

Memo



To: Planning Commission
From: Sam Perry, Community Development Director
Date: 11/27/2019
Re: Conceptual Review from Scott Webb for Boutique Airbnb / Short Term Rental

City policy is for the Planning Commission to hear ideas from anyone wishing to obtain individual feedback from Commission members. Ideas presented for potential projects, land uses or code amendments may or may not result in a future agenda item. Commission members are in no way bound by previous comments as the conceptual review is not an application to be voted upon for recommendation to City Council.

No staff report is provided with a conceptual review.

Sam Perry
Community Development director
City of Oxford
Municipal Building
15 South College Avenue
Oxford, Ohio 45056



SCOTT
WEBB

Re: Application for Residential Planned Development
4210 Millville Oxford Road

ARCHITECT

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

www.scottwebbarchitect.com

November 26, 2019

Sam,

Please accept this letter as our request for a Preliminary Concept Review at the upcoming Planning Commission meeting regarding Ms. Middleton's purpose built Airbnb concept on US 27.

The property is currently owned by Glenwood Energy who has some equipment on site, as does Duke Energy, accessed through an easement. My client is investigating the purchase of this property for a new stand alone, purpose built 4-Unit Airbnb on the open part of the site, retaining the easements for the utilities.



The Property is located at 4210 Millville-Oxford Road, south of town between McKee Ave. and Miami Western Drive, just over the incorporated limits of the City.

The Property was previously occupied by a single family house but is currently vacant except for utility equipment on the southeast corner, accessed through recorded easements.

The Property is Zoned R-1A with access provided from US 27.

Ms. Middleton describes her concept as a 4 unit Boutique Airbnb. Each unit will be a basic hotel room including a microwave, coffee maker and mini refrigerator. It is her expectation that these would be rented for a 1,2 or 3 night stay marketed toward the parents of Miami University students.

This particular site stands alone as the only lot facing US 27 on this side of the road, and as such is not part of either neighborhood surrounding it.

[illegible]

While Planned Developments are required to be 1 acre per 1145.12, Section 1145.07 states that Planning Commission, in its recommendation, and Council in its decision may waive or modify dimensional regulations of the Zoning Code

We believe this project represents an opportunity for Planning Commission and City Council to encourage this creative use of a unique site.

Respectfully,

Jeff Wilks

Scott Webb, Architect

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2019-24

Date –December 10, 2019

APPLICATION

Applicant:	Scott Webb, Agent/Architect/Applicant
Location:	5990 Contreras Road
Owner:	Peter and Constance McCarthy
Action Request:	Amendment to Final Planned Development
Current Use:	Short Term Rental and Two Family Dwelling
Proposed Use:	Short Term Rental and Lot Split
Zoning:	R1B (Single-Family Medium Density Residential) District
Surrounding Existing Land Uses:	Single and Two-Family and Multi-Family Dwelling

GENERAL DESCRIPTION

On behalf of the McCarthy family, Architect Scott Webb is seeking an amendment to the previously approved Final Planned Development. The request is to amend the 2018 Final Planned Development approval from a three-family dwelling or two-family with office to the revised plan for a five-suite Short Term Rental. The request is also to allow the subdivision of land within the 1-Acre Planned Development boundary for a future potential separate home lot.

Surrounding Area: There is a multi-family dwelling neighborhood to the east, single family to the south, north and west. This area is also in close proximity to the Lynn Avenue commercial corridor.

RECOMMENDATION

Based upon the 2015 staff findings, the current application, and recent staff meetings with the owner and buyer, a recommendation of approval can be forwarded to City Council with the following conditions:

1. The conditions of Ordinances 3334 and 3506 shall be void with the exception of 3334 condition e. as revised: The footprint of the home shall not be expanded, and the exterior of the home shall be maintained as closely as possible to how it currently exists, with changes only as required to meet current building and fire codes for ingress/egress and any required changes shall be designed and constructed in consideration and observance of the historical features of the structure.
2. The separate lot shall be void if not split and recorded within 2 years.
3. A sanitary sewer easement shall be recorded with the lot split and copy provided to the City Engineer.

