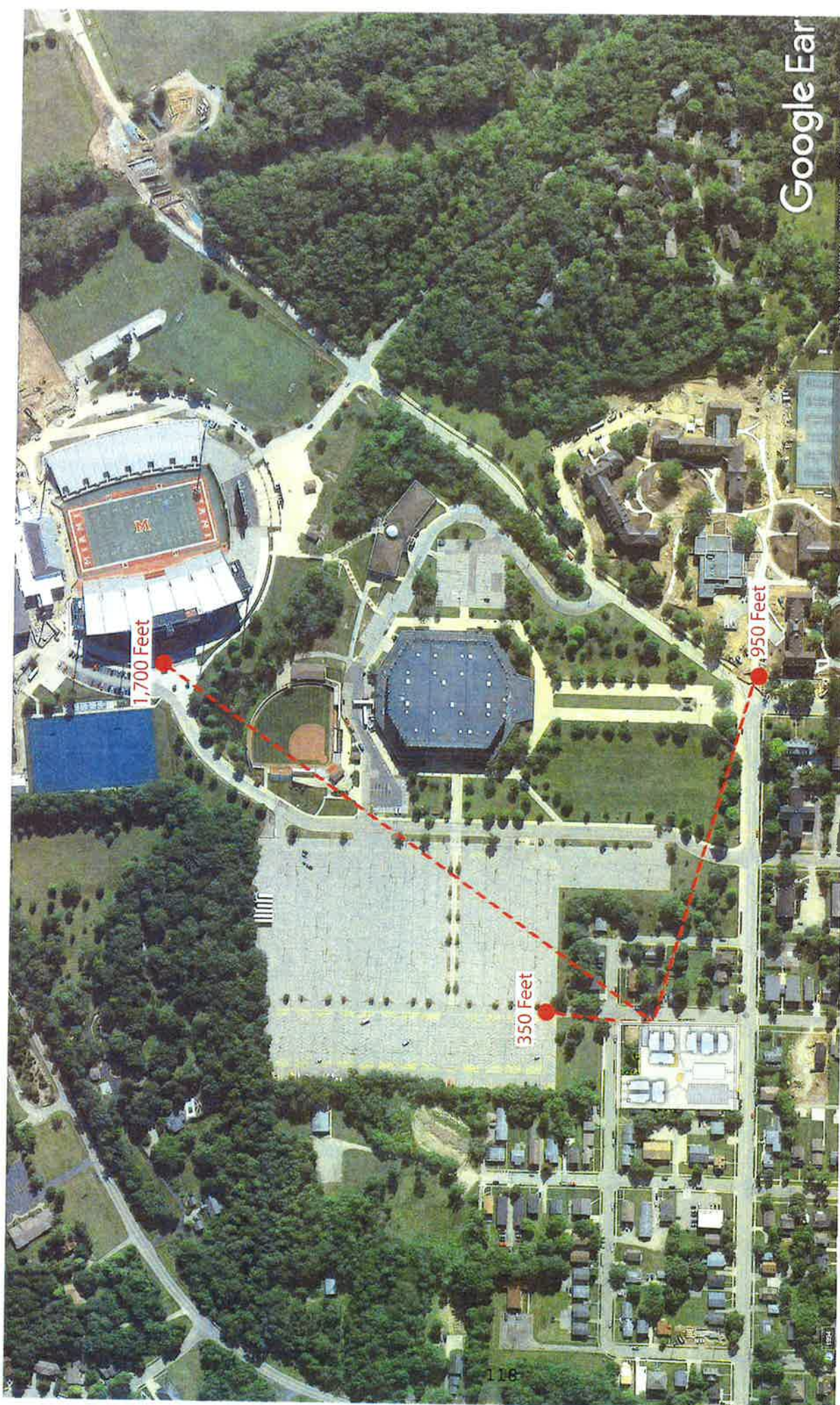
Google Earth

Image ID: 01102016 - 38°35'55.56" N, 84°14'17.89" W, 0227 65510 5



EXISTING SITE PHOTOS

Stadium
 Apartments
 E. Sycamore St.
 & N. University Ave.
 Oxford, Ohio
 July 28th, 2017

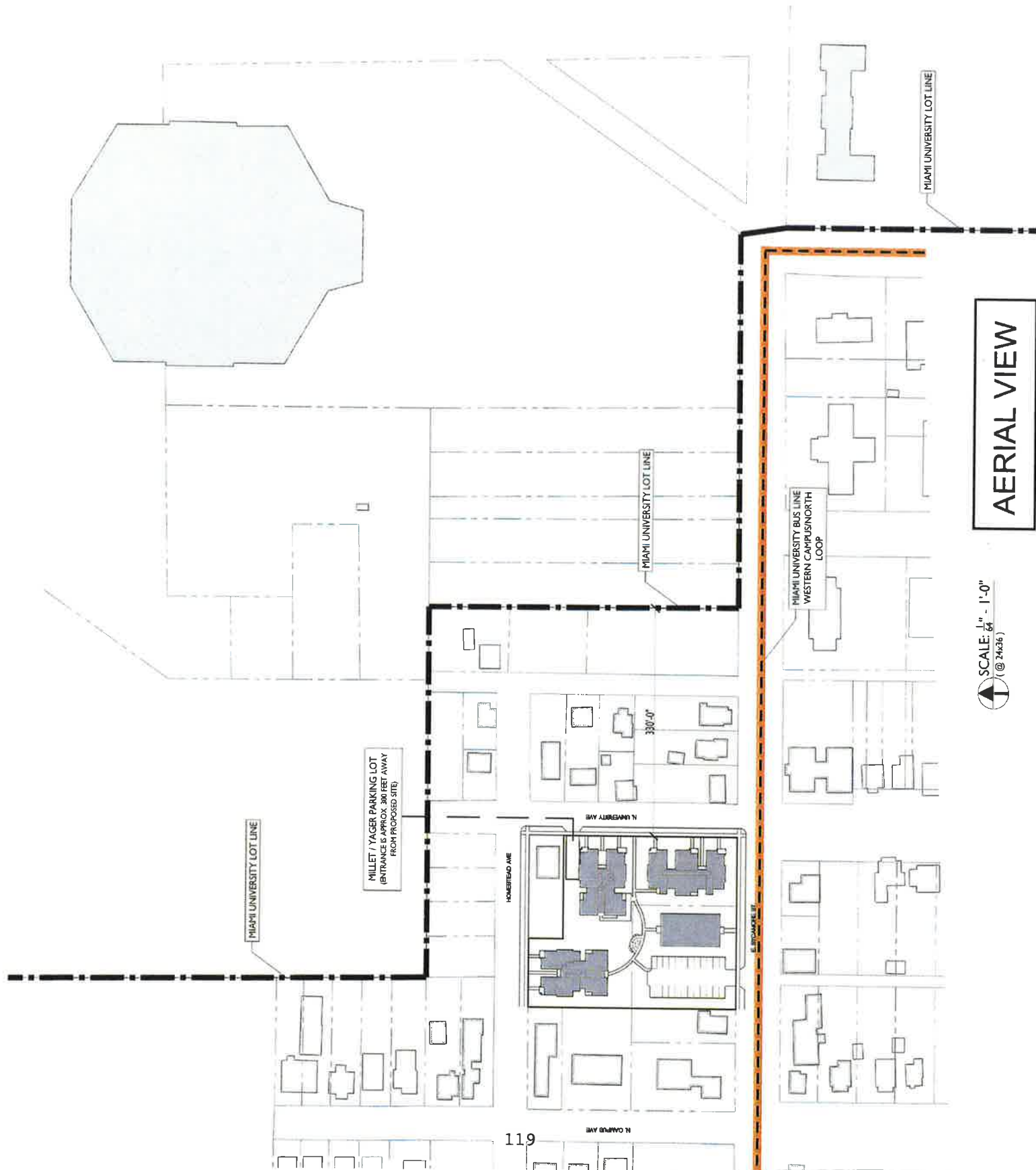


Google Earth

Imagery Date: 6/10/2016 14:44:07 W. 15.5 ft. 0.00 ft.

Proximity to Campus

Stadium
Apartments
E. Sycamore St.
& N. University Ave.
Oxford, Ohio
July 28th, 2017



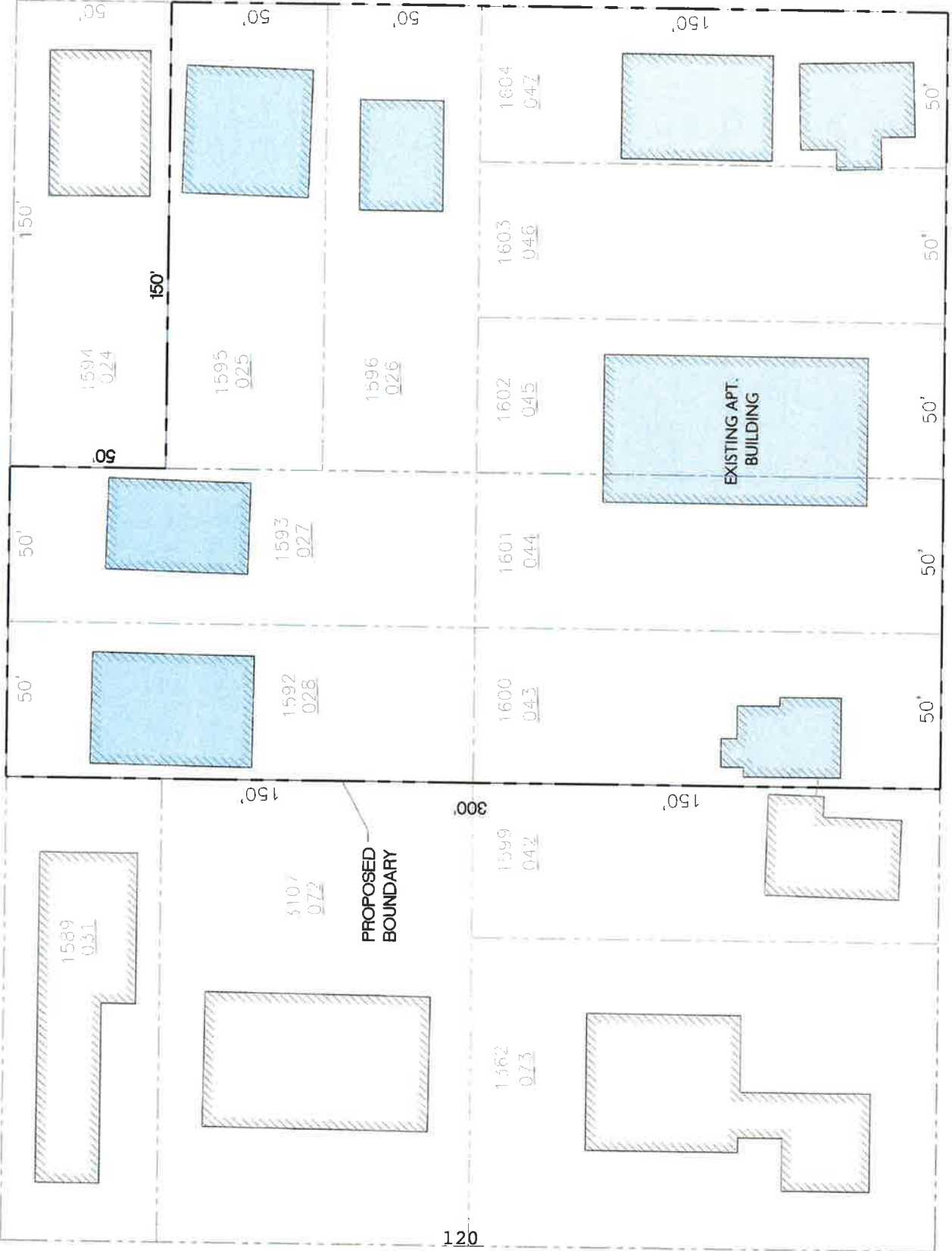
AERIAL VIEW

SCALE: 1/4" = 1'-0"
(@ 24x36)

HOMESTEAD AVE

50' R/W

100'



N. UNIVERSITY AVE

250'

Stadium
Apartments
E. Sycamore St.
& N. University Ave.
Oxford, Ohio
July 28th, 2017

SCALE: 1/8" = 1'-0"
(@ 24x36)

E. SYCAMORE ST.

SITE SURVEY

HOMESTEAD AVE.

N. UNIVERSITY AVE.

E. SYCAMORE ST.

SITE PLAN

SCALE: 1" = 1'-0"
(@ 24x36)

SITE INFORMATION:

+ NUMBER OF LOTS - 9 LOTS

+ TOTAL LOT AREA - 67,000 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	9
3 BEDROOM	23
4 BEDROOM	3
# OF UNITS	35
BEDROOMS:	99

Stadium

Apartments

E. Sycamore St.

& N. University Ave.

Oxford, Ohio

July 28th, 2017



HOMESTEAD AVE.

N. UNIVERSITY AVE.

E. SYCAMORE ST.

SCALE: 1/8" = 1'-0"
(@ 24x36)

LOT COVERAGE

LOT COVERAGE:

+ TOTAL LOT AREA - 67,000 S.F.

+ TOTAL LOT COVERAGE IS LIMITED TO 45%

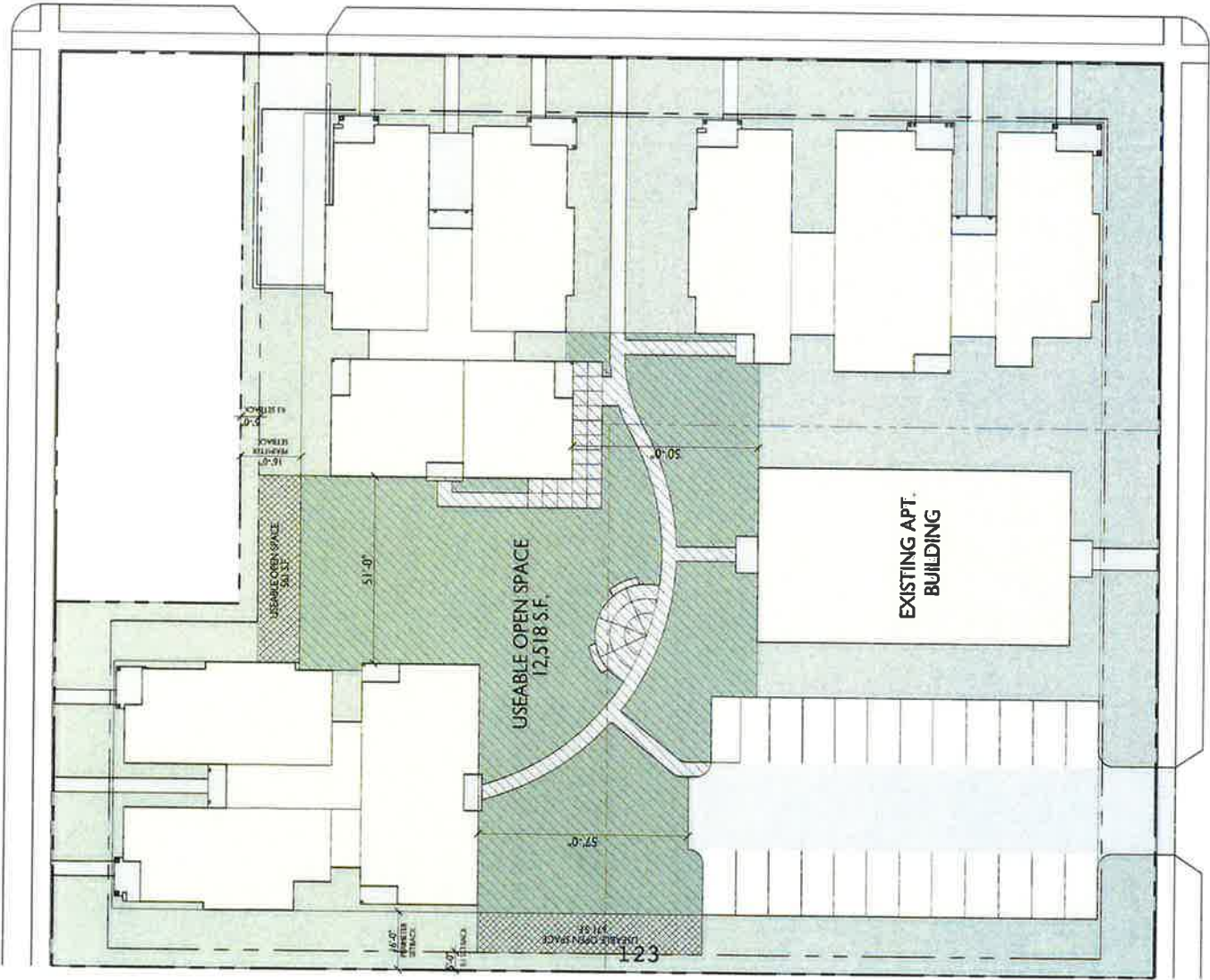
MAX. LOT COVERAGE : 67,500 S.F. x .45 = 30,375 S.
LOT COVERAGE OF PROPOSED DESIGN = 29,730 S.

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

**Stadium
Apartments**
E. Sycamore St.
& N. University Ave.
Oxford, Ohio
July 28th, 2017

kmi

HOMESTEAD AVE.



N. UNIVERSITY AVE.

E. SYCAMORE ST.

SCALE: 1" = 1'-0"
(@ 24x36)

OPEN SPACE

OPEN SPACE:

+ TOTAL LOT AREA - 67,000 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 = 12,518 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)

12,518 S.F.

+ 671 S.F.

+ 561 S.F.

= 13,750 S.F.

Stadium

Apartments

E. Sycamore St.

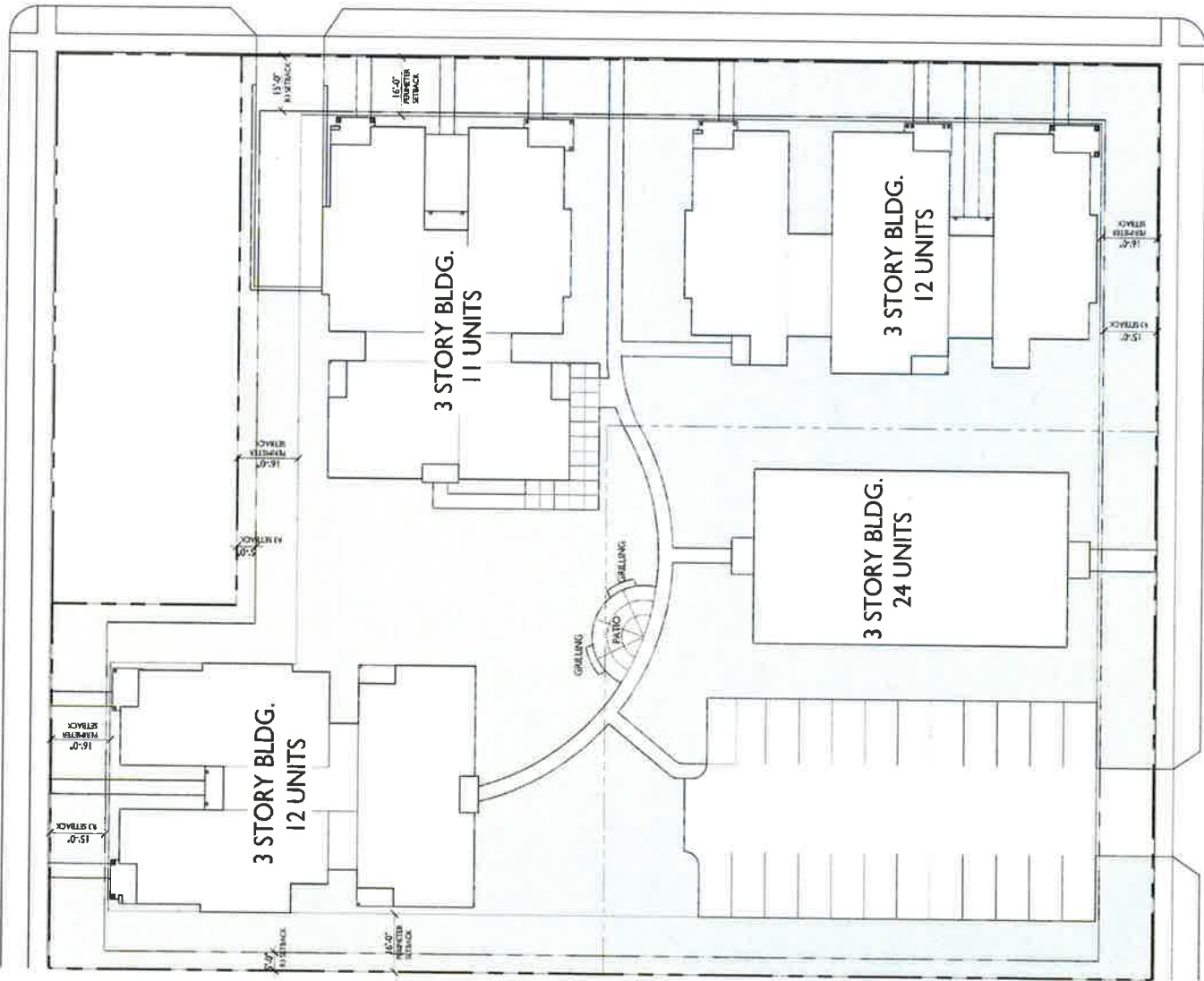
& N. University Ave.

Oxford, Ohio

July 28th, 2017



HOMESTEAD AVE.



E. SYCAMORE ST.



DENSITY

N. UNIVERSITY AVE.

DENSITY:

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

+ ALLOWABLE DENSITY CALCULATION:

$67,500 \text{ S.F.} \div 8,000 \text{ S.F.} = 8.44 \times 12 = 101 \text{ BEDS}$
PLANNED DEVELOPMENT BONUS - 10%
111 BEDS

+ PROPOSED AMOUNT OF BEDS:

EXISTING: 24 BEDS

PROPOSED UNIT MIX: NEW: 99 BEDS

2 BEDROOM 9

3 BEDROOM 23

4 BEDROOM 3

TOTAL BEDS: 99

+ 24 (EXISTING APARTMENT)

123 TOTAL BEDS

Stadium

Apartments

E. Sycamore St.

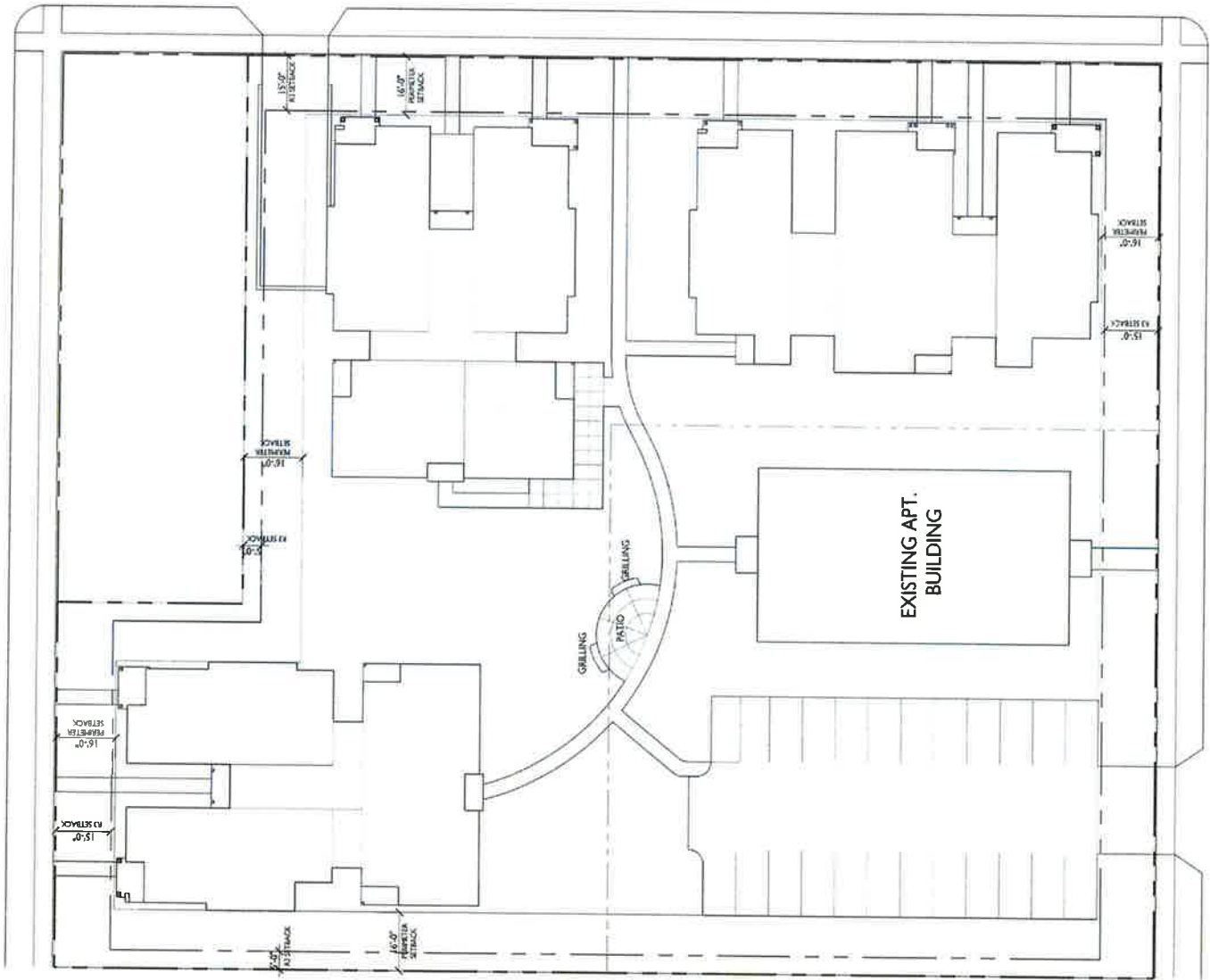
& N. University Ave.

Oxford, Ohio

July 28th, 2017

kmr

HOMESTEAD AVE.



E. SYCAMORE ST.

BUILDING SETBACKS

**Stadium
Apartments**
E. Sycamore St.
& N. University Ave.
Oxford, Ohio
July 28th, 2017



SCALE: 1/8" = 1'-0"
(@ 24x36)

HOMESTEAD AVE.

4 STALLS

126

28 UNDERGROUND
PARKING STALLS

STAIR

TRASH

20 BIKE STALLS

ELEV.

10 BIKE STALLS

8 STALLS

EXISTING APT.
BUILDING

23 PARKING
STALLS

6 STALLS

E. SYCAMORE ST.

SCALE: 1/8" = 1'-0"
(@ 24x36)

PARKING

N. UNIVERSITY AVE.

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 - 23
SURFACE PARKING - 28
* ON-STREET - 18
69

+ 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 UP
REQUEST. STALLS ARE AVAILABLE YEAR ROUND

Stadium

Apartments

E. Sycamore St.

& N. University Ave.

Oxford, Ohio

July 28th, 2017

km

HOMESTEAD AVE.

N. UNIVERSITY AVE.

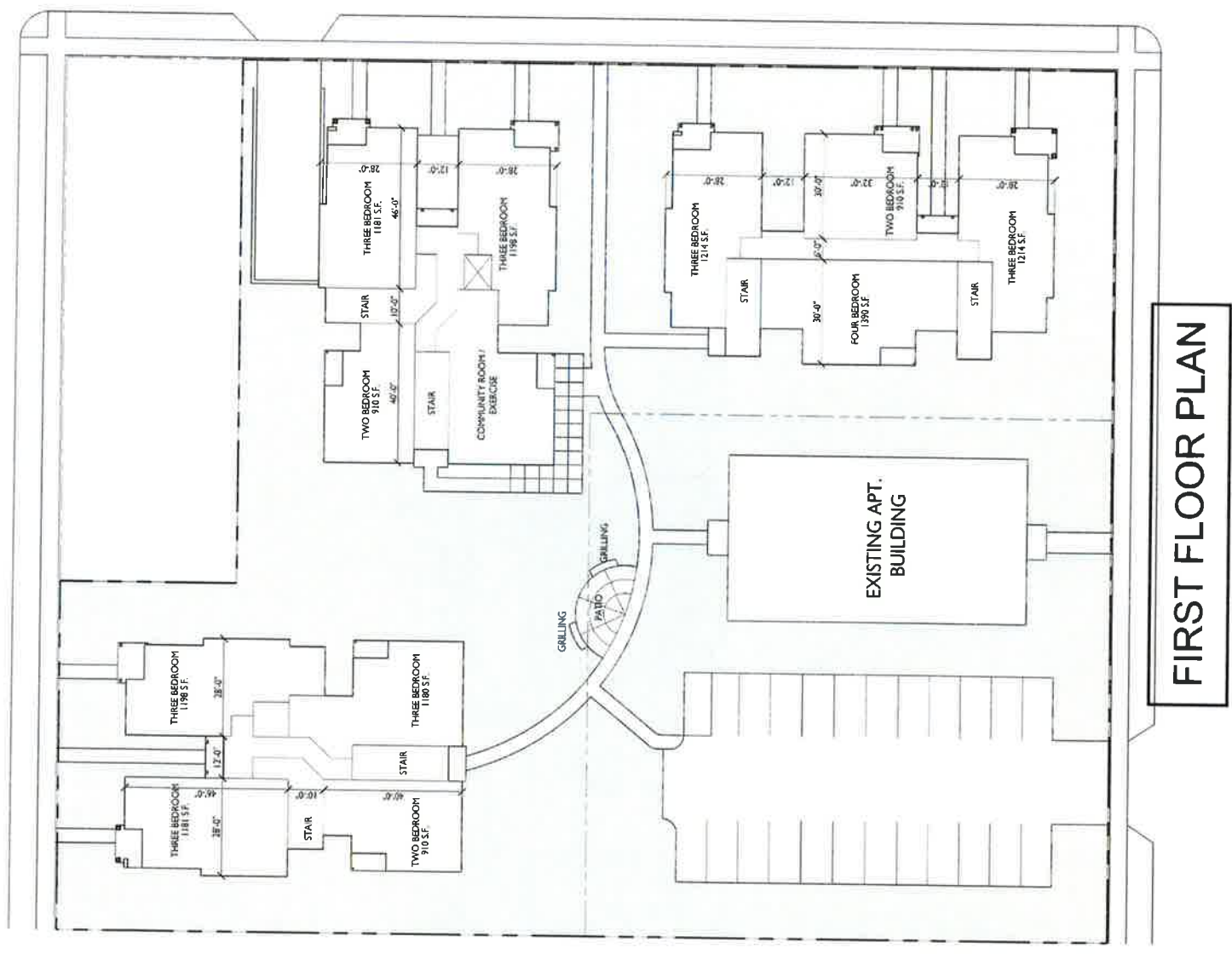
E. SYCAMORE ST.

BASEMENT PLAN

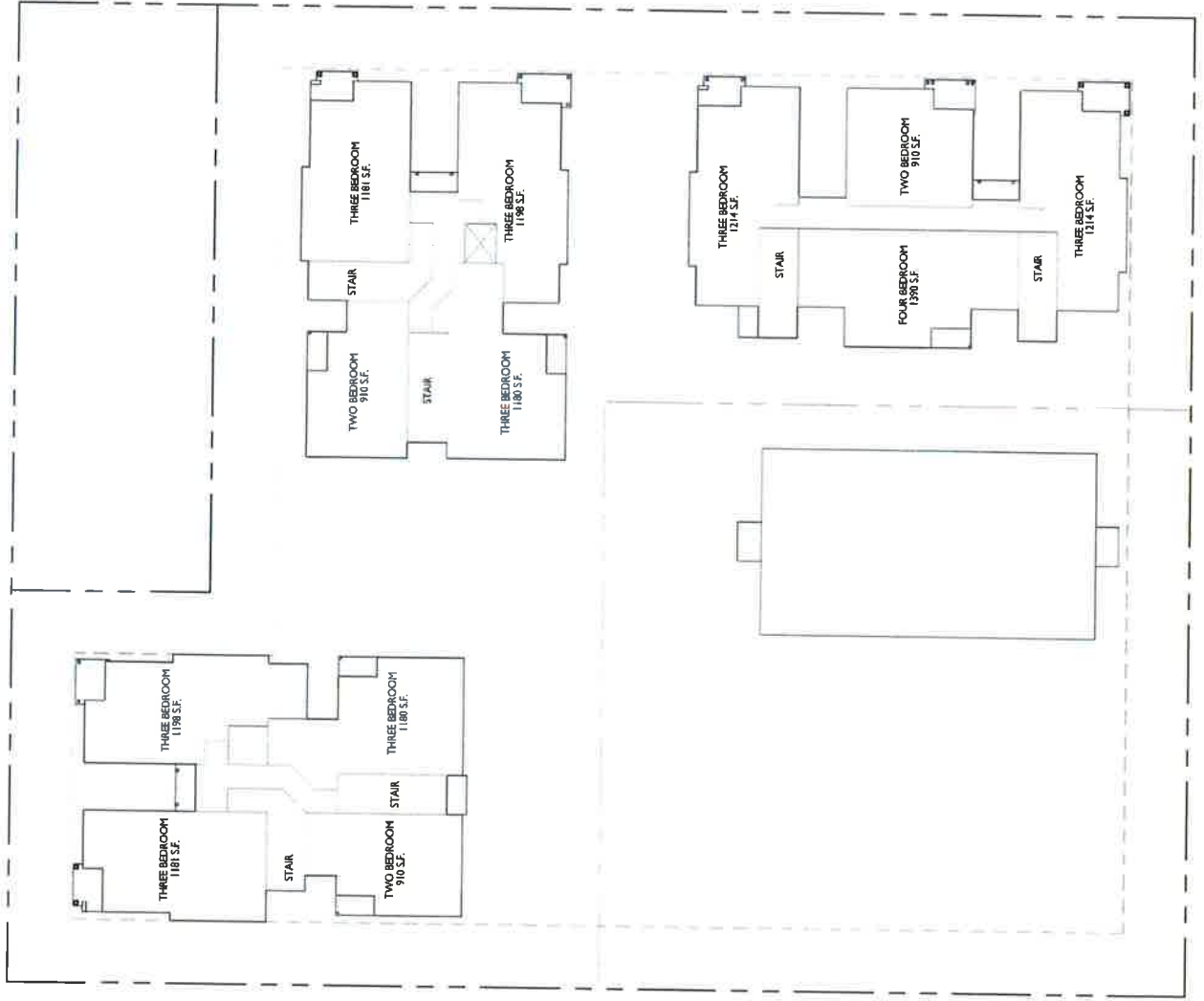
**Stadium
Apartments**
E. Sycamore St.
& N. University Ave.
Oxford, Ohio
July 28th, 2017



SCALE: 1/8" = 1'-0"
(@ 24x36)



FIRST FLOOR PLAN



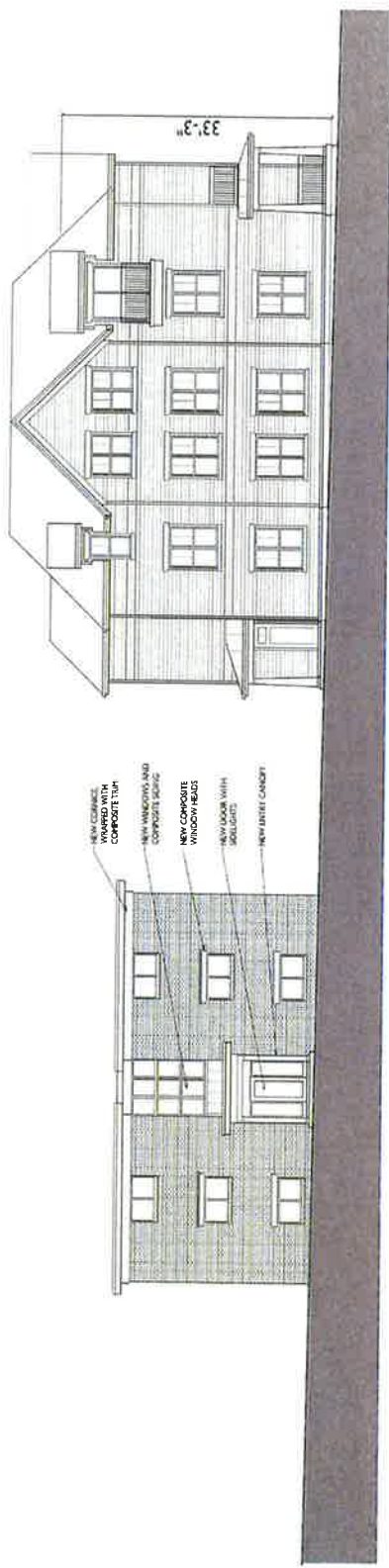
2nd/3rd FLOOR PLAN



NORTH UNIVERSITY AVENUE

BLDG ELEVATIONS + HEIGHT

**Stadium
Apartments**
E. Sycamore St.
& N. University Ave.
Oxford, Ohio
July 28th, 2017



EAST SYCAMORE STREET



HOMESTEAD AVENUE

BLDG ELEVATIONS + HEIGHT

**Stadium
Apartments**
E. Sycamore St.
& N. University Ave.
Oxford, Ohio
July 28th, 2017





North University Ave.

