

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-10-2013

Date – June 11, 2013

APPLICATION

Applicant: City of Oxford
Action Request: **ZONING CODE TEXT AMENDMENT** to Amend Chapter 1141,
Specifically Section 1141.04(j) Environmental Regulations,
Concerning Trash Collection Facilities, **City of Oxford, Applicant**

DESCRIPTION

The deficiency of adequate trash collection facilities, especially in the Uptown area was brought to Planning Commission's attention recently. Given that the Uptown area has been going through a redevelopment phase, it is now critical to incorporate necessary provisions in the Code to address this issue. At the May Planning Commission Work Session, Staff presented their ideas on this topic for discussion and the Planning Commission agreed that it was a good idea to further deliberate this topic during a regular meeting.

ZONING CODE

The attached text amendment illustrates changes to Chapter 1141 Accessory, Supplementary and Environmental Regulations.

COMPREHENSIVE PLAN

Not applicable.

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 comment
Fire:	No comment received
Engineering:	Received with no comment
Econ. Dev.	No comment received

DECISION CRITERIA

A copy of the Text Amendment Decision Criteria is attached.

ANALYSIS

Trash collection facilities have not been a discussion item in the past but have always fell under staff administrative reviews when zoning permits have been applied for. However, the on-going development in the Uptown area has highlighted that this issue does require a more concrete stipulation for addressing any future development projects.

Normally, trash generation is not an issue; however, trash containment is a common problem in an urbanized area, especially where rental properties are concentrated. Initiatively, the proportion of trash corresponds with the number of individuals residing in a dwelling unit and the numbers of dwellings on a property. This issue is more prominent in the Uptown District and other highly concentrated rental areas. The Uptown area is unique in that it promotes mixed-use development and is prime real estate for rental and commerce. Therefore, we need to consider residential and commercial uses at the same time for the Uptown District.

The Economic Development Director has been instrumental in developing the proposed language since he has been working with various property owners to collectively address the trash issue. His input has been invaluable in getting this matter to the Planning Commission's attention. Furthermore, his interaction with the property owners has provided him with a direct perspective. The proposed language outlines specific storage areas to be set aside based on the uses.

Keep in mind, the proposed language only requires storage areas be based upon the use, which then determines the size of the container. The proposed language further stipulates that a larger trash collection facility will need to include a concrete pad, larger than the storage area, to allow sufficient room for the container to be emptied by the trash truck.

It also stipulates that a large trash collection facility has to be screened from view and satisfy the setback requirement. Again, it is a much less issue in an owner-occupied neighborhood and the proposed language is, by and large, focusing on the Uptown environment.

RECOMMENDATION

Staff recommends that the Planning Commission concur with the changes and forward to City Council for legislation.

SUBMITTED

BY:


Jung-Han Chen

Community Development Director

DATE: May 21, 2013

ATTACHMENT

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

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

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

Text Amendments

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

Chapter 1141 Accessory, Temporary, Supplemental and Environmental Regulations

1141.04 Environmental Regulations

(j) Trash Collection Facility.

~~(1) Adequate waste disposal on-site facilities shall be shown on the plans submitted for a zoning permit, including a change of use permit. The Zoning Administrator may accept an alternative plan that adequately provides for the disposal of all waste generated by the proposed use. If such facilities or alternative plan are not acceptable, the permit may be denied.~~

~~———— (2) A trash collection facility shall include a large container such as a dumpster or a small container such as a garbage can, bag or other similar container. No trash collection facility shall be stored in the front yard and shall conform to side and rear yard pavement setbacks of the applicable zoning district.~~

~~———— (3) A large trash collection facility shall be situated in a permanent location and placed on a concrete pad (4000 psi minimum). A dumpster pad shall be of a dimension that will allow a dumpster to sit entirely on the pad and to permit the front or rear wheels of a trash disposal truck to rest on the pad while emptying the dumpster. No part of the container shall overhang the limits of the pad.~~

~~———— (4) If a site contains a large exterior trash collection facility such as a dumpster, this area shall be screened so as to not be visible from a public right-of-way or an adjacent property.~~

~~———— (5) The Zoning Administrator may approve plans for shared dumpster facilities.~~

(1) A trash collection facility shall include a large container such as a dumpster or a small container such as a garbage can or other similar container. No trash collection facility shall be stored in the front yard and shall conform to side and rear yard pavement setbacks of the applicable zoning district.

(2) Adequate on-site waste disposal facilities shall be shown on the plans submitted for a zoning permit, including a change of use permit based on the following requirements:

- a. A minimum of 2.5' by 3' storage space is required for each residential dwelling unit.
- b. A minimum of 3' by 6' of storage space is required for commercial space up to 2,500 sq. ft. of space.
- c. A minimum of 6' by 6' of storage space is required for commercial space over 2,500 sq. ft. of space.

(3) If a site contains a large exterior trash collection facility such as a dumpster, this area shall be screened so as to not be visible from a public right-of-way or an adjacent property.

(4) A trash collection facility that contains a dumpster shall be situated in a permanent location and placed on a concrete pad (4000 psi minimum). A dumpster pad shall be of a dimension that would allow a dumpster to sit entirely on the pad and to permit the front or rear wheels of a trash disposal truck to rest on the pad or public right-of-way when emptying the dumpster. No part of the dumpster shall overhang the limits of the pad.

(5) Any mixed-use structures or lots must provide storage space in an amount equal to the sum of all individual uses combined.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 5/31/2013

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

PC-10-2013 ZONING CODE TEXT AMENDMENT to amend Chapter 1141, Accessory, Temporary, Supplemental & Environmental Regulations, specifically 1141.04(j) Trash Collection Facilities, **City of Oxford, Applicant**

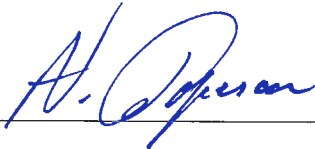
 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **6/6/13** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by: 

Date: 6-3-13

VICTOR POPESCU

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 5/31/2013

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

PC-10-2013 ZONING CODE TEXT AMENDMENT to amend Chapter 1141, Accessory, Temporary, Supplemental & Environmental Regulations, specifically 1141.04(j) Trash Collection Facilities, **City of Oxford, Applicant**

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **6/6/13** 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: Lt. [Signature] #24 Date: 6/4/13

Lt. John A. Jones #24
PRINTED NAME

Zoning Code Text Amendment Application
City of Oxford, Ohio

REQUIRED INFORMATION

Name of Applicant:

City of Oxford

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

Mailing Address:

101 E High St.
Oxford OH 45056

Telephone Number(s)

524 5204

Email Address

jchen@cityofoxford.org

SUBMISSION REQUIREMENTS

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

All applications must include:

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

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

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

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

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

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

SIGNATURE OF APPLICANT:

Jung Han Chen

Date: 4/26/13

PRINTED NAME:

Jung-HAN Chen

FEE / RECEIPT

\$150 Fee plus Actual Postage Paid / Receipt Number:

NA

LETTER OF AGENCY

To Whom It May Concern:

Please be advised that either Susan Kay or City Studios Architecture has permission to represent our interest with the City of Oxford and act on our behalf for the Oxford Planning Commission hearing on June 11th, 2013, regarding the Application for Conditional Use by Holy Trinity Episcopal Church for our property located at 19-25 East Walnut Street, Oxford, OH, 45056.