PUBLIC COMMENTS

Public notices were mailed to property owners within 200 feet of the boundary. One neighboring property responded to the mailing, requesting clarification from staff about the proposal and Oxford Zoning Code.

PROPERTY HISTORY

PC-2010-04	Rezoning from R1B to RO- Recommended by PC and subsequently denied by Council
PC-2010-08-ADM-	Lot Split (withdrawn)

PC-2010-09-ADM-	Lot Split (Referred to BZA for adjudication hearing for not meeting zoning requirements)
PC-2015-16	Zoning Map amendment from R1B to R3 (withdrawn)
PC-2015-23	Preliminary Planned Development – approved with conditions
PC-2015-23	One year extension approved December 12, 2017 – due to expire 12-12-18
PC-2018-27	Final Planned Development – approved with conditions on 12-18-18

BACKGROUND

Per Zoning Code an approval of a final plan that is consistent with the approved preliminary plan, should be recommended for approval. This application is an amendment to a previously approved Final Plan. Some amendments can be approved without full Planning Commission review. This particular one had changes that were not viewed as minor by staff or legal counsel, so it was placed on the agenda for full Commission review. This type of Final Planned Development is uncommon because no new construction is planned at this time. Bishop Square, Gaslight Ave and Stewart Square are all examples of new construction Planned Developments. There is however interior reconfiguration that has been administratively permitted in 2019 because it was not prohibited by the 2018 approval.

AGENCY REVIEWS

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

Police:	Returned without comments.
Fire:	Returned without comments.
Engineering:	Returned with comments.
Econ. Dev.:	Returned with comments.

See the 2015 Staff report for findings related to the 2008 Comprehensive Plan and the Planned Development Code. Particularly the reference to the preservation of historic/cultural resources.

ANALYSIS

There is not substantially new analysis provided by staff because of the following:

- Staff views this amendment as lower intensity than the previous 2018 approval.
- There is no prohibition in Oxford Code of multiple owners of a Planned Development. The lot split otherwise complies with R1B zoning requirements and also mimics the pattern of the surrounding neighborhood. However, in order to retain some predictability for the neighborhood, a time limit of 2 years could be applied, if desired by the City.
- There have not been any complaints registered with the Community Development Department specific to the Short Term Rental use of this property. Code drafting is underway specific to STR's, however no new land use regulations are in effect. There are separate codes already in effect for any potential nuisance concerns: noise, trash, parking, lighting.
- The Fire Chief did not request additional safety provisions or raise other concerns.

SUBMITTED

BY:



Sam Perry, AICP
Community Development Director

DATE: November 27, 2019

APPENDIX

1145.06 PLANNING COMMISSION AND COUNCIL REVIEW

A preliminary plan shall be approved prior to approval of a final plan, although the processes can be concurrent for small, single phase developments

. Both preliminary and final plan approval require a Planning Commission recommendation and Council approval.

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

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

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

- (a) **Burden of Proof.** Planning Commission has no obligation to recommend approval and City Council has no obligation to approve a planned development. This Zoning Code assumes that a planned development is appropriate only if an applicant proves that the proposed uses and design will not be detrimental to the public health, safety, or general welfare of the City or the neighborhood in which it is proposed. Applicants shall prove that potential negative impacts of elements such as location, size and extent of facilities and operations, site design, traffic generation, site access, and potential impact upon public facilities will be adequately mitigated.

- (b) **General Decision Standards.**

All planned developments shall satisfy these general decision standards:

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

- (13) Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
- (c) Additional Final Plan Decision Standards
 - (1) The final planned development shall substantially conform to the preliminary plan.
 - (2) Any substantial changes from the preliminary plan improve the plan or were requested by Planning Commission or Council as a part of the preliminary plan approval process.
 - (3) If the final plan seeks approval of only a portion of the approved preliminary plan, the elements of the proposed phase are sufficient to stand alone if the remainder of the planned development is abandoned.

1145.10 – Changes to a planned development.