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

BURGER KING
CORPORATION



RESTAURANT FOR:
Carrolls Corporation
988 James Street P.O. Box 6969
Syracuse, New York 13217-6969
(315) 424-0513

A-HRIEL ARCHITECT
2644 FOREST DRIVE, HICKLEY, OHIO 44233
TEL: 440-333-8900 CELL: 440-570-2226 email: aahriel@earthlink.net

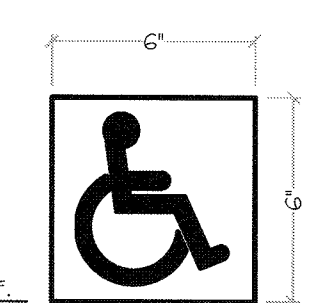
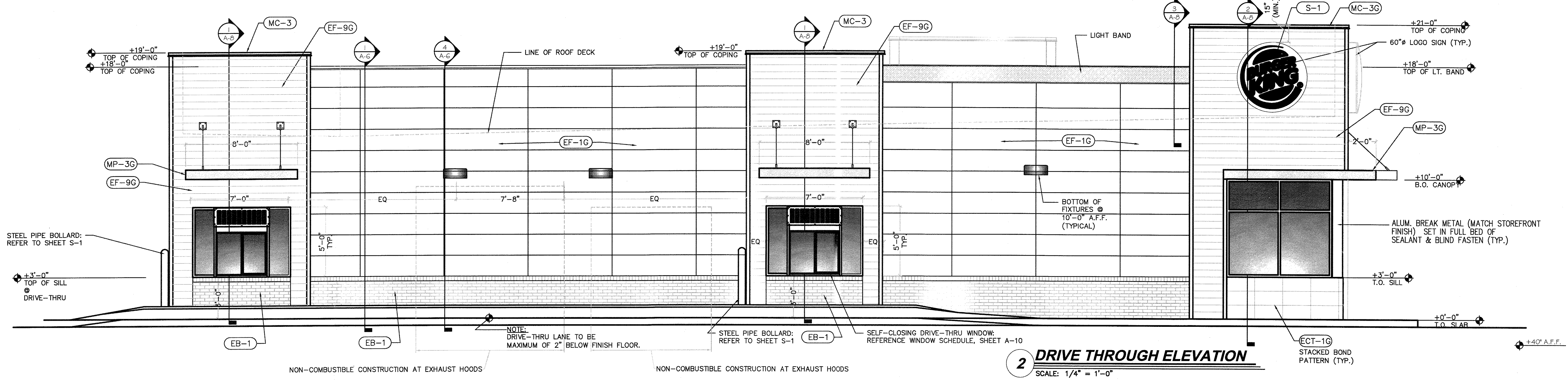
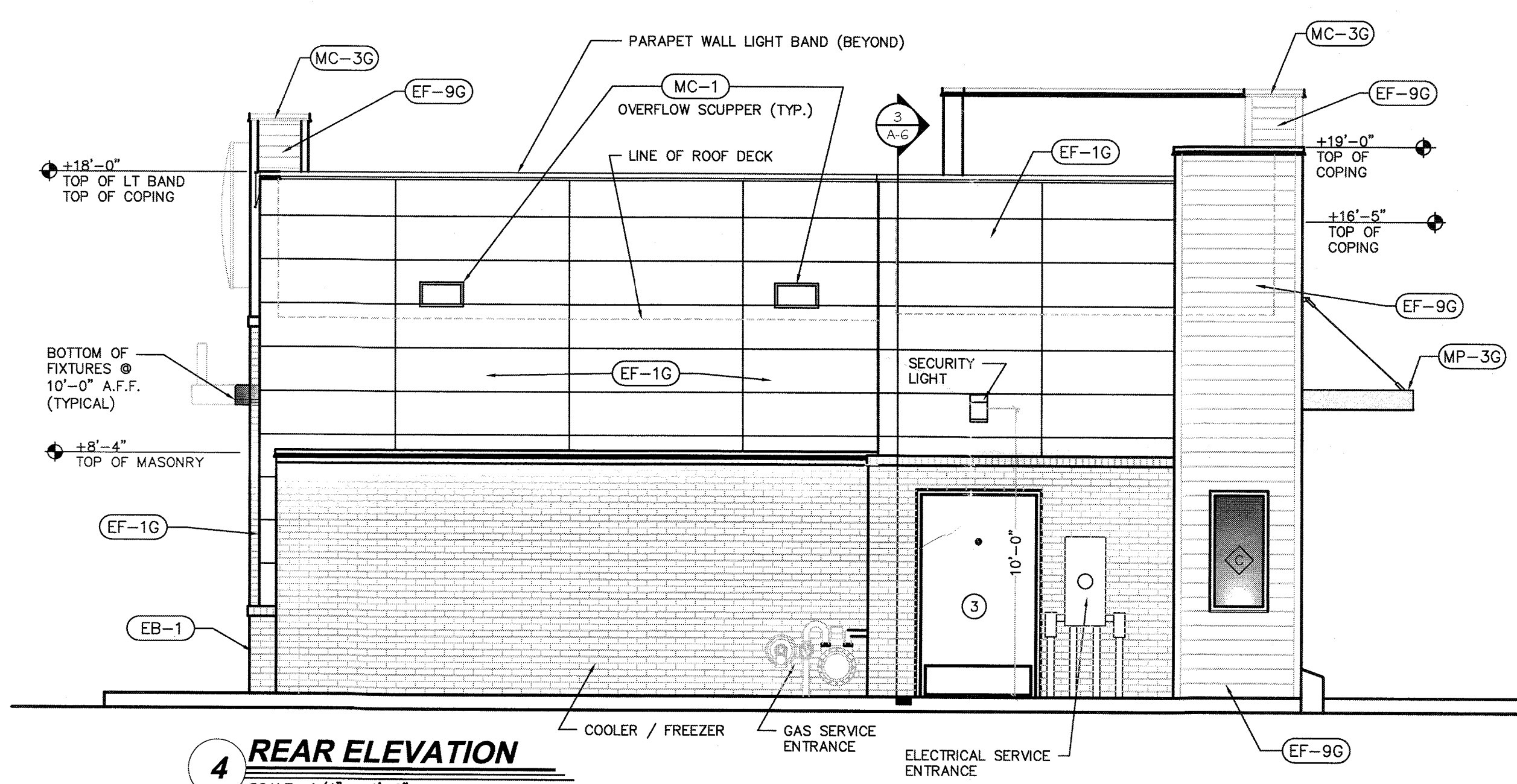
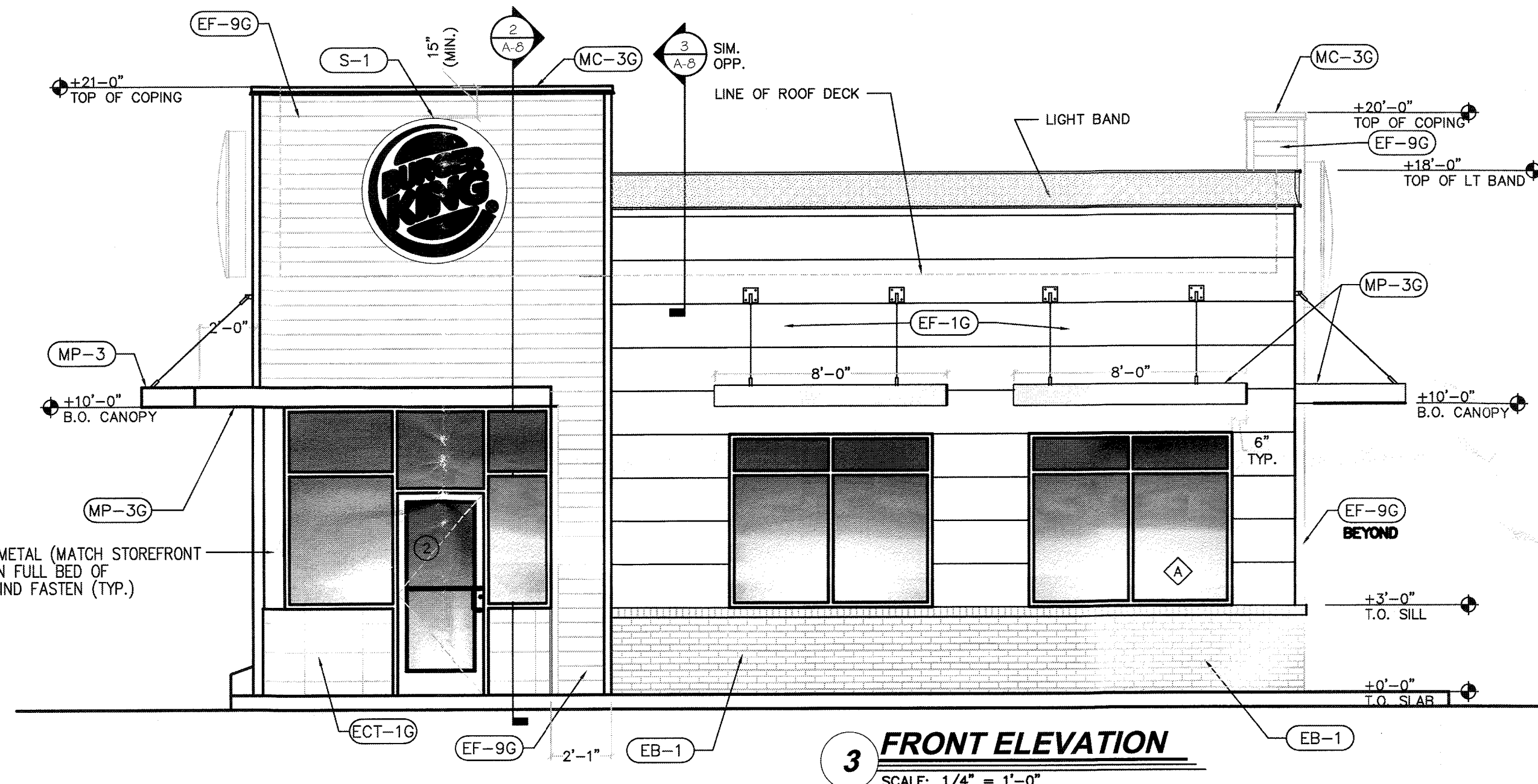
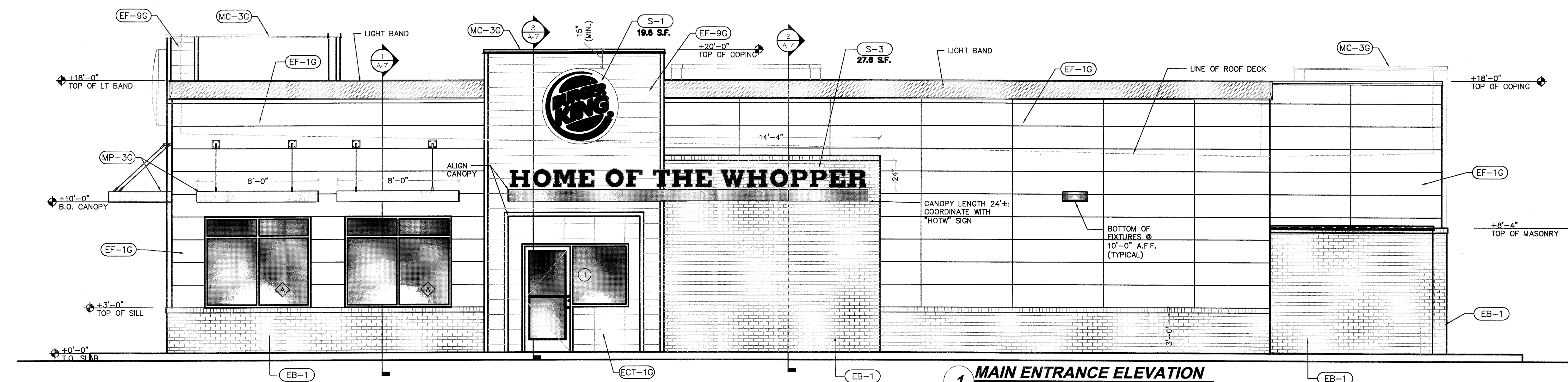
BK-OXFORD, OH
5093 COLLEGE CNR. PIKE
ROC-60 GARDEN GRILL
EXTERIOR ELEVATIONS

PROJECT NUMBER

CLS#

SHEET NUMBER

A-2



ADA SYMBOL OF ACCESSIBILITY (ISA)
DECAL TO BE LOCATED ON STOREFRONT GLASS ADJACENT TO ALL ACCESSIBLE DOORS.

WINDOW DECAL
SCALE: NONE

NON-COMBUSTIBLE CONSTRUCTION AT EXHAUST HOODS

NON-COMBUSTIBLE CONSTRUCTION AT EXHAUST HOODS

SELF-CLOSING DRIVE-THRU WINDOW: REFERENCE WINDOW SCHEDULE, SHEET A-10

NOTE: DRIVE-THRU LANE TO BE MAXIMUM OF 2" BELOW FINISH FLOOR.

STEEL PIPE BOLLARD: REFER TO SHEET S-1

STEEL PIPE BOLLARD: REFER TO SHEET S-1

ALUM. BREAK METAL (MATCH STOREFRONT FINISH) SET IN FULL BED OF SEALANT & BLIND FASTEN (TYP.)

ALUM. BREAK METAL (MATCH STOREFRONT FINISH) SET IN FULL BED OF SEALANT & BLIND FASTEN (TYP.)

BOTTOM OF FIXTURES @ 10'-0" A.F.F. (TYPICAL)

BOTTOM OF FIXTURES @ 10'-0" A.F.F. (TYPICAL)

ECT-1G BEYOND

ELECTRICAL SERVICE ENTRANCE

GAS SERVICE ENTRANCE

COOLER / FREEZER

SECURITY LIGHT

PARAPET WALL LIGHT BAND (BEYOND)

OVERFLOW SCUPPER (TYP.)

LINE OF ROOF DECK

LINE OF ROOF DECK

LIGHT BAND

TOP OF COPING

TOP OF LT BAND

TOP OF COPING

TOP OF LT BAND

TOP OF COPING

TOP OF LT BAND

TOP OF COPING

TOP OF LT BAND

TOP OF COPING

TOP OF LT BAND

TOP OF COPING

TOP OF LT BAND

TOP OF COPING

TOP OF LT BAND

TOP OF COPING

TOP OF LT BAND

TOP OF COPING

TOP OF LT BAND

TOP OF COPING

TOP OF LT BAND

TOP OF COPING

TOP OF LT BAND

TOP OF COPING

TOP OF LT BAND

TOP OF COPING

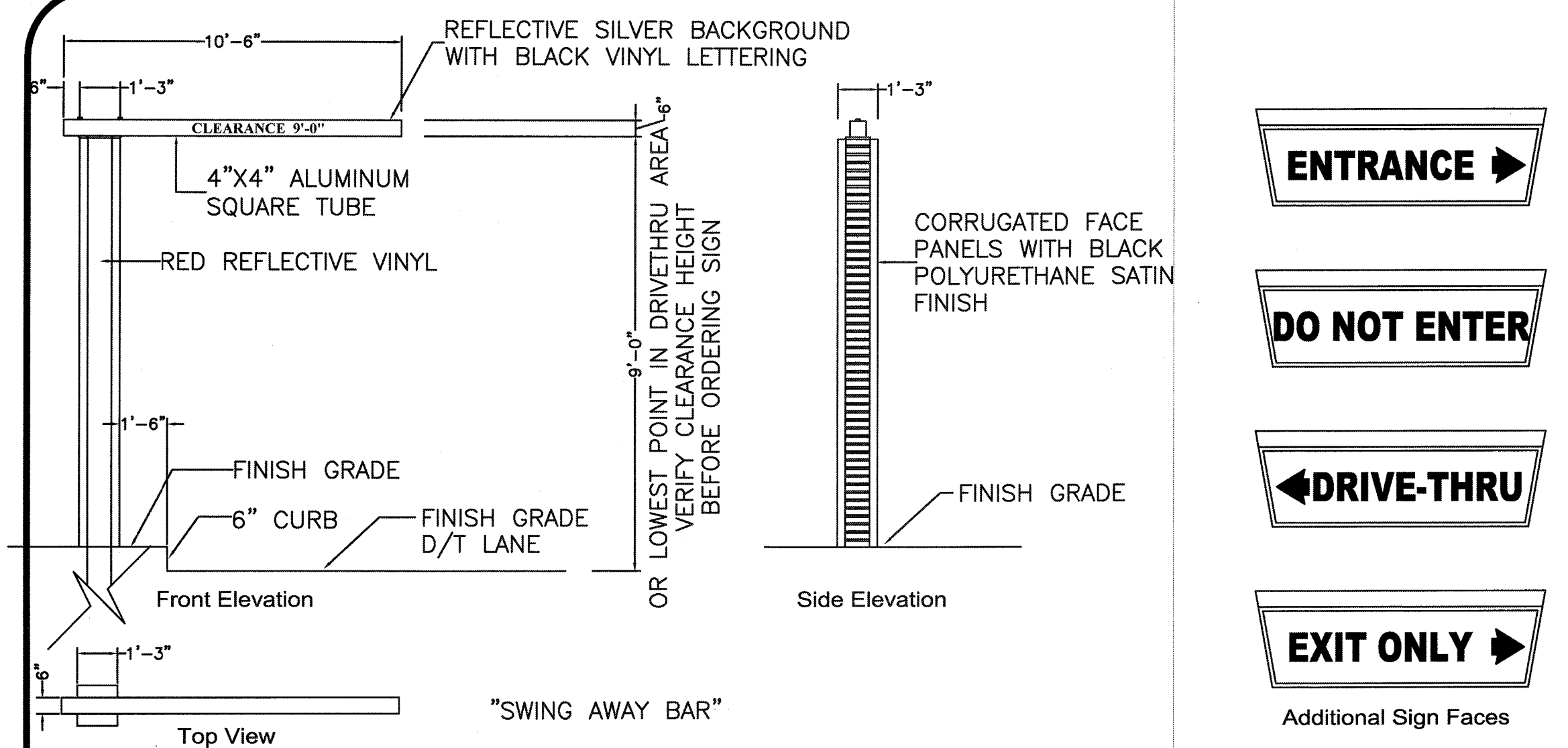
TOP OF LT BAND

TOP OF COPING

TOP OF LT BAND

TOP OF COPING

TOP OF LT BAND

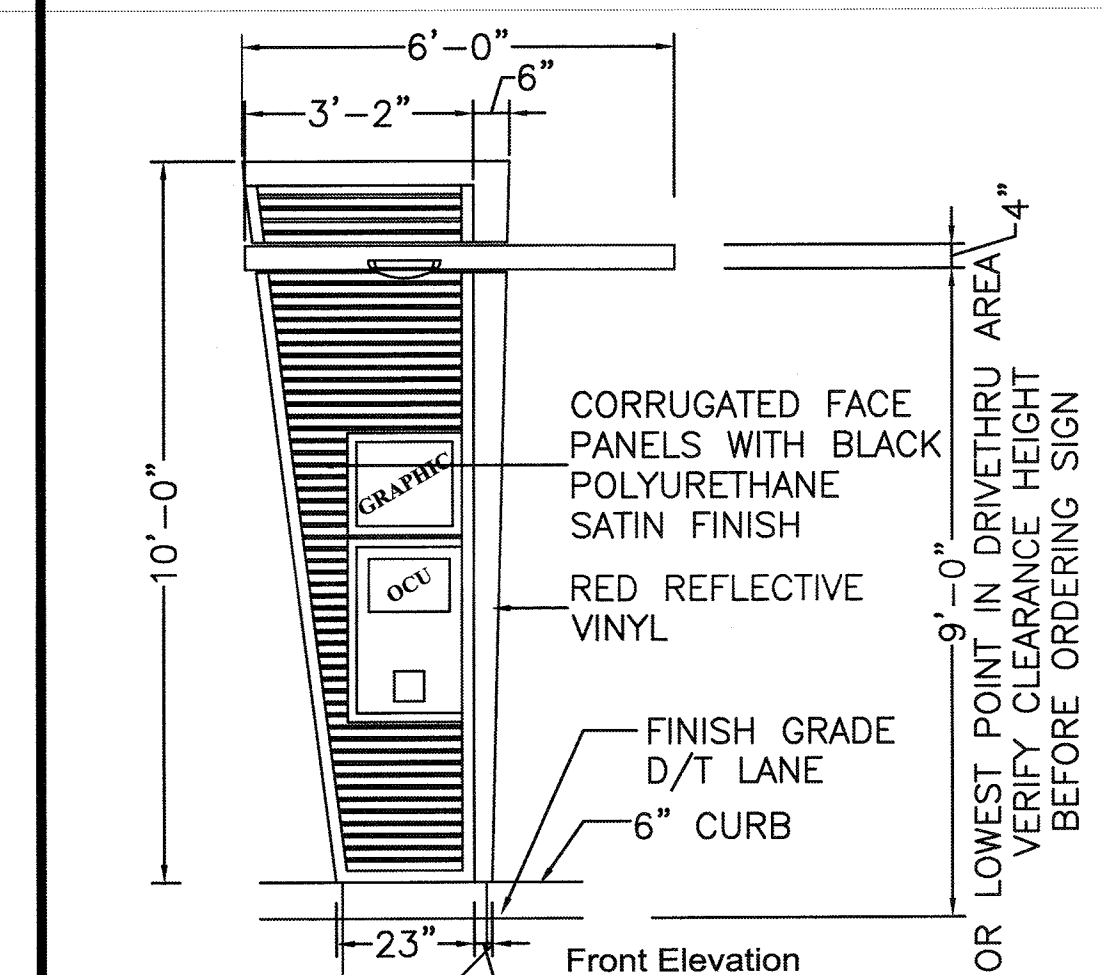


NOTE:
SIGN STRUCTURAL FOUNDATION AS REQUIRED BY SITE CONDITIONS. DESIGN IS THE RESPONSIBILITY OF THE SUBCONTRACTOR.

DRIVE-THRU CLEARANCE SIGN

2020 STANDARD IMAGE

SCALE: 1/4"=1'-0" JANUARY 7, 2010

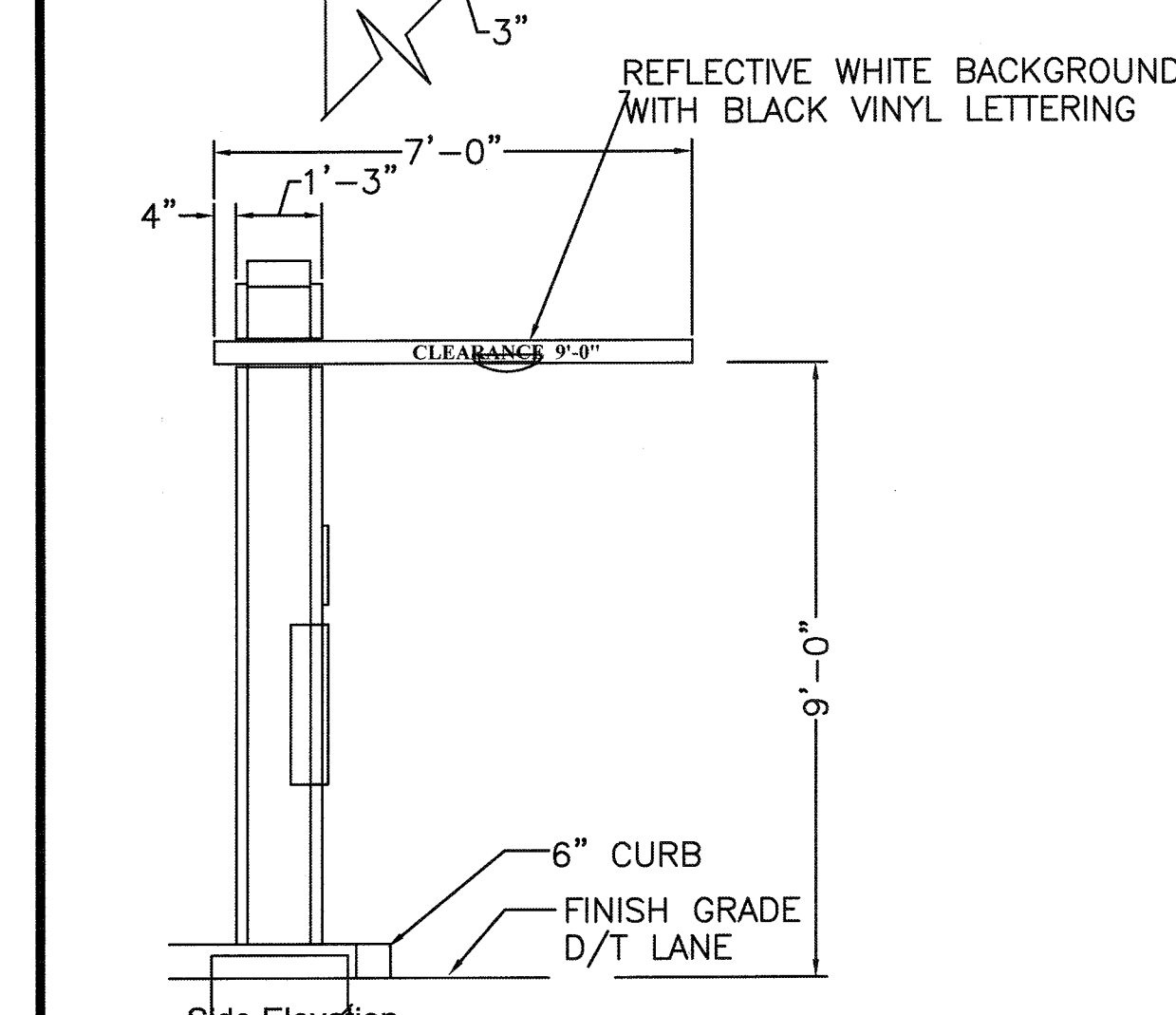


NOTE:
SIGN STRUCTURAL FOUNDATION AS REQ'D. BY SITE CONDITIONS. DESIGN IS THE RESPONSIBILITY OF THE SUBCONTRACTOR.

DIRECTIONAL SIGN 2020 IMAGE

SCALE: 1/2"=1'-0"

FEBRUARY 2, 2015

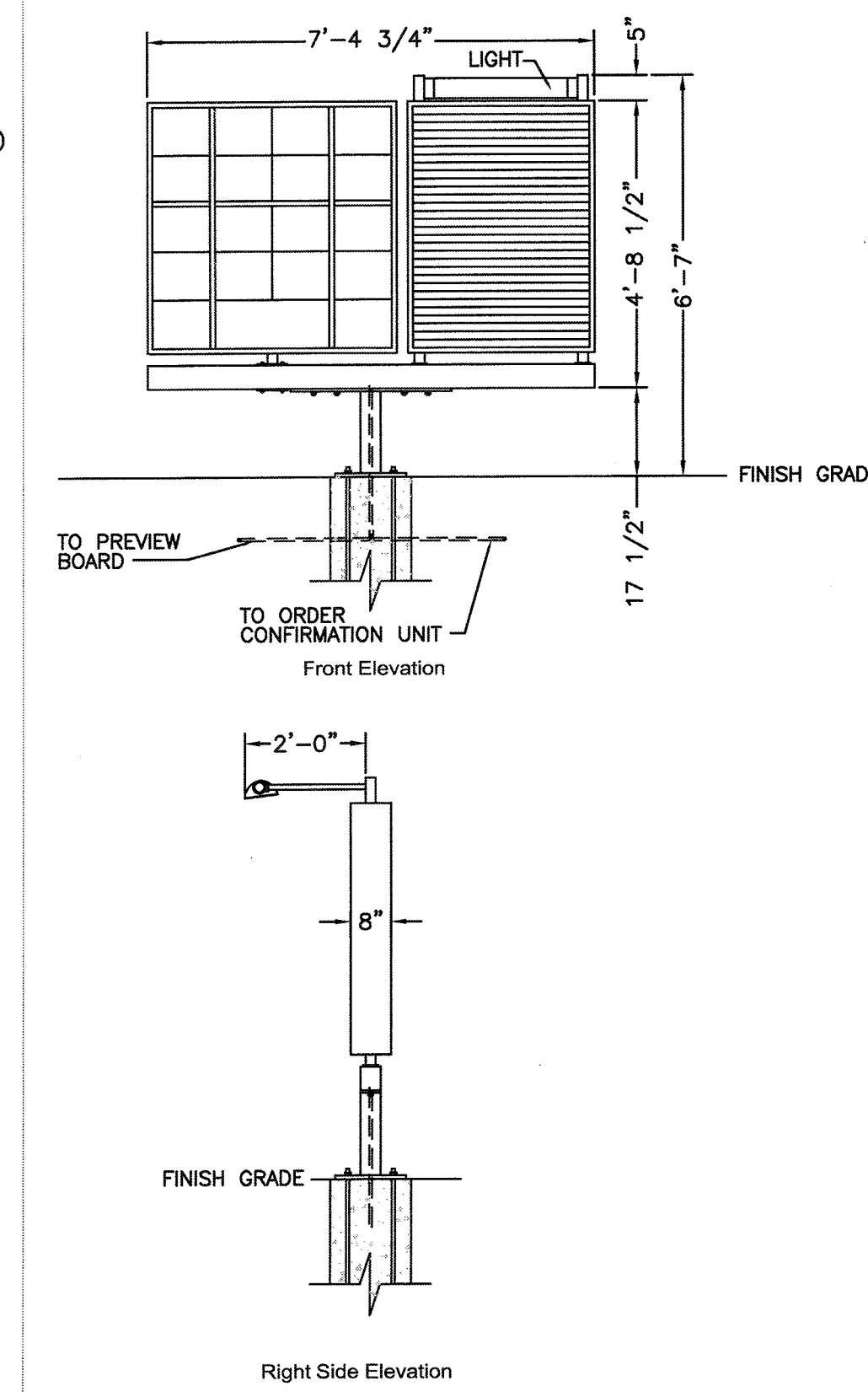


- 120 VOLT 20 AMP ELECTRICAL SUPPLY TO SIGN
- DATA CABLE FOR THE ACCUVIEW DISPLAY
- BACK OF SIGN TO BE REMOVABLE FOR SERVICE ACCESS

NOTE:
SIGN STRUCTURAL FOUNDATION AS REQUIRED BY SITE CONDITIONS. DESIGN IS THE RESPONSIBILITY OF THE SUBCONTRACTOR.