Thank you,

Karen Burnard

The Reverend Karen Burnard, Rector
Holy Trinity Episcopal Church

April 25, 2013

Date

Case No.: PC-09-2013
Date filed: 4/26/13

Conditional Use Permit Application

City of Oxford, Ohio

REQUIRED INFORMATION (print clearly)

Name of Applicant: Susan Kay or City Studios Architecture
(Letter of agency attached)

Mailing Address: Holy Trinity Episcopal Church c/o Susan Kay
25 East Walnut St., Oxford, OH 45056

E-mail Addresses: kays@miamioh.edu; cnoble@citystudioarch.com

Telephone Number(s): Kay 513-523-8651 (h) 255-1757 (cell); City
Studios 513-621-0750; Holy Trinity 513-523-
7559

Name of Property Owner (if other than Applicant) Holy Trinity Episcopal Church

Location of Property: 19 and 25 E. Walnut Street, Oxford, OH 45056

Legal Description: Legal Description for Holy Trinity Episcopal Church Property [not
to be used for conveyance or recording purposes]

Entire Lot # 3353, containing 7,275 sq. ft. or 0.167 acres, and adjacent Entire Lot # 3354, containing 20,015 sq. ft. or 0.459 acres, situated at the southwest corner of Walnut and Poplar Streets in the City of Oxford, Ohio, as shown on a plat recorded at Vol 38, Page 40 of the Butler County Engineer's Record of Land Surveys.

Zoning District: RO Office/Residential: part of the Historical Architectural
Preservation Area

Total Area: 2.129 Acres

Existing Use Description: Parcel Id H4100003000245 --- Lot # 3354 --- is a church whose uses include worship space on the main floor with fellowship space, a choir room, nursery, library, kitchen, and restrooms on the lower level; on the upper level, in addition to the worship space, uses include the rector's office, a children's classroom, and a restroom.

Parcel Id H4100003000244_--- Lot # 3353 --- is classified as a 2-family dwelling; it is used for two 1-person apartments upstairs, and a small entry way containing office equipment, an office, a children's class-room, two restrooms, a meeting room with kitchen, and a small room used as an office by Oxford Center for Peace and Justice down stairs.

Proposed Use Description: At the time of this application, Holy Trinity has not yet received permission from HAPC to demolish the building on Lot

3353; their application is on the HAPC agenda of May 1. The demolition is required as a part of the expansion of the building on Lot # 3354 and the reuse of both lots for which Conditional Use is sought. Also at the time of this application, Holy Trinity has not yet consolidated the two lots, as it needs to leave the building on Lot # 3353 intact until the addition is built in order to have space for the office and classroom functions of that building as well as to allow tenants in the apartments to have maximum time to seek new, affordable; in addition, the church plans for the meeting room on the first floor to function as the on-site contractor's location during construction of the addition. Holy Trinity must wait until after demolition to consolidate the lots or risk the problem of having two principal uses on one lot.

The proposed use of the main church building with the proposed addition you see before you is to consolidate the present functions of the church into one structure and to make space available for the congregation and its activities both within the church and within the community to grow.

The uses of the overall building and its addition may change as the necessary outreach and functions of the church change with societal and community changes. Thus, all of the spaces in the addition, with the possible exception of office spaces, can be viewed as multi-functional. All uses of the spaces will, however, conform to the principal use as a building for all the callings and mission of a faith community.

SUBMISSION REQUIREMENTS

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

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

1. North arrow -- Attachment 1
2. Scale -- Att. 1
3. Vicinity Map -- Att. 1, 2
4. All existing and proposed lot lines within the site -- Att. 1, 2
5. Dimensions of all lots and of the entire site and any adjacent rights-of-way -- Att. 1
6. Loc., hgt., and use of all proposed and existing structures -- Att. 4 - 10
7. Loc. and design of all proposed vehicle management area -- Att. 4 - 10
8. Location, size, and type of all proposed signs -- Att. 2 (existing signage); no new signage proposed except signage to mark designated church and handicap parking in the parking indicated on the plans and church parking on the alley way next to the present building.
9. Loc., hgt., and type of all proposed screening and landscaping -- Att. 4 - 10

10. Distances to residential zoning districts if within 1,000 feet – Att. 1
11. The use of land and location of structures on adjacent property and across adjacent rights-of-way -- Att. 2
12. Elevations of proposed structure, or typical elevations if structures are not yet designed, shall be required by the Zoning Administrator if the proposed location, height, or bulk of the structure is such that it may negatively affect an adjacent use – Att. 4-10
13. Photographs of the existing use and its surroundings. – Att. 2, 3
14. Other information as required by the Planning Commission

Attach a Narrative Statement describing how the proposed Conditional Use meets the following Decision Standards of the zoning district in which it is to be located: Please see Attachment 11

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

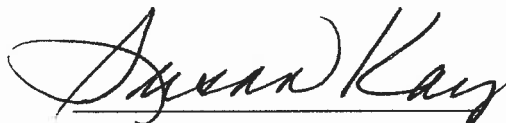
On a separate sheet of paper, provide the names and addresses of all adjoining property owners within 200 feet of the site, including those across streets, roads, alleys and highways. *Property Owner names will not be included in the agenda packet.

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

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

Incomplete applications will not be processed.

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



Signature of Applicant

SUEAN KAY

Printed Name

Date: 4/25/2013

FEE/RECEIPT

\$400 Fee Paid (postage charged to Holy Trinity)/ Receipt Number: 18753.27

Attachment 11

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

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

Section 1143.09 (b) (2) H of the Planning and Zoning Code lists “places of worship” as a conditional use in the RO district. When Holy Trinity joins the two lots under consideration, the conditional use will extend to cover the entire quarter block, providing a more unified space for the place of worship that now is a conditional use for the larger of the two lots.

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

Section 1143.09 (a) indicates that “this district (RO) is appropriate . . . between commercial areas and residential neighborhoods. The property is across Walnut from the UP zone which on Walnut has multi-story apartments and, to the west on the same side, the hotel. Diagonally across Poplar is zoned UP. Directly across Poplar is RO. On the same side of Walnut, west from Holy Trinity are Hillel and single-family residences.

The proposed use of the site seems to satisfy the purpose of this section of the Zoning Code. The use provides a transition between the commercial uses of UP and the R2MS district to the south. In addition, the proposed addition to the main building will enhance the appearance of this district, which is in close proximity to the UP district, thus enhancing the UP as well.

By discontinuing the use of the Old Rectory for rental units, Holy Trinity will be more in compliance with the Zoning Code in that the overall property will not have uses that are somewhat unrelated to the principal purposes of the church building.

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

The proposed use of the combined lots will enhance the appearance of the area; provide a more consolidated, accessible, and attractive green space than is present on the two separate lots with two separate buildings; soften the appearance of that corner and the streetscape leading to Hillel and the residential houses; be of a scale that blends well with the office-residential character of the zoning district.

The addition to Holy Trinity’s present building will also allow it to better serve the community at large and assist in cooperation between the University and the City.

Holy Trinity presently opens its doors to a variety of community groups and University organizations. The addition will make meeting space for such groups more plentiful, comfortable, and attractive.

Three years ago, Holy Trinity received a two-year grant (\$18,00 per year) for College Student Ministry from the Episcopal Church USA; the Diocese of Southern Ohio has matched the grant for an additional two years. This grant has allowed Holy Trinity to increase the numbers of Miami students who worship and study at Holy Trinity and who also join in outreach efforts for the community. The students volunteer for Holy Trinity's monthly dinners that are open to anyone in the community, volunteer in community service agencies, and engage with younger people in our own community. Holy Trinity's young people have also cooperated with adherents to other faiths, most recently in a 2013 spring break service learning experience of border and immigration issues along the Arizona border with Mexico.

Demolition of the Old Rectory will eliminate the visual separation between Holy Trinity Church and Hillel and emphasize the cooperative coexistence of the two faith communities. All of these instances of opening doors to the larger community and working with students from Miami are evidence of community-building as well as University/City cooperation – both called for in the Comprehensive Plan.

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

The plan to move an office, classroom, and meeting room from the Old Rectory to the new addition to the Church, then demolish the Old Rectory and consolidate the lots will provide a much better size and shape of the site for the proposed use. Holy Trinity will then have classroom space to accommodate two different classes, additional meeting space for two different sized meetings, and more office space at least equivalent to the present office space in the Church building and in the Old Rectory. In addition, space will be freed on the main floor for the nursery, now housed on the lower level at some distance from worshipping parents. One building on one square lot, integrated into its site and the green space is a far better use of the site than the present uses.