- (a) Minor Changes to an Approved Final Planned Development.
The developer of an approved final planned development may submit a written request for approval of changes to the plan or development schedule. The Zoning Administrator and the Planning Commission Chair together may administratively approve changes to a planned development if such changes:
 - (1) Do not change the use
 - (2) Are of a magnitude that will not substantially alter the appearance of the development from off of the site
 - (3) Will not substantially or detrimentally affect the provision of public services to the site or general vicinity
 - (4) Will not substantially or detrimentally increase potential demand on public or private utilities
 - (5) Are not of a scope, scale, or character, that would cause a negative impact on adjoining properties and neighborhood
 - (6) Are not contrary to and in no way diminish the intent of the originally approved plan Administrative approvals shall be clearly documented, made part of the original final planned development on file, and the details of any such changes shall be reported to the Planning Commission at its next regularly scheduled meeting.
- (b) Major Changes to an Approved Planned Development.
Any proposed changes to an approved planned development that do not meet the criteria of a minor change are considered a major change. A major change requires an entirely new preliminary planned development application (including the fee), according to the provisions of this chapter.
- (c) Changes to a Planned Development not Procedurally Approved.
An existing planned development that was not approved according to the provisions of this Chapter and was never approved by a legislative, quasi-judicial, or administrative review, and that was legal at the time of its establishment is considered an approved planned development and is subject to the provisions of this chapter.

1143.02 – R-1B Single-Family Medium Density Residential District.

- (a) Purpose.
This district is designed to provide and preserve single family residential development of a moderately low density character within and adjacent to areas of similar development.
- (b) Uses.
 - (1) Permitted uses.
 - A. Single-family dwellings.
 - B. Accessory buildings and uses incidental to the principal use that do not include any activity conducted as business.
 - C. Day Care Home Type B family.
 - (2) Conditional uses.
The following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.
 - A. Community-Oriented Residential Social Service Facilities (CORSSF's).

- B. Shared Housing for the elderly.
 - C. Government owned and/or operated parks and recreation facilities.
 - D. Bed and breakfast homes for transients.
 - E. Open space recreation areas that are privately or publicly owned, such as golf courses, tennis courts, parks, forests, or wildlife preserves.
 - F. Day care facilities, including Child Day Care, Child Day Care Center, and Day Care Home Type A family.
 - G. Schools: primary, intermediate, and secondary, both public and private.
 - H. Places of worship.
- (c) Site Development Regulations. (Unless superseded by Conditional Use Requirements)
- (1) Lot requirements.
 - A. Minimum lot area 7,500 sq. feet
 - B. Minimum lot width 65 feet
 - (2) Yard requirements.
 - A. Minimum front yard depth 30 feet
 - B. Minimum rear yard depth 35 feet
 - C. Minimum side yard width 8 feet on each side
 - (3) Structural requirements.
 - A. Maximum building height 35 feet
 - (4) Lot coverage.
 - A. Lots with vehicular access from a public street
 - 1. Lot total – 35 percent
 - 2. All enclosed buildings – 25 percent of lot
 - 3. Front yard – 25 percent of front yard
 - B. Lots with vehicular access from a rear or side alley, and no access from a public street
 - 1. Lot total – 40 percent
 - 2. All enclosed buildings – 25 percent of lot
 - 3. Front yard – 5 percent of front yard

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2015-23

Date –October 13, 2015

APPLICATION

Applicant:	Scott Webb, Agent/Applicant
Location:	5990 Contreras Road
Owner:	Peter and Connie McCarthy
Action Request:	Preliminary Planned Development
Current Use:	Single-Family
Zoning:	R1B (Single-Family Medium Density Residential) District
Surrounding Existing Land Uses:	Single and Two-Family and Multi-Family Dwelling

GENERAL DESCRIPTION

The applicant is seeking a Preliminary Planned Development approval for the property. Based on the narrative, the applicant is seeking for approval to reconfigure the existing residence into a maximum of three (3) dwelling units, and potentially a professional office.

The property is bordered by a multi-dwelling rental property to the east, single family to the south, north and west. This area is in proximity to Lynn Avenue where commercial activities are prominent.