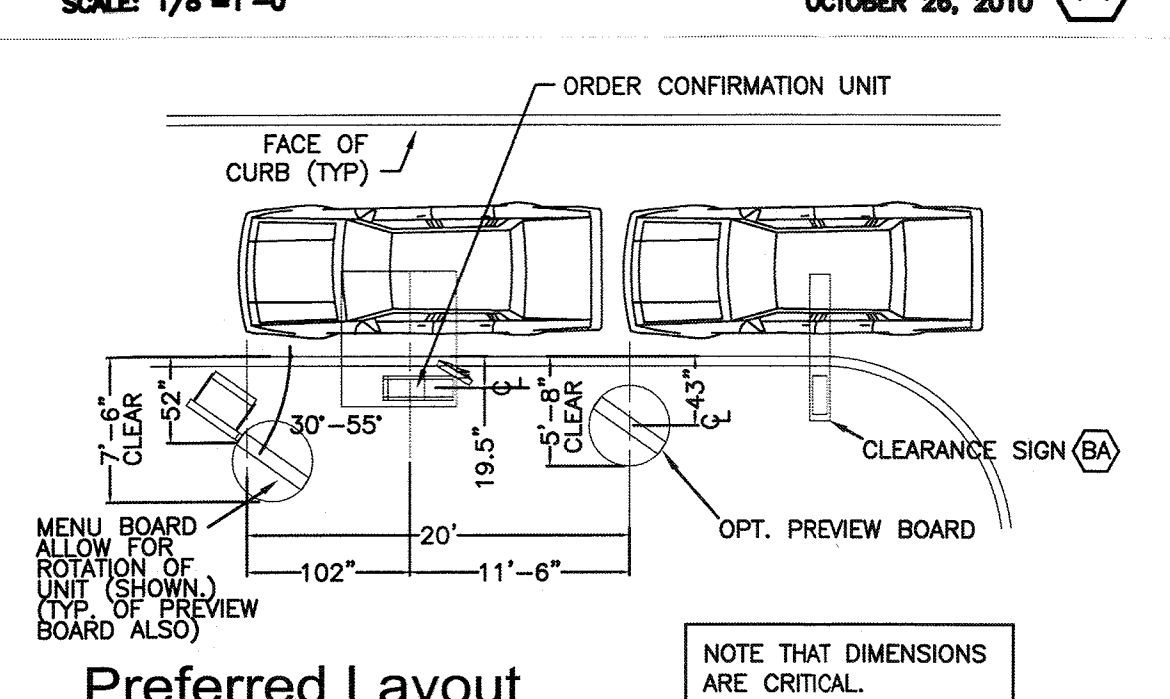
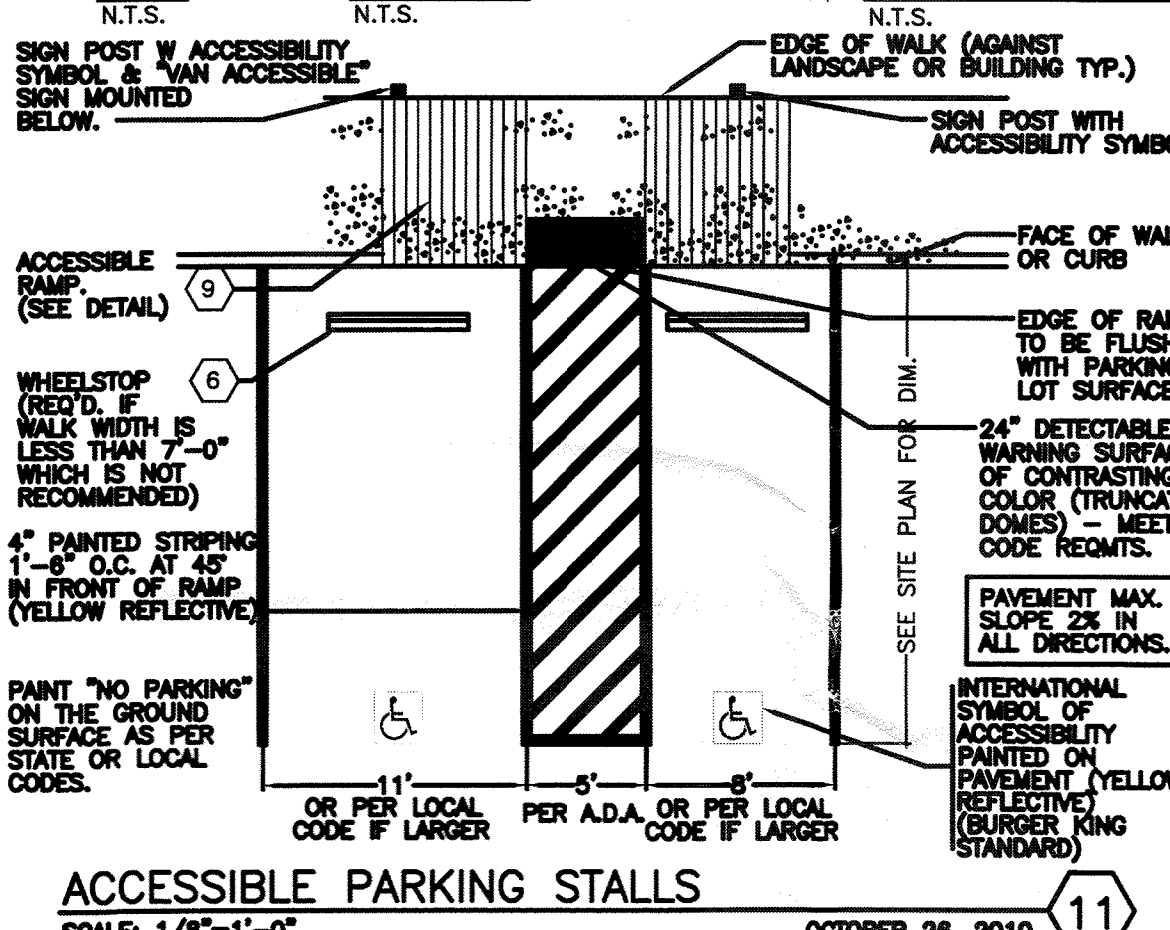
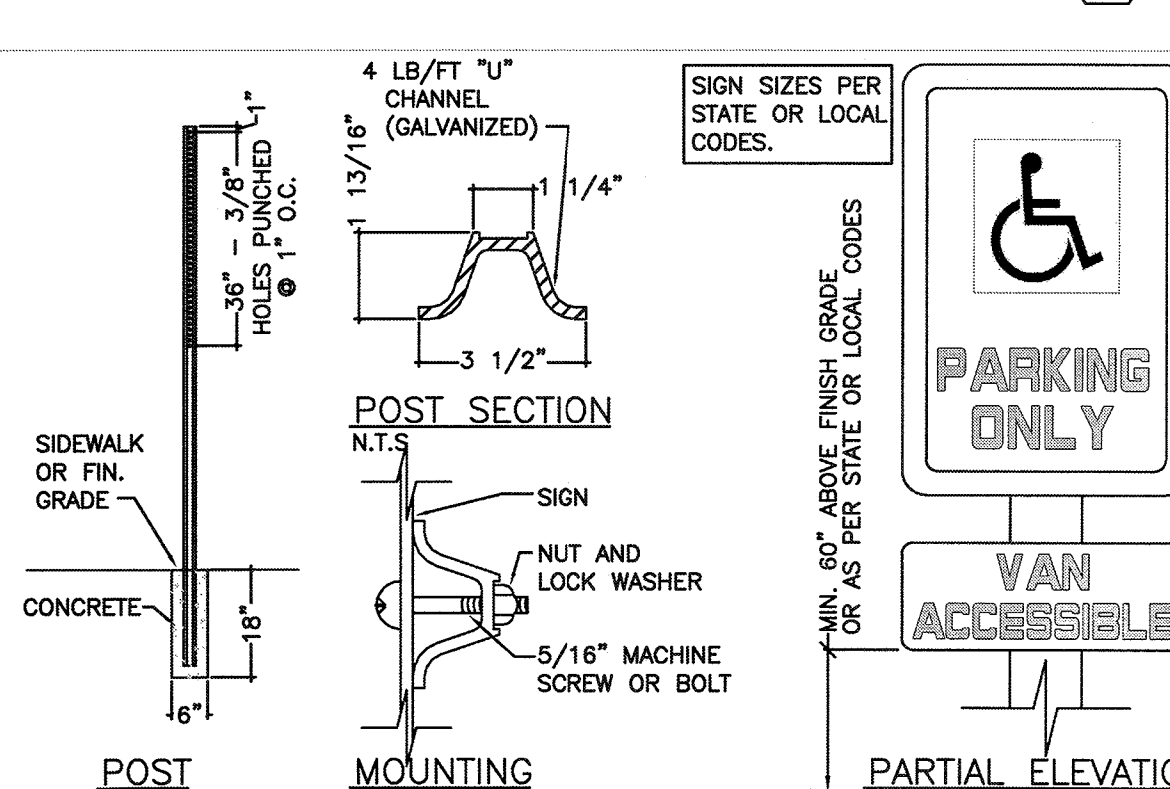
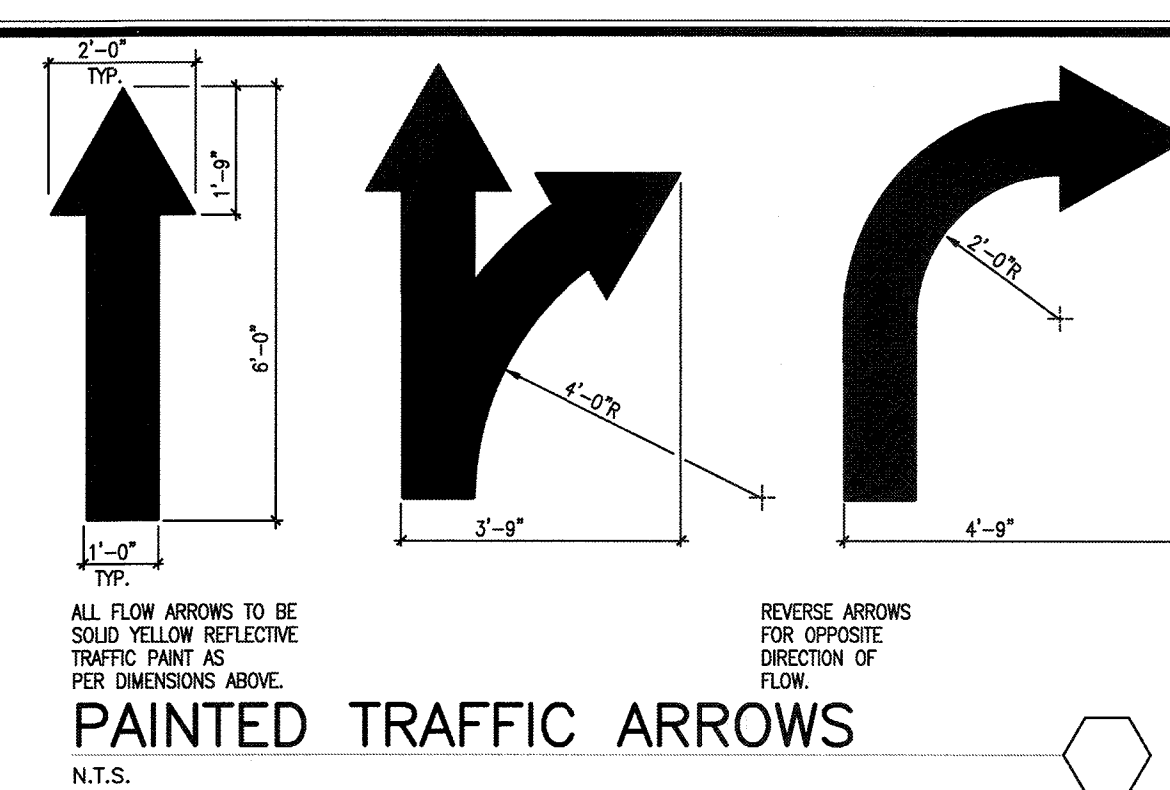
ORDER CONFIRMATION UNIT

SCALE: 1/4"=1'-0"



MENUBOARD ELEVATIONS

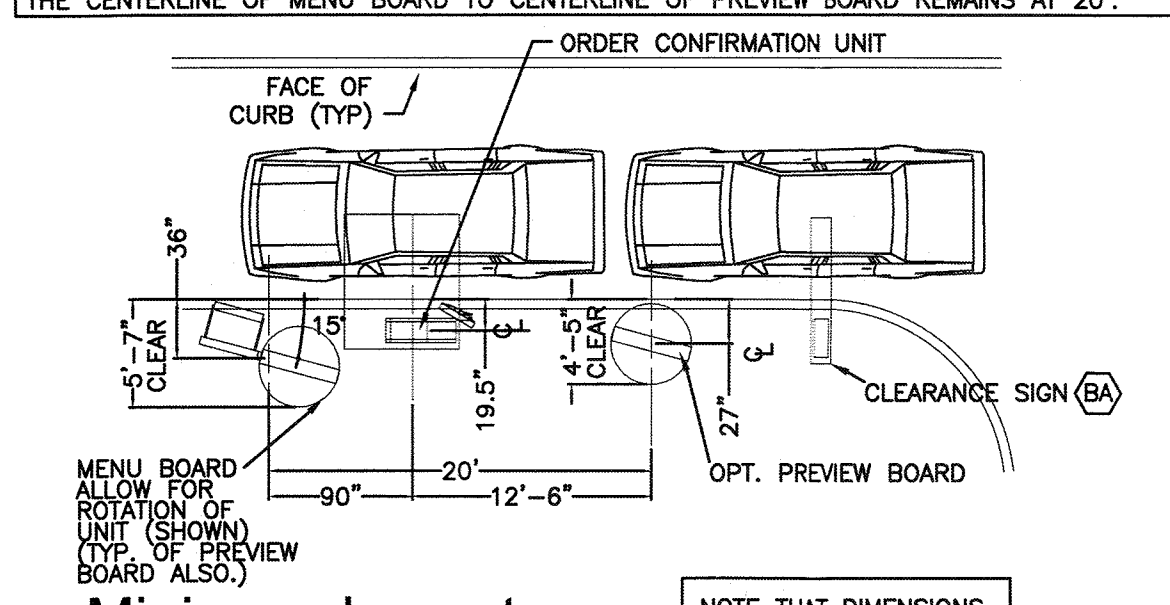
SCALE: 3/8"=1'-0"



NOTE: THE PREFERRED LAYOUT SHOULD BE USED WHENEVER SPACE ALLOWS. 30° ROTATION ANGLE SHOULD BE CONSIDERED OPTIMAL. ANGLES BETWEEN THE PREFERRED LAYOUT AND MINIMUM LAYOUT ARE ACCEPTABLE AS LONG AS:

- (1) THE DISTANCES FROM THE CENTERLINES OF THE SUPPORT POLES OF THE MENU BOARD AND PREVIEW BOARD TO THE FACE OF CURB ARE REDUCED BY 4" FOR EVERY 5 DEGREES OF ROTATION, AND;
- (2) THE DISTANCE FROM THE CENTERLINE OF THE ORDER CONFIRMATION UNIT AND THE CENTERLINE OF THE MENU BOARD IS REDUCED BY 3" FOR EVERY 5 DEGREES OF ROTATION.

THE CENTERLINE OF MENU BOARD TO CENTERLINE OF PREVIEW BOARD REMAINS AT 20'.

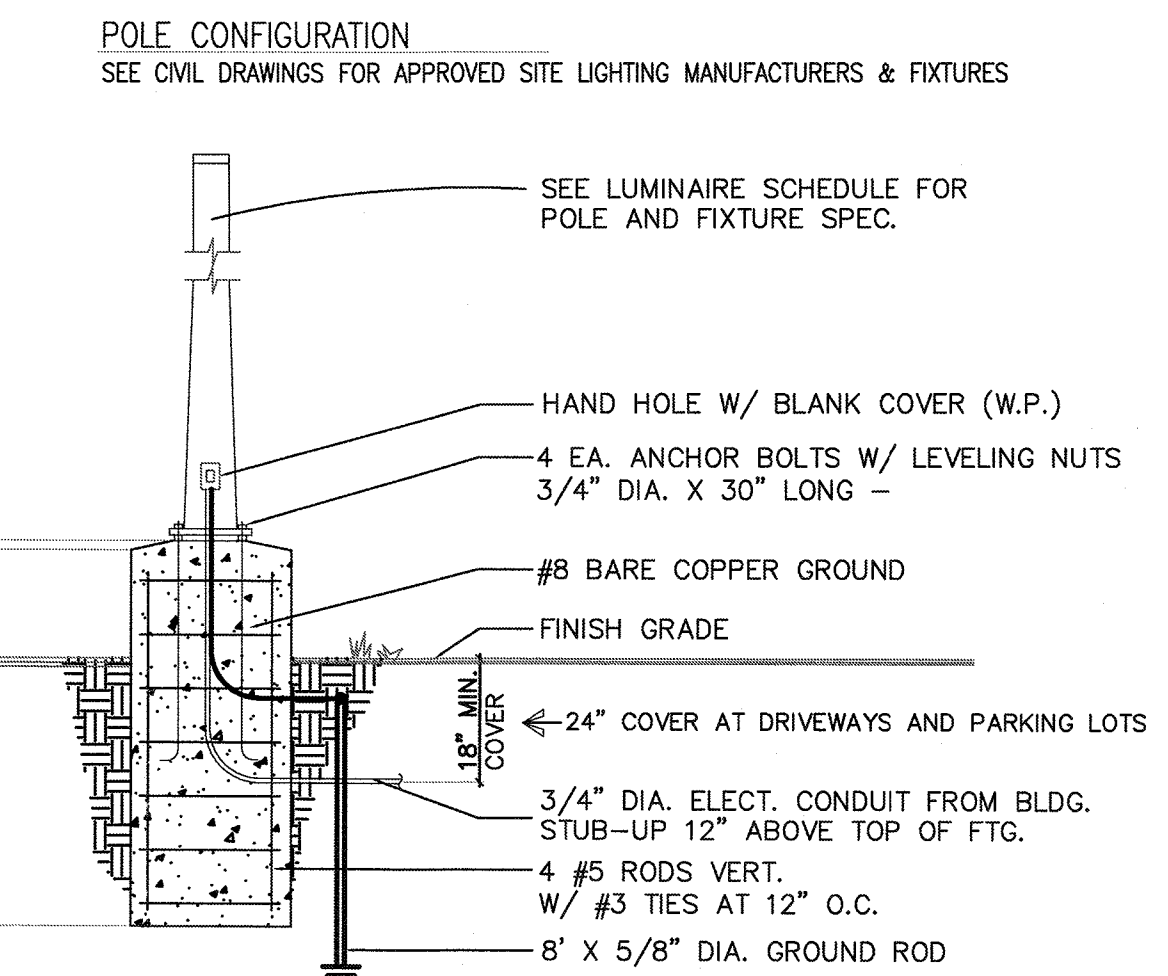
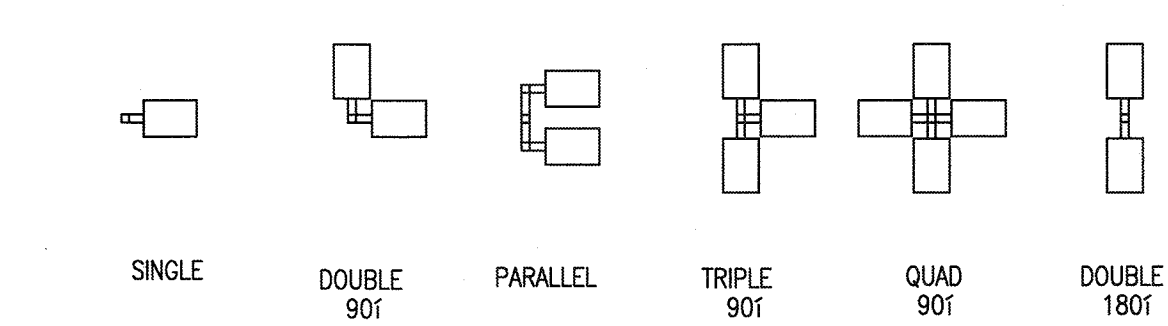


DRIVE-THRU ORDER STATION 2020 IMAGE

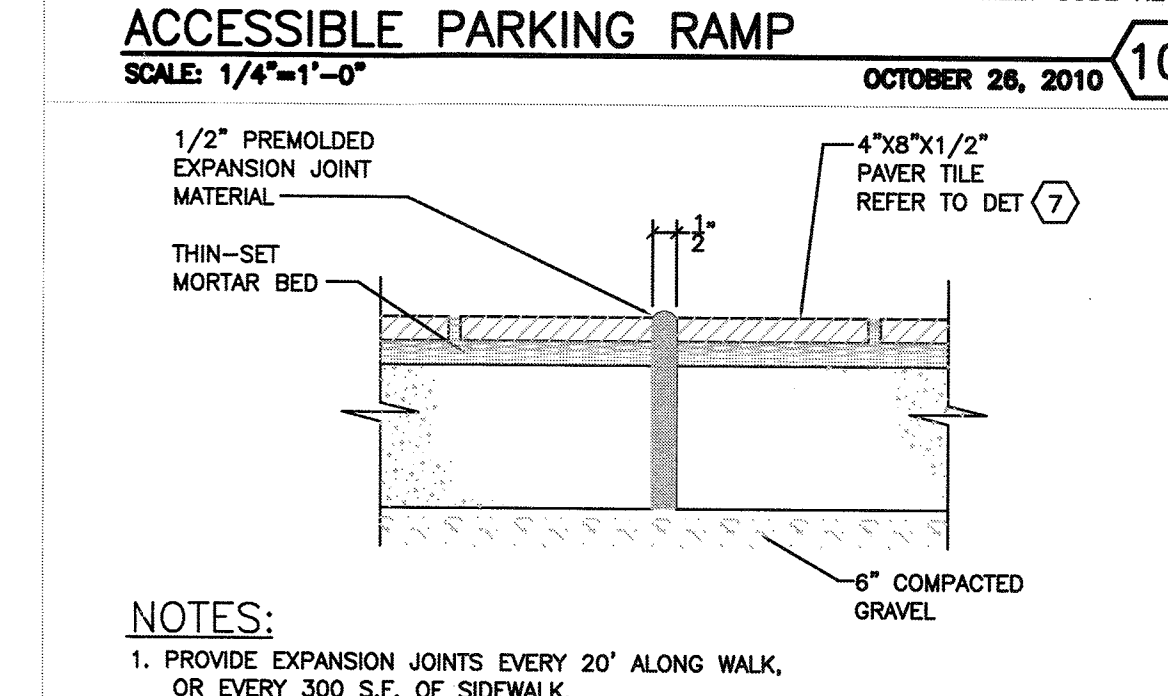
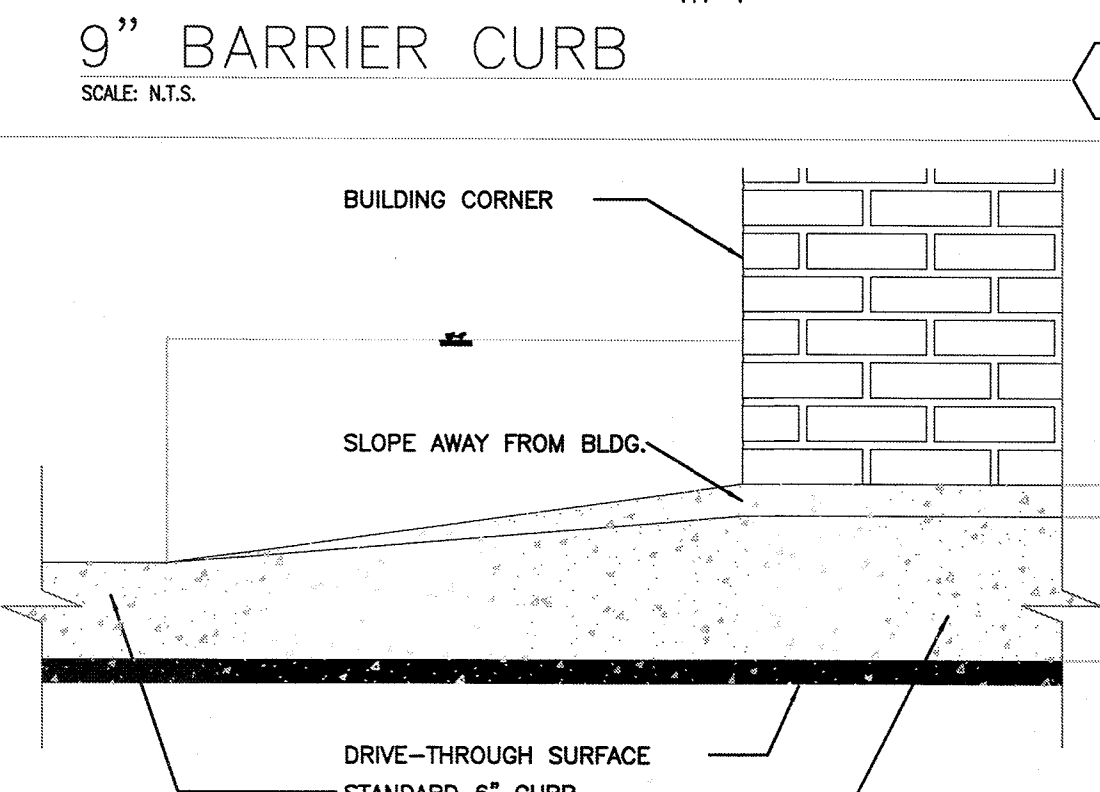
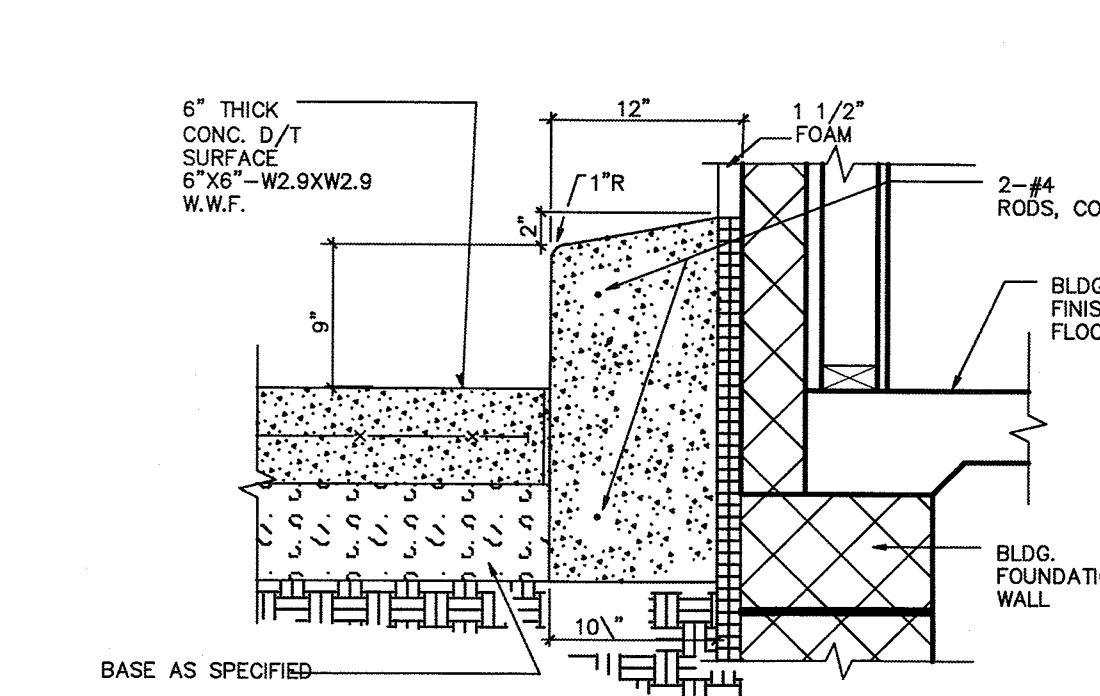
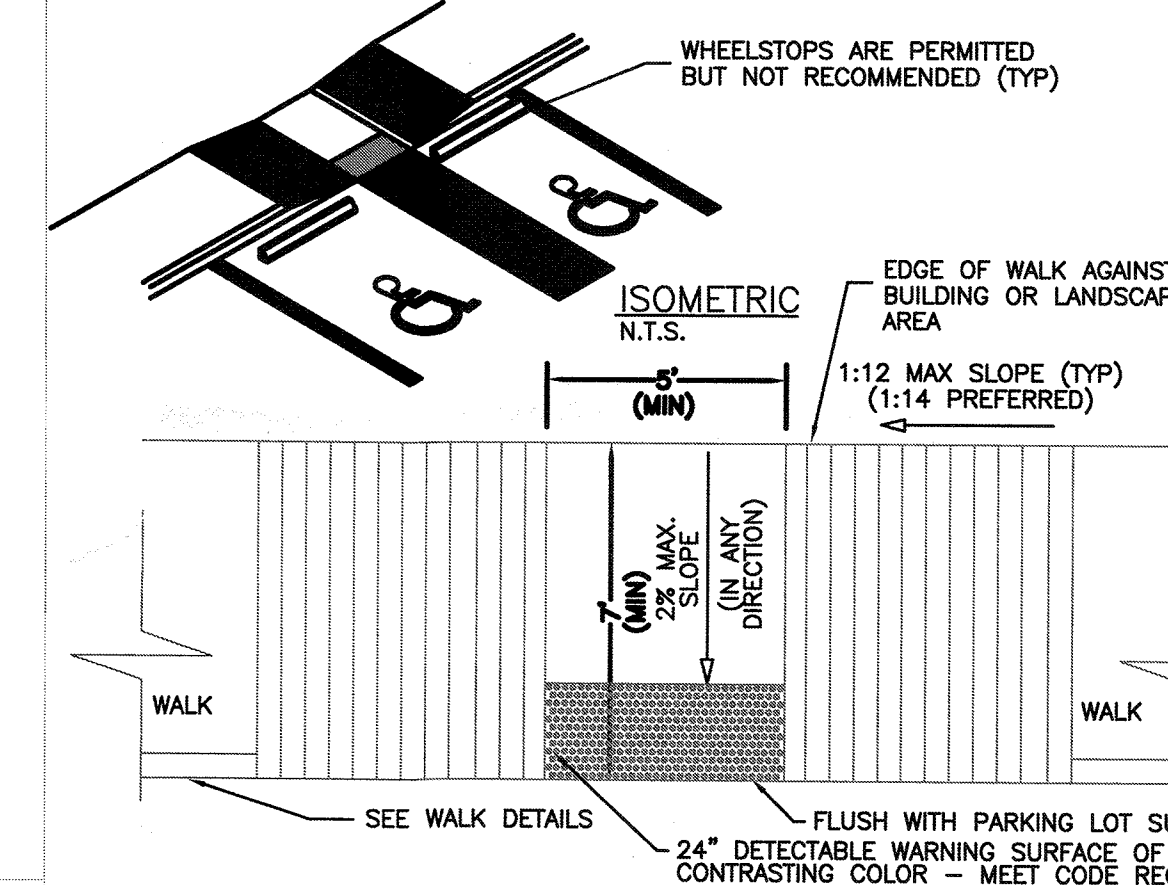
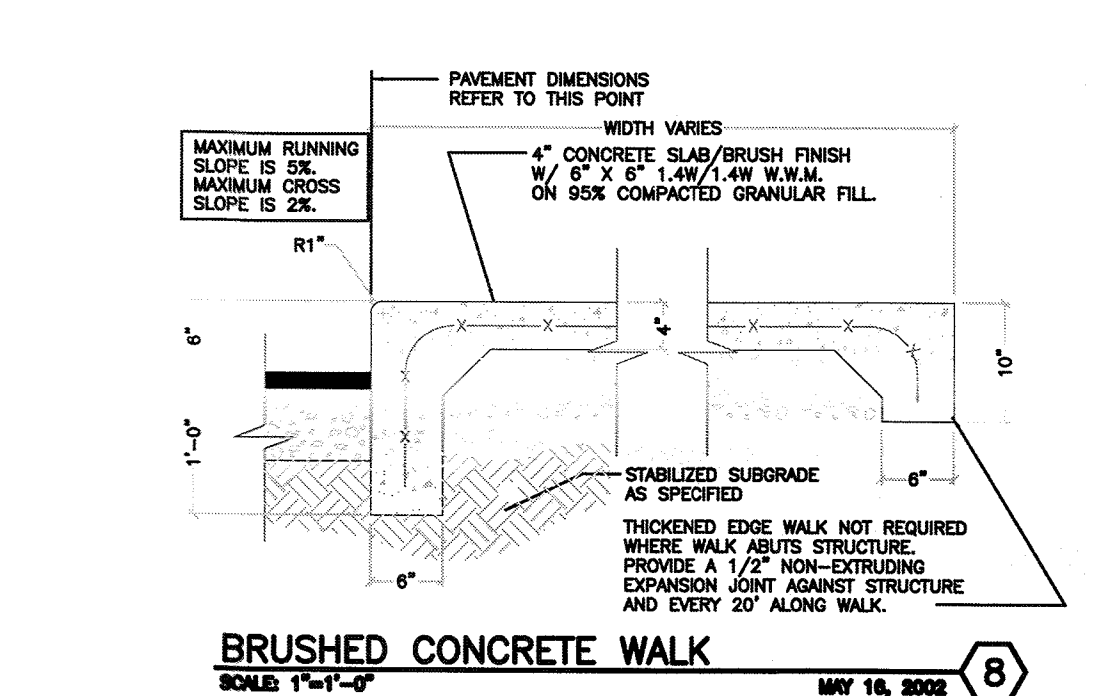
SCALE AS SHOWN

FEBRUARY 2, 2015

- ### SPECIFICATIONS
- LAMP**
 - LED AREA LIGHTS
 - SEE SITE LIGHTING DRAWING FOR SPECIFICATIONS
 - LUMINAIRE**
 - ONE PIECE NON-CORROSIVE METAL WITH BAKED-ON POWDER COATING.
 - COLOR: TO MATCH S-W #2103- STONEWALK (PLATINUM)
 - LUMINAIRE SHALL HAVE OPTIONAL BACKLIGHT SHIELDS PROVIDED TO CONTROL LIGHT SPILLAGE BEYOND PROPERTY LINES.
 - POLES**
 - 18'-0" - 28'-0" HIGH WITH 24" DIA. ROUND OR SQUARE BASE FOR 20'-0" STANDARD MOUNTING HEIGHT.
 - POLE, FIXTURE AND BASE AS AN ASSEMBLY SHALL MEET WIND LOADING REQUIREMENTS OF ALL LOCAL CODES AND ORDINANCES.
 - ALL MOUNTING HARDWARE AND BASE PLATE COVER TO BE SUPPLIED BY MANUFACTURER.
 - COLOR: TO MATCH S-W #2103- STONEWALK (PLATINUM)
 - ILLUMINATION LEVELS**
 - BALANCE OF SITE: 6 FOOTCANDLE AVG. MAINTAINED AT A HEIGHT OF 36" ABOVE SURFACE.
 - SIDEWALKS: 8 FOOTCANDLES AVG.
 - ENTRANCES/EXITS: 8 FOOTCANDLES AVG.
 - D/T MENU BOARD: 8 FOOTCANDLES AVG.
 - TRASH ENCLOSURE: 8 FOOTCANDLES AVG.
 - PERIMETER OF SITE: 2 FOOTCANDLES AVG.
 - LIGHTING FIXTURE MANUFACTURER/SUPPLIER TO PROVIDE COMPUTER DESIGNED LAYOUTS.
 - ELECTRICAL REQUIREMENTS**
 - MULTI-TAP (120V-208V) TWO-STAGE SURGE PROTECTION
 - POLE GROUND:
 - 1. PROVIDE A 5/8" x 8'-0" LONG COPPER CLAD DRIVEN GROUND ROD WITH WIRE CLAMP ON BUILDING SIDE OF EACH POLE BASE.
 - 2. CAST A SINGLE #8 COPPER GROUND CONDUCTOR IN CONCRETE BASE. PROVIDE 5' OF SLACK AT EACH END.
 - 3. TIE LUMINAIRE GROUND AND POLE GROUND CONDUCTORS TO POLE GROUND LUG AND POLE CONDUCTOR TO DRIVEN GROUND ROD.



SITE LIGHTING POLE DETAIL

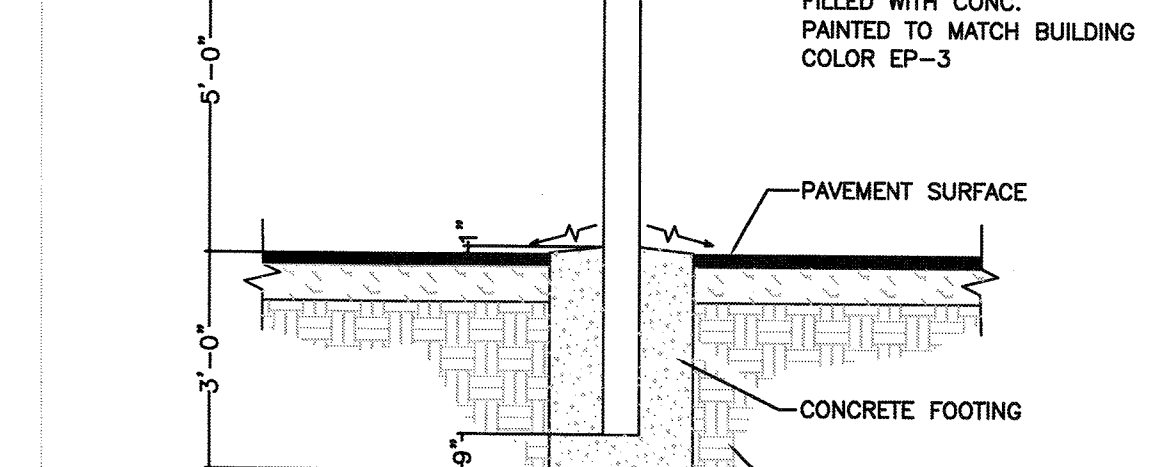


NOTES:

1. PROVIDE EXPANSION JOINTS EVERY 20' ALONG WALK, OR EVERY 300 S.F. OF SIDEWALK.
2. TOP 1/4" OF JOINT IS TO BE SEALED WITH JOINT SEALER.