There will be adequate space for some expansion if that becomes necessary, by extending the short leg of the L-shape somewhat more toward the north. There could even be a second storey added to the addition, at substantial expense and with extensive remodeling. However, the Church is probably at or very near the maximum it will need in the foreseeable future. The present proposal represents "Stage 2" of an expansion that was begun about 13 years ago with the addition of the bell tower, elevator housing, and more accessibility through improved walkways.

The only expansion that is now foreseen is an expansion of the Narthex, the entryway into the worship space. At present, it is too small to create a welcoming atmosphere or to provide adequate access to coat storage in winter. Especially during special events, it can become quite crowded. The Church had originally

planned to include Narthex expansion into the present changes to the building; however, it reached the limits that it could afford at the present time and had to defer these plans; nevertheless, with proper variances, there is room for expansion of that small section of the building toward the street. No changes to the main building beyond the limited connection required to the addition are proposed for this phase of our planning.

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

Holy Trinity creates no hazardous emissions or other hazardous conditions. It has ceased the "burning of the greens" on the grounds; but when that was done in the past, the Fire Department was notified and proper permits were secured. Now, the only outdoor fire is contained in an outdoor grill on the steps of the Church to signal the beginning of the Easter Vigil on the night before Easter.

There is no proposed recreation area (in the form of a designated playground with equipment) that would create an attractive nuisance and possible disturbing noise; however, children may be playing in the green space as they do now without creating much of a disturbance. There is no need for specific screening of an outdoor recreation area.

The bells will continue to ring as they do now; there are no plans for larger bells or amplification. Parishioners, priest, and choir have been known to march around the block, chanting in procession; the noise level, however, is hardly enough to be hazardous or in violation of noise ordinances. Occasionally the community gathers outside for procession into the church on holy days or eves; this produces neither noise nor traffic disruption. Burials are occasionally done in the Columbarium next to the main church building in the green space area. On occasions when burials are done in the Columbarium, the effect on traffic may even be positive as there would be no procession to a cemetery. Burials are not accompanied by loud noise and are always in the daytime. The Church expects much more use of the outdoor space with the new addition, but it will not be of a character to create a nuisance or disturbance.

Lighting spillover should not be a problem as there will be no lighting other than safety lighting that will be directed toward the grounds; and the surrounding area is already highly lighted, making any additional lighting on Holy Trinity's site trivial.

Holy Trinity has no plans for owning a bus or van; thus there will be no need for storage that would detract from the site.

There will be little or no additional impact on traffic or parking. The church would love to have additional parking on the site but has no useable space for it. Under the expansion plan, the Church will end up with approximately the same number of legal parking spaces. (That is, some spaces will be lost that have been gained by

stacking cars one behind the other; this possibility will be eliminated under the proposed plan.)

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.

Please see the answer to E.

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.

Holy Trinity believes that community outreach and service activities, the practice of radical hospitality to others, and the incorporation of University students into the church community and the larger Oxford community are part of the principal use that cannot be operated independently 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.

There is no evidence that the addition to the main building will have any additional impact on public facilities and services. There may even be some reduction of such impact with the demolition of the Old Rectory.

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

Please see the answer to H.

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 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 attached renderings of the proposed building and grounds are evidence that this condition will be met. Holy Trinity has an active group of "grounds keepers" and an active group of maintenance people in the parish. Both groups of parishioners supplement the efforts of professional maintenance and landscaping groups to insure that the grounds and building are properly maintained.

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. Not applicable.

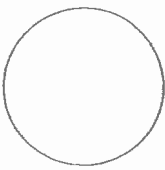
L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

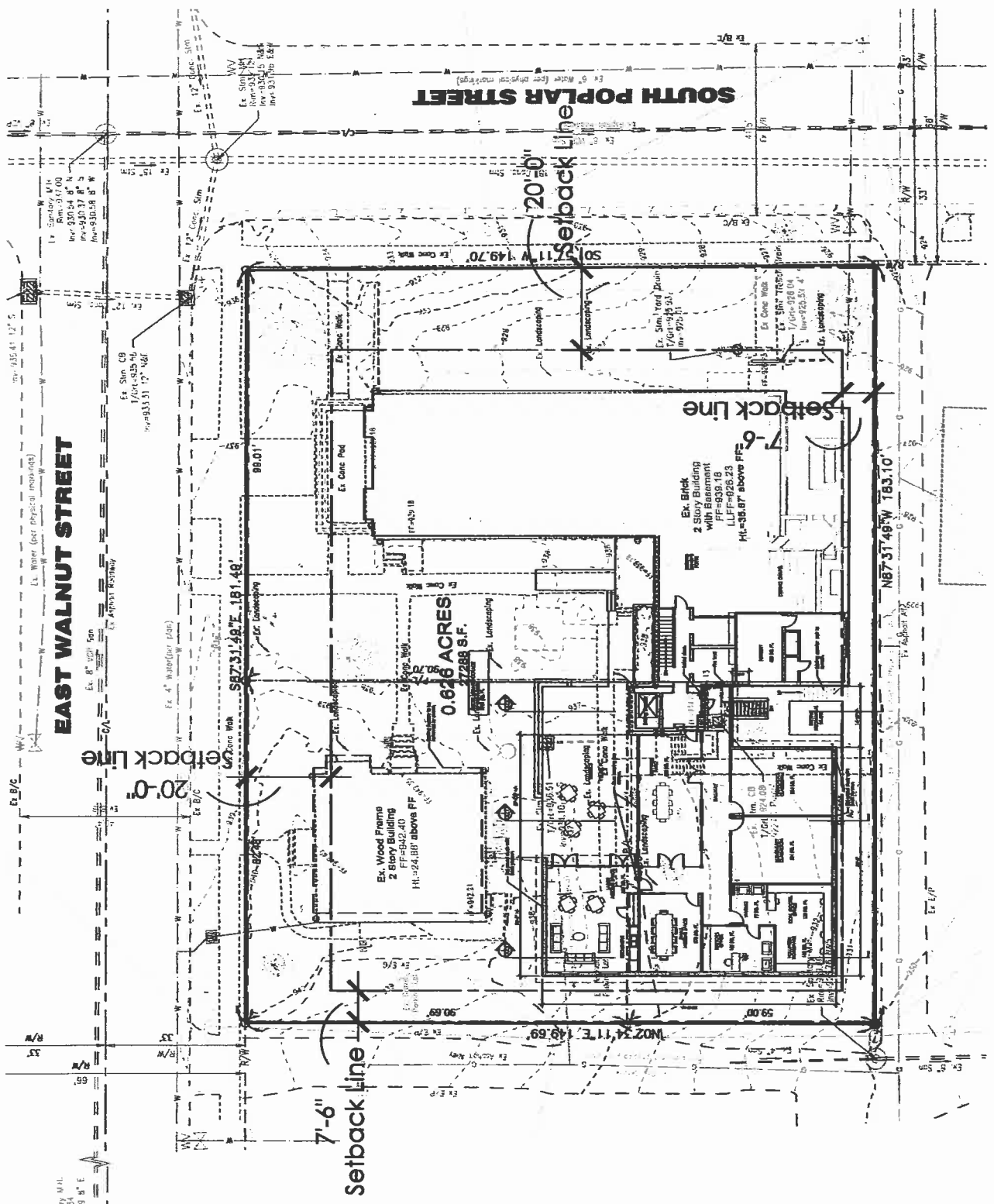
There are no natural or scenic features on the property of importance. While the house that is proposed for demolition is historic, its historic character is not major in terms of design, events, or occupants. By the time this application is heard by Planning Commission, Holy Trinity will have demonstrated to HAPC the impossibility of restoring the house without major financial difficulty on the part of the Church.

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

All permits and licenses for the Conditional Use and its operation can and will be obtained for the use at the present location; in fact, the main building is now recognized as a Conditional Use in the RO zoning district. The present application is for a major revision to the already granted Conditional Use.