PUBLIC COMMENTS

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

PROPERTY HISTORY

PC-2010-04	Rezoning from R1B to RO- Recommended by PC and subsequently denied by Council
PC-2010-08-ADM-	Lot Split (withdrawn)
PC-2010—09-ADM-	Lot Split (Referred to BZA for adjudication hearing for not meeting certain underlying zoning requirement)
PC-2015-16	Zoning Map amendment from R1B to R3 (withdrawn)

AGENCY REVIEWS

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

Police:	Returned without comments.
Fire:	Returned without comments.
Engineering:	Returned without comments.
Econ. Dev.:	Returned with comments.

COMPREHENSIVE PLAN REVIEW

A Comprehensive Plan is a broad policy document intended to guide decision-making on long-term physical development. The Ohio Planning and Zoning Law Handbook even provides a more rigorous legal definition of a Comprehensive Plan, which is a chief policy instrument for: (1) the administration of zoning and subdivision regulations; (2) the location and classification of streets and thoroughfares; (3) the location and construction of public and semi-public buildings and related community facilities and infrastructure.....etc.

It provides the frame work to be used on a daily basis as public and private decisions are made concerning development. Administrative and legislative approvals of development proposal, including rezoning and subdivision plats, should be a central means of implementing the Comprehensive Plan. Decision by the Planning Commission should reference relevant Comprehensive Plan recommendation and policies.

There are many goals and objectives as outlined in the Comp Plan as what the community at large vision what this community would like. Various goals and objectives may seem contradictory and inconsistent; it is the purview for the City Council, Planning Commission, with the assistance from staff, to find the balance between these goals and objectives when reviewing development projects.

Relevant information from the 2008 Comprehensive Plan is provided as follows for discussion:

Land Use Chapter:

The map titled "Conservation and Development Map" on page 3.19 showed the aspiration and choices that are expressed by the community in 2008.

The area considered for redevelopment is mainly defined between Lynn Avenue and Locust Street between College Avenue and McGuffey Avenue. The subject property is adjacent to this redevelopment area. The intent of this redevelopment is to create a mixture of small and medium sized commercial uses with a well-defined landscape and public space; where residential uses shall also be integrated within the area to create a 24 hour district to create shopping and dining options within walking distance of surrounding neighborhoods.

The subject area is also considered Neighborhood General 3 under the Character Map Matrix on page 3.20, since the development of this area tends to be after WWII and does not share the same geographic configuration as the Mile Square. This character of the neighborhood is considered to be residential areas on the outskirts of the Mile Square with the lowest residential density.

Cultural Resources:

Enhance and improve the promotion and preservation of the City's historic and cultural resources. There is a large historic building located on the subject property that should be preserved.

The Comp Plan also supports and encourages the preservation, restoration, rehabilitation and reuse of historic structures and sites. Additionally, it is also recommended in the Comp Plan to consider historic and cultural resources in all land use decisions.

PLANNED DEVELOPMENT

Chapter 1145 Planned Development purpose statement provides the rationale and framework for consideration. Furthermore, the goals of any proposed planned development shall at minimum address the proposal in relation to the common goals of the Planned Development under Chapter 1145.01 and they are:

- 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 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.

ANALYSIS:

In reviewing the planned development application, the Commission should consider both the Purpose Statement and the Decision Standards of the Zoning Code Planned Development to determine the pros and cons of the request during its deliberation.

The Planned Development Chapter also pointed out that the Planning Commission has no obligation to recommend approval and City Council has no obligation to approve a planned development. The 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 of the neighborhood in which it is proposed.

The Applicant 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.

The focus of this report will be analyzing the proposal based upon the Decision Standards.

(1) The proposed planned development is in fact permitted in the zoning districts in which it is proposed.

Staff analysis:

The Planned Development provision allows any land use permitted in any residential zoning district in this code, except mobile homes, when a planned development proposal that overlays an existing zoning district.

The existing land use classification of the property is R1-B, and all permitted land uses includes multi-family dwelling and professional offices (permitted land uses under R-3 multi-family dwelling district)

(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.