EXPANSION JOINT

SCALE: 3/8"=1'-0"



ISSUE DATE:

REVISIONS

NO.	DESCRIPTION	DATE

BURGER KING CORPORATION



RESTAURANT FOR:
Carroll's Corporation
988 James Street P.O. Box 6969
Syracuse, New York 13217-6969
(315) 424-0513

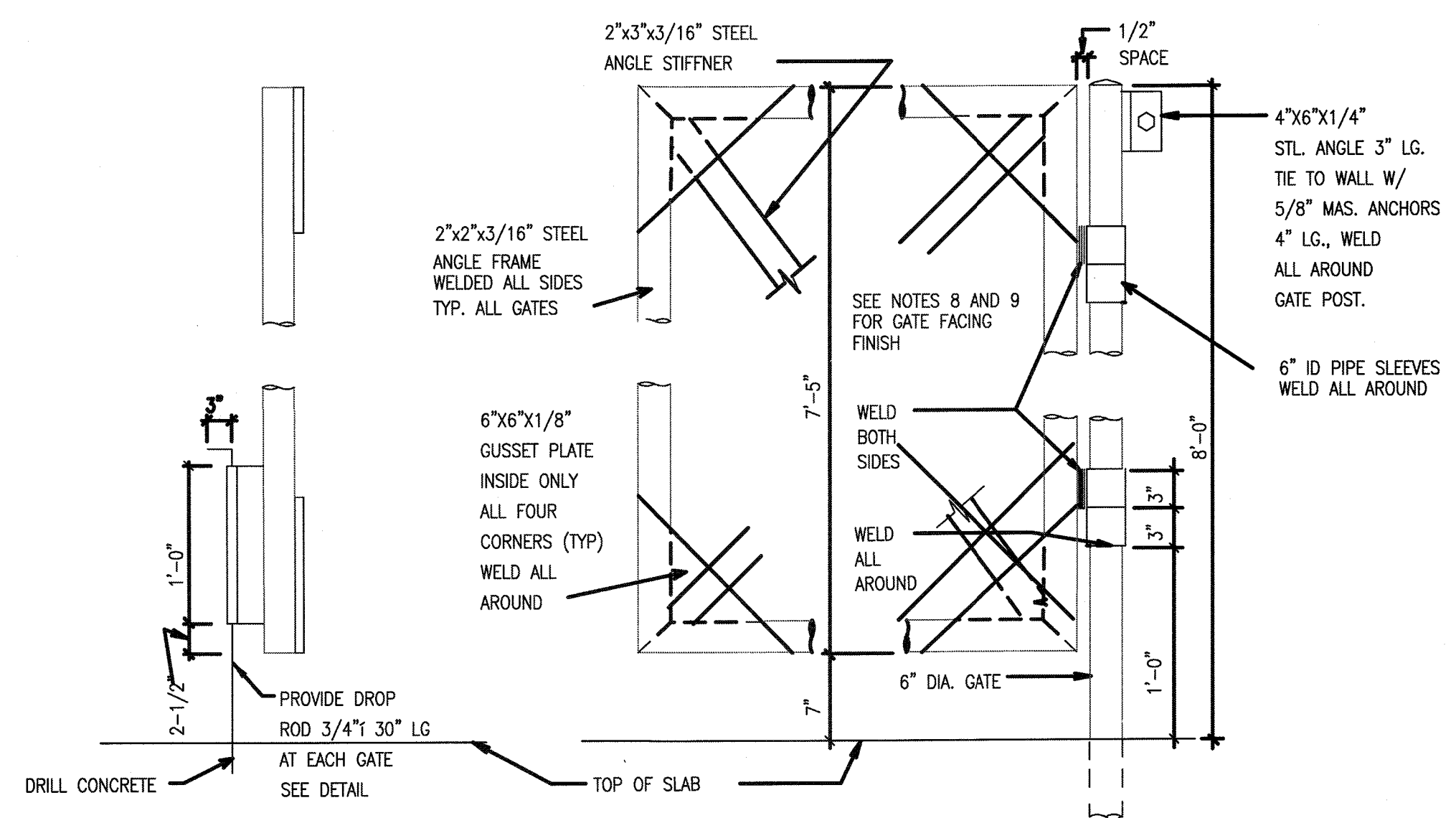
ARCHITECT

2644 FOREST DRIVE, HICKORY, OHIO 44233
TEL: 440-333-8900 CELL: 440-570-2228 email: info@amrarchitect.com

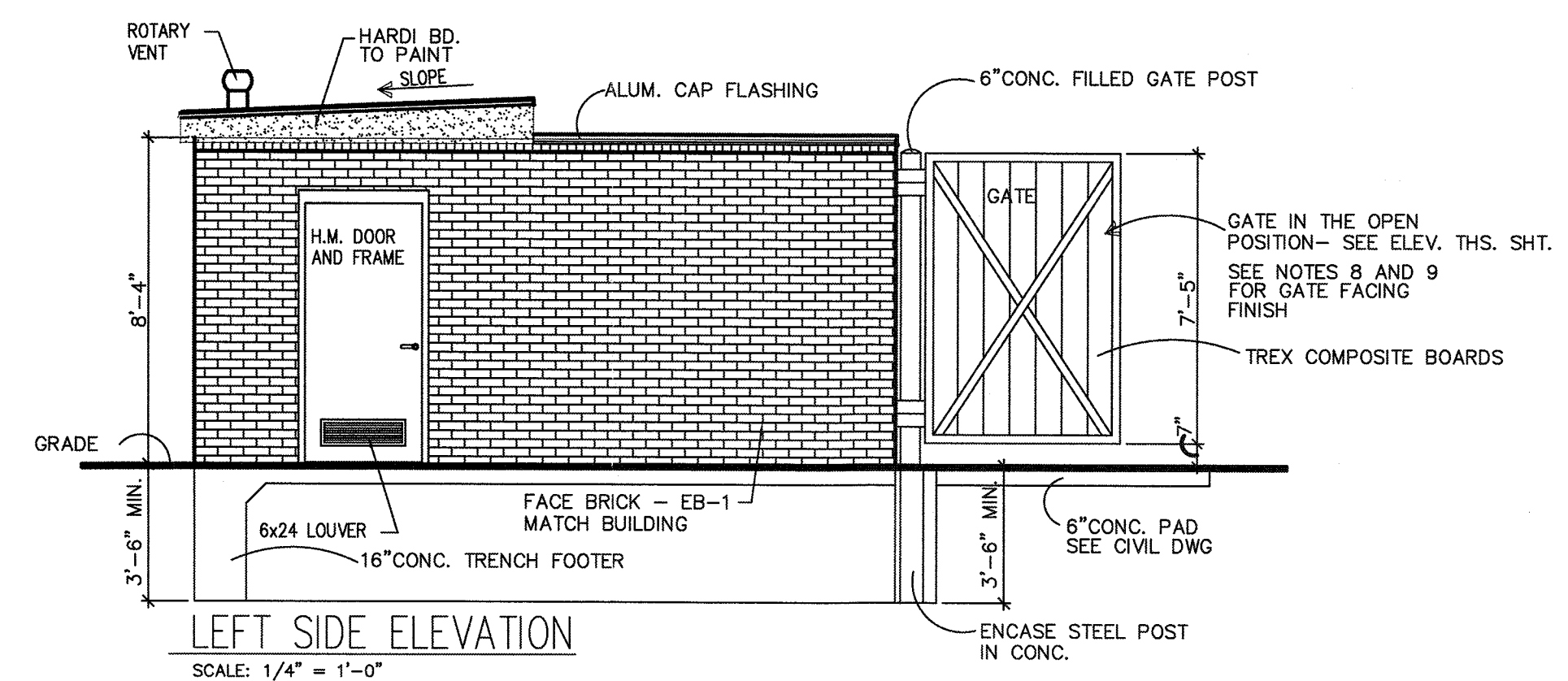
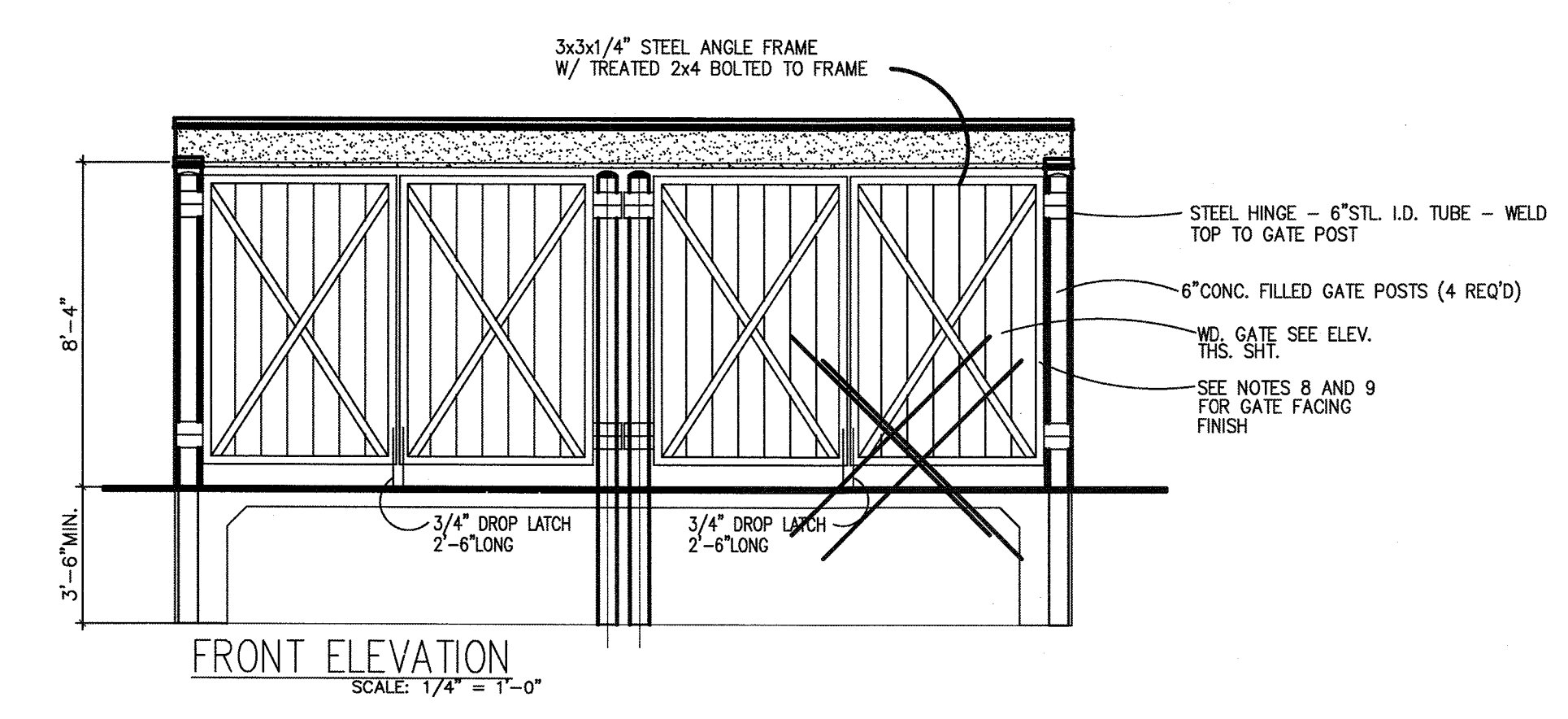
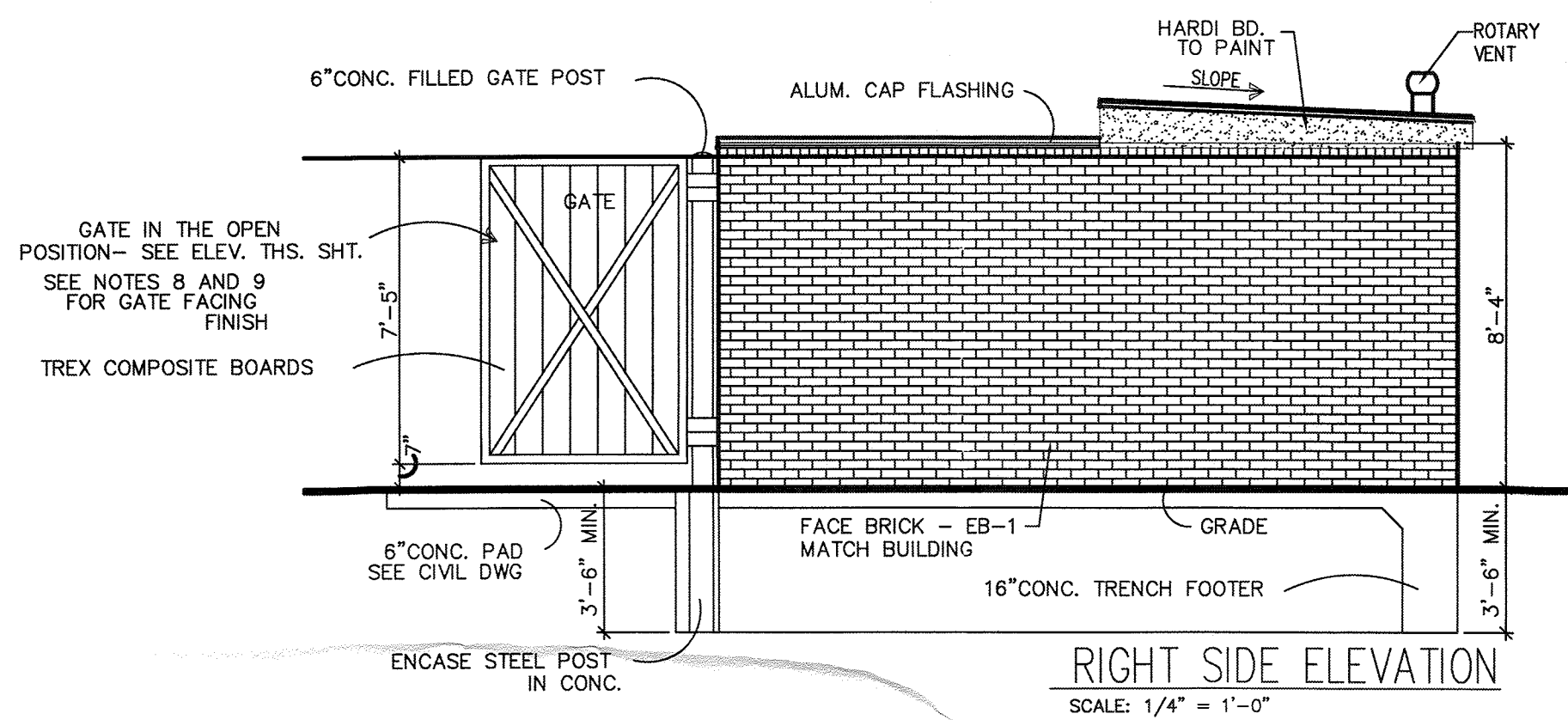
BK-OXFORD, OH
5093 COLLEGE CNR. PIKE
ROC-60 GARDEN GRILL
SITE DETAILS

PROJECT NUMBER
CLS#115

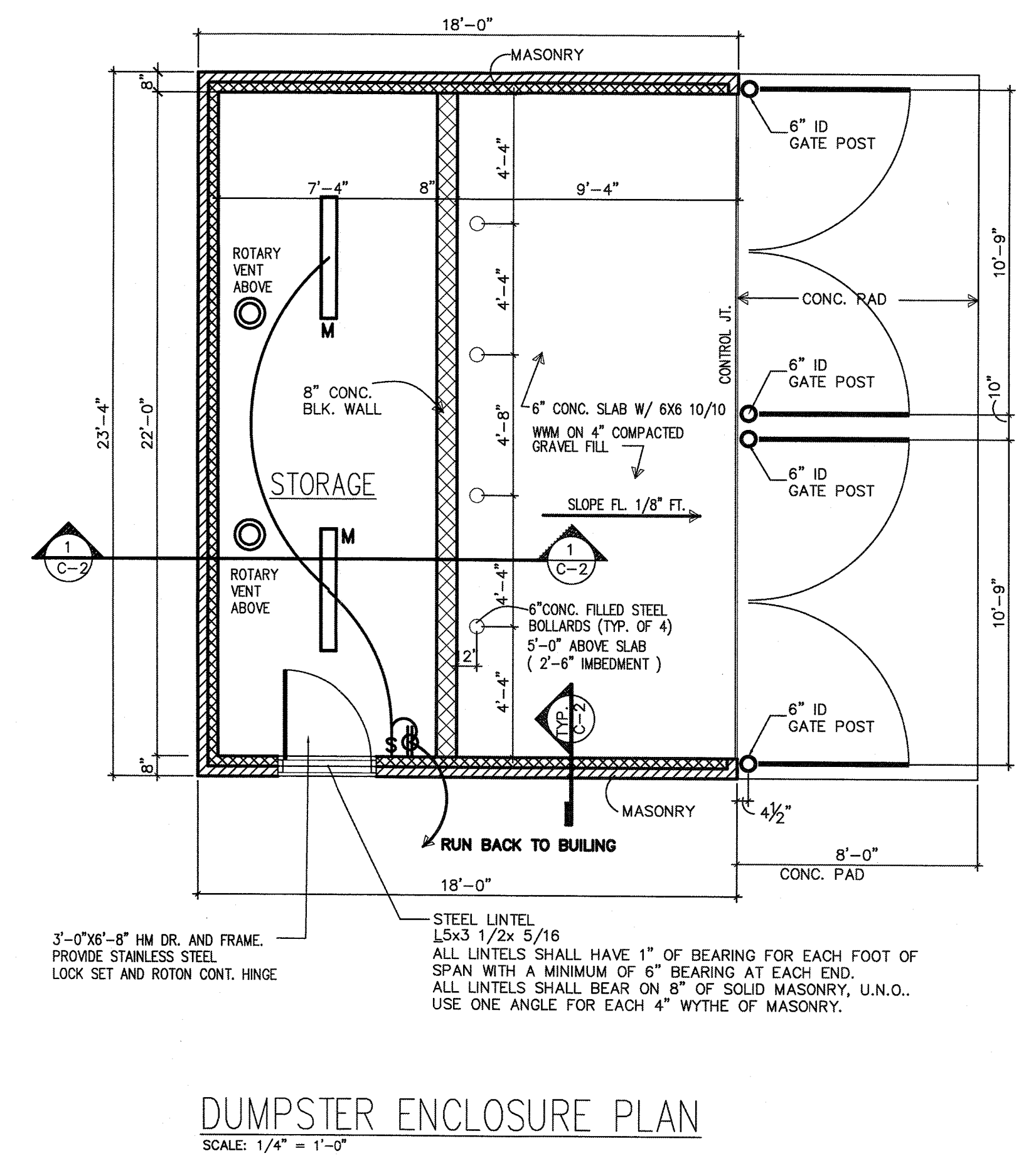
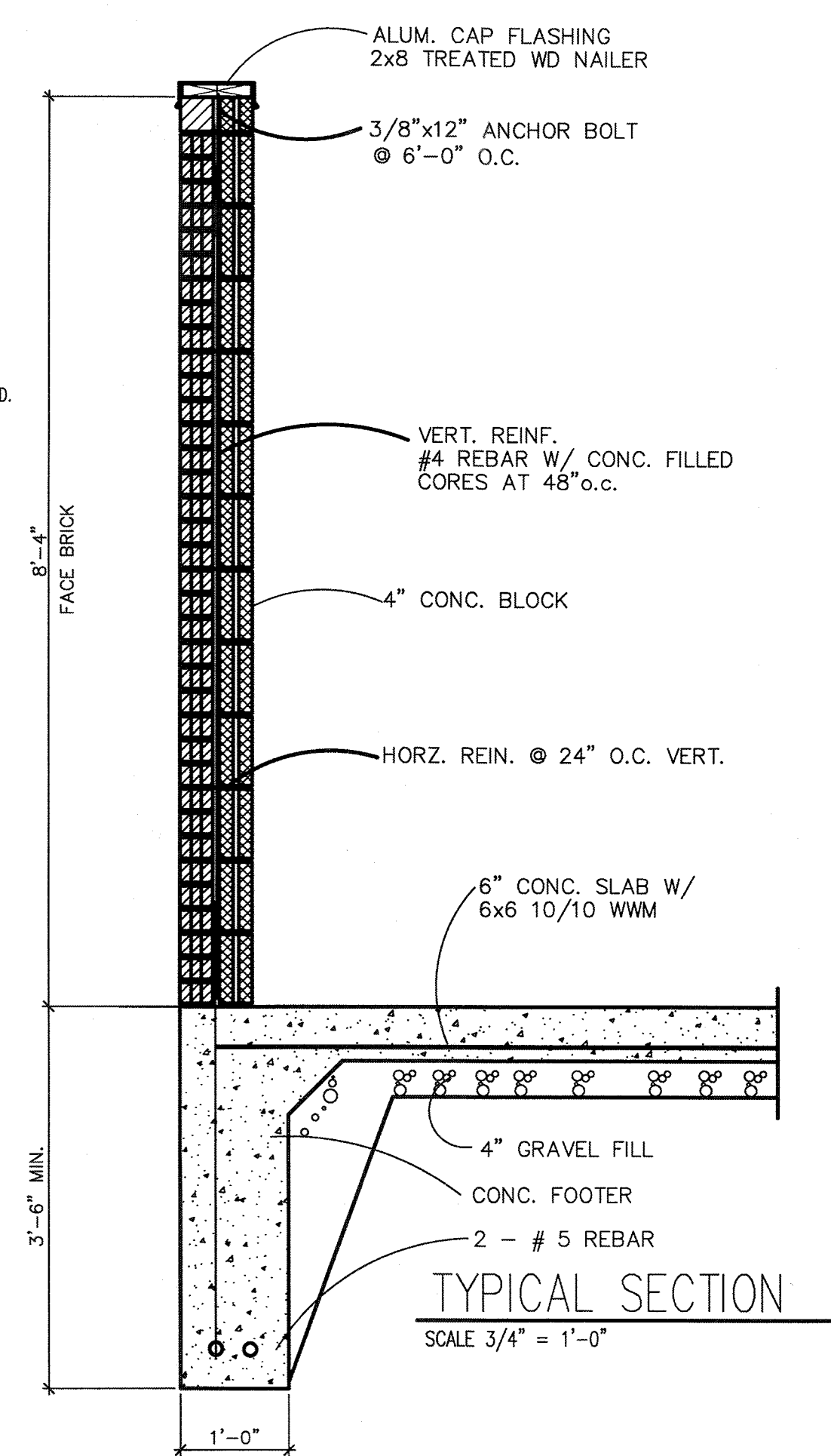
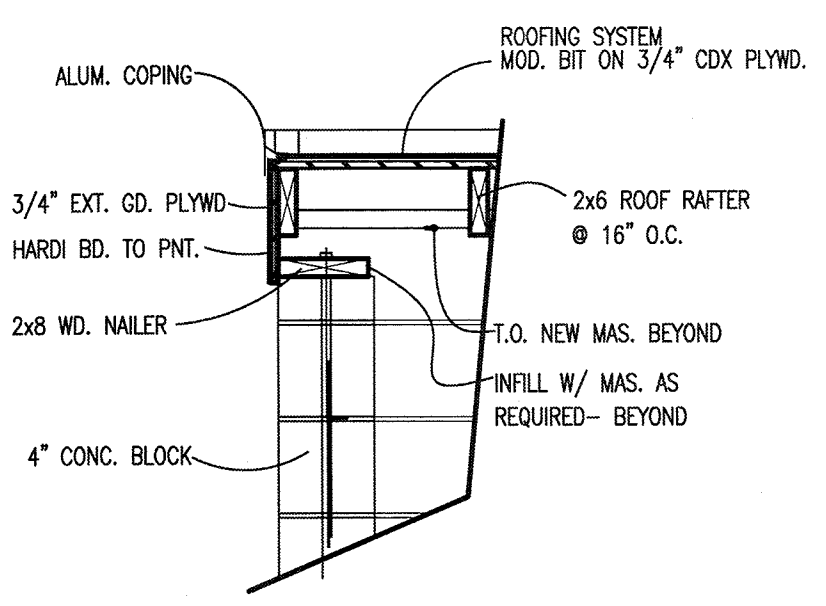
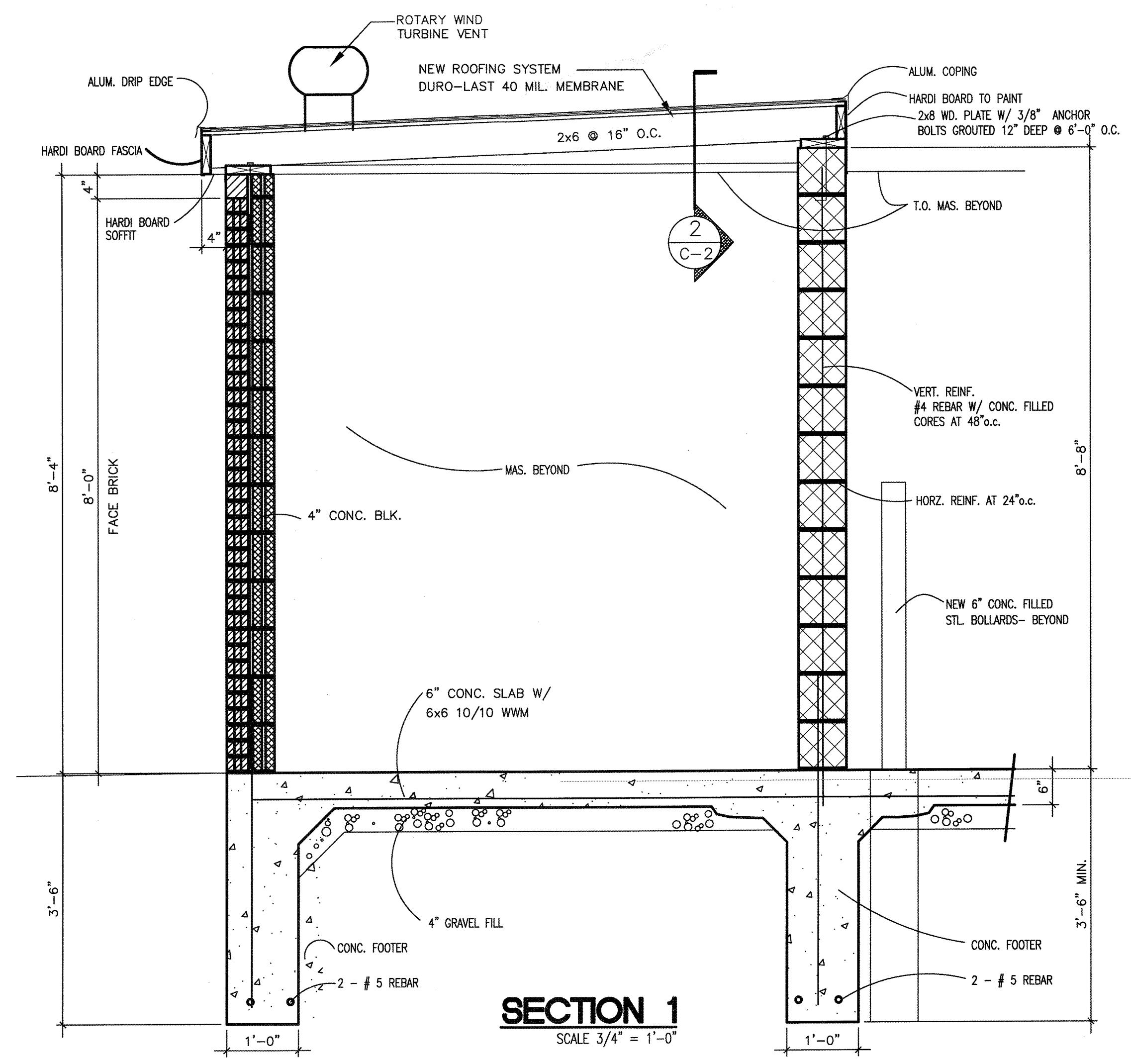
SHEET NUMBER
C-1



- NOTES:
- SEE SITE PLAN FOR LOCATION AND PROPOSED GRADES
 - TRASH ENCLOSURE MUST CONFORM TO ALL BUILDING SETBACKS (CHECK WITH LOCAL CODES.)
 - FLOOR DRAIN MAY BE REQUIRED (CHECK WITH LOCAL CODES.)
 - SLAB TO SLOPE 0.1' FROM BACK TO FRONT FOR DRAINAGE. IF FLOOR DRAIN IS REQUIRED, SLOPE TO GRATE MIN. 0.1' BELOW PERIMETER OF SLAB.
 - LOCATE PERSONEL ACCESS SO THAT IT IS MOST ACCESSABLE FROM REAR DOOR OF BUILDING.
 - REVERSES OF THE ABOVE CONFIGURATIONS ARE ALSO ACCEPTABLE.
 - ALL STEEL FINISHES TO BE PAINTED TO MATCH METAL ON BUILDING. SEE FINISH SCHEDULE
 - ALL GATES TO BE 3/4" TREX COMPOSITE BOARDS. COLOR TO BE SELECTED BY OWNER
 - ALL GATES TO BE THRU-BOLTED TO STEEL FRAME WITH 3/8" GALV. BOLTS AND HARDWARE.



GENERAL NOTE
CARROLLS SITE DETAIL SHEETS TO BE USED ALONG WITH DETAIL SHEETS FROM CIVIL ENGINEER. ANY CONFLICTS TO BE CALLED TO THE ATTENTION OF THE CARROLLS CONST. ENGINEER PRIOR TO ANY WORK BEING STARTED.



City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2017-23

Date –September 12, 2017

APPLICATION

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

GENERAL DESCRIPTION

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

PUBLIC COMMENTS

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

AGENCY REVIEWS

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

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

ZONING CODE REVIEW

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

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

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

(1) **Burden of Proof.**

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

adequately mitigated.

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

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

- (d) Action by Planning Commission.

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

1147 03(b)(10) Drive-Through Restaurant Facilities

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

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

ANALYSIS:

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

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

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

Chapter 1149 Parking and Site Access

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

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

Chapter 1151 Signs

1151.05(a)(3) GB signage regulations

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

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

ISSUES TO BE DELIBERATED:

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

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

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

- (2) General Decision Standards. All Conditional Uses shall satisfy the General Decision Standards.
 - A. **The proposed use is in fact a Conditional Use appropriate for in the zoning district in which it is proposed.**
Yes, the use can be allowed as a conditional use.
 - B. **The use and site will satisfy the general intent of the Zoning Code.**
Yes, the proposed use will be satisfied.

- C. The use and site will be compatible with the general intent of the Comprehensive Plan.**
Yes, the proposed use would be compatible with the general intent of the Comp Plan. US 27 (College Corner Pike) is a commercial corridor with a variety of types of commercial establishments from retail stores to restaurants with drive-throughs.
- D. The size and shape of the site are sufficient for the proposed use.**
The size and shape of the site does not appear to be sufficient for the proposed use
- E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.**
None anticipated.
- F. The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.**
Not applicable.
- G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.**
No accessory use being proposed.
- H. The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.**
It is anticipated that there is sufficient public services available to the proposed development. There is an existing sanitary sewer easement shown on the site plan that will be maintained unless the City Engineer indicates otherwise.
- I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.**
Any additional expenditure for additional infrastructure or services should be borne by the development project. At this point, none is anticipated. As indicated in the narrative provided by the applicant an additional traffic study will be conducted during the school year to gauge the traffic impact from the proposed development. Furthermore, the City Engineer also provided his comments concerning this development, dated 8/18/2017.
- J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.**
It appears that the proposed development would be consistent with the general character of this corridor and no anticipated impact to residential properties has been identified.
- K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.**
The on-site traffic circulation might become a concern during peak business hours when all the traffic is converging at the front of the building. The City Engineer also provided his comments on this.

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

None expected.

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

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

RECOMMENDATION:

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

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

SUBMITTED

BY:



Jung-Han Chen
Community Development Director

DATE: August 21, 2017

ATTACHMENT

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

(1) Burden of proof.

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

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

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

City of Oxford
Inter-Office Review Transmittal Sheet

SF No.
5093
✓

Date: August 7, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

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

 X Review Revisions Other

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

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:



Date: 8-16-17

John Detherage
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: August 7, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

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

 X Review Revisions Other

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

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

SEE MEMO DATED 8-18-17

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

 VICTOR POPESCU

PRINTED NAME



Memo

Service Department
Engineering Division

513/524-5208 fax 513/524-5267

TO: Community Development Department

FROM: Victor Popescu, P.E.
City Engineer

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

DATE: August 18, 2017

The Engineering Division offers the following comments.

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

City of Oxford
Inter-Office Review Transmittal Sheet

Date: August 7, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

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

 X Review Revisions Other

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

.....

Drawings are returned: w/comments without/comments

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

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

Drawings reviewed by:  Date: 8-21-2017

G. Alan Kuehn
PRINTED NAME



PC-2017-23 **Surrounding** **Property Owners** **Notifications Map**

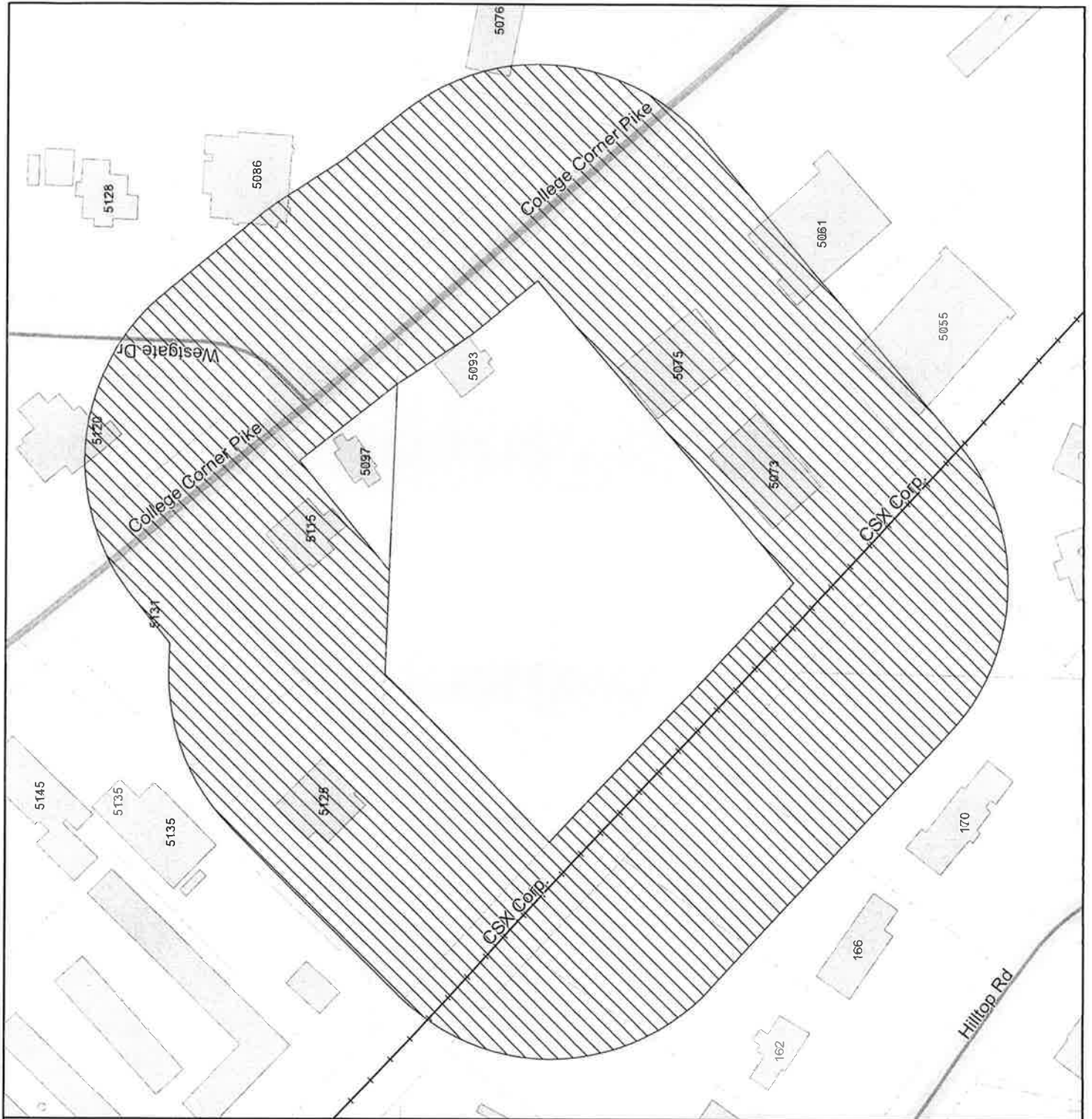
Legend

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



1 inch = 125 feet

Prepared on Tuesday, August 29, 2017
 The City of Oxford does not guarantee the dimensional accuracy of this map. Precise dimensional accuracy should be based upon recorded deeds, plats or a professional survey.