Attachment 1
Ref. Reg. 1, 2, 3, 4, 5, 10

	HOLY TRINITY EPISCOPAL CHURCH 25 East Walnut St Oxford, OH 45056	ARCHITECTURE 22 East 1st Street Oxford, OH 45056 Tel: 513.421.0750 city@arch.com	DATE: HATC REVIEW 04.12.2013	PRELIMINARY NOT FOR CONSTRUCTION	A1.1



SITE PLAN - NEW FIRST FLOOR PLAN ATOP SITE SURVEY
 A1.1 1/16"=1'-0"

Attachment 3(a)
Ref. Reg. 13





Attachment 2
Ref. Log,
3, 4, 8, 13, 11

UP Multi-family
EXISTING EXPOSED
WOOD VINYL

CHURCH ANNEX
TO BE RAZED

PRESENT CHURCH
BLDG.

EXISTING
MONUMENT
SIGN -
REMAINS

RESIDENCES

Alley

RZMS
RESIDENCES

E Walnut St

Attachment 3 (b)
Ref. Req. 13



PHOTOS OF EXISTING SITE
NOT TO SCALE

HOLY TRINITY EPISCOPAL CHURCH
25 East Walnut St
Oxford, OH 45056

CITY VISION
ARCHITECTURE
252 East 11th Street
Cincinnati, OH 45202
Tel: 513.521.0230
Fax: 513.521.0230
www.cityvisionarch.com

DATE: HAPC REVIEW
04.12.2013

PRELIMINARY
NOT FOR CONSTRUCTION

A0:1

Attachment 4
 Ref. Reg. 6, 7, 9, 12,



1 VIEW OF PROPOSED EXPANSION FROM NORTHEAST COURTYARD

AGJ NOT TO SCALE



2 VIEW OF PROPOSED EXPANSION FROM NORTHWEST COURTYARD

AGJ NOT TO SCALE

HOLY TRINITY EPISCOPAL CHURCH
 25 East Walnut St
 Oxford, OH 45056

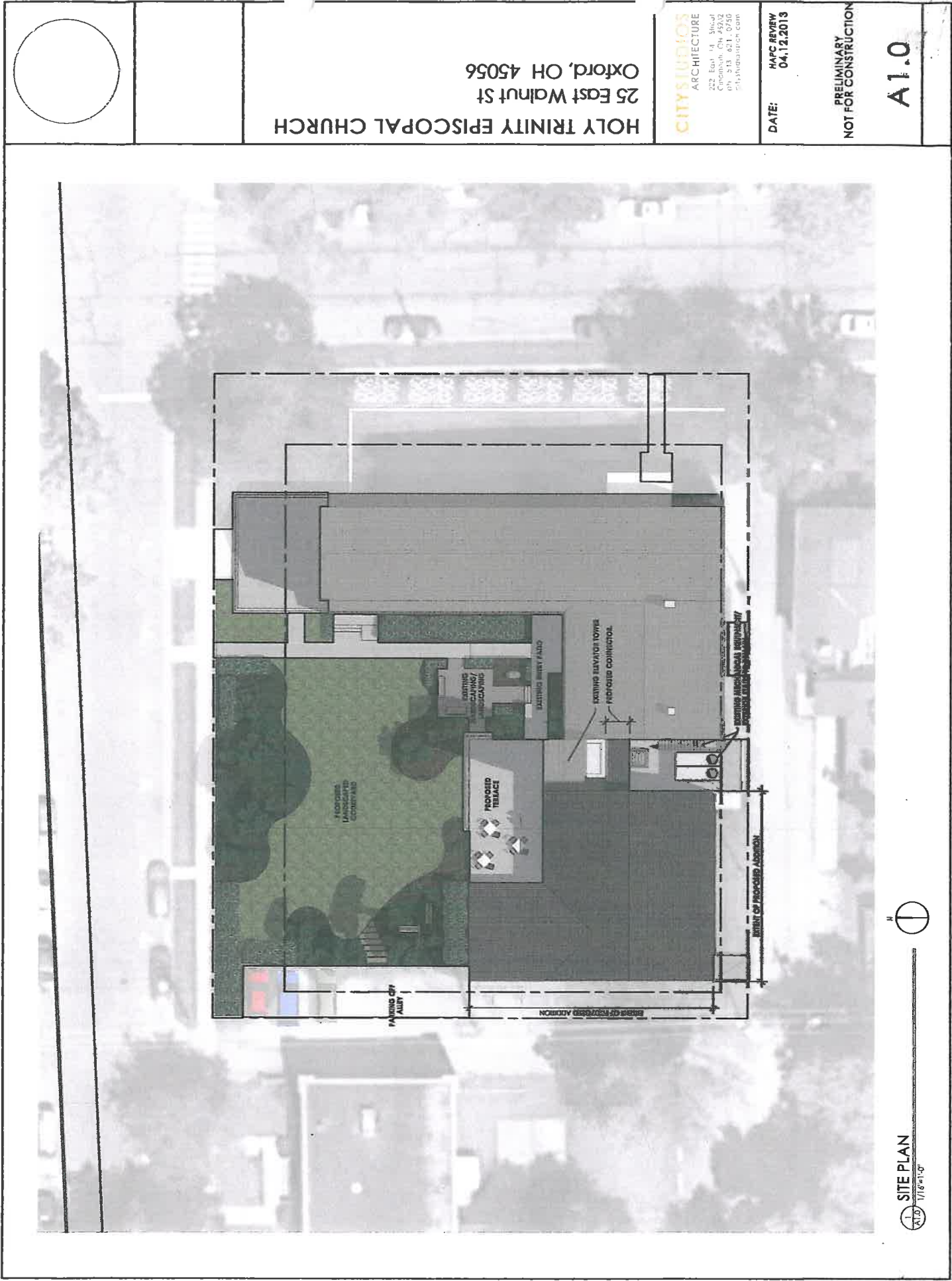
CITYSOLUTIONS
 ARCHITECTURE
 228 East 14th Street
 Columbus, OH 43215
 614-243-6210
 citysolutions@csn

DATE: HAPC REVIEW
 04.12.2013

PRELIMINARY
 NOT FOR CONSTRUCTION

A0.0

Attachment 5
Ref. Reg. 6, 7, 9, 12



HOLY TRINITY EPISCOPAL CHURCH
25 East Walnut St
Oxford, OH 45056

CITYSTUDIOS
ARCHITECTURE
222 East 14th Street
Cincinnati, OH 45202
PH: 513.421.0256
info@citystudios.com

DATE: MAY 12, 2013
HAPC REVIEW

PRELIMINARY
NOT FOR CONSTRUCTION

A1.0

1 SITE PLAN
A1.0 1/16"=1'-0"

[illegible]

CRYSTODIOS
ARCHITECTURE
222 East 14th Street
Cincinnati, OH 45202
ph 513 621 0750
citystudiosarch.com