Staff analysis:

There was no previously considered Planned Development for this site within one year. This decision standard is not applicable.

(3) The uses and site plan will satisfy the general intent of this Zoning Code.

Staff analysis:

The purpose and intent of the Zoning Code is to promote and protect the public health, safety and general welfare of the people and to support the comfort and convenience of the Citizens of Oxford. Additional analysis, in relation to these decision standards concerning health, safety and general welfare of the people, is combined with the potential impact of the proposal.

(4) The uses and site plan will be compatible with the general intent of the Comprehensive Plan.

Staff analysis:

As written in a staff report, dated July 14 and August 11, 2015 concerning the Zoning Map Amendment, there was no direct evidence from the Comp Plan to support the site to be a multi-family dwelling. It might be arguably plausible for two-family, given the uniqueness of the size of the dwelling and the site. It certainly is an anomaly in this general vicinity. However, this site, as indicated in that particular report, was not identified as a future expansion area for commercial development.

(5) The size and shape of the site are sufficient for the proposed planned development.

Staff analysis:

The size and shape of the site would seem to be sufficient for the proposed development, without any consideration of potential impact.

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

Staff analysis:

The proposed would have a certain degree of negative impact to existing or potential future neighboring uses, which will be further analyzed in other section of the decision standards.

(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.

Staff Analysis:

The narrative indicates the proposed use would be (1) three-family dwelling; and (2) professional office. The uses probably would not generate any excessive noise, smoke, fumes, as the applicant indicated in his narrative. One concern is potential number of off-street parking and the amount of traffic that might generate from the proposal.

The proposal, depending on how the configuration takes place between residential and office space, could be required to provide between 11 and 14 off-street parking spaces, which is much more than typically noted in a neighborhood such as this one. The site plan also shows those future office and residential parking spaces, to be totaled around 11 spaces, without considering garage spaces. Additionally, the traffic generated from this proposal would be much different than what a typical neighborhood would be, from a residential dwelling to a mixed use structure. Even though the site is about twice the size in footage than the properties directly west to this property, being single family dwelling unit and the difference between these properties would be noticeable as far as traffic generation is considered.

(8) Accessory uses will be directly related to the operation of the principal uses and will not be operated independent of the principal uses.

Staff Analysis:

The proposal does not seem to indicate any changes to the existing accessory structures to be utilized differently.

(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.

Staff analysis:

The site and use could be served by public utilities with adequate capacity.

(10) Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services

Staff analysis:

No anticipated expenditure is expected to serve the proposed development.

(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.

Staff analysis:

The character and appearance of the building would not be altered, as indicated by the applicant, since no exterior modifications is expected. Interior modifications would not be visible from the street. However, the appearance and the character of the neighborhood may be altered to be different than the rest of the neighborhood, especially the property is considered the entrance to the neighborhood to the north and neighborhood to the west, given that potential traffic is being generated from this pending proposal, and the potential number of vehicles parked on site.

(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.

Staff analysis:

No engineering input has been provided from the City Engineer Office related to the on-site traffic and traffic accessing the site related to its impact to the safety of all modes of traffic. It would be something to review the potential impact to a major collector road from a single development site that is adjacent to a minor collector street.

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

Staff analysis:

It does not appear the applicant is proposing any removal of natural vegetation and no alteration or demolition to the existing building.

The proposal is seeking for an approval for a preliminary planned development to a maximum 3-dwelling unit with a professional office. One thing to bear in mind is that there are different types of professional offices, ranging from architects, lawyers, to medical, dentist and chiropractor's offices. The extent of client visit varies greatly from one type of professional office to another. It also depends how the office is configured to receive patients. Therefore, it is very unclear how the "professional office" would turn out to be. Potentially, a significant concern would be the traffic coming and going on a regular basis in and out of the site onto a major collector street. More information will be needed to ascertain the true impact from the traffic consideration. Since this is a preliminary Planned Development, many details have yet to be determined. And it is also conceivable that the details would not be available until there are specific buyers submitting proposals. Therefore, there is a sunset provision of 2 years after the approval of the preliminary planned development, with the possibility of two one-year extension from the Commission. It is not common for the Commission to review a proposal such as this one that does not have any specific end products and is subject to market demands, dealing with the adaptive re-use of an existing building.