July 27, 2017

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

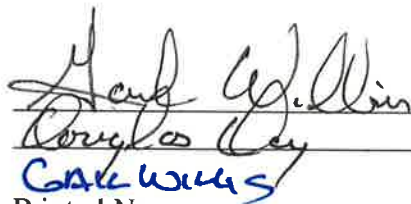
RE: 5093-97 College Corner Pike

To Whom It May Concern,

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

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

Very truly yours,

A handwritten signature in blue ink, appearing to read "Carl Willis", written over two horizontal lines.

Printed Name:

Co-Trustee

Ray Day Trust

A handwritten signature in blue ink, appearing to read "Douglas Day", written over two horizontal lines.

Printed Name:

Co-Trustee

Ray Day Trust

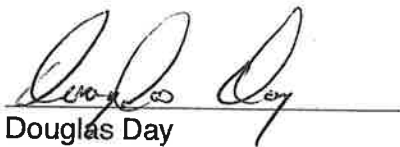
July 28, 2017

To Whom It May Concern:

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

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

Gail Willis

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

Douglas Day



Internal Use Only:

Case No.

PC-2017-23

Date Filed

7/28/17

Conditional Use Permit Application

Applicant Information

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

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

Owner Information

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

Location and Lot Information

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

Submission Requirements and Documentation

From Section 1147.02(a)¹.

- (1) Contents of application for conditional use permit. Thirteen complete sets of all information shall be submitted with an application. The Zoning Administrator may modify this requirement based upon the type of materials included. Please contact the Zoning Administrator prior to submitting an application to discuss the submission requirement. If any information is submitted in color or on non-standard paper, more copies may be required.
- Application Fee.
 - Description of Use and Site.
 A written, detailed description shall include the following information. A separate response is required for each subsection.
 - The name, mailing address, and telephone number of the applicant and the property owner.
 - If the applicant is not the owner, a statement from the owner that the applicant is entitled to apply on his or her behalf.
 - A legal description of the site, including all separate lots.

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

Fees & Receipt

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

Sign and Date

Applicant Signature *

Date *

Paul Jennings - Carols Corp.
7/24/17

Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

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

For Staff Use Only

Fee Paid Date *

Receipt Number *

7/24/17

160337

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

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



Lauer-Manguso & Associates Architects

July 27, 2017

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

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

Dear Mr. Chen,

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

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

Narrative Description of the Proposed Use and Site

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

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

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

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

Response #2: See attached.



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

Response #3: See attached.

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

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

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

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

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

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

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

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

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



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

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

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

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

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



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

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

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

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

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

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

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



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

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

Response #11: See attached.

Request for Waiver of Signage & Parking Code Requirements

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

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

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

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

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



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

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

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

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

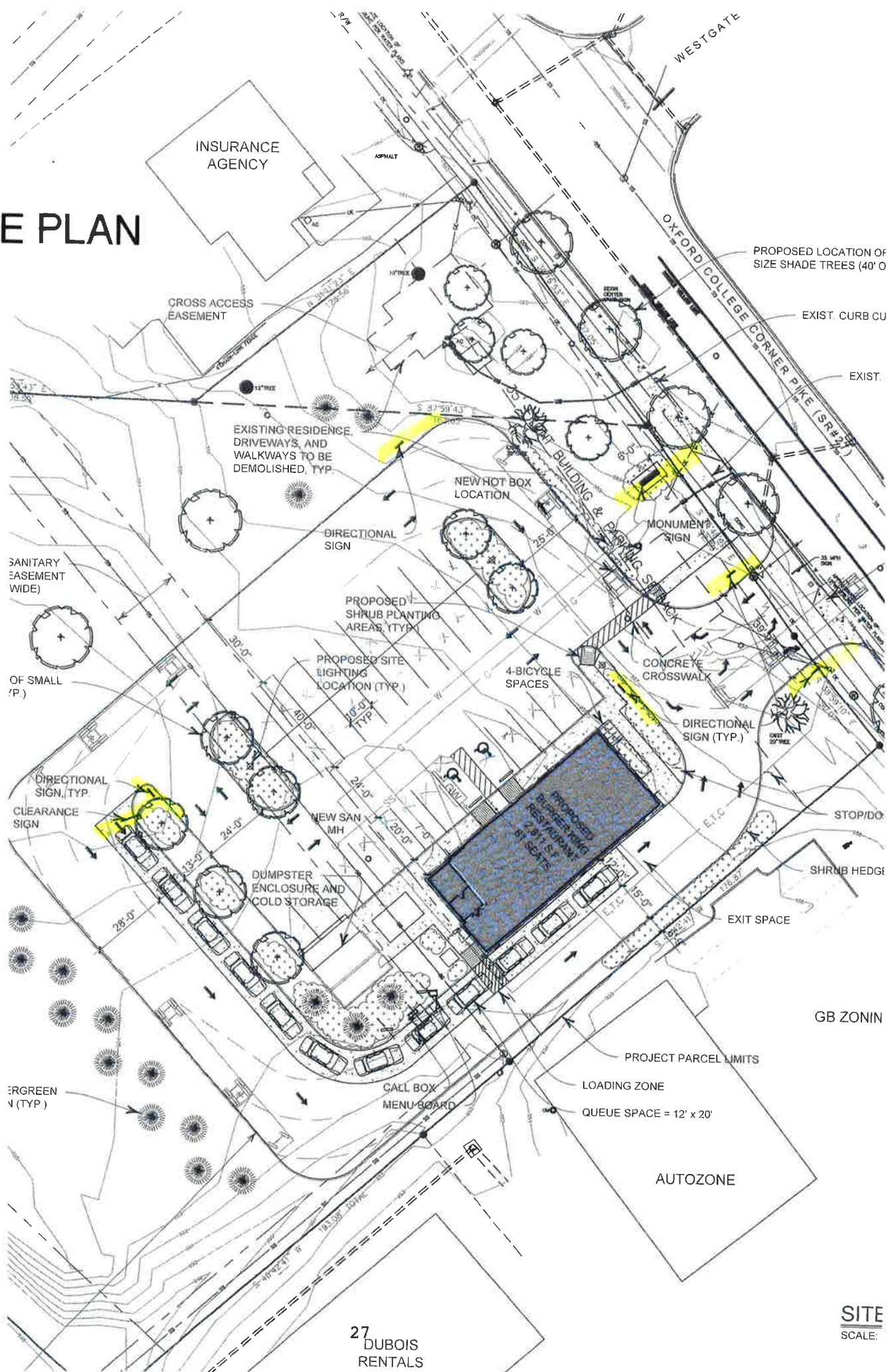
We trust the information provided satisfies the requirements for the Conditional Use Permit Application. Please contact me if you have any further comments or questions.

Respectfully submitted,

LAUER MANGUSO & ASSOCIATES
ARCHITECTS/ENGINEERS

Robert J. Blood, RLA

SITE PLAN



ISSUE DATE:

REVISIONS

BURGER KING CORPORATION



RESTAURANT FOR:
Carroll's Corporation
488 James Street P.O. Box 8888
Baltimore, Maryland 21211-4888
(301) 424-0812

BK-OXFORD, OH
5083 COLLEGE CORNER PIKE
ROC-60 GA-7-4 GRILL

CLS#
PROJECT NUMBER

PROJECT NUMBER



1 MAIN ENTRANCE ELEVATION

EXTERIOR CERAMIC TILE REG
NATURAL STACED BOND

FACE BRICK BY PINE HALL
BRICK, OLD IMITATION OGC

METAL COPING TYP. CEDAR

NICHIA/FIBRE CEMENT PANEL
VINYL FLOOR, CEDAR

FACE BRICK BY PINE HALL
BRICK, OLD IMITATION OGC

METAL COPING TYP. CEDAR

NICHIA/FIBRE CEMENT PANEL
VINYL FLOOR, CEDAR

FACE BRICK BY PINE HALL
BRICK, OLD IMITATION OGC

METAL COPING TYP. CEDAR

NICHIA/FIBRE CEMENT PANEL
VINYL FLOOR, CEDAR

FACE BRICK BY PINE HALL
BRICK, OLD IMITATION OGC

METAL COPING TYP. CEDAR

NICHIA/FIBRE CEMENT PANEL
VINYL FLOOR, CEDAR

FACE BRICK BY PINE HALL
BRICK, OLD IMITATION OGC

METAL COPING TYP. CEDAR

NICHIA/FIBRE CEMENT PANEL
VINYL FLOOR, CEDAR

FACE BRICK BY PINE HALL
BRICK, OLD IMITATION OGC

METAL COPING TYP. CEDAR

NICHIA/FIBRE CEMENT PANEL
VINYL FLOOR, CEDAR

FACE BRICK BY PINE HALL
BRICK, OLD IMITATION OGC

METAL COPING TYP. CEDAR

NICHIA/FIBRE CEMENT PANEL
VINYL FLOOR, CEDAR

FACE BRICK BY PINE HALL
BRICK, OLD IMITATION OGC

METAL COPING TYP. CEDAR

NICHIA/FIBRE CEMENT PANEL
VINYL FLOOR, CEDAR

FACE BRICK BY PINE HALL
BRICK, OLD IMITATION OGC

METAL COPING TYP. CEDAR

NICHIA/FIBRE CEMENT PANEL
VINYL FLOOR, CEDAR

FACE BRICK BY PINE HALL
BRICK, OLD IMITATION OGC

METAL COPING TYP. CEDAR

NICHIA/FIBRE CEMENT PANEL
VINYL FLOOR, CEDAR

FACE BRICK BY PINE HALL
BRICK, OLD IMITATION OGC

METAL COPING TYP. CEDAR

NICHIA/FIBRE CEMENT PANEL
VINYL FLOOR, CEDAR

FACE BRICK BY PINE HALL
BRICK, OLD IMITATION OGC

METAL COPING TYP. CEDAR

NICHIA/FIBRE CEMENT PANEL
VINYL FLOOR, CEDAR

FACE BRICK BY PINE HALL
BRICK, OLD IMITATION OGC

METAL COPING TYP. CEDAR

NICHIA/FIBRE CEMENT PANEL
VINYL FLOOR, CEDAR

FACE BRICK BY PINE HALL
BRICK, OLD IMITATION OGC

METAL COPING TYP. CEDAR

NICHIA/FIBRE CEMENT PANEL
VINYL FLOOR, CEDAR

FACE BRICK BY PINE HALL
BRICK, OLD IMITATION OGC

METAL COPING TYP. CEDAR

NICHIA/FIBRE CEMENT PANEL
VINYL FLOOR, CEDAR

FACE BRICK BY PINE HALL
BRICK, OLD IMITATION OGC

METAL COPING TYP. CEDAR

NICHIA/FIBRE CEMENT PANEL
VINYL FLOOR, CEDAR

FACE BRICK BY PINE HALL
BRICK, OLD IMITATION OGC

METAL COPING TYP. CEDAR

NICHIA/FIBRE CEMENT PANEL
VINYL FLOOR, CEDAR

FACE BRICK BY PINE HALL
BRICK, OLD IMITATION OGC

METAL COPING TYP. CEDAR

NICHIA/FIBRE CEMENT PANEL
VINYL FLOOR, CEDAR

FACE BRICK BY PINE HALL
BRICK, OLD IMITATION OGC

METAL COPING TYP. CEDAR

NICHIA/FIBRE CEMENT PANEL
VINYL FLOOR, CEDAR

FACE BRICK BY PINE HALL
BRICK, OLD IMITATION OGC

METAL COPING TYP. CEDAR

NICHIA/FIBRE CEMENT PANEL
VINYL FLOOR, CEDAR

FACE BRICK BY PINE HALL
BRICK, OLD IMITATION OGC

METAL COPING TYP. CEDAR

NICHIA/FIBRE CEMENT PANEL
VINYL FLOOR, CEDAR

FACE BRICK BY PINE HALL
BRICK, OLD IMITATION OGC

METAL COPING TYP. CEDAR

NICHIA/FIBRE CEMENT PANEL
VINYL FLOOR, CEDAR

FACE BRICK BY PINE HALL
BRICK, OLD IMITATION OGC

METAL COPING TYP. CEDAR

NICHIA/FIBRE CEMENT PANEL
VINYL FLOOR, CEDAR

FACE BRICK BY PINE HALL
BRICK, OLD IMITATION OGC

METAL COPING TYP. CEDAR



1 - View Of Site From East Corner Across Street



2 - View Of Site From East Corner



3 - View Of Site From South Corner



4 - Site To The Southeast



5 - College Corner Pike Toward SE



6 - Power & Sidewalk Along CCP



7 - Gas Service Behind Auto Zone



8 - Sanitary Sewer MH Near South Corner



Where Creativity
Meets Functionality

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

July 27, 2017

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

Re: Burger King, City of Oxford – Trip Generation

Dear Mr. Popescu,

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

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

Land Use	ITE Code	Size	Units	AM Peak Hour			Mid-day Peak Hour			PM Peak Hour		
				Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
Fast-Food Restaurant w/ Drive-Through Window	934	2.811	TSF	65	63	128	77	74	151	48	44	92

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

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

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

Sincerely,

Lucas W. Braun, P.E.

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

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

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

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

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

<http://www.bayerbecker.com>

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

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

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

Trip Generation per 1000 Sq. Feet Gross Floor Area

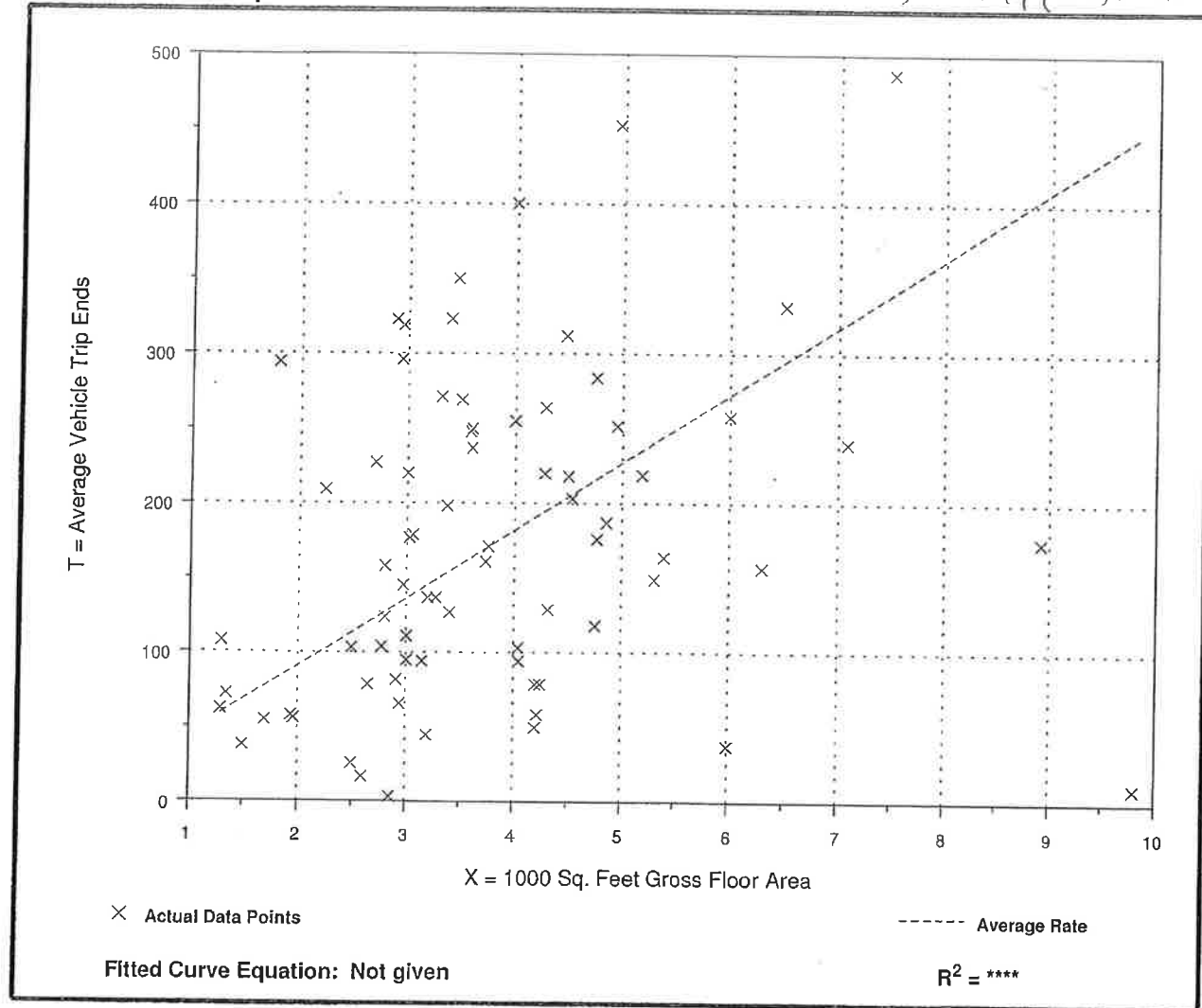
Average Rate	Range of Rates	Standard Deviation
45.42	1.02 - 163.33	28.63

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

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

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

Data Plot and Equation



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

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

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

Trip Generation per 1000 Sq. Feet Gross Floor Area

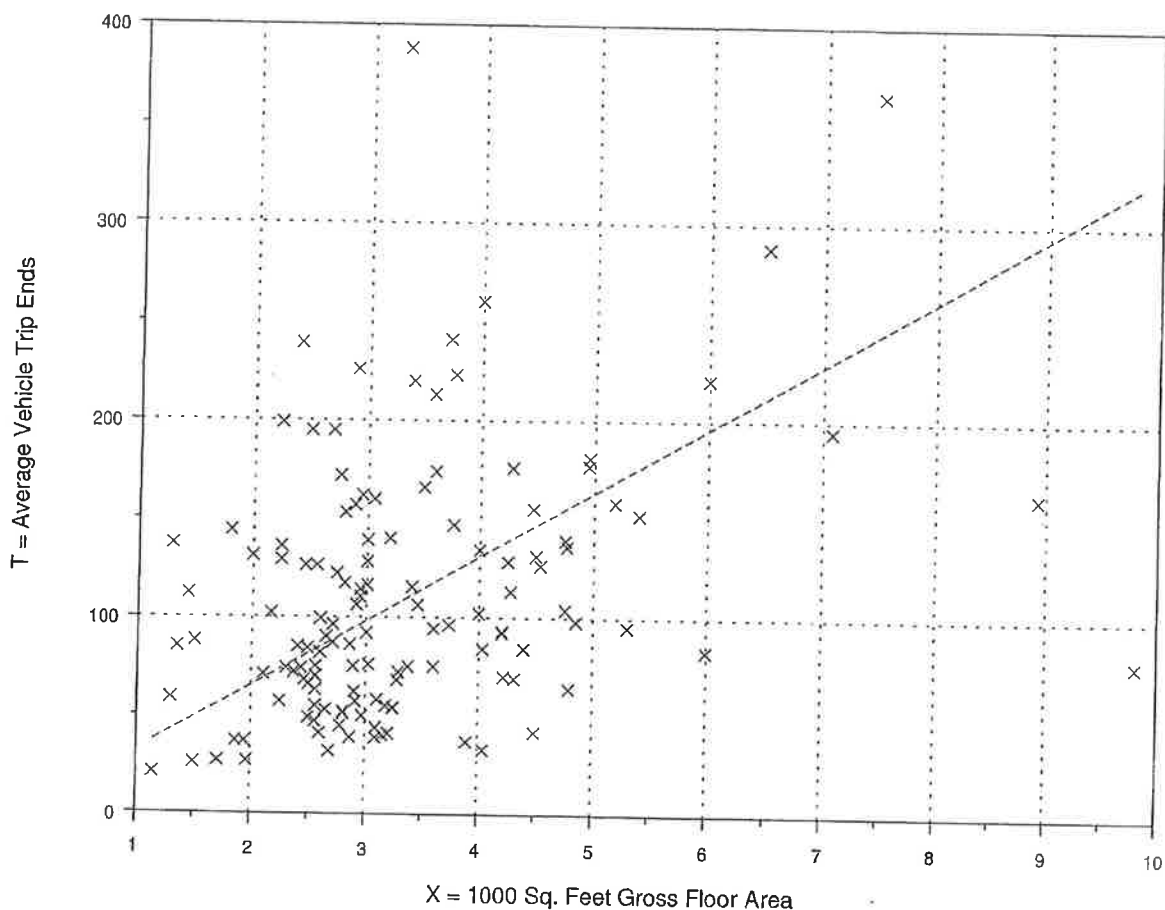
Average Rate	Range of Rates	Standard Deviation
32.65	7.96 - 117.15	19.73

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

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

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

Data Plot and Equation



Fitted Curve Equation: Not given

$R^2 = ****$

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

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

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

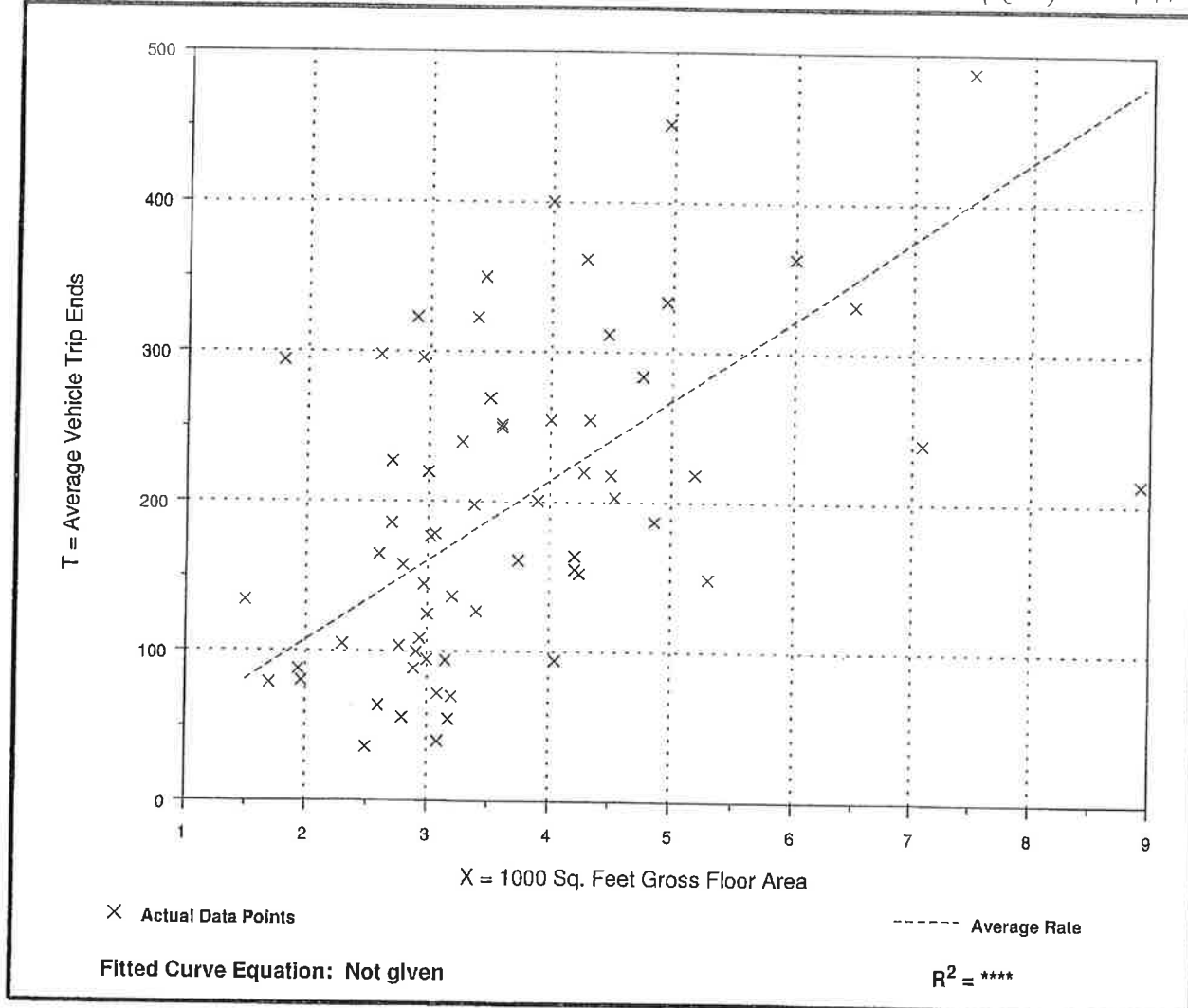
Trip Generation per 1000 Sq. Feet Gross Floor Area

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

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

$$\begin{aligned} \text{Entering} &= 0.51(151) = 77 \text{ Trips} \\ \text{Exiting} &= 0.49(151) = 74 \text{ Trips} \end{aligned}$$

Data Plot and Equation



OHIO DEPARTMENT OF
TRANSPORTATION

MS2

Transportation Data Management System

List View

All DIRs

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

Directions: 2-WAY NB SB ?

AADT ?

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

1-5 of 12

Travel Demand Model

Model Year	Model AADT	AM PHV	AM PPV	MD PHV	MD PPV	PM PHV	PM PPV	NT PHV	NT PPV
------------	------------	--------	--------	--------	--------	--------	--------	--------	--------

VOLUME COUNT

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

VOLUME TREND ?

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

1-10 of 12

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

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

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

PER VEHICLE				
	Date	Axles	85th	Total
No Data				

GAP			
	Date	Int	Total
No Data			

PARTIAL COUNT

Date Int 24-Hr Total

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

OHIO DEPARTMENT OF
TRANSPORTATION

Transportation Data Management System

Volume Count Report

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

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

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

OHIO DEPARTMENT OF
TRANSPORTATION

Transportation Data Management System

Volume Count Report

LOCATION INFO

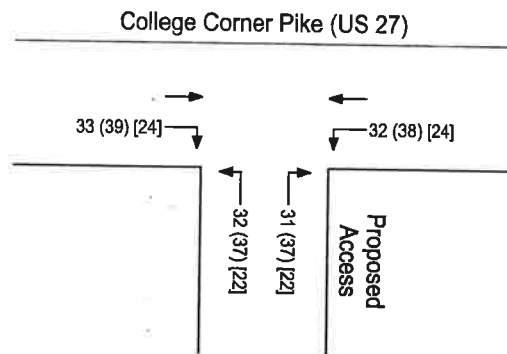
Location ID	3709_SB
Type	SPOT
Funct'l Class	3
Located On	COLLEGE CORNER PIKE
Direction	SB
County	BUTLER
Community	OXFORD
MPO ID	
HPMS ID	
Agency	ODOT

COUNT DATA INFO

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

INTERVAL:15-MIN

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



www.bayerbecker.com
6900 Tylersville Road, Suite A
Mason, OH 45040 - 513.336.6600



N.T.S.

Figure

Burger King
City of Oxford, Butler County, Ohio

Site Traffic Volumes

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

EXHIBIT "A"

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

PARCEL 1:

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

TAX I.D. NUMBER: H4100015000097

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

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

PARCEL 2:

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

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

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

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

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

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

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

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

CONTINUED ON NEXT PAGE

CONTINUATION OF SCHEDULE A

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

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

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

TAX I.D. NUMBER: H4100019000014

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

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

LEGAL DESCRIPTION

END OF SCHEDULE A

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2017-27

Date – September 12, 2017

APPLICATION

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

DESCRIPTION

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

ZONING CODE

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

COMPREHENSIVE PLAN

Land Use Element:

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

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

Infill development and redevelopment of underutilized sites is a priority

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

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

Urban Design

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

Housing Element

Improve housing conditions in the Mile Square

- Ensure quality residential environment through improved housing standards.

AGENCY REVIEWS

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

DECISION CRITERIA

A copy of the Text Amendment Decision Criteria is attached.

ANALYSIS

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

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

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

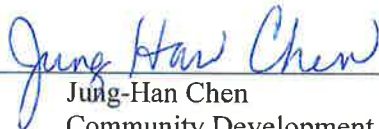
These changes would not have impacts to the existing stock if no improvements have been planned. But any future redevelopment could be of benefit due to the reduction in the lot area, lot width in order to have an additional dwelling. However, the regulations are only part of redevelopment requirements.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

RECOMMENDATION

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

SUBMITTED

BY:


Jung-Han Chen
Community Development Director

DATE: August 22, 2017

ATTACHMENT

CHAPTER 1135 ZONING CODE AMENDMENT

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

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

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

Text Amendments

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

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

(d) Mile Square Design Standards.

Purpose and Applicability.

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

(1) Front Façade.

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



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

Streetscape:

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

3. ~~Front facades of new buildings must follow guidelines similar to those enumerated above. Equal bays must be used with their division by wall and openings following a regular pattern. If an entry bay is to be indicated (either on center to the overall width, as in the Kyger Block, or to one side) its proportions must clearly indicate this differentiation. In either case, a clear storefront must be present at ground level to help reinforce the definition of the bays.~~
 - C. ~~In new or altered buildings the storefront height must fall between 10 feet and 14 1/2 feet.~~
 - D. ~~New construction must follow the rhythm of facades, overall spacing, setbacks, and proportions of existing adjacent structures of that block face, as well as those on the opposing block face.~~
 - E. ~~For both residential and commercial structures, the buildings themselves must have their fronts oriented parallel to the adjacent street. In addition, buildings must be oriented perpendicular to the adjacent street (i.e., the building must not be situated on the lot at an irregular angle).~~
- (2) Foundations.
 - A. **Any new construction, including expansions, shall not include exposed concrete block or cinder block foundations.** ~~New construction must not include exposed poured concrete, concrete block or cinder block foundations. If this material will be above grade (due to a sloped lot or other unavoidable geographic reason), historically appropriate facing treatment must be applied to the exposed portions of the foundations.~~
 - B. **Exposed concrete block or cinder block foundations that are covered by a historically appropriate facing treatment are permitted**
- (3) Masonry.
 - A. ~~Masonry veneers that face main streets shall not have exposed cinder block or concrete block, or poured concrete foundation.~~
 - B. ~~Brick, stone, authentic stucco or material replicating stone veneer are acceptable materials.~~
 - C. ~~The masonry of any additions must resemble the existing structure utilizing like materials and style in order to be compatible.~~
- (4) (3) Siding.
 - A. ~~No vertical siding may be incorporated into any structure. Plank treatments are to remain horizontal in fashion.~~
 - B. ~~Decorative, wood shingles are an acceptable treatment for the residential structures in the single, Two, and Three Family, Mile Square Residential District.~~
 - C. ~~Since artificial siding tends to differ from the original historic material in size, design, and texture, the use of artificial aluminum or vinyl siding for residential structures within the Mile Square is strongly discouraged. However, vinyl siding can be acceptable only when it meets the requirements of ASTM D3679.~~
 - D. ~~Widths, lengths, and composition of siding must be consistent between existing structures and any new additions. Decorative trim, such as window trim, fascia boards, and cornice work must also be consistent with the existing structure.~~
 - A. **Brick, stone, authentic stucco, or material replicating stone veneer are permitted building materials in all residential districts.**

- B. Decorative, wood shingles are an acceptable treatment for the residential structures in the Mile Square Residential Districts.
- C. The use of cementitious siding materials (e.g., Hardiplank) that resemble wood siding treatments is permitted.
- D. The use of artificial aluminum or vinyl siding for residential structures within the Mile Square is strongly discouraged. However, vinyl siding can be acceptable only when it meets the requirements of ASTM D3679.
- E. Plank siding treatments shall be horizontally oriented. Vertical planking may be allowed in a 90 degree board and batten treatment.
- F. Brick or masonry that has not previously been painted shall not be painted unless the painting of brick or masonry is consistent with the architectural style or era of the building.
- G. All wood siding materials shall be painted.
- H. For expansions and additions of existing buildings, the widths, lengths, and composition of siding must be consistent between the existing structures and any new additions. Decorative trim, such as window trim, fascia boards, and cornice work must also be consistent with the existing structure. Any additions or expansions of an existing building shall also comply with Section 1141.03 (h) (Residential Building Additions).

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

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

~~(6)~~ Gutters & Downspouts.

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

~~(7)~~ Entrances & Doors.

- ~~A. For all doors, the recommended material is "wood appearing" type of material.~~

- ~~B. Commercial structures must avoid using doors, screen doors, and storm doors, which are clearly designed for residential purposes.~~
- ~~C. Screen/storm doors must be simple in design and contain full-height screening or glass. Mill finish is not allowed. Wood is the preferred material and any treatment must match the color of the existing door/trim or be a clear varnish.~~
- ~~D. Entrances and doors which are to be closed off must not be removed and the hole filled in with some type of permanent material. Rather, the door must be left hanging and fixed shut so it is possible to reopen it in the future.~~
- (5) Doors**
 - A. Doors shall be made of wood or “wood appearing” types of material.**
 - B. All doors shall be constructed to be exterior doors. The use of an indoor door on the exterior of the building is prohibited.**
- ~~(8) (6) Windows.~~
 - ~~A. Windows must be proportionally vertical.~~
 - ~~B. Reflective glass (such as blue or gold tinted glass) is prohibited.~~
 - ~~C. Skylights can be added to increase the availability of natural light. These must generally be flat and unobtrusive (especially from any public ways). They must not be on front side of the roof slope facing the street.~~
 - ~~D. All window openings, sash appearances, and materials must be consistent and architecturally appropriate to the building style.~~
 - ~~E. Windows which are to be closed off must not be removed and the hole filled in with some type of permanent material. Rather, the window must be maintained.~~
 - ~~F. Original features such as corner boards, brackets, hoodmolds, and other details must be preserved, repaired, and/or replaced.~~
 - A. Windows must be proportionally vertical.**
 - B. Reflective glass (such as blue or gold tinted glass) is prohibited.**
 - C. Skylights can be added to increase the availability of natural light. These must generally be flat and unobtrusive (especially from any public ways). They shall not be located on the front side of the roof slope facing the street.**
- ~~(9) (7) Porches & Stoops, Decks & Patio.~~
 - ~~A. Any newly constructed or reconstructed porch or stoop must be compatible with the architectural style of the building to which it is attached.~~
 - ~~B. New residential structures are encouraged to include porches and stoops as design elements, which serve to enhance the physical and social components of the neighborhood. Porches have roofs. Decks are not allowed on the front façade. Stoops may not exceed 50 square feet.~~
 - ~~C. All porches shall satisfy the required setbacks and lot coverage of the zoning district.~~
 - A. New residential structures are encouraged to include porches and stoops as design elements, which serve to enhance the physical and social components of the neighborhood.**
 - B. All porches shall satisfy the required setbacks and lot coverage requirements of the applicable zoning districts.**
 - C. Stoops may not exceed 50 square feet.**
 - D. Decks shall only be permitted in along the rear façade of a building.**

- E. Porches and stoops shall be constructed of the same building materials as the principal building. The use of treated or untreated lumber that is not painted shall be prohibited for use on the front or side façades.