DATE: HAPC REVIEW
04.12.2013

PRELIMINARY
NOT FOR CONSTRUCTION

A3.0

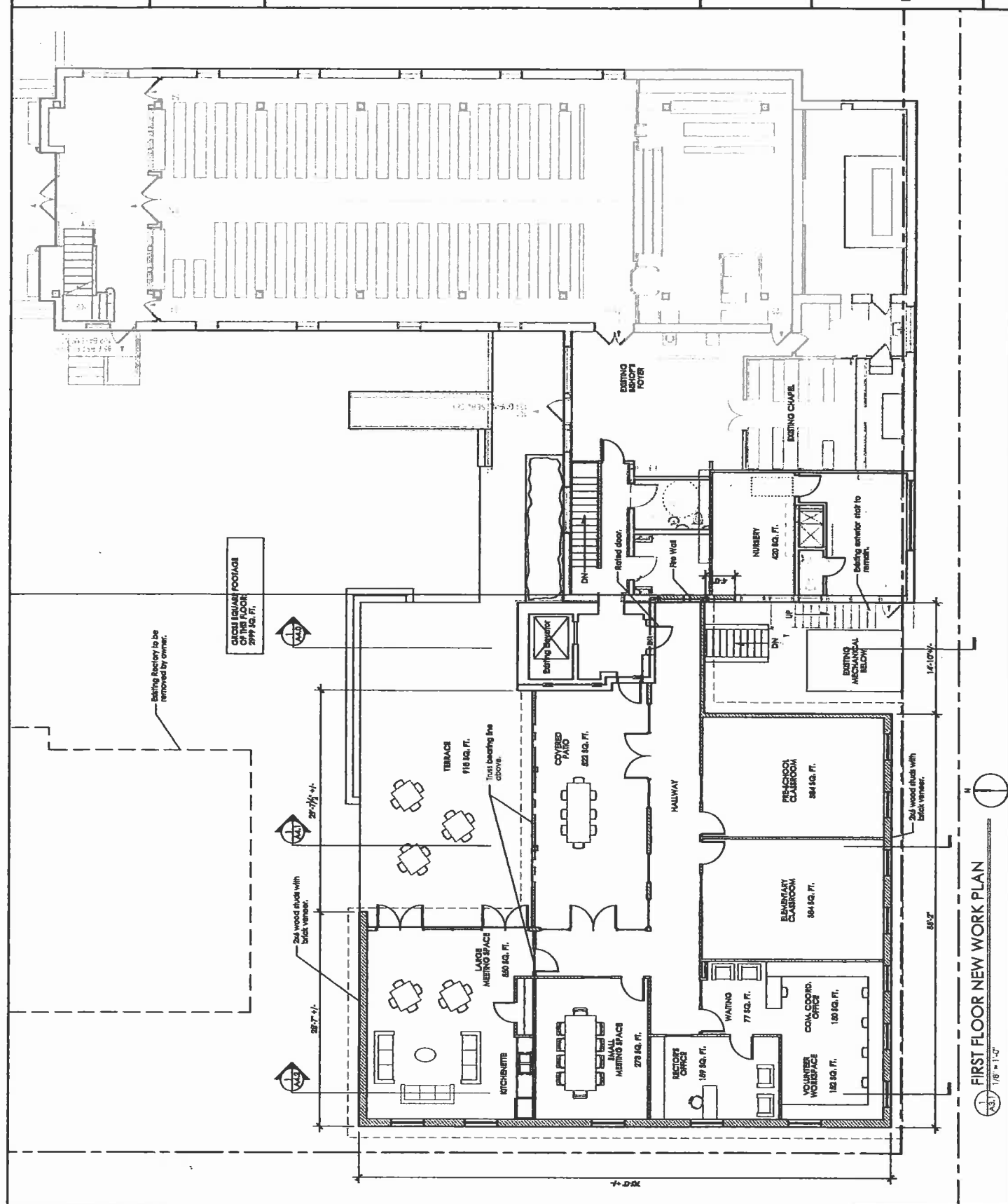
HOLY TRINITY EPISCOPAL CHURCH
25 East Walnut St
Oxford, OH 45056

ARCHITECTURE
222 E. 14 St. 5th fl.
Cincinnati, OH 45202
tel. 513 621 0750
e-mail: ludovick@arch.com

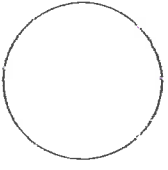
DATE: HAPC REVIEW
04.12.2013

**PRELIMINARY
NOT FOR CONSTRUCTION**

A3.1



Attachment 8
Ref. 209. 6, 7, 9, 12



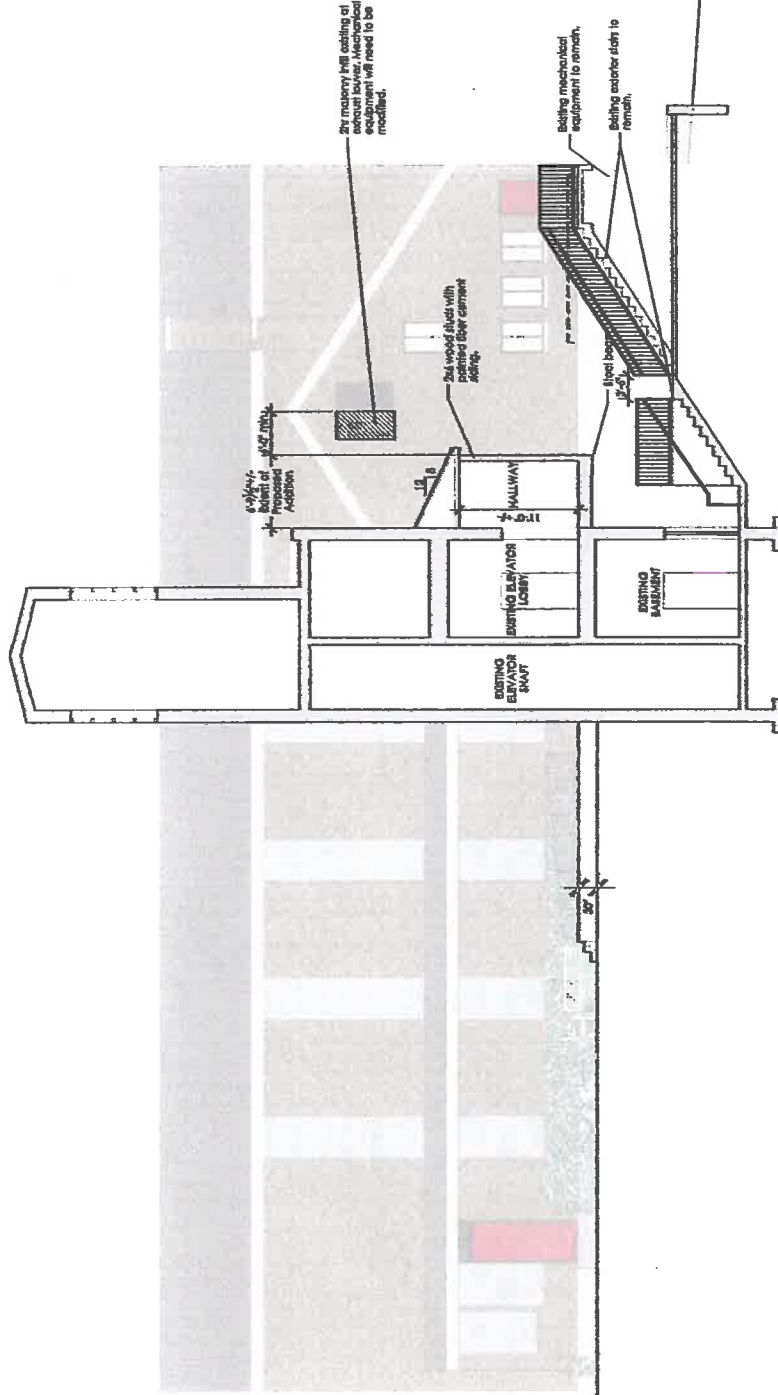
HOLY TRINITY EPISCOPAL CHURCH
25 East Walnut St
Oxford, OH 45056

CITYSTUDIO
ARCHITECTURE
272 East 12 Street
Columbus, OH 43222
614.521.0720
citystudioarch.com

DATE: HAPC REVIEW
04.12.2013

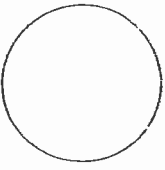
PRELIMINARY
NOT FOR CONSTRUCTION

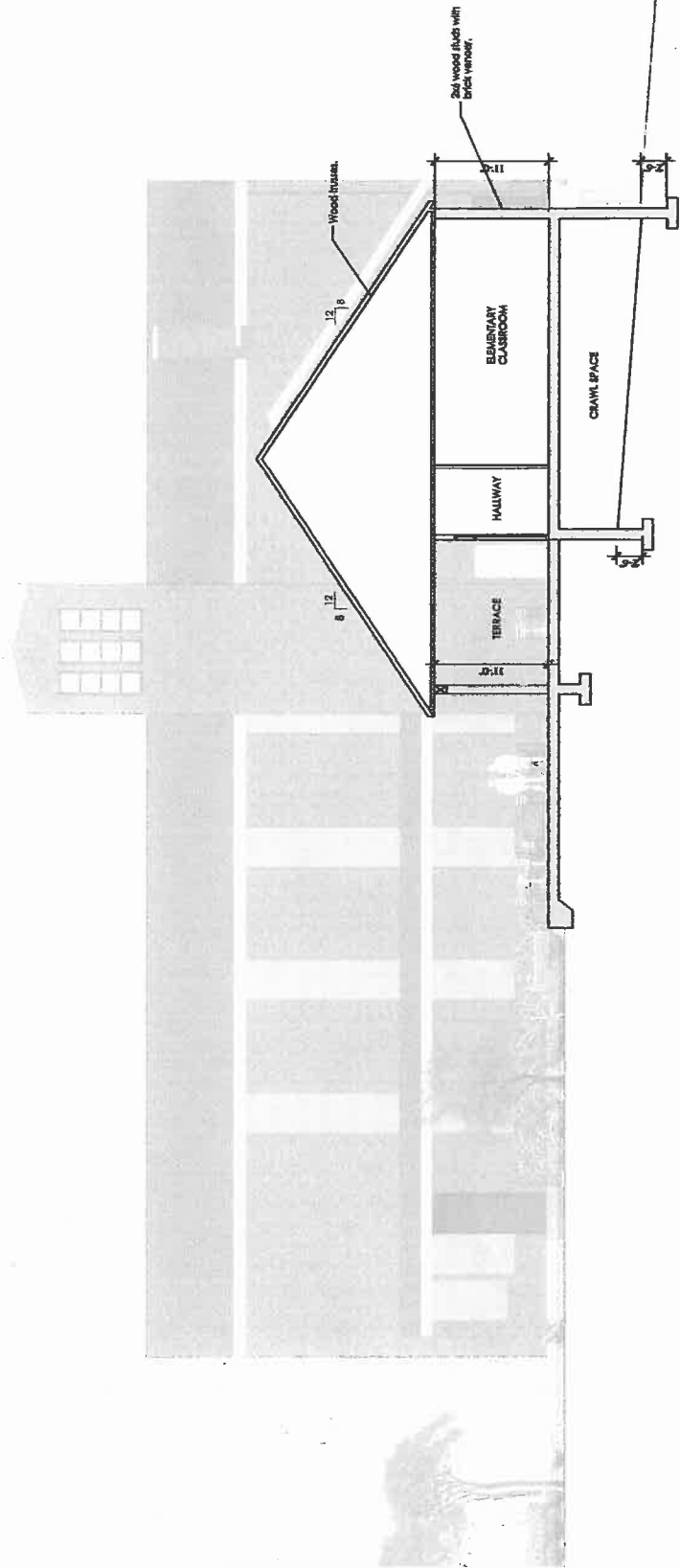
A4.0



SECTION AT EXTERIOR STAIRS
A4.0 1/8" = 1'-0"

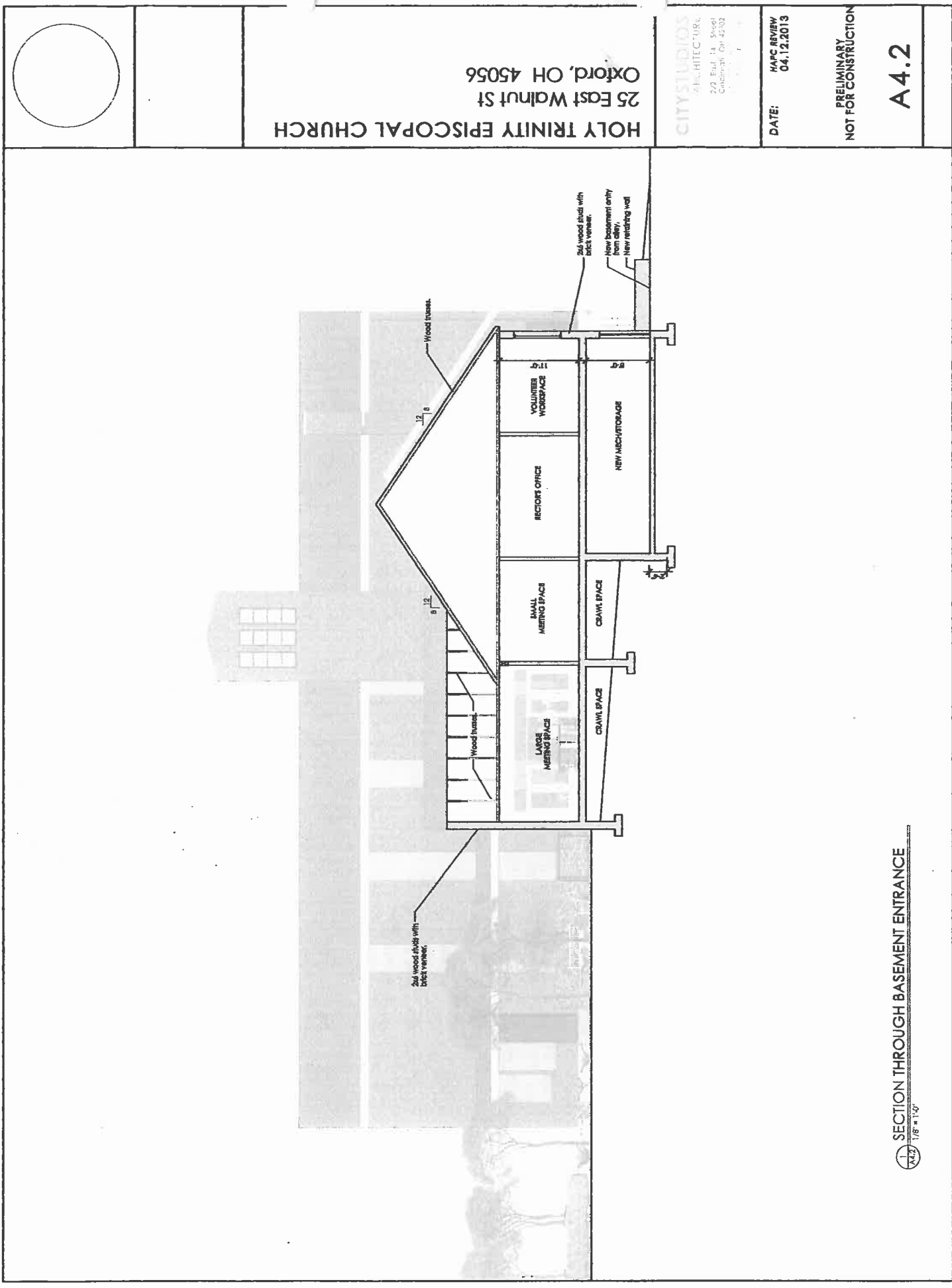
Attachment 9
 Ref. Req. 6, 7, 9, 12

	HOLY TRINITY EPISCOPAL CHURCH 25 East Walnut St Oxford, OH 45056	CITYSTUDIOS ARCHITECTURE	DATE: HAPC REVIEW 04.12.2013	PRELIMINARY NOT FOR CONSTRUCTION	A4.1



SECTION AT TERRACE
 1/8" = 1'-0"

Attachment 10
Ref. Reg. 6, 7, 9, 12



HOLY TRINITY EPISCOPAL CHURCH
25 East Walnut St
Oxford, OH 45056

CITYSTUDIOS
ARCHITECTURE
222 East 7th Street
Cincinnati, OH 45202

DATE: HARC REVIEW
04.12.2013

PRELIMINARY
NOT FOR CONSTRUCTION

A4.2

SECTION THROUGH BASEMENT ENTRANCE
1/8" = 1'-0"

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-09-2013

Date – June 11, 2013

APPLICATION

Applicant:	Susan Kay/Holy Trinity Episcopal Church
Location:	25 E. Walnut Street
Owner:	Holy Trinity Episcopal Church
Agent:	Susan Kay or Architect Chantelle Noble
Action Request:	Conditional Use Permit Application -- Expansion of a Place of Worship in a Residential Office (RO) Zone
Current Use:	Place of Worship / Apartments
Surrounding Existing Land Uses:	Predominantly Residential Rental

DESCRIPTION

Applicant Susan Kay comes before the Planning Commission on behalf of the Holy Trinity Episcopal Church to present a conditional use permit request for an expansion at 25 East Walnut Street, on the southwest corner of East Walnut and South Poplar Streets. A conditional use permit is required for a place of worship land use, in the Residential Office Zoning District. Chantelle Noble of City Studios Architecture has prepared a site plan showing the ¼ block that the church owns. City Studios also has prepared three dimensional color renderings of the proposed building addition and site landscaping.