~~(10) Storefronts:~~

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

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

- ~~A. Street facing garages shall not comprise more than 50 percent of the ground floor building frontage. Any garage with more than two (2) car parking capacity should not directly face onto any street. The garage with more than two parking bays should have the side wall facing the street (i.e., side loading garage). All garage doors shall be compatible with the dwelling style and colors.~~
- ~~B. An attached garage shall not be located closer to the right-of-way than the residential structure itself (i.e., no snout garage)~~
- ~~C. It is recommended that a detached garage to be accessed from the alley if alleys are available for vehicular traffic.~~
- A. Street facing garages shall not comprise more than 50 percent of the ground floor building frontage. Any garage with more than two (2) car parking capacity should not directly face onto any street. The garage with more than two parking bays should have the side wall facing the street (i.e., side loading garage). All garage doors shall be compatible with the dwelling style and colors.
- B. The front façade of any garage facing on to the street shall be set back a distance equal to or more than the front façade of the remainder of the principal building.
- C. To the maximum extent feasible, a detached garage be accessed from the alley if alleys are available for vehicular traffic.
- D. The architectural style and materials of any accessory building should generally be compatible with the principal building as should the roof type and roof slope. Roofs for any accessory building shall be subject to the same standards as for principal structures pursuant to Subsection (4) above.

~~(12) Awnings & Canopies:~~

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

~~G. The Zoning and Building Codes must be consulted for other specific requirements.~~

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

~~A. Chain link fences are prohibited.~~

~~B. Traditional fence forms, such as picket fences and plain board fences, must be utilized and they must be kept as low as possible.~~

~~C. Traditional materials, such as wood and wrought iron, are strongly encouraged.~~

B. When fencing is to be used, traditional fence forms, such as picket fences and plain board fences, shall be utilized and shall comply with the fencing height restrictions of Section 11.41.01.

C. Fencing shall only be constructed of wood, wrought iron, decorative metal fencing, or fencing material that resembles wood materials

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

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

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

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



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

~~(16)~~ Utilities.

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

~~(17)~~ Home Security.

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

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

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

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

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

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

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

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

~~(21)~~ Height.

- ~~A. The scale and mass of the building shall consider the mass of the adjoining properties of that block face. Please consult with the dimensional regulations of the Oxford Zoning Ordinance for the specific zoning district which the building is located.~~
- ~~B. Buildings on corner lots must relate in setback and height to the structures along both adjacent blocks.~~

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

(d) Mile Square Design Standards.

Purpose and Applicability.

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

(1) Front Façade.

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



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

Streetscape.

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

3. ~~Front facades of new buildings must follow guidelines similar to those enumerated above. Equal bays must be used with their division by wall and openings following a regular pattern. If an entry bay is to be indicated (either on center to the overall width, as in the Kyger Block, or to one side) its proportions must clearly indicate this differentiation. In either case, a clear storefront must be present at ground level to help reinforce the definition of the bays.~~
 - C. ~~In new or altered buildings the storefront height must fall between 10 feet and 14 1/2 feet.~~
 - D. ~~New construction must follow the rhythm of facades, overall spacing, setbacks, and proportions of existing adjacent structures of that block face, as well as those on the opposing block face.~~
 - E. ~~For both residential and commercial structures, the buildings themselves must have their fronts oriented parallel to the adjacent street. In addition, buildings must be oriented perpendicular to the adjacent street (i.e., the building must not be situated on the lot at an irregular angle).~~
- (2) Foundations.
 - A. **Any new construction, including expansions, shall not include exposed concrete block or cinder block foundations.** ~~New construction must not include exposed poured concrete, concrete block or cinder block foundations. If this material will be above grade (due to a sloped lot or other unavoidable geographic reason), historically appropriate facing treatment must be applied to the exposed portions of the foundations.~~
 - B. **Exposed concrete block or cinder block foundations that are covered by a historically appropriate facing treatment are permitted**
- (3) Masonry.
 - A. ~~Masonry veneers that face main streets shall not have exposed cinder block or concrete block, or poured concrete foundation.~~
 - B. ~~Brick, stone, authentic stucco or material replicating stone veneer are acceptable materials.~~
 - C. ~~The masonry of any additions must resemble the existing structure utilizing like materials and style in order to be compatible.~~
- (4) (3) Siding.
 - A. ~~No vertical siding may be incorporated into any structure. Plank treatments are to remain horizontal in fashion.~~
 - B. ~~Decorative, wood shingles are an acceptable treatment for the residential structures in the single-, Two-, and Three-Family, Mile-Square Residential District.~~
 - C. ~~Since artificial siding tends to differ from the original historic material in size, design, and texture, the use of artificial aluminum or vinyl siding for residential structures within the Mile Square is strongly discouraged. However, vinyl siding can be acceptable only when it meets the requirements of ASTM D3679.~~
 - D. ~~Widths, lengths, and composition of siding must be consistent between existing structures and any new additions. Decorative trim, such as window trim, fascia boards, and cornice work must also be consistent with the existing structure.~~
 - A.. **Brick, stone, authentic stucco, or material replicating stone veneer are permitted building materials in all residential districts.**

- B. Decorative, wood shingles are an acceptable treatment for the residential structures in the Mile Square Residential Districts.
- C. The use of cementitious siding materials (e.g., Hardiplank) that resemble wood siding treatments is permitted.
- D. The use of artificial aluminum or vinyl siding for residential structures within the Mile Square is strongly discouraged. However, vinyl siding can be acceptable only when it meets the requirements of ASTM D3679.
- E. Plank siding treatments shall be horizontally oriented. Vertical planking may be allowed in a 90 degree board and batten treatment.
- F. Brick or masonry that has not previously been painted shall not be painted unless the painting of brick or masonry is consistent with the architectural style or era of the building.
- G. All wood siding materials shall be painted.
- H. For expansions and additions of existing buildings, the widths, lengths, and composition of siding must be consistent between the existing structures and any new additions. Decorative trim, such as window trim, fascia boards, and cornice work must also be consistent with the existing structure. Any additions or expansions of an existing building shall also comply with Section 1141.03 (h) (Residential Building Additions).

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

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

~~(6)~~ Gutters & Downspouts.

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

~~(7)~~ Entrances & Doors.

- ~~A. For all doors, the recommended material is "wood-appearing" type of material.~~

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

(5) Doors

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

(8) (6) Windows.

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

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

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

- E. Porches and stoops shall be constructed of the same building materials as the principal building. The use of treated or untreated lumber that is not painted shall be prohibited for use on the front or side façades.
- ~~(10) Storefronts:~~
- ~~A. Storefronts must be open and must utilize large amounts of glass. Window glass must extend at least from the top of the first floor to knee level. This does not necessarily mean that a large single pane of glass must be used. The openness creates an inviting feeling to pedestrians that helps set the ground floor commercial uses apart.~~
- ~~(11)(8) Garages & Outbuildings~~ **Accessory buildings.**
- ~~A. Street facing garages shall not comprise more than 50 percent of the ground floor building frontage. Any garage with more than two (2) car parking capacity should not directly face onto any street. The garage with more than two parking bays should have the side wall facing the street (i.e., side loading garage). All garage doors shall be compatible with the dwelling style and colors.~~
- ~~B. An attached garage shall not be located closer to the right-of-way than the residential structure itself (i.e., no snout garage)~~
- ~~C. It is recommended that a detached garage to be accessed from the alley if alleys are available for vehicular traffic.~~
- A. Street facing garages shall not comprise more than 50 percent of the ground floor building frontage. Any garage with more than two (2) car parking capacity should not directly face onto any street. The garage with more than two parking bays should have the side wall facing the street (i.e., side loading garage). All garage doors shall be compatible with the dwelling style and colors.
- B. The front façade of any garage facing on to the street shall be set back a distance equal to or more than the front façade of the remainder of the principal building.
- C. To the maximum extent feasible, a detached garage be accessed from the alley if alleys are available for vehicular traffic.
- D. The architectural style and materials of any accessory building should generally be compatible with the principal building as should the roof type and roof slope. Roofs for any accessory building shall be subject to the same standards as for principal structures pursuant to Subsection (4) above.
- ~~(12) Awnings & Canopies:~~
- ~~A. Awnings and canopies must be flat, downward sloping at a sharp angle, and have open ends or triangular end pieces matching the main structure. Basic design shapes (umbrella, diagonal, concave, etc.) are recommended.~~
- ~~B. Solid, dark colors are preferred.~~
- ~~C. Awnings and canopies must be proportional in size and shape to the opening or area that they are covering. Avoid irregular shapes or styles.~~
- ~~D. Soft, pliable materials are encouraged. Metal or other similar material is not recommended.~~
- ~~E. Retractable awnings and canopies are encouraged, as they can be closed in the winter months to allow more sunlight into an establishment.~~
- ~~F. Awnings and canopies must be designed without ground supporting members which attach to a public sidewalk.~~

~~G. The Zoning and Building Codes must be consulted for other specific requirements.~~

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

~~A. Chain link fences are prohibited.~~

~~B. Traditional fence forms, such as picket fences and plain board fences, must be utilized and they must be kept as low as possible.~~

~~C. Traditional materials, such as wood and wrought iron, are strongly encouraged.~~

B. When fencing is to be used, traditional fence forms, such as picket fences and plain board fences, shall be utilized and shall comply with the fencing height restrictions of Section 11.41.01.

C. Fencing shall only be constructed of wood, wrought iron, decorative metal fencing, or fencing material that resembles wood materials

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

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

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

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



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

~~(16)~~ Utilities.

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

~~(17)~~ Home Security.

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

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

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

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

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

- ~~B. Public and private space shall utilize natural landscaping materials and ground cover shall be utilized for the perimeter to delineate individual property boundary line.~~
- ~~(20)~~ **(14)** Graphics, Signage, & Building Identification.
- A. The Sign Code of the City of Oxford must be consulted for specific sign regulations in addition to these guidelines.
- ~~(21)~~ Height.
- ~~A. The scale and mass of the building shall consider the mass of the adjoining properties of that block face. Please consult with the dimensional regulations of the Oxford Zoning Ordinance for the specific zoning district which the building is located.~~
- ~~B. Buildings on corner lots must relate in setback and height to the structures along both adjacent blocks.~~

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-2017-27, ZONING CODE TEXT AMENDMENT, to amend Chapter 1143.03(d) Mile Square Design Standards, and Chapter 1143.05(d) Mile Square Design Standards, City of Oxford, Applicant

 X Review Revisions Other

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

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

Drawings reviewed by:


John Dethridge
PRINTED NAME

Date: 8-16-17

City of Oxford
Inter-Office Review Transmittal Sheet

Date: August 7, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-27, ZONING CODE TEXT AMENDMENT, to amend Chapter 1143.03(d) Mile Square Design Standards, and Chapter 1143.05(d) Mile Square Design Standards, City of Oxford, 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: H. Popescu Date: 8-15-17

VICTOR POPESCU
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-2017-27, ZONING CODE TEXT AMENDMENT, to amend Chapter 1143.03(d) Mile Square Design Standards, and Chapter 1143.05(d) Mile Square Design Standards, **City of Oxford, 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: _____

8/11/17

John A. Jones
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: August 7, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-27, ZONING CODE TEXT AMENDMENT, to amend Chapter 1143.03(d) Mile Square Design Standards, and Chapter 1143.05(d) Mile Square Design Standards, City of Oxford, 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

WE ARE A UNIVERSITY COMMUNITY. MUCH OF THE
MILE SQUARE IS STUDENT HOUSING.
OUR GOAL SHOULD BE TO BE THE BEST COLLEGE TOWN
IN AMERICA.
IF THESE CHANGES HELP IMPROVE THE LOOK & FEEL OF
THE MILE SQUARE HOUSING STOCK, ALL IS GOOD.

Drawings reviewed by: _____

Date: 9.5.17

G. Alan Kucin
PRINTED NAME

"We are a University community. Much of the Mile Square is student housing. Our goal should be to be the best college town in America. If these changes help improve the look and feel of the Mile Square housing stock, all is good."



Internal Use Only:

Case No.

PC-2017-27

Date Filed

2/28/17

Zoning Code Text Amendment Application

Applicant Information

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

Name *

Jung-Han Chen, Community Development Director

Mailing Address *

101 E. High Street

City, State & Zip Code *

Oxford, OH 45056

Telephone Number(s) *

513-524-5237

Email Address

jhchen@cityofoxford.org

Amendment Description *

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

Submission Requirements and Documentation

From Section 1135.02 Procedure¹.

- (a) Initiation. A text amendment may be initiated by the Chair of the Planning Commission, by adoption of a motion by Council or the Planning Commission, or by application to Planning Commission by a landowner or a resident of the City of Oxford.
- (b) Application. If Planning Commission or Council initiates an amendment, then the Zoning Administrator shall provide information as necessary for proper consideration of the motion. The information provided shall be substantially similar to that required of an application for amendment.

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

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

- A. Application Fee.
- B. The name, mailing address, and telephone number of the applicant.
- C. A general description of the proposed amendment.
- D. A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.
- E. A statement that identifies potential negative consequences of the proposed amendment.
- F. Such other information regarding the proposed amendment as may be pertinent to the application or required by Planning Commission or Council.
- G. Any existing section number and text that is proposed to be deleted or amended.
- H. Any new or amended text as it is proposed to be codified including its proposed location in the Code. section numbers)
- I. A narrative statement that describes the expected effects of the proposed text.
- J. A narrative statement that compares the expected effects of the proposed text with any existing text that it will replace, if applicable.

Decision Process

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

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

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

Planning Commission and Council Review

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

Fees & Receipt

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

Sign and Date

Applicant Signature *

Date *

J. Acher
7/11/17

Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

Note: You must adhere to notification and publication requirements. Submit materials 45 days prior to the Planning Commission meeting on which the action is requested.

For Staff Use Only

Fee Paid Date *

NA

Receipt Number *

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

City of Oxford
Community Development Department
STAFF REPORT
To
Planning Commission

Case # PC-2017-25

Date – September 12, 2017

APPLICATION

Applicant:	Mike Fisher (Madison Student Housing LLC)
Location:	9 lots between East Sycamore Street, University Avenue and Homestead Avenue: 208-224 East Sycamore Street, 406-416 University Avenue and 207-209 Homestead Avenue; 1.55 Acres
Proposed Owner:	Madison Student Housing LLC
Current Owner:	Various, See attached excerpts of signed land contracts
Action Request:	Recommendation of Preliminary Planned Development for Stadium Apartments
Current Use:	Single and Multi-Family Residential Units
Surrounding Existing Land Uses:	Single and Multi-Family Residential Units

DESCRIPTION

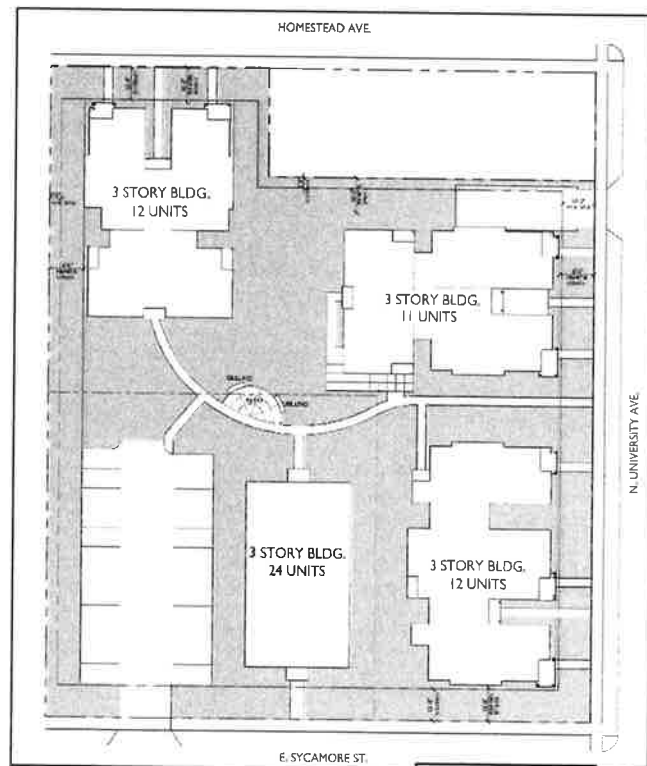
Architect J. Randy Bruce, on behalf of Madison Student Housing LLC, is requesting a recommendation of approval for a Preliminary Planned Development located on approximately 2/3 of a city block between East Sycamore Street, Homestead Avenue and University Avenue. The proposal is to build three new buildings but retain one of eight existing buildings. The final result would be a total of 59 apartments on 1.55 acres of consolidated land. The building to be retained has 24 apartments. Oxford Zoning Code allows a Planned Development application to be reviewed first by Planning Commission and then City Council.

As noted in Oxford Code Section 1145.01, the planned development is “intended to permit and encourage creative and flexible land development that is not permitted by-right but meets goals of the City’s Comprehensive Plan.”

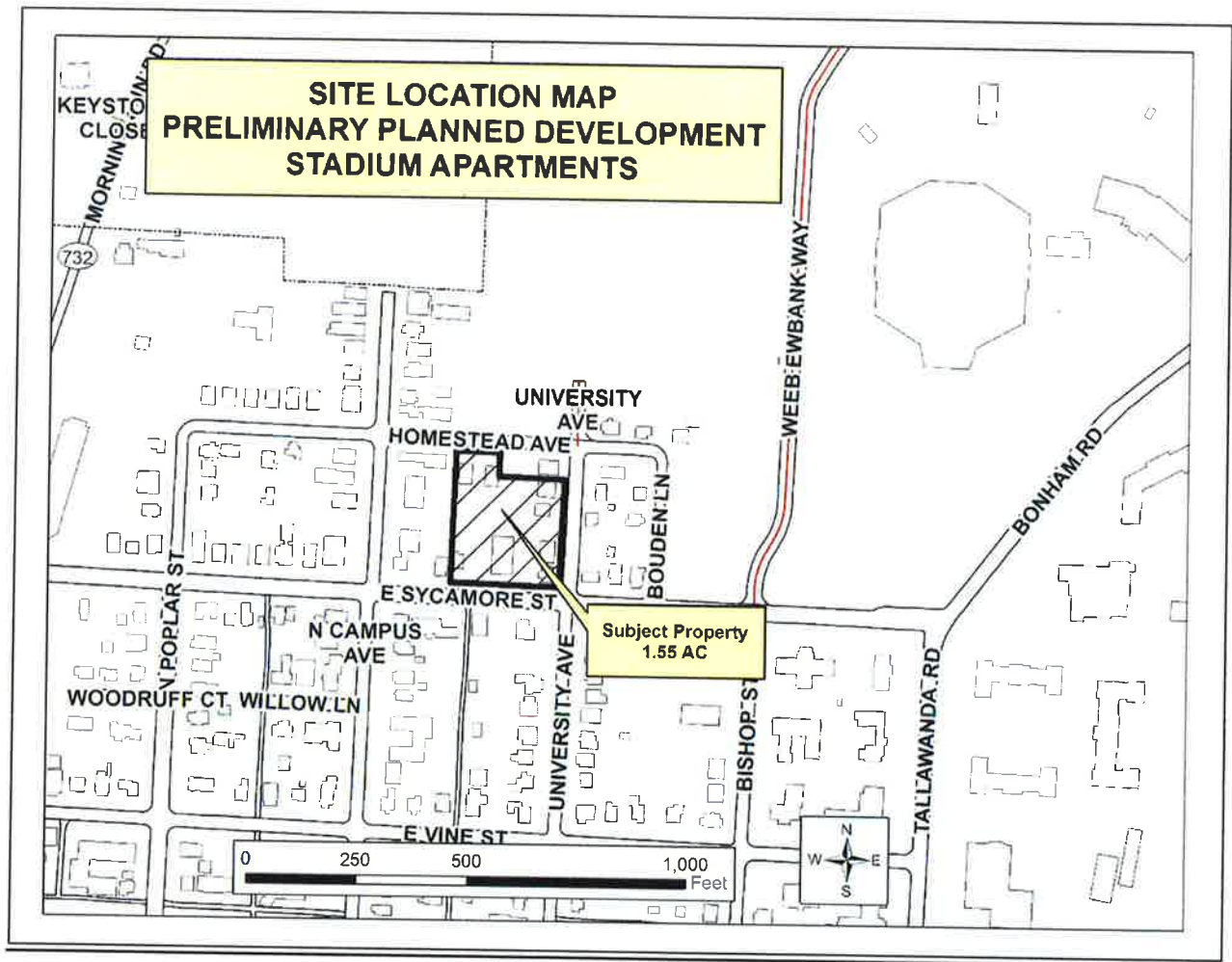
SITE HISTORY

Madison Student Housing LLC presented a concept review of the project at the July 2017 Planning Commission meeting. Feedback was offered by Planning Commission members to assist the developers in preparing a complete application for review.

It is believed that the eight existing buildings within the project footprint were all built throughout the 20th century. Six of the buildings are currently occupied. Two are vacant, having lost their legal nonconforming use rights in 2012 following a sheriff-ordered sale process.



LOCATION MAP:



PURPOSE STATEMENTS:

Quoted below are purpose and goal statement excerpts from both the underlying zoning district (R3MS) and the Planned Development Overlay. Two statements are provided for the R3MS code due to an active text amendment in process. The purpose statement is proposed to be expanded.

1143.07 R3MS Single and Two Family Mile Square Residential District

Current: (a) Purpose. This district is designed to preserve and encourage a mix of single-family, two-family, and three-family residences in the established residential areas of historically significant character.

PROPOSED: R3MS Single and Two Family and Three Family Mile Square Residential District.

(a) Purpose. The purpose of this district is to preserve and encourage a mix of single-family, two-family, and three-family dwellings in an urban environment while maintaining the urban form of development within the Mile-Square District. Furthermore, it is the intent of this district to be located in areas that are in close proximity to commercial services, public institutions, and adequate infrastructure to serve the residents within this district.

Planned Development Common Goals from Section 1145.01(a)

(a) Purpose. Planned developments incorporate land uses and development patterns that are intended to permit and encourage creative and flexible land development that is not permitted by-right under the administrative regulations of underlying zoning districts. The planned development is particularly well suited to address two distinct goals of the Comprehensive Plan: to provide for environmentally sensitive and cohesive developments that are an attractive alternative to traditional subdivision and infill development that fully utilizes available land and existing utility resources where they already exist.

(1) Planned developments share these common goals:

- A. Protect the neighbors of a planned development and the City in general to at least the same degree normally inherent in the Zoning Code.
- B. Produce a development equal to or better than that resulting from single-use or traditional subdivision
- C. Have a site and situation that permits comprehensive planning both on the site and relative to its immediate surroundings
- D. Result in a design in which the placement, height, and uses of buildings, vehicle management areas, and open spaces efficiently utilize potentials of the site
- E. Include covenants, easements, and other private measures that will help ensure the long-term administrative viability of a development
- F. Be functional within a time period that helps ensure a viable development

(2) Infill (already within corporate limits) development also satisfies the following goals:

- A. Fully utilize sites that could not be fully utilized because of their shape or because of their location relative to available public access.
- B. Increase geographic efficiencies of existing utilities such as public streets, water, sewer, electric, telephone, and cable by using them where they are already available.
- C. Help keep development from sprawling to and beyond the municipal boundaries of Oxford.

PROCESS:

1145.06 PLANNING COMMISSION AND COUNCIL REVIEW

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

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

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

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

(a) Burden of Proof. Planning Commission has no obligation to recommend approval and City Council has no obligation to approve a planned development. This Zoning Code assumes that a planned development is appropriate only if an applicant proves that the proposed uses and design will not be detrimental to the public health, safety, or general welfare of the City or the neighborhood in which it is proposed.

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

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

- (1) The proposed planned development is in fact permitted in the zoning districts in which it is proposed. **Not as drawn**

- (2) If the application is for the same site where a planned development application has been denied within one year, the plan is substantially different from the application so denied. **n/a**
- (3) The uses and site plan will satisfy the general intent of this Zoning Code. **Not as drawn**
- (4) The uses and site plan will be compatible with the general intent of the Comprehensive Plan. **Impacts unknown at this time**
- (5) The size and shape of the site are sufficient for the proposed planned development. **Not as drawn**
- (6) The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district. **Not hazardous or disturbing**
- (7) The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions. **Traffic impact unknown**
- (8) Accessory uses will be directly related to the operation of the principal uses and will not be operated independent of the principal uses. **Typical residential accessory uses**
- (9) The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately. **Insufficient information**
- (10) Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services. **Insufficient information**
- (11) The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district. **Character will be changed**
- (12) The site is designed so that on-site traffic and traffic accessing the site will not adversely impact the movement or safety of all modes of traffic on adjacent public streets. **Traffic impact unknown**
- (13) Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance. **None reported by applicant**

DESIGN REQUIREMENTS

The requirements for Planned Developments, pertaining to the proposed Planned Development are outlined under Section 1145.12 for any projects to adhere to.

COMMENT FORMS

All property owners within 200 feet have been notified by letter, and signs have been posted on the property and a notice has been placed in the newspaper.

AGENCY REVIEWS

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

Police:	Not returned
Fire:	Returned without comment
Service/Engineering:	Returned with comment memo
Econ. Dev.	Not returned



North University Ave.

Stadium
Apartments
E. Sycamore St.
& N. University Ave.
Oxford, Ohio
kba
knothe + bruce

ANALYSIS

Summary of this project: The proposal from Knothe & Bruce Architects is to redevelop, almost entirely, a 1.55 acre land area by removing seven buildings and constructing three new, three-story buildings, each with 12 apartments. The project, as-proposed would result in a total of 59 apartments which would be managed and operated as one cohesive development. The project would include common amenities such as parking, recreation and storage.

Development Regulations reviews:

There are design requirements outlined in the Planned Development Chapter 1145 that this project will need to address. There are also site development regulations of the underlying district, R-3MS Single, Two and Multi-Family Mile Square Residential, that this project needs to address. This report will highlight those issues for the Commission to review. Underlined sections are what staff has determined are code conflicts that will need to be addressed.

1. Lot area/Density:

- a. PUD: one (1) contiguous acre or more. Density shall not exceed 110% of the underlying zone.
- b. R-3MS: Minimum of 8,000 Sq. Ft. for three-family dwelling.

Review: Based upon the proposed drawings and new proposed R3MS code, the maximum allowable density is 28 units for this 1.55 acre area. The proposal is 59 units, which is double of what is permitted. There are currently 32 units within the project footprint. For comparison purposes, recent developments in the Uptown District are being approved administratively at 60 dwelling units per acre (DU/AC). Stadium Apartments is proposed at 38 DU/AC. The zoning code permits up to 18 DU/AC based upon the new R3MS district standards. The existing surrounding city blocks range 8 to 15 DU/AC. Other than the Uptown District, the City of Oxford's residential density maximums range from 3 to 24 DU/AC. The recently approved "The

Verge” Planned Development located on Arrowhead Drive was approved at 21 DU/AC and “Gaslight Ave” Preliminary Planned Development is approved at 12 DU/AC.

2. Setbacks:

- a. Planned Development-25’ perimeter setback for residential development. All building and vehicle management areas shall be setback from the perimeter of a planned development.
- b. R-3MS – 15’ min front yard setback, 25’ max front yard setback, 35’ on rear setback and 5 feet on side yard setback.

Review: The proposed development is shown to comply with the 15’ minimum front setback but not the 25’ Planned Development perimeter.

3. Building Heights:

- a. R3MS code limits building heights to 35 feet, measured at the mid-point of the ridge.

Review: The proposed development as drawn appears to comply with the requirements. More detailed drawings will be required for the final plan, given the limited margin of error shown.

4. Lot coverage

- a. PUD- 40% maximum for residential development
- b. R-3MS- 45%

Review: The proposed development as shown, has 50% lot coverage. The pervious parking is not considered exempt from lot coverage calculations. No data of existing, compared to proposed lot coverage, was provided.

5. Open Space

- a. PUD- No development shall have less than 20 percent of open space, not including the required setbacks or areas less than 50 by 50 feet.
- b. Nothing other than natural area.

Review: The proposed development as shown has 17 % of open space. The incorrect perimeter setback was used (16’). Additionally, open space in required setbacks cannot be counted. No data of existing, compared to proposed, was provided.

6. Landscaping and Screening

- a. The required setback shall be retained in natural woods or suitably landscaped with grass, ground cover, shrubs, trees, or earthen mounds.

Review: The proposed plans are preliminary in nature. There is no indication that the required parking lot landscaping will be provided. Street trees or front yard trees as shown in the building elevations would be expected to be included on the final plan to include complete landscaping plans.

7. Environmental

Review: No information was provided regarding environmental resources to be protected or restored as part of this project.

8. Access and Mobility

- (1) At residential densities greater than would be permitted in the R-1A District, have direct and principal access from a collector or arterial road.
- (2) Bicycle rack spaces shall be provided at all planned developments that overlay a commercial zoning district at a rate of 3 per acre.
- (3) Adequate pedestrian connectivity shall be provided to and through a planned development.

Review: The proposed plans as drawn, highlight the non-motorized access options to the project. Covered bike storage has been shown on the plans and would be expected to be included. A BCRTA bus route line has been shown to pass through the area; however per BCRTA policy, no special accommodations are provided to a new development without a private agreement between the developer and BCRTA. Additionally, since the City Engineer has stated that a traffic study would be required, it is expected that all modes of transportation will be included with the Final Plan, as noted in the submittal requirements.

9. **Parking and Site Access:** All residential uses of more than three dwelling units must meet the non-residential parking lot design requirements, except for the number of parking spaces required.

Review: Given that the project design is preliminary in nature, there is insufficient information for a complete review. However, the numbers of parking spaces as it relates to the location of this particular property should be reviewed. The project developers are intending for the project to be student housing, therefore facts and trends regarding student car ownership and parking demand should be considered. The plans show 51 off-street parking spaces, which is approximately 1/3 of the required parking of 148, based upon the ratio of 2.5 spaces per unit (59). The architect has shown comparisons with requirements of the R3 district, which may have value in the decision-making process. The architect also states in the narrative the proximity of the project to Miami's Millett Hall Parking lot. City staff briefly discussed the project with Miami University Physical Facilities staff. No agreements or special accommodations have been made for this project. Miami staff do not permit parking permit holders to store vehicles in the lot on game days. Additional parking, special arrangements or a waiver will need to be granted by the City.

10. **Utilities and Infrastructure:** In numerous locations throughout the Planned Development Code Chapter, the sufficiency, availability and existence of utilities and infrastructure is questioned in regards to the review of a planned development.

Review: Given that the project is considered a redevelopment within existing urban area, it may be assumed that there are sufficient utilities and infrastructure. However due to the City Engineer's memo inquiring about traffic study, sewer, storm water and water, it is clear the several different topics of additional information are needed in order to determine if adequate utilities and infrastructure are provided.

11. **City Charter 2.11(4):** Under the authority of the City Council this subsection of the Charter of the City of Oxford prohibits structures containing more than three dwelling units in the subject area.

Review: This is not a section of the Planning and Zoning Code of the City of Oxford, but it will present a City Council approval problem for the proposed development due to the fact that there are three new buildings with 12 dwelling units each.

RECOMMENDATION

The review and recommendation for this project can be divided into two broad categories: (1) Administrative-level issues, such as infrastructure and architectural design and (2) Policy-level issues, such as dwelling unit /building density. Setting aside the Administrative-level issues, this project could present both positive and negative impacts for Oxford. For example, increases in land values could have both positive and negative effects. Increased land values results in additional revenue for public uses. Steep increases in taxable values could result in limitations for others to enter the Oxford market in the near future.

Given that substantial effort was recently made by the Planning Commission to amend the Mile Square zoning regulations to encourage redevelopment, there could be some overlap for discussion. It is recommended that the Planning Commission provide guidance on the building density issue before significant effort is made by the applicant to respond to other requests for information or revisions from city staff. It is unclear to city staff what impact any revisions in density will have on also meeting the City Charter dwelling unit limit or vice versa, revisions to comply with the City Charter impacting the dwelling unit density.

Lot coverage, open space, parking requirements and building setbacks could also be considered Policy-level decisions; however, these topics have been more frequently reviewed and recommended by the Planning Commission than the dwelling unit per acre limits.

Based upon the dwelling unit per building and dwelling unit per acre conflicts stated within this report, Staff recommends that a recommendation of denial be forwarded to City Council. Any additional reasons for denial should be stated in writing per Code. Based upon Section 1145.06(b)2, a denial would not preclude a new future application to be submitted within one year as long as it is substantially different. An identical application could be submitted after one year.

Alternatively, the Planning Commission could (1) table (suspend) the review until sufficient information is submitted (Per Section 1145.06 "Planning Commission and Council Review") or (2) it could recommend approval of the case.

If Planning Commission decides to forward a recommendation of approval to City Council, the recommendation may be based upon the architect providing additional information for City staff review prior to scheduling City Council first reading. An approval of a Preliminary Plan by City Council would be valid for up to two years, and void if a Final Plan is not submitted within those two years.