Holy Trinity has programming needs that currently cannot be fulfilled with the existing building and site conditions. The building committee has been working off and on for many years to come to this proposal before the Commission tonight. The proposal is to demolish the existing two-story house and expand the green space along the Walnut Street frontage. The building expansion plan is to continue the single-story west wing further beyond the elevator tower to create office and meeting spaces that are attached to the main building. Currently the detached house contains office space and classrooms on the first floor. The existing main building footprint is approximately 5,600 square feet and the proposed addition footprint is approximately 3,000 square feet. The main building has a basement but the proposed addition does not. The property, which is currently two lots, totals 27,288 square feet. As shown, the overall site would have approximately 47% lot coverage, which includes all buildings and pavement.

The entire property is within the Uptown Historic District; therefore, the proposed demolition and construction fall under the jurisdiction of the Historic and Architectural Preservation Commission (HAPC). Both the demolition of the two-story home and the expansion of the main building were approved by the HAPC on May 1, 2013.

The purpose of the Conditional Use Permit review process is to review the potential integration of the proposed land use within the existing surrounding land uses. In this case the land use existed prior to the zoning requirement for a conditional use permit; however, the owners propose expansion which requires the permit. Therefore, the Commission can now consider any existing compatibility concerns and what impacts an expansion might have on that compatibility. The Commission may not find any compatibility concerns. However, if there are any potential negative impacts as a result of the expansion and site development, this is the appropriate time to discuss the impacts and recommend any mitigation measures. Additionally, the Commission could request more information prior to a decision, if it felt appropriate.

SURROUNDING NEIGHBORHOOD

All property owners within 200 feet have been notified by letter, a sign has been posted on the property and notice has been placed in the newspaper. At the time of this writing, **two public comments of support, in response to the 200 foot notice, have been received.**

The property is primarily surrounded by residential rental properties of various densities and architectural styles. The exception to the residential rental properties is the Hillel Foundation directly across the alley to the west. Hillel Foundation is the center of Jewish student life activities for Miami University. Holy Trinity also has an active student base.

PLANNING COMMISSION AND BOARD OF ZONING APPEALS SITE HISTORY

1986-PC-11 – Replat/Lot Consolidation

1999-PC-25 – Replat/Lot Split

2000-BZA-07 – Lot Coverage Variance (44%) due to Elevator Tower addition

COMPREHENSIVE PLAN (2008)

There are no specific strategies or objectives directly referring to places of worship (churches) in the most recent Comprehensive Plan. However, there are indirect references that staff found helpful, which are included below with staff comments:

Land Use Chapter –Principles excerpt (page 3.9)

1. The community's small college town character will be preserved and enhanced.
(*Staff comment-* the church proposes to continue to invest in the Mile Square rather than relocate outside the urban core)

University and Community Chapter – Objectives excerpt (page 11.3)

Objective 2 – Foster model university-community collaboration

UC 2.6. Develop ongoing programs to help students learn the responsibilities of being good citizens and neighbors.

UC 2.7. Strengthen sense of community between students/nonstudents.

(*Staff comment-* churches commonly achieve this goal of building relationships which are not age specific)

ZONING CODE REGULATIONS EXCERPTS

§1143.09 RO OFFICE RESIDENTIAL DISTRICT.

(a) Purpose. This district is designed to encourage a residential environment in established areas of historically significant character. Offices and service facilities are permitted to support community needs in suitable locations that do not produce incompatible effects on adjacent residential neighborhoods. A mix of uses within one structure is encouraged. This district is appropriate adjacent to higher volume thoroughfares, as well as between commercial areas and residential neighborhoods. This district shall be considered a residential district.

Conditional Use

The purpose of Conditional Use regulations is at Section 1147.01(a):

"Purpose. Conditional Uses are land uses that are potentially appropriate in many zoning districts but that are likely to have characteristics that could be detrimental to the public health, safety, or general welfare if not located appropriately, operated appropriately, or mitigated with good design."

§1143.09(b)(2)H.: Conditional Uses in RO:

STAFF FINDINGS: Places of Worship are specifically listed as a Conditional Use in the RO District.

§1143.09(c): RO Site Development Regulations:

STAFF FINDINGS: Lot size, setbacks, and building height appear to be satisfied. However, building coverage and total lot coverage are not satisfied. A maximum of 25% of the site is allowed to be covered

by enclosed buildings. A maximum of 40% of the lot is allowed to be covered by buildings and paving. Exact survey calculations have not been submitted. Staff's rough calculations (after a lot consolidation) show that building coverage will be approximately 35% and that total lot coverage will be approximately 47%. The building addition is approximately 3,000 square feet footprint, and the demolished building is approximately 1,800 square feet. There is also a new outdoor terrace area. The asphalt/gravel parking area is not proposed for removal, and by definition is to be included in the total lot coverage calculation.

§1147.03(b)(15) Use Regulations & Potential Concerns:

- (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

STAFF FINDINGS: The list of specific concerns above is not a comprehensive list of all the criteria. ***See the attached code Section 1147.02(c)(2) for the complete list.*** Churches commonly fit well within a mixture of residential uses, because of the low impact that they have and the potential close proximity to building users. The church does not have a bus or van. No details have been submitted for outdoor lighting yet. On-site parking is not required for churches in the RO zone. However, there are approximately five un-striped off-street parking spaces on the property, near the existing two story house. Additionally, some adjacent on-street parking spaces are reserved for handicap parking on Sundays. One block to the west is a public parking garage.

COMMENT FORMS

Two public comment forms indicating support, were received.

AGENCY REVIEWS

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

Police:	No comment received
Fire:	Returned without comment
Engineering:	Returned without comment
Econ. Dev.	Returned with comment of support

DECISION CRITERIA

A copy of the Conditional Use Permit Decision Standards is attached.

ANALYSIS

The plans submitted lack the detail that a complete building permit application would contain. However, they are sufficient to conduct the Conditional Use Permit review. Staff is not aware of any existing land use conflicts between Holy Trinity and surrounding properties, or of any that would directly result from this expansion. City departments will conduct a more complete review of detailed construction plans, if and when the Planning Commission and City Council approve the Conditional Use Permit.

One area of nonconformance is the unpaved off-street parking along the alley, which encroaches partially into the front yard (setback). Section 1149.05 (Non-Residential Vehicle Management) requires that parking areas not be in the front setback (20 feet in the RO zone), that they are paved, and that they are bounded by a six-inch raised curb. However, according to Section 1147.07(d)(2), the Planning Commission can waive or modify dimensional regulations of the Zoning Ordinance.

Once the existing two story house is removed, the encroachment of the one parking space into the front yard (setback) may be more noticeable. However, as the landscaping matures, it may be less noticeable. The Planning Commission may wish to at least require paving of the gravel area and a raised curb along the north perimeter. Although a detailed landscape plan has not yet been submitted, the three dimensional rendering does give an adequate concept of what the mature landscape would look like. The two existing shade trees in the front yard are not shown on the rendering. If possible, at least one could be saved, if it fits within the landscape design.

RECOMMENDATION

Staff recommends that the Commission solicit input from the applicant at the hearing about the parking area location and landscaping materials prior to a decision. The Commission could waive or modify the vehicle management requirements if it so desired. Additionally, appropriate conditions can be attached to the approval. Staff recommends that the Planning Commission forward a recommendation of approval to City Council based upon the findings in this report.

SUBMITTED
BY: Sam Perry
Sam Perry
Planner

DATE: June 5, 2013

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: 5/20/2013

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

PC-09-2013 CONDITIONAL USE 25 E. Walnut Street, Holy Trinity Episcopal Church, to allow for the expansion of a place or worship in a RO (Residential Office) District, Susan Kay, City Studios Architecture, Applicants, Agents

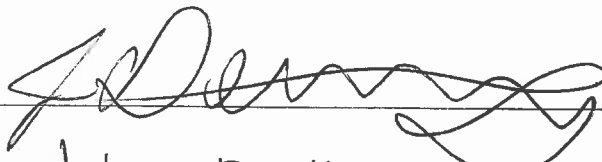
 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **6/5/13** Note: If no comments are received, we will assume the project meets your department's standards.

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

Drawings reviewed by:


John Detherage
PRINTED NAME

Date: 5-21-13

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 5/20/2013

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

PC-09-2013 CONDITIONAL USE 25 E. Walnut Street, Holy Trinity Episcopal Church, to allow for the expansion of a place or worship in a RO (Residential Office) District, Susan Kay, City Studios Architecture, Applicants, Agents

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **6/5/13** 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: 6-4-13

VICTOR POPESCU

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 5/20/2013

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

PC-09-2013 CONDITIONAL USE 25 E. Walnut Street, Holy Trinity Episcopal Church, to allow for the expansion of a place or worship in a RO (Residential Office) District, Susan Kay, City Studios Architecture, Applicants, Agents

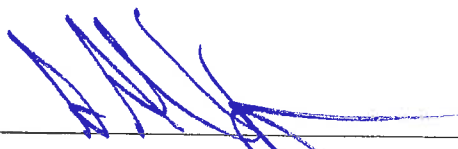
 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **6/5/13** Note: If no comments are received, we will assume the project meets your department's standards.

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

Allowing existing Mile Square places of worship the opportunity to expand seems to make sense. Otherwise these uses will leave the Mile Square for greener pastures.

Drawings reviewed by: 

Date: 5-28-13

G. ALAN KUCIN
PRINTED NAME



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

DATE OF HEARING: June 11, 2013

PC-09-2013 CONDITIONAL USE 25 E. Walnut Street, Holy Trinity Episcopal Church,
to allow for the expansion of a place or worship in a RO (Residential Office) District, **Susan**
Kay, City Studios Architecture, Applicants, Agents

If you cannot attend the public hearing on this Conditional Use being held before the City of Oxford Planning Commission, but would like to comment on this matter, please complete this form and return it by **June 5, 2013** to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name: Judy Ramsey - D + B Family Ltd Ptn.

Address: PO Box 849

Oxford, OH 45056

Telephone: Home: 523-6786 Work: 523-2638

COMMENTS:

Our Family Partnership supports Holy Trinity's expansion plan. We wish them well.

Signature Judy Ramsey Ltd Ptn

Date 5-30-13



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

DATE OF HEARING: June 11, 2013

**PC-09-2013 CONDITIONAL USE 25 E. Walnut Street, Holy Trinity Episcopal Church,
to allow for the expansion of a place or worship in a RO (Residential Office) District, Susan
Kay, City Studios Architecture, Applicants, Agents**

If you cannot attend the public hearing on this Conditional Use being held before the City of Oxford Planning Commission, but would like to comment on this matter, please complete this form and return it by **June 5, 2013** to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name: St. Mary Church

Address: 111 E. High St

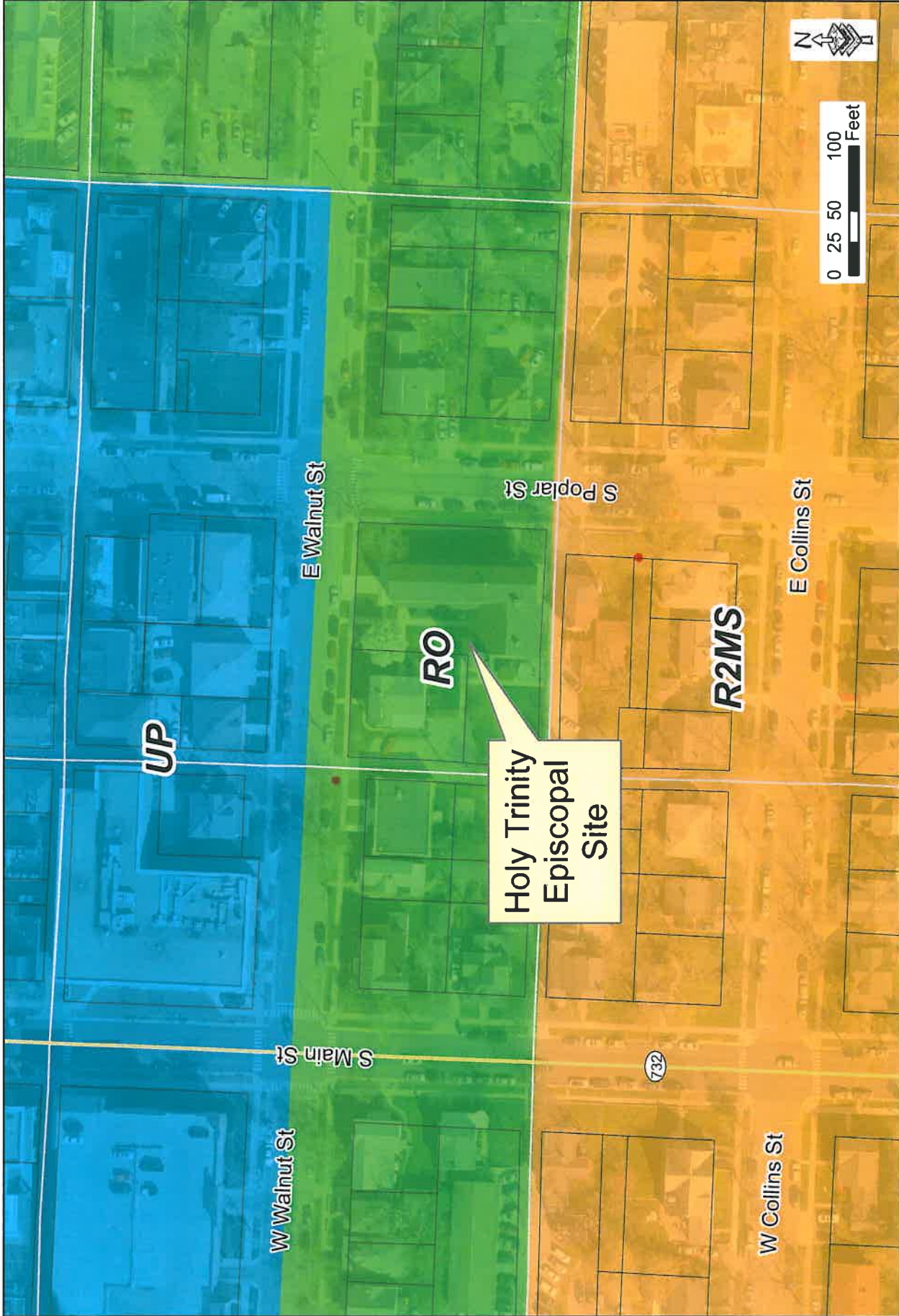
Telephone: Home: 523-2153 Work: _____

COMMENTS: No complaints!

Pam Burk
Signature

5/22/13
Date





Surrounding Zoning Map

Holy Trinity Episcopal Church - 25 E. Walnut St

Map Produced June 5, 2013

R-2MS, Single- and Two-Family Mile-Square Residential

RO, Office Residential

UP, Uptown



PC-09-2013

property
notifications

Legend

19 & 25 E. Walnut St.

200 Ft. Buffer

Oxford Corporation Limit

Parcel

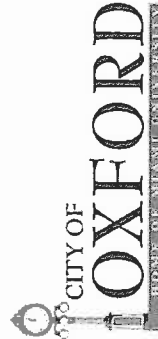
16.5' Vacated ROW

Building Footprint

Paved Roadway



1 inch = 100 feet



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