SUBMITTED
BY:



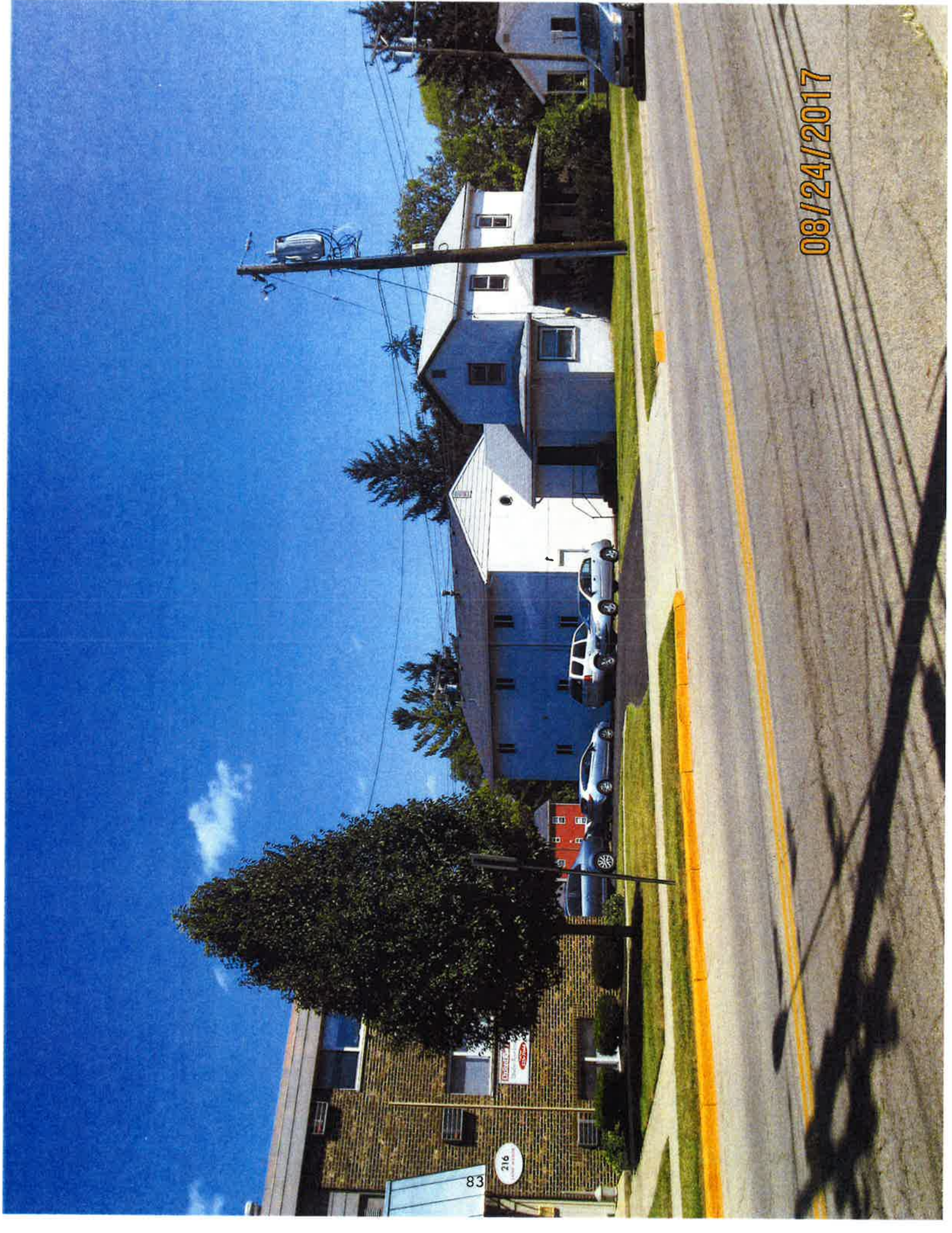
Sam Perry, AICP
Planner

DATE: September 6, 2017

Staff Photos

08/24/2017

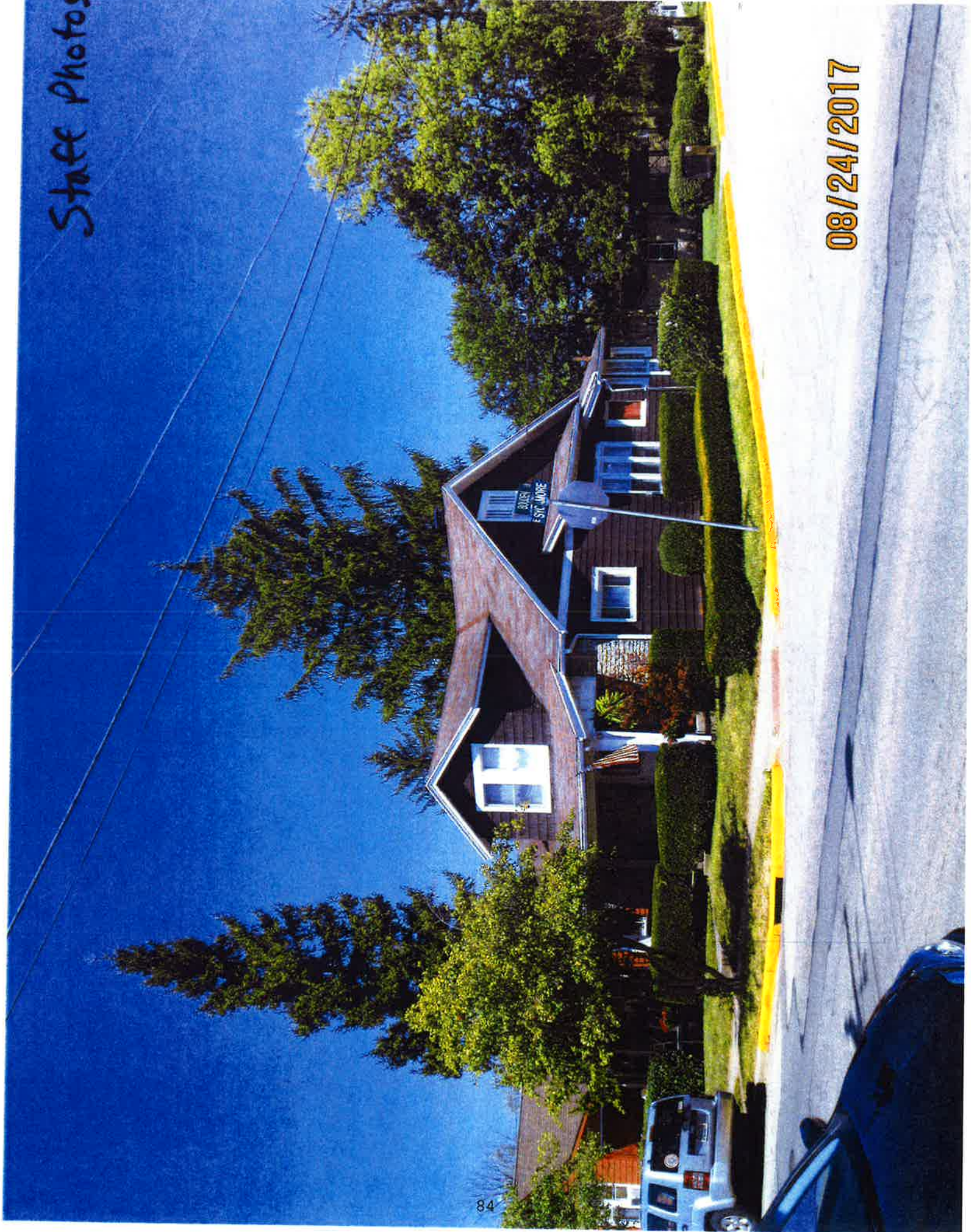




08/24/2017

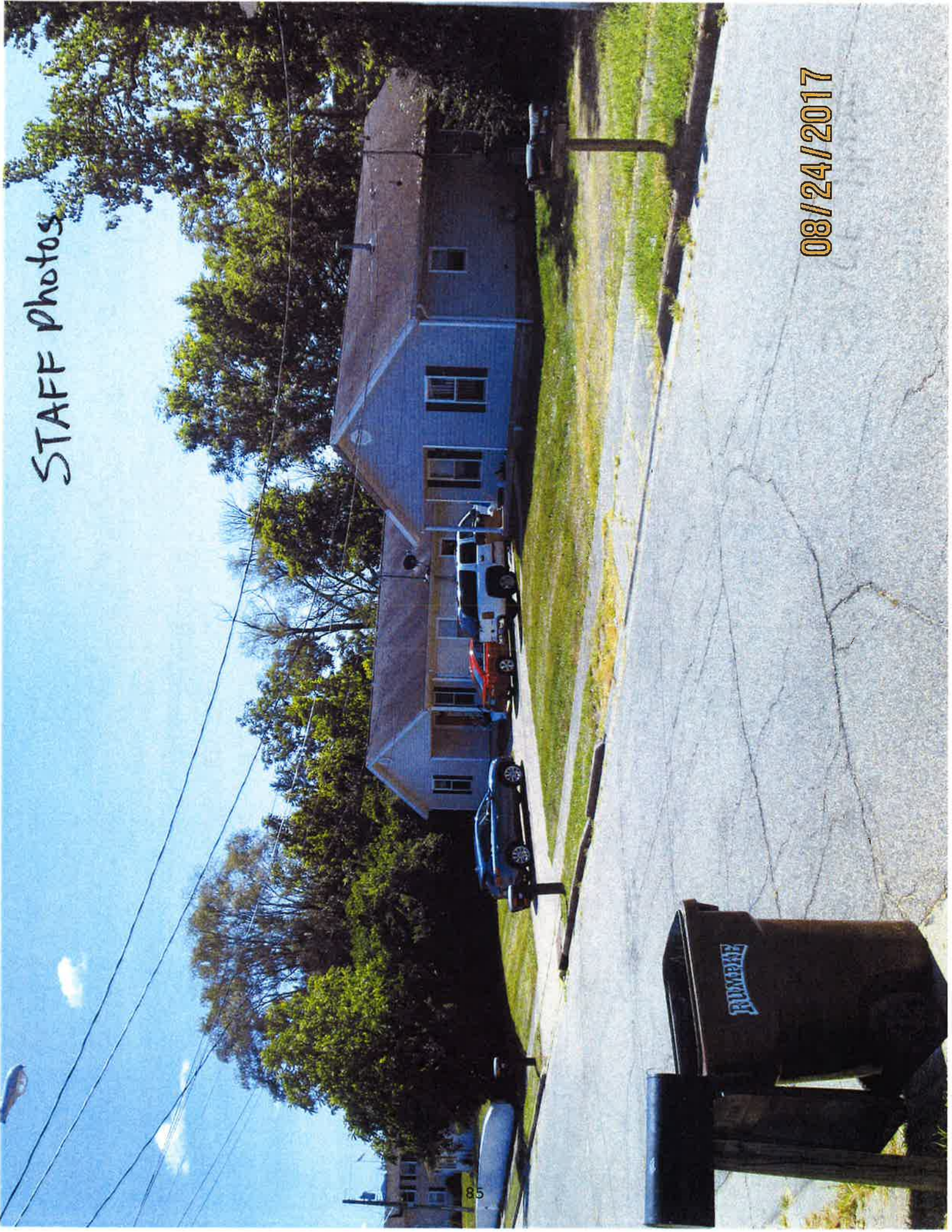
Staff Photos

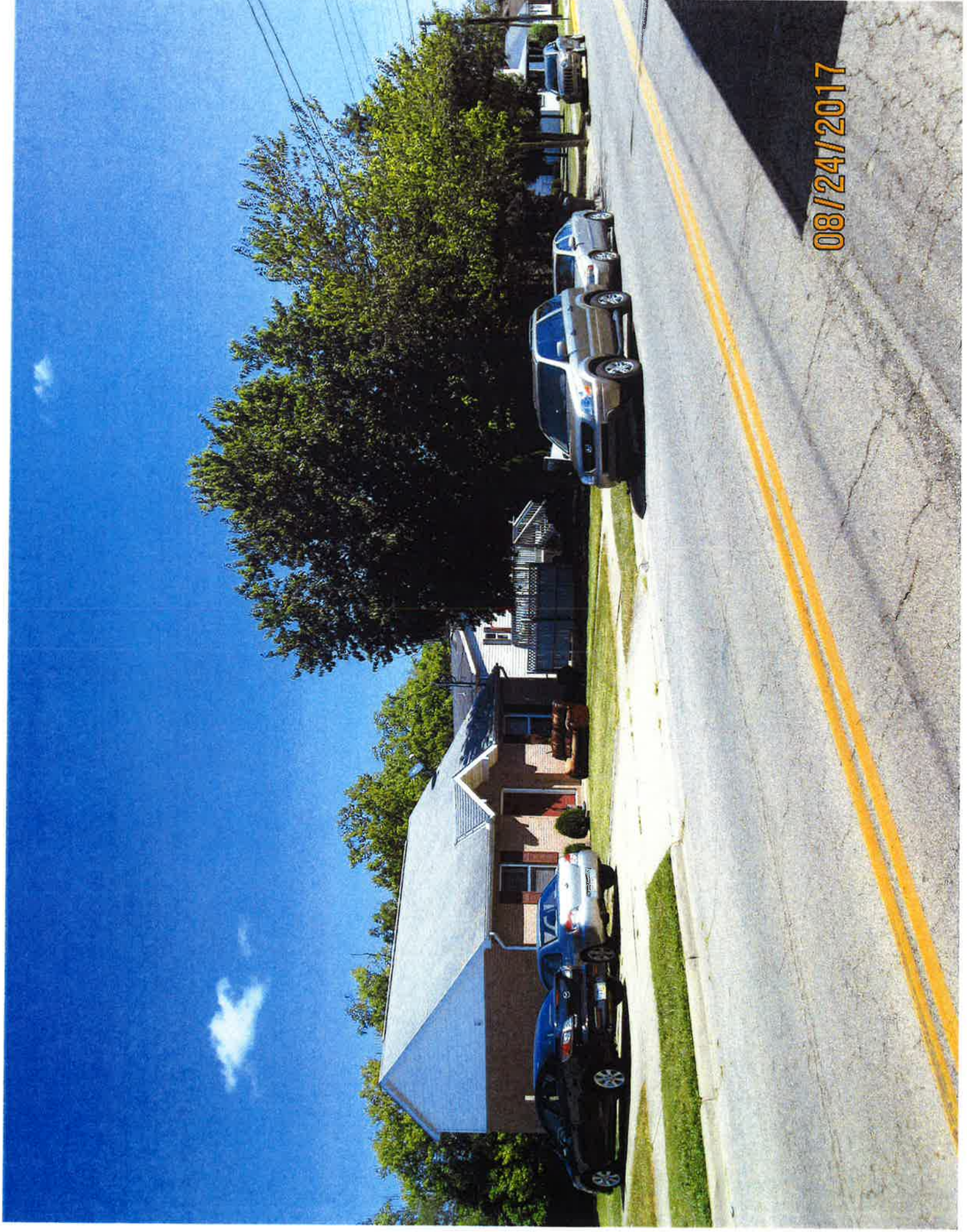
08/24/2017



STAFF photos

08/24/2017





08/24/2017

STAFF Photos

08/24/2017

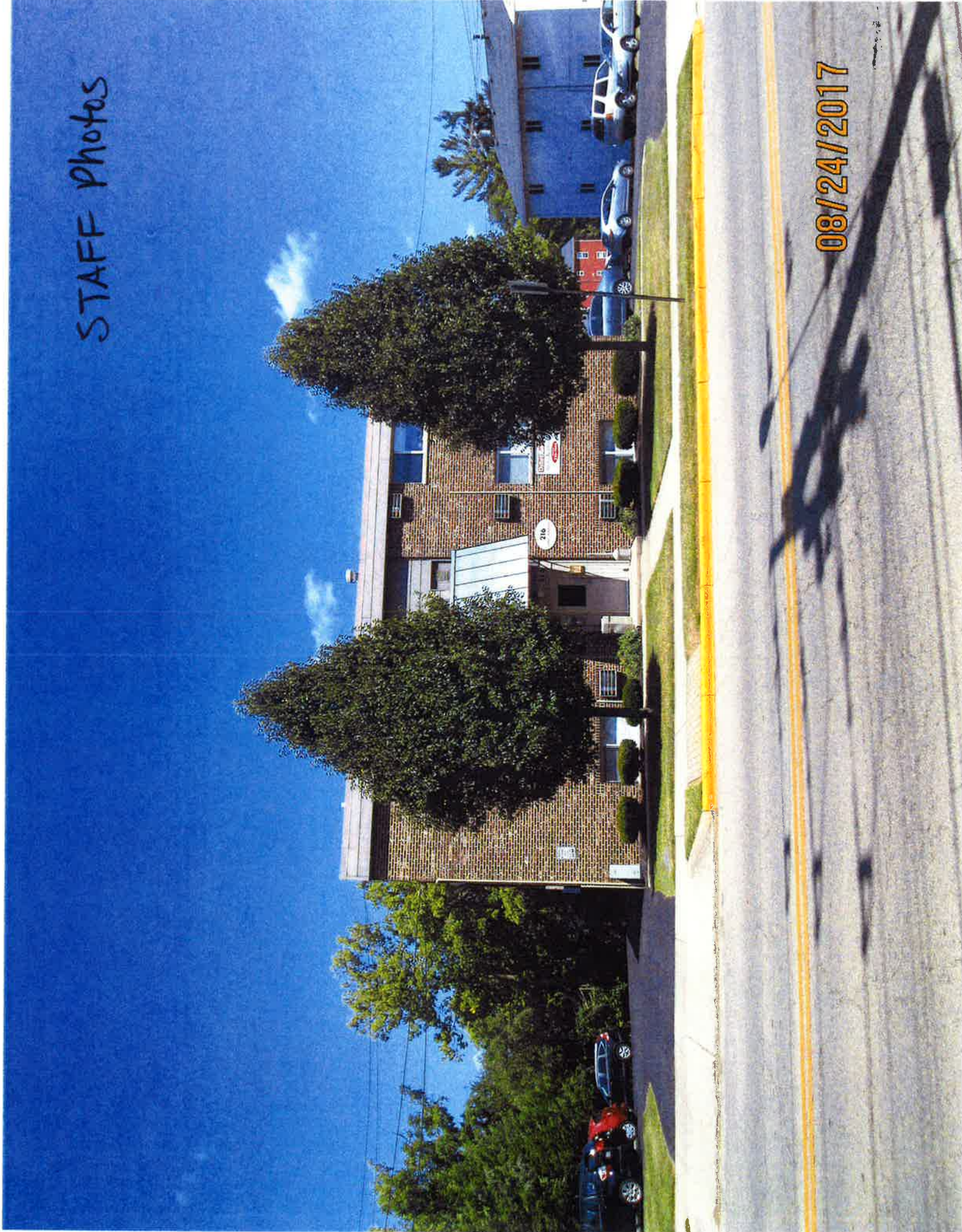


STAFF Photos

08/24/2017



STAFF PHOTOS



08/24/2017

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 Duthuase
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: H. Popescu Date: 8-22-17

VICTOR POPESCU

PRINTED NAME



Memo

Service Department
Engineering Division

513/524-5208 fax 513/524-5267

TO: Community Development Department

FROM: Victor Popescu, P.E.
City Engineer

RE: PC-2017-25; Planned Development
Stadium Apartments

DATE: August 22, 2017

The following are our comments.

- All unnecessary curb cuts and driveway aprons shall be removed and replaced with curbs and tree lawns. The new curb shall match the existing curb.
- How would the storm water be managed (i.e. underground detention, connect to city storm system)?
- Would the City's storm water system in the area be capable of receiving the additional storm water, or would upsizing be necessary?
- Master metering of the water would not be permitted. City policy.
- All water mains shall be located within recorded easements.
- The Fire Chief will determine the need and locations of the fire hydrants and FDC's.
- Water meters are to be purchased from the City, and installed by the Developer / Contractor.
- The water meters will be read, and billed by the City.
- Will there be irrigation?

- All taps on live water mains shall be made by City Staff.
- Can the City's sanitary sewer system within the area handle the additional sanitary discharge? Upsizing certain segments of the City's sanitary sewer main may be necessary.
- Infrastructure (water, sanitary, and storm), is to be constructed prior to initiating construction of the buildings.
- Traffic Study would be necessary.
- City Staff will inspect the construction of the infrastructure to assure that the City of Oxford Specifications are met.
- To assure that the utilities are constructed and maintained to City Standards, a performance bond will be required during the construction of the Development. The subject bond will be replaced by a maintenance bond, once the Development is completed.

NOTE: The above comments are based on a submittal that did not include a site plan that indicated proposed public / private utilities.

If there are questions, please contact the Engineering Division.

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
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: ROBERT WOLFE
(Print)
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 rental 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 cars would increase proportionately. North University serves as major entrances and exits for Milliken Hall, the football stadium and a university car parking area. The streets now are lined with cars with the exception of Bouden Ln where residents managed a restricted parking designation for which we pay \$5. to park near our homes.

Robert Wolfe
Signature

(OVER)
September 8, 2017
Date



PUBLIC HEARING

On Tuesday, September 12, 2017 beginning at 7:30 p.m., the Oxford Planning Commission will hold a Public Hearing at the Oxford Courthouse, 118 West High Street, Oxford, Ohio in order to consider the following:

PC-2017-25, PLANNED DEVELOPMENT, Stadium Apartments, 1.55 acres, (Single-, Two- and Three-Family Mile Square Residential (R-3MS) District, N. University Avenue and E. Sycamore Street, Madison Student Housing LLC, Applicant

Lynn Taylor
Administrative Assistant
Community Development Department
513/524-5204

continued statement:

The underground parking would spit onto University Ave which is heavily traveled and at times blocked for one half hour or more.

with increased numbers of students noise and party noise and disturbances would increase. For example check the fraternities and 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 (with out being able to judge scale) seem to consider a "neighborhood feeling" with the division of structures into smaller divisions

R U



PC-2017-25 **Surrounding** **Property Owners** **Notifications Map**

Legend

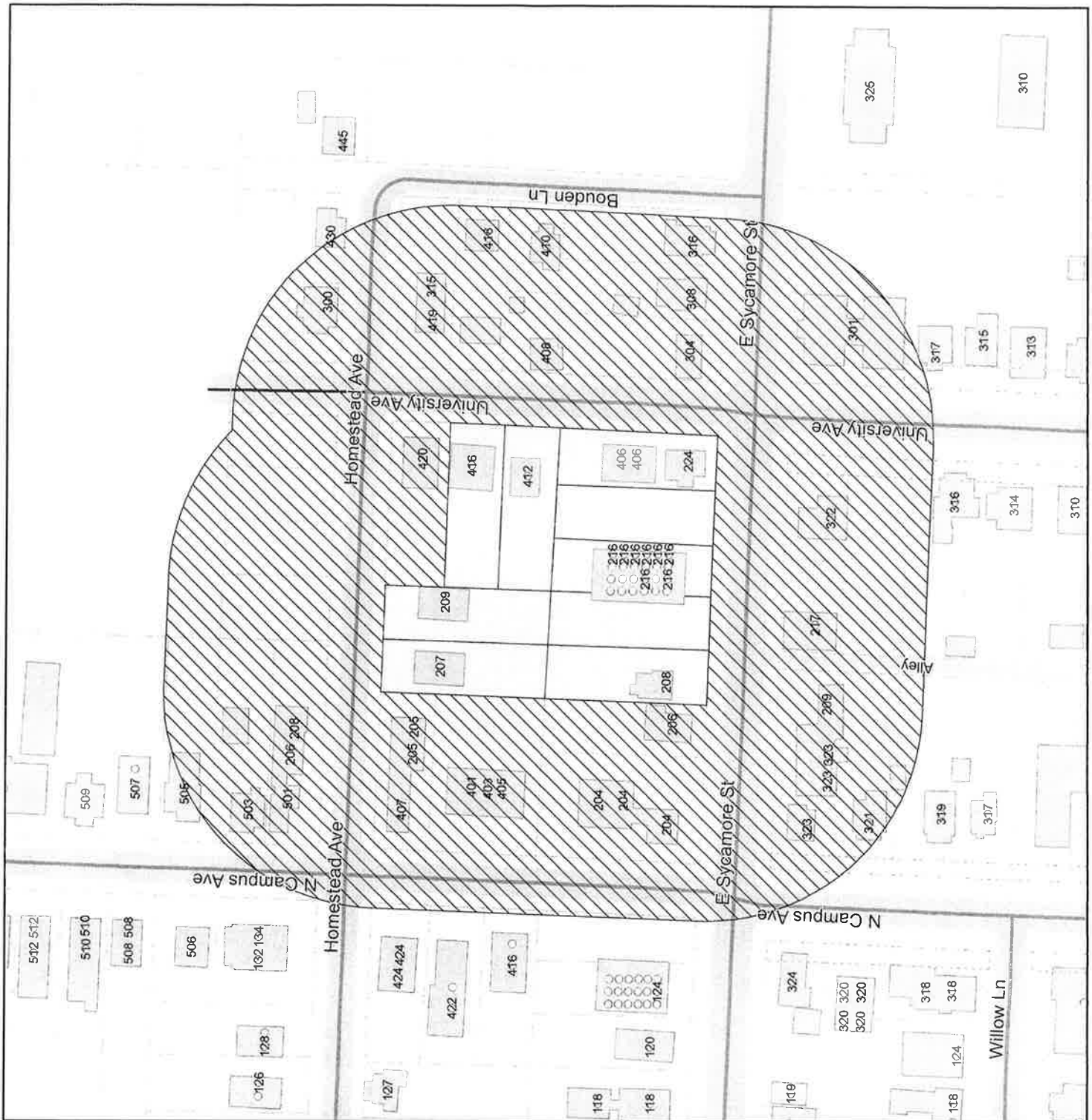
-  Subject Parcels
-  200 Ft. Buffer
-  Oxford Corp. Limit
-  Address Point
-  Parcel
-  16.5' Vacated ROW
-  Building Footprint
-  Paved Roadway



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
PLANNING COMMISSION
REVIEW AND COMMENT FORM**

CASE NO.: PC-2017-25

DATE OF HEARING: September 12, 2017

PLANNED DEVELOPMENT, Stadium Apartments, 1.55 acres, (Single-, Two- and Three-Family Mile Square Residential (R-3MS) District, N. University Avenue and E. Sycamore Street, Madison Student Housing LLC, Applicant

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

Name: Loveland Holding LLC - Justin Greive Managing Member
(Print)
Address: 423 Wards Corner Rd, STE F
LOVELAND OH 45140

Telephone: Home: / Work: 513-620-4514

COMMENT:

As an owner of properties in and around this area I fully support and approve of this development and any zoning changes necessary for its moving forward.

Justin Greive
Signature

9/1/17
Date



Internal Use Only:

Case No.

Date Filed

PC-2017-25
7/28/17

Planned Development Application

Application Type

Choose One



Preliminary



Final



Preliminary & Final

Applicant Information

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

Name *

Madison Student Housing LLC

Mailing Address *

2249 Pinehurst Drive

City, State & Zip Code *

Middleton, WI 53562

Telephone Number *

608-233-4440

Email Address

jim@jmmichaelrealestate.com

Owner Information

Name *

Madison Student Housing LLC

Mailing Address *

2249 Pinehurst Drive

City, State & Zip Code *

Middleton, WI 53562

Telephone Number *

608-233-4440

Email Address

jim@jmmichaelrealestate.com

Engineer/Surveyor Information

Name *

Etta Reed - Bayer Becker

Mailing Address *

110 South College Avenue

City, State & Zip Code *

Oxford, Ohio 45056

Telephone Number *

513-492-9847

Email Address

ettareed@bayerbecker.com

Location and Lot Information

Name of Subdivision *

Stadium Apartments

Location of Property *

N. University Ave. and E. Sycamore St. - Oxford, Ohio

Legal Description *

Lots: 1592, 1593, 1595, 1596, 1600, 1601, 1602, 1603, 1604

Zoning District *

R3MS

Total Area *

1.55

Acres

Submission Requirements and Documentation

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

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

O. Other information as required by the Planning Commission or Council.

(7) Elevations. Elevations of proposed structures or typical elevations if structures are not yet designed.

(8) Other. Photographs of the existing site and its surroundings.

(b) Final Plan.

- (1) The same items and information as required for the preliminary plan, except that the approximations shall be refined to specific locations, dimensions, and descriptions.
- (2) A detailed traffic impact analysis, including all modes of transportation, prepared by a qualified professional engineer
- (3) Any additional description or information requested by the Planning Commission or Council during the preliminary plan approval process.
- (4) Detailed agreements, contracts, deed restrictions, and sureties that will be used to guarantee performance of the development during and after construction.

Surrounding Property Owners

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

Decision Process

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

Fees & Receipt

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

Sign and Date

Applicant Signature *

 - Mike Fisher

Date *

7/27/2017

Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

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

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

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

June 27, 2017

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



Re: Letter of Intent
Planned Development (PD) – Preliminary Plan
Stadium Apartments
N. University Ave. and E. Sycamore St.

Dear Mr. Perry:

The following letter of intent is submitted together with the preliminary plans and survey for the preliminary planned development application.

Organizational Structure:

Owner: Madison Student Housing LLC
2249 Pinehurst Drive
Middleton, WI 53562
jim@jmmichaelrealestate.com

Architect: J. Randy Bruce
Knothe & Bruce Architects, LLC
7601 University Ave.
Suite 201
Middleton, WI 53562
rbruce@knothebruce.com

Consulting Architect: Scott Webb, Architect
103 West Walnut Street
Oxford, Ohio 45056
(513) 523-3838
scott@scottwebbarchitect.com

Civil Engineer: Etta Reed
Bayer Becker
110 South College Avenue
Oxford, OH 45056
ettareed@bayerbecker.com

Introduction and rationale for a planned development:

The following letter and plans are submitted to accompany the application materials for a rezoning application from the existing R3MS to a Preliminary Planned Development. This follows a recent concept review by the plan commission.

This project proposes the redevelopment of 9 lots located on the south side of Homestead Street extending to the north side of East Sycamore Street. The combined sites are approximately 67,500 square feet. The property owner is an experienced student housing developer with over 30 years of experience.

The site is an excellent site for a planned development. It is an in-fill site that is currently occupied by student rentals in various stages of disrepair. The intent of the development is to provide new, high-quality student housing adjacent to the campus where the negative impacts of student housing to the Oxford community is minimized. By placing new student housing close to campus the demand for student housing in neighborhoods where student housing is not desirable are lessened. The planned development zoning allows the City to fully utilize the site and place student housing in its most appropriate location.

Legal Description:

The legal description is Lots 1592, 1593, 1595, 1596, 1600, 1601, 1602, 1603 and 1604. A list of all the property addresses, parcel numbers and legal descriptions is attached to this letter.

Project Description:

The project site includes 8 student rental-housing buildings that are in various stages of disrepair with one of the buildings unoccupied. The proposed redevelopment maintains the 24-unit apartment building on E. Sycamore Street and adds three new buildings with 11 or 12 apartments in each building. The three new apartment buildings are three stories in height and are designed to fit within the context of the surrounding neighborhood. From the street the buildings will appear as a series of historically scaled residential homes or "three-flats" with unique designs and entry porches. The surface parking is limited due to the sites location adjacent to the campus parking area and the inclusion of underground parking. Vehicular access to the underground parking is achieved from University Avenue on the east side of the site. The traffic impacts of this development are minimal since the residents will be making almost all of their trips to and from campus as pedestrians.

An exterior courtyard for outdoor cooking and interior common amenities such as a community room and exercise facilities will be available to the residents. The interior of the apartments will have upscale designs and finishes including private bedroom-bathroom suites, stainless steel appliances, granite counter tops, and attractive wood-look flooring.

Site Development Data:

Existing Apartments to Remain:

One-Bedroom	24 apartments with 24 bedrooms
-------------	--------------------------------

Newly Constructed Apartments:

Two-Bedroom	9
Three-Bedroom	23
Four-Bedroom	3
Total New Dwelling Units	35 apartments with 99 bedrooms

<u>Total Apartments:</u>	59 apartments with 123 bedrooms
--------------------------	---------------------------------

<u>Building Height:</u>	3 Stories
-------------------------	-----------

On- Site Vehicle Parking:

Below Grade Parking Garage	23 Stalls
Surface Parking Garage	28 Stalls

Off-site Vehicle Parking

On-street parking	18 stalls
-------------------	-----------

Upper-classmen students of the university may apply for a parking permit that will allow them to park in the Ditmer (875 spaces), Chestnut Fields (500 spaces) and Millet Hall (1500 spaces) parking lots. The University issues approximately 2000 permits each year leaving a surplus of approximately 875 spaces. The Millet-Yager parking lot is particularly under-utilized and only a portion of the lot is closed for special events such as football games or graduation. The Millet lot is only 300 feet from the site and would be available to the residents of this development. More fully utilizing the existing Millet lot is good land-use planning.

Project Schedule:

It is anticipated that the construction will start in June 2018 and be completed for occupancy in August 2019.

Compatibility with the general vicinity:

This proposal replaces a group of older student apartments with new, high-quality apartments for the students of Miami of Ohio. These 9 lots and most of the surrounding properties are student rentals. The proposed development is a compatible use and an efficient development pattern that is appropriate in close proximity to campus. Although the new buildings are composed of apartments, they are designed to appear as a series of independent 'three-flats'. As such the scale and rhythm on the street will be compatible with the residential structures that surround the campus. Each "three-flat" will have historically-inspired architectural exteriors that will enhance the residential character of the neighborhood. The existing 24 unit apartment

building will also be reinvested and improved with exterior façade improvements and interior upgrades.

The properties will be owned and operated as a single development with professional local management. The management will be active and will work to minimize the noise and problems associated with student housing. The safety and security of the residents will be maintained by providing security cameras throughout the common areas of the buildings and exterior courtyard.

Social & Economic Impacts:

This development will provide high-quality student housing adjacent to the campus and thereby reduce the impacts of student housing on other neighborhoods in the city. The redevelopment will encourage pedestrian traffic (in place of vehicular traffic) and high quality, energy efficient, safe and secure housing will replace a blighted area. The project will also provide support to the local construction industry and a substantially increase to the tax base of the City.

Thank you for your time in reviewing our proposal.

Very Truly Yours,



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 h4100010000026⁴⁵ 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
 ✓ " " h4100010000045⁴⁶ lot 1603 ENT
 ✓ 208 E Sycamore h4100010000043 lot. 1600 ENT

Purchased Property
 Addresses

224 E
Sycamore

Notices shall be deemed effective on the earlier of the date of receipt or the date of deposit as aforesaid; provided, however, that if notice is given by deposit in the United States Mails, the time for response to any notice by the other party shall commence to run two (2) business days after any such deposit. Any party may change its address for the service of notice by giving written notice of such change to the other party, in any manner above specified, ten (10) days prior to the effective date of such change.

11. Confidentiality. Neither Seller nor Buyer shall disclose the terms of this Agreement to any third party except for professional advisors under an obligation to preserve such confidentiality, or, with regard to Section 12, below, to municipal authorities to establish Buyer's authority.

12. Municipal Submissions. Seller, upon execution of this Agreement, hereby appoints Buyer has his/her/its agent to submit development plans and any other documents or requests Buyer deems necessary to obtain municipal approval of buyer's proposed development. Buyer shall provide copies of the submissions at Seller's request.

13. Captions. The paragraph headings or captions appearing in this Agreement are for convenience only, are not a part of this Agreement and are not to be considered in interpreting this Agreement.

14. Entire Agreement; Modifications. This written Agreement constitutes the complete agreement between the Parties and supersedes any prior oral or written agreements between the parties regarding the Property. There are no verbal agreements that change this Agreement and no waiver of any of its terms will be effective unless in a writing executed by the parties.

15. Binding Effect. This Agreement binds and benefits the parties and their successors and assigns.

16. Controlling Law. This Agreement has been made under the laws of the State of Ohio, and the laws of such state shall control its interpretation.

17. Facsimile Signatures. Transmission of a signature on this Agreement or a counterpart of this Agreement by facsimile or electronic mail shall be sufficient for all purposes and shall be of the same force and effect as an original signature.

Seller and Buyer have executed and delivered this Agreement as of the dates indicated opposite their signatures below.

SELLER:
GOLD DUST PROPERTIES, LLC

By: 
GREG REICHERT

EXHIBIT A TO
PURCHASE AGREEMENT

**DESCRIPTION
OF
REAL PROPERTY**

Parcel Id	H4000010000047
Address	224 E. Sycamore St.
Class	Residential
Land Use Code	530, R – Three Family Dwelling, Platted Lot
Neighborhood	0001E016
Total Acres	.1722
Taxing District	H40
District Name	OXFORD CORP TAL CSD
Gross Tax Rate	71.29
Effective Tax Rate	43.255862
Non Business Credit	.099538
Owner Occupied Credit	N/A

412 University

Notices shall be deemed effective on the earlier of the date of receipt or the date of deposit as aforesaid; provided, however, that if notice is given by deposit in the United States Mails, the time for response to any notice by the other party shall commence to run two (2) business days after any such deposit. Any party may change its address for the service of notice by giving written notice of such change to the other party, in any manner above specified, ten (10) days prior to the effective date of such change.

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:

Adam Pendergast

By: Charlotte Pendergast

Its: Licensed Realtor in Ohio

CHARLOTTE PENDERGAST

Adam Pendergast

Date: 10-3-16, 2016

<https://sitemail.hostway.com/mail/index.php/mail/viewmessage/getattachment/folder/INBOX/uniqueid/41561/mimeType/YXBwbGlYXRpb24vYXNja3Jk/filenameOriginal/Purchase+Agreement+-+Oxford%2C+Ohio+%2802061365x9D8829%29.doc/filename/S/INBOX41561Purchase+Agreement+-+Oxford%2C+Ohio+%2802061365x9D8829%29.doc>

**LEGAL DESCRIPTION
OF
REAL PROPERTY**

412 UNIVERSITY ST

Parcel Id	HA100010000028
Address	412 UNIVERSITY ST
Class	RESIDENTIAL
Land Use Code	510, R - SINGLE FAMILY DWELLING, PLATTED LOT
Neighborhood	0001ED18
Total Acres	.1722
Taxing District	1461
District Name	OXFORD CORPORAL DL
Gross Tax Rate	72.09
Effective Tax Rate	44.041472
Non Business Credit	.1
Owner Occupied Credit	N/A

CAUV	NO
Agricultural District	NO

TAX TYPE	Prior Year	First Half Tax	Second Half Tax	Total
Rent Expense	0.00	578.50		
Total Payments	0.00	578.50	578.50	1,157.00
Total:	0.00	578.50	578.50	1,157.00
		0.00	0.00	0.00

Owner 1	
Owner 2	LACEY CHARLOTTE A
Legal 1	
Legal 2	1550 ENT
Legal 3	

Mailing Name 1
Mailing Name 2
Address 1
Address 2
Address 3

CHARLOTTE A LACEY
412 N UNIVERSITY AVE
OXFORD OH 45086 1360

Sales

106

416 University

Facsimile No.: 608-257-5444

Notices shall be deemed effective on the earlier of the date of receipt or the date of deposit as aforesaid; provided, however, that if notice is given by deposit in the United States Mails, the time for response to any notice by the other party shall commence to run two (2) business days after any such deposit. Any party may change its address for the service of notice by giving written notice of such change to the other party, in any manner above specified, ten (10) days prior to the effective date of such change.

11. Confidentiality. Neither Seller nor Buyer shall disclose the terms of this Agreement to any third party except for professional advisors under an obligation to preserve such confidentiality, or, with regard to Section 12, below, to municipal authorities to establish Buyer's authority.

12. Municipal Submissions. Seller, upon execution of this Agreement, hereby appoints Buyer as his/her/its agent to submit development plans and any other documents or requests Buyer deems necessary to obtain municipal approval of buyer's proposed development. Buyer shall provide copies of the submissions at Seller's request.

13. Captions. The paragraph headings or captions appearing in this Agreement are for convenience only, are not a part of this Agreement and are not to be considered in interpreting this Agreement.

14. Entire Agreement; Modifications. This written Agreement constitutes the complete agreement between the Parties and supersedes any prior oral or written agreements between the parties regarding the Property. There are no verbal agreements that change this Agreement and no waiver of any of its terms will be effective unless in a writing executed by the parties.

15. Binding Effect. This Agreement binds and benefits the parties and their successors and assigns.

16. Controlling Law. This Agreement has been made under the laws of the State of Ohio, and the laws of such state shall control its interpretation.

17. Facsimile Signatures. Transmission of a signature on this Agreement or a counterpart of this Agreement by facsimile or electronic mail shall be sufficient for all purposes and shall be of the same force and effect as an original signature.

Seller and Buyer have executed and delivered this Agreement as of the dates indicated opposite their signatures below.

SELLER:

Roy Curtis

By: Beverly A. Curtis

Its:

Date: DECEMBER 7, 2016

<https://sftomall.hostway.com/mail/index.php/mail/viewmessage/getattachment/folder/INBOX/uniqueid/41561/mimeType/YXBwGIIYXRpb24vLXN3b3Jk/BlonameOriginal/Purchase+Agreement++&Ox8rd9%2C+Ohio+%2802061365%9D882%29.doc/BlonameFS/INBOX41561Purchase+Agreement++&Ox8rd9%2C+Ohio+%2802061365%9D882%29.doc>

Roy Curtis

BEVERLY CURTIS

EXHIBIT A TO
PURCHASE AGREEMENT

LEGAL DESCRIPTION
OF
REAL PROPERTY

PARID: H4100010000025
CURTIS ROY E &

416 UNIVERSITY AVE

Parcel

Parcel Id	H4100010000025
Address	416 UNIVERSITY AVE
Class	RESIDENTIAL
Land Use Code	610, R - SINGLE FAMILY DWELLING, PLATTED LOT
Neighborhood	0001E018
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++->

Facsimile No.: 608-257-5444

Notices shall be deemed effective on the earlier of the date of receipt or the date of deposit as aforesaid; provided, however, that if notice is given by deposit in the United States Mails, the time for response to any notice by the other party shall commence to run two (2) business days after any such deposit. Any party may change its address for the service of notice by giving written notice of such change to the other party, in any manner above specified, ten (10) days prior to the effective date of such change.

11. Confidentiality. Neither Seller nor Buyer shall disclose the terms of this Agreement to any third party except for professional advisors under an obligation to preserve such confidentiality, or, with regard to Section 12, below, to municipal authorities to establish Buyer's authority.

12. Municipal Submissions. Seller, upon execution of this Agreement, hereby appoints Buyer as his/her/its agent to submit development plans and any other documents or requests Buyer deems necessary to obtain municipal approval of buyer's proposed development. Buyer shall provide copies of the submissions at Seller's request.

13. Captions. The paragraph headings or captions appearing in this Agreement are for convenience only, are not a part of this Agreement and are not to be considered in interpreting this Agreement.

14. Entire Agreement: Modifications. This written Agreement constitutes the complete agreement between the Parties and supersedes any prior oral or written agreements between the parties regarding the Property. There are no verbal agreements that change this Agreement and no waiver of any of its terms will be effective unless in a writing executed by the parties.

15. Binding Effect. This Agreement binds and benefits the parties and their successors and assigns.

16. Controlling Law. This Agreement has been made under the laws of the State of Ohio, and the laws of such state shall control its interpretation.

17. Facsimile Signatures. Transmission of a signature on this Agreement or a counterpart of this Agreement by facsimile or electronic mail shall be sufficient for all purposes and shall be of the same force and effect as an original signature.

Seller and Buyer have executed and delivered this Agreement as of the dates indicated opposite their signatures below.

SELLER:

TWIN REALTY HOLDINGS, LLC.

By: Justin Greiwe Justin Greiwe
Vts: Managing Member

Date: December 3, 2016

Via: Managing Member

(http://hotmail.hotm...com/mail/index.php/mail/viewmessage/getattachment/folder/NB0X/nanoaid41561/minutype/YXBwGfYXRpb2lv
BXNjS3NrNameOriginalPurchase+Agreement++
+Curd982C+Onlo+%2A%2D61365ADP822900Ez9629.doc?NameNB/NB-0X41561Purchase+Agreement++
+Curd982C+Onlo+%2A%2D61365ADP822900Ez9629.doc)

Page 7 of 9

EXHIBIT A TO
PURCHASE AGREEMENT

LEGAL DESCRIPTION
OF
REAL PROPERTY

207 Homestead Ave
Oxords, OH 45056
Parcel# 44600010000028

AND

209 Homestead Ave
Oxords, OH 45056
Parcel# 4000010000027

Seller: Twin Realty Holdings, LLC.

By: Justin Greine

Its: Managing Member

12/3/2016

Buyer: Madison Student Housing LLC

By: [Signature]

Assistant Manager

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

216
E
Sycamore

With a copy to: Axley Brynelson, LLP
Attn: Attorney Steven A. Brezinski
2 East Mifflin Street
Post Office Box 1767
Madison, WI 53701-1767
Facsimile No.: 608-257-5444

Notices shall be deemed effective on the earlier of the date of receipt or the date of deposit as aforesaid; provided, however, that if notice is given by deposit in the United States Mails, the time for response to any notice by the other party shall commence to run two (2) business days after any such deposit. Any party may change its address for the service of notice by giving written notice of such change to the other party, in any manner above specified, ten (10) days prior to the effective date of such change.

11. Confidentiality. Neither Seller nor Buyer shall disclose the terms of this Agreement to any third party except for professional advisors under an obligation to preserve such confidentiality, or, with regard to Section 12, below, to municipal authorities to establish Buyer's authority. ★

12. Municipal Submissions. Seller, upon execution of this Agreement, hereby appoints Buyer as his/her/its agent to submit development plans and any other documents or requests Buyer deems necessary to obtain municipal approval of buyer's proposed development. Buyer shall provide copies of the submissions at Seller's request. ★

13. Captions. The paragraph headings or captions appearing in this Agreement are for convenience only, are not a part of this Agreement and are not to be considered in interpreting this Agreement.

14. Entire Agreement; Modifications. This written Agreement constitutes the complete agreement between the Parties and supersedes any prior oral or written agreements between the parties regarding the Property. There are no verbal agreements that change this Agreement and no waiver of any of its terms will be effective unless in a writing executed by the parties.

15. Binding Effect. This Agreement binds and benefits the parties and their successors and assigns.

16. Controlling Law. This Agreement has been made under the laws of the State of Ohio, and the laws of such state shall control its interpretation.

Seller and Buyer have executed and delivered this Agreement as of the dates indicated opposite their signatures below.

SELLER:
RGS PROPERTIES, LLC

Date: February 20, 2017

By: [Signature]
Name: Susanne Morgan
Title: President

BUYER:
MADISON STUDENT HOUSING, LLC

Date: February 21, 2017

By: [Signature]
Name: Jim Corcoran
Title: Managing Partner

EXHIBIT A TO
PURCHASE AGREEMENT

**DESCRIPTION
OF
REAL PROPERTY**

Parcel ID	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

Dated: _____, 2017

By: 

Its: Authorized Signatory

EXHIBIT A TO
PURCHASE AGREEMENT

**DESCRIPTION
OF
REAL PROPERTY**

Parcel Id	H4100010000043
Address	208 E. Sycamore St.
Class	Residential
Land Use Code	530, R - HTRL/Mobile Home on Real Estate
Neighborhood	0001E016
Total Acres	.1722
Taxing District	H40
District Name	OXFORD CORP TAL DL
Gross Tax Rate	71.29
Effective Tax Rate	43.255862
Non Business Credit	.099538
Owner Occupied Credit	N/A

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2017-24

Date –September 12, 2017

APPLICATION

Applicant:	Oxford Bible Fellowship
Location:	800 Maple Street
Owner:	Oxford Bible Fellowship
Agent:	Pastor Garrett Nates
Action Request:	Conditional Use Permit Application to allow for the expansion of an existing church
Current Use:	Church
Zoning:	MU (Miami University) District
Surrounding Existing Land Uses:	Single family, MU dormitories

GENERAL DESCRIPTION

This application is seeking approval to allow for the expansion of an existing church at 800 Maple Street. The proposal is to build an 18,000 plus square feet standalone building, directly south to the existing church building, approximately 5,600 square feet. The applicant came before the Planning Commission at their May meeting for a concept review and received comments from the Commission as to what issues need to be worked into this project.

PUBLIC COMMENTS

Public notices were mailed to surrounding property owners. No comments were received.

AGENCY REVIEWS

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

Police:	Received with no comments
Fire:	Received with no comments
Engineering:	Comments Received
Econ. Dev.:	Received with comments

ZONING CODE REVIEW

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

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

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

(1) **Burden of Proof.**

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

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

(d) Action by Planning Commission.

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

1147 03(b)(15) 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.

ANALYSIS:

The applicant is proposing to build a second and larger building at the current location to accommodate more patrons. The proposed building has an approximately 18,000 square feet of footprint, with a total of 23,364 square feet floor space. The proposed building is directly situated south of the existing building, along Maple Street. The proposed building will have about a 20 feet setback along Maple Street and 30 feet setback from E. Chestnut Street.

The existing playground area will be relocated to the north of the existing building and the angular off-street parking spaces will be removed. Some of the concrete walkways will also be removed and new walkways will be installed. Work in the existing parking lot will also be incorporated because the new building will remove some parking spaces.

At the May Planning Commission meeting, the Planning Commission pointed out issues that the designer needed to be aware of before a detailed design got underway. Comments received were parking, the proposed building in relationship with the street, contractual agreement with Miami to use their parking located near the church, low impact design techniques, lot coverage, pedestrian movement, storm water management, compatibility to the residential area of the proposed expansion and environmental design.

Zoning Code Review:

The following are items staff identified that were not in conformance with the Oxford Zoning Code and require Planning Commission deliberation.

1141 Accessory, Temporary, Supplementary and Environmental Regulations

1141.03 (a) one Principal Building Per lot: in a Residential District, except for R-3 and R-4 Districts, there shall be no more than one principal building or use on one lot. The proposed expansion would create two principal buildings on one lot. **A waiver is required from the Planning Commission.**

1141.03(b) Principal entrance upon a street. It appears that the main entrance of the proposed building will be on the west side of the building, opposite to Maple Street.

1141.03(c)(3)B. Average Front yard setback may be established when more than 50% of the lot has been developed within that block face. The average front yard setback requirement shall, in no circumstances, be less than 16.5 feet. **Based on the aerial photo, the average front yard setback of the block face is approximately 50 feet.**

1143.Districts:

1143.11 Site Development Regulations: MU (Miami University) District

1143.11 (c)(2) A. Front yard: 20 feet: The placement of the proposed building meets the front yard setbacks on both streets: East Chestnut Street and Maple Street.

1143.11(c) (3)C.1 Lot coverage (total) : 35 %. Existing lot coverage, based on the information provided by the applicant is 56%. With the expansion, the total lot coverage will be increased to 76%. A waiver is required from the Planning Commission.

1147 Conditional Uses

1147.02(C). Site Plan.

8. No signage plans have been provided.

9. No landscaping plan has been provided.

1147.03(b)(15) Conditional Uses specific regulations and Concerns

a. Adequate site for future expansion.

The site is adequate to accommodate the proposed building; nevertheless, the expansion increases the lot coverage by about 20%.

b. Location and screening of outdoor recreation areas.

No information regarding the screening of outdoor recreation areas has been provided.

c. Lighting

No information regarding lighting has been provided. The Oxford Zoning Code stipulates that no more than 1 lumen light measurement at the property line.

1149 Parking and Site Access

1149.02 Applicability of regulations:

a. Any new development, redevelopment, or change to a use or structure

1149.05 (e)(2) loading space. Two loading spaces are required. A waiver is required.

1149.05(e)4 Parking lot design

D. Lighting. See comments above.

Q. Separate vehicular and pedestrian circulation systems shall be provided.

No separate pedestrian circulation is provided.

R. Pedestrian Safety:

1 The parking design should be laid out in a way to minimize the times pedestrians would typically have to walk between parked cars and then cross a drive aisle to get to a location on the site. Walkways should be incorporated into the median or landscape of some double loaded parking bays that terminate close to building entries.

2. Material and width. The walkway shall provide at least 5 feet of unobstructed width and be hard surfaced with a material that differs from the drive aisle by composition, texture, or through the use of a differing color that is integral to the material

3. Identification. Pedestrian walkways shall be clearly differentiated from driveways, parking aisles, and parking and loading spaces through the use of elevated changes, a different paving material, or similar method. .

1149.05 Bicycle and Motorcycle parking: A.1. Space required: a. one parking for every 10 on-site vehicle parking spaces actually provided. **None is shown on the site plan.**

1149.05 B. Motorcycle and scooter parking is required: A maximum of 2 spaces for motorcycles and scooters.

ISSUES TO BE DELIBERATED:

No more than one principal building on any residential lot. The Planning Commission could waive this requirement or require the two buildings to be connected.

Lot coverage issue: The proposed expansion will increase the total lot coverage from the existing 56% to 76%. The Planning Commission would need to find out what other storm water management practices that this project will install to mitigate the increase in stormwater. Is there on-site retention capacity to handle the increased runoff?

The required loading space: This requirement can be waived by the Planning Commission.

Parking lot design issue: Given the assumption of the proposed expansion is to accommodate more patrons to the facility, whether it is community members or Miami students, no internal pedestrian circulation system is proposed to safeguard pedestrians in the parking lot. No clearly defined pedestrian pathway to separate the vehicle traffic from pedestrians.

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

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

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

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

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

Yes, the proposed use will satisfy. 46

- C. The use and site will be compatible with the general intent of the Comprehensive Plan.**
Yes, the proposed use would be compatible with the general intent of the Comp Plan.
- D. The size and shape of the site are sufficient for the proposed use.**
The size and shape of the site does not appear to be sufficient for the proposed expansion.
- E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.**
None anticipated.
- F. The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.**
Not applicable.
- G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.**
Is the existing building considered to be an accessory use, then the accessory use should be directly related to 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.**
See City Engineer's comment, dated August 17, 2017.
- I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.**
Any additional expenditure for additional infrastructure or services should be borne by the development project. At this point, none is anticipated. No traffic impact study is required, as indicated by the City Engineer comments, 8-17-17.
- J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.**
The placement of the proposed building may not be in line with the setback of the residential unit along E. Chestnut Street. On Maple Street, the proposed building is much closer to the street than the existing building. Additionally, there is no landscaping plan that may soften the bulk of the proposed 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.**
The hours of operation is from Monday to Friday, between 9 am to 4 pm, with Sunday services, potentially numerous evening meetings/events may also be held at the location.
- L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.**
The proposed expansion will only remove trees at this site.
- M. All necessary permits and licenses for the Conditional Use and its operation have been or can be obtained for the use at the proposed location.**

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

RECOMMENDATION:

There are several issues that need to be discussed and worked out between the applicant and the Planning Commission. Staff would recommend the following for consideration:

1. Planning Commission waive the one principal building per residential lot.
2. Planning Commission waive the principal entrance upon a street.
3. A separate pedestrian circulation system must be provided in the parking lot to safeguard pedestrians.
4. Proposed new lighting shall conform to Oxford Zoning Code.
5. The comments and concern from the City Engineer shall be incorporated into the building construction phase.
6. Planning Commission waive the loading space requirement.

Staff would recommend the Planning Commission discuss the building compatibility issue with the applicant, given this was the concern from the May meeting as well.

SUBMITTED

BY:



Jung-Han Chen
Community Development Director

DATE: August 21, 2017

ATTACHMENT

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

(1) Burden of proof.

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

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

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

City of Oxford
Inter-Office Review Transmittal Sheet



Date: August 7, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

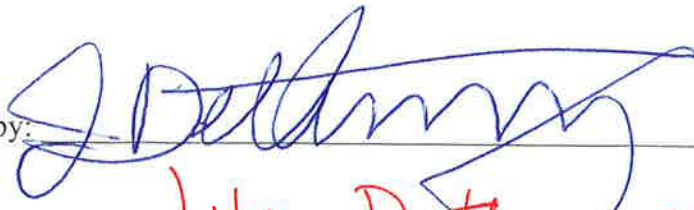
PC-2017-24, CONDITIONAL USE, 800 S. Maple Street, to allow for the expansion of an existing church upon 2.001 acres, **Oxford Bible Fellowship, Applicant**

 X Review Revisions Other

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

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

Drawings reviewed by:


John Dethenage
PRINTED NAME

Date: 8-16-17

City of Oxford
Inter-Office Review Transmittal Sheet

Date: August 7, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-24, CONDITIONAL USE, 800 S. Maple Street, to allow for the expansion of an existing church upon 2.001 acres, Oxford Bible Fellowship, 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 8-17-17

Drawings reviewed by: *V. Popescu* Date: 8-17-17

 VICTOR POPESCU

PRINTED NAME



Memo

Service Department
Engineering Division

513/524-5208 fax 513/524-5267

TO: Community Development Department

FROM: Victor Popescu, P.E.
City Engineer

RE: PC-2017-24
Conditional Use – Oxford Bible Fellowship
800 S. Maple Street

DATE: August 17, 2017

The Engineering Division offers the following comments.

- Unnecessary exiting curb cuts and driveway aprons along the south and east frontage of the property shall be removed and replaced with curb. The curb type, to be installed, shall match the existing curb.
- The existing storm drainage system, within the limits of the proposed building, shall be removed and re-routed, if necessary.
- Fire protection (i.e. fire hydrants, FDC) shall be determined by the Fire Chief.
- The water service for the proposed building shall be from the water main located along the north side curb of Chestnut Street.
- Due to the depth, traffic impact, and location of the sanitary main along Chestnut Street, it is recommended that the sanitary lateral be connected to the sanitary main along Maple Street.
- The Development shall be responsible for the maintenance of the underground stormwater detention system and all stormwater management within the limits of the Development.
- Due to the limited use of the facility and the time of use, a traffic impact study would not be necessary.

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-2017-24, CONDITIONAL USE, 800 S. Maple Street, to allow for the expansion of an existing church upon 2.001 acres, **Oxford Bible Fellowship, 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: _____

8/11/17

John A. Jones

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: August 7, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-24, CONDITIONAL USE, 800 S. Maple Street, to allow for the expansion of an existing church upon 2.001 acres, **Oxford Bible Fellowship, 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: 8-31-17

G. Alan Kyger
PRINTED NAME



PC-2017-24 **Surrounding** **Property Owners** **Notifications Map**

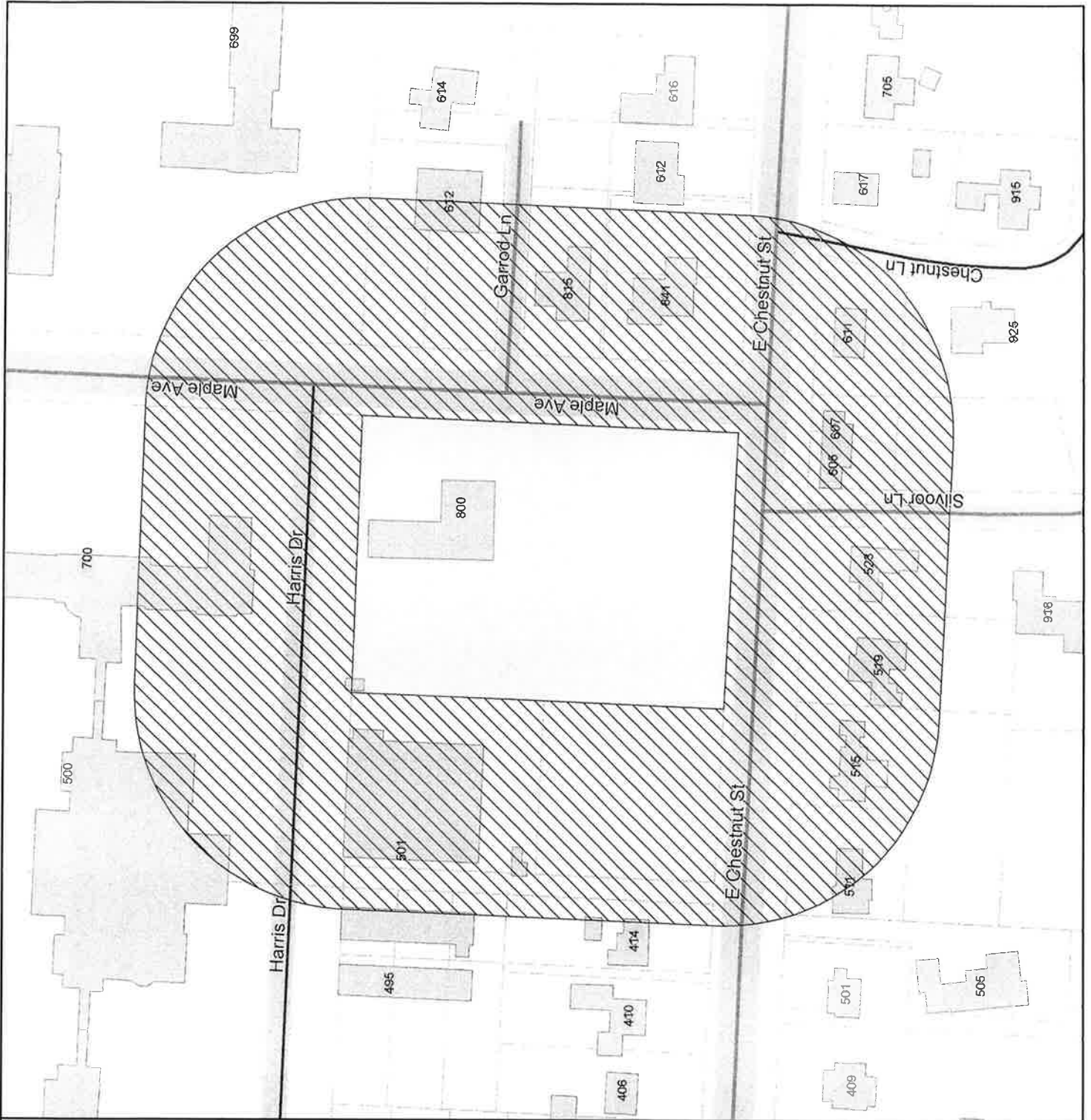
Legend

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



1 inch = 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.





Internal Use Only:

Case No.

PC-2017-24

Date Filed

7/28/17

Conditional Use Permit Application

Applicant Information

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

Name * Oxford Bible Fellowship

Mailing Address * 800 S. Maple Street

City, State & Zip Code * Oxford, Ohio 45056

Telephone Number(s) * 513-523-5300

Email Address gnates@obf.org

Owner Information

Name * Oxford Bible Fellowship

Mailing Address * 800 S. Maple Street

City, State & Zip Code * Oxford, Ohio 45056

Telephone Number(s) * 513-523-5300

Email Address gnates@obf.org

Location and Lot Information

Location of Property * 800 S. Maple Street

Legal Description * Lot 3393 - Parcel #H4100-108-000-038

Zoning District * MU - University District

Total Area * 2.001 → Check One * Acres ☒ Square Feet ☐

Existing Use Description * Church

Proposed Use Description * Church

Submission Requirements and Documentation

From Section 1147.02(a)¹.

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

A. Application Fee.

B. Description of Use and Site.

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

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

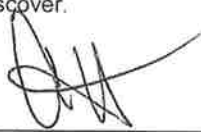
- A. The proposed use is in fact a Conditional Use appropriate for the zoning district in which it is proposed.
- B. The use and site will satisfy the general intent of this Zoning Code.
- C. The use and site will be compatible with the general intent of the Comprehensive Plan.
- D. The size and shape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

Fees & Receipt

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

Sign and Date

Applicant Signature *



Garrett Nates

Date *

7/25/2017

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 and documentation as attachments and a check for fee and postage made payable to **City of Oxford**, to Community Development Director, 101 East High Street, Oxford, OH 45056.

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

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

For Staff Use Only

Fee Paid Date *

7/28/17

Receipt Number *

160339

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/>



*Where Creativity
Meets Functionality*

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

July 28, 2017

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

Re: Oxford Bible Fellowship Church
Conditional Use Submittal

Dear Mr. Chen:

Enclosed please find the following items in support of Oxford Bible Fellowship's Application for Conditional Use approval of the construction of an 23,366 SF building on the property located 800 South Maple Street:

- 1) Executed Conditional Use Permit Application.
- 2) Check in the amount of \$410.00 made payable to the City of Oxford for the application fee.
- 3) CD containing a pdf of all the submitted documents.
- 4) Thirteen individual packets containing one (1) copy of each of the following:
 - a. Planned Development Application.
 - b. List of property owners within 200 feet of the site.
 - c. Legal description of the property.
 - d. Site plan.
 - e. Landscape plan.
 - f. Preliminary Building Elevations and Floor Plans.
 - g. Photos of the subject site and surrounding area.
- 5) Applicant and Owner:
*Oxford Bible Fellowship
800 South Maple Street
Oxford, Ohio 45056
513-523-5300*
- 6) Design Professionals:
 - a. Architect:
*John D. Hicks Associates
1107 N. Balsam Drive
Muncie, IN 47304
765-748-3000*
 - b. Engineer & Surveyor:
*Bayer Becker
110 S. College Ave., Suite 101
Oxford, OH 45056
513-336-6600*

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

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

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

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

<http://www.bayerbecker.com>

- 7) A legal description of the boundary of the property is enclosed.
- 8) The property currently contains the Oxford Bible Fellowship Church, along with a playground and associated parking.
- 9) The property is zoned MU – University District.
- 10) Description of proposed use:
 - a) A description of operations, including types of goods sold, services performed, and expected number of customers, clientele, delivery, and service vehicles.

The proposed building will contain offices, classrooms, a lounge and a 419 seat sanctuary. The existing building on the property will be converted to an annex building for the Church.
 - b) Hours of operation.

Normal business hours during the week are Monday thru Friday 9:00 a.m. to 4:00 p.m. However, the building is open on Sunday mornings for worship services and numerous times in the evenings during the week for meetings and other events.
- 11) A narrative statement that evaluates the compatibility of the proposed use with the general vicinity and adjacent properties.
 - a) How the use is similar to or different from existing area uses and if there will be any interaction between the proposed use and existing uses.

The proposed building is an extension of the existing Church facility. Individuals will be able to access both buildings from the existing parking lot, and sidewalk will be constructed so individuals can walk between buildings. The existing connection to the Miami University parking lot to the west will remain.
 - b) How any existing structures, proposed structures, and the site design relate to adjacent structures and sites.

The frontage of the proposed building along both Chestnut Street and Maple Street will be beautifully landscaped in order to provide an aesthetically pleasing view for the residents located across to the south and east. Additionally, the proposed building will be constructed of brick which will complement the existing building and the surrounding buildings located on the Miami University Campus.
 - c) If the use will involve any operations that create potential nuisances such as excessive noise, lighting, odor, fumes, vibrations or emissions.

The proposed building will not involve any operations that create potential nuisances.
 - d) How any potential negative effects on adjacent land will be mitigated.

The additional building will not have a negative effect on adjacent land, as the use of the property will remain the same. Construction of the new building will result in the elimination of the easternmost access point on Chestnut Street, which will improve safety along Chestnut Street. Furthermore, landscaping will be installed throughout the site.
- 12) A statement about why the location proposed is more appropriate for the use than other locations.

The proposed site is an ideal location for the expansion of the existing church facility for the following reasons:

 - a) *The use will remain the same. Currently, the property contains a church with associated parking.*
 - b) *Due to the close proximity to the Miami University campus and within the Mile Square, it is an ideal and convenient location for students and residents to worship.*

c) *The infrastructure is currently in place to support the expansion.*

- 13) A statement of the necessity or desirability of the proposed use to the neighborhood or community.

Due to recent and projected growth, the Oxford Bible Fellowship Church is in need of additional facilities. The proposed building will allow the Church to expand to meet the growing needs and interests of their members.

- 14) Separate, detailed statements that individually address each of the items listed as potential concerns for the proposed use.

- a) Adequate lot size to permit future expansion.

The property currently contains the Oxford Bible Fellowship Church. The lot size is adequate to permit the proposed expansion. The possibility for future expansion on the property would be minimal.

- b) Location and screening of outdoor recreation areas.

With the construction of the new building, the existing parking spaces in the northeast corner of the property will be eliminated and replaced with a playground. The playground will be screened with a fence.

- c) Bus or van storage.

The Oxford Bible Fellowship Church does not own any vans or buses which must be parked on site. They do however allow The Bridge, which is a church in Oxford that does not have a permanent facility, park a van and mini bus on their property.

- d) Lighting.

The existing site lighting will remain.

- e) Parking and traffic impact.

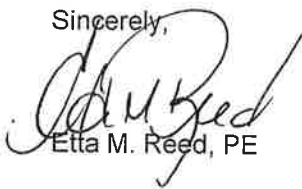
With the construction of the additional building, the easternmost access point on Chestnut Street will be eliminated, thus improving the safety of Chestnut Street.

Per the Zoning Code, 53 parking spaces are required for the site. The site currently contains 102 parking spaces. With the construction of the new building 26 parking spaces will be eliminated, resulting in 76 spaces. The Church has a verbal agreement with Miami University which allows them to park in the parking lots to the north and west of the site. Additionally, on street parking is available on Maple Street. So while parking on the site has been reduced, the Church does have additional parking available off site.

Please place this item on the September 12th 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

Building
rendering



*Building
rendering*





1)View from the southeast property corner facing west along E. Chestnut St.



2)View from the southeast property corner facing northwest.



3) View from the southeast property corner facing north along Maple St.



4) View from the east property line along Maple St. facing west.



5) View from the east property line along Maple St. facing west.



6)View from the northeast property corner facing south along Maple St.



7) View from the northeast property corner facing southwest.



8) View from the northeast property corner facing west along Harris Dr.



9) View from the northeast property along Harris Dr. facing south.



10) View from the northwest property corner facing east along Harris Dr.



11) View from the northwest property corner facing southeast.



12) View from the northwest property corner facing south along the west property line.



13) View from the west property line facing east.



14) View from the west property line facing east.



15) View from the southwest property corner facing north along the west property line.



16) View from the southwest property corner facing northeast.



17) View from the southwest property corner facing east along E. Chestnut St.



18) View from the south property line along E. Chestnut St. facing North.

Date: July 12, 2017

Description: Lot #3393

Location: City of Oxford
Butler County



Situated in City of Oxford, Butler County, Ohio, being entire Lot #3393 of said City of Oxford and being the lands of Oxford Bible Fellowship as recorded in Official Record 7578, Page 1 of the Butler County Ohio Recorder's Office and being further described as follows:

Beginning at the southeast corner of said Lot #3393, being the intersection of the northerly right of way of Chestnut Street and the westerly right of way of Maple Street and being the **True Point of Beginning**;

thence, leaving said southeast corner of said Lot #3393 and with said northerly right of way of Chestnut Street, North 87° 15' 05" West, 251.96 feet to the southwest corner of said Lot #3393;

thence, leaving said northerly right of way of Chestnut Street and with the westerly boundary of said Lot #3393, North 02° 19' 02" East, 167.92 feet;

thence, continuing with the westerly boundary of said Lot #3393, North 02° 16' 42" East, 178.00 feet to the northwest corner of said Lot #3393;

thence, leaving said westerly boundary of Lot #3393 and with the northerly boundary of said Lot #3393, South 87° 21' 16" East, 251.80 feet to the westerly right of way of a said Maple Street and being the northeast corner of said Lot #3393;

thence, leaving said northerly boundary of Lot #3393 and with the westerly right of way of said Maple Street, South 02° 16' 15" West, 346.37 feet to the **True Point of Beginning**, containing 2.001 acres of land, more or less and being subject to all legal highways, easements, restrictions and agreements of record.

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, Suite 101
Oxford, Ohio 45056
513-523-4270

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