Given that this is a planned development, the Planning Commission can and should require any and all needed information for consideration and to review the proposal to ensure the potential impact can be minimized and mitigated and the proposal poses no detrimental effect to the surrounding neighborhood.

This building was built in 1896 and has many distinctive features and historic significance that the community should cherish. It is known as Welsh-Stewart House by many local residents for its Queen Anne Victorian style. Furthermore, it was also the home of a prominent local member, Josiah Allen Welsh, as well as Dr. William T. Stewart. The original two-story brick house has approximately 3740 square feet, which was significantly larger than any houses of that time. Subsequently, an addition was added on to increase the footage of the house to over 5,000 square feet.

Preservation of cultural and historic resources is specifically highlighted in the Comp Plan and there are specific objectives to consider for land use decisions and to promote preservation of historic structures and sites. Given the size of the structure, it is not an easy task to live in a historic structure, due to the fact it would require constant maintenance, and on-going utility expenses to keep the building in a livable condition. Without a steady income flow, the cost of maintaining the structure would be hard pressed for average family, let alone major renovations that would be necessary for the upkeep of this building.

The size of the lot makes this historic home feels more like a mini-homestead that makes this site/structure even more unique, especially for the size of the structure. This almost one-acre site is part of the reason that a Planned Development approach would seem to be more appropriate with the commitment that the building will be maintained.

The current use of the site is a two-family which would be allowed continuously. It is the transitional step changing from multi-family to the east onto single family to the west of the site, which it would make land use sense for this site. The proposal of maximum 3 families would be departure from the environment of a two-family and single family. Additionally, there is a public street, classified as minor collector road, separating the multi-family residential from single family residential district.

Adding a professional office use for the site would require additional information as to how the office would be in operation. The applicant indicates that the hours of the office portion would be from 7 am to 9 pm. Other than this, there is not much more about the proposed office use for this planned development. The hours of operation would seem to be too long, considering this is a residential neighborhood.

In order to address the potential traffic concerns, the Commission may require the City Engineer to ascertain the traffic impact in and out of the site. It would also be critical to maintain vegetation, and possibly adding some more to protect and preserve the appearance of the neighborhood.

It is important for the Commission to balance the needs of maintaining, preserving, and continuing to improve this historic structure as time goes on and the community characters as a whole in the context of this Planned Development proposal. It may also require the Commission to outline specific conditions for the proposal if the Commission feels that this proposal meets the decision standards and the purpose statement of the Planned Development.

RECOMMENDATION

Reviewing the requested Planned Development Application based on the Comp Plan and the Zoning Code's Decision Standards, the application seems to be somewhat subject to market since it does not provide much detailed information, as many other Planned Development projects normally would have. And based on the analysis, the recommendation would be to consider this Planned Development to be no more than a two-family dwelling and an office. It is unclear what the rationale was when this property was rezoned to a single family in 2003. A two-family residential might be the extent of what could be supported due to the "alleged" error on the Zoning Map. Adding an office use to the structure may provide additional income to support the historic building if the potential issues could be mitigated, such as operating hours, traffic and the protection and preservation of the neighborhood character.

SUBMITTED

BY:

Jung-Han Chen
Community Development Director

DATE: October 6, 2015

ATTACHMENT

1145.06 PLANNING COMMISSION AND COUNCIL REVIEW

A preliminary plan shall be approved prior to approval of a final plan, although the processes can be concurrent for small, single phase developments

. Both preliminary and final plan approval require a Planning Commission recommendation and Council approval.

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

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

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

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

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

- (b) General Decision Standards.

All planned developments shall satisfy these general decision standards:

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

have the appearance of residential buildings permitted in the zoning district.

(12) The site is designed so that on-site traffic and traffic accessing the site will not adversely impact the movement or safety of all modes of traffic on adjacent public streets.

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

(c) Additional Final Plan Decision Standards

(1) The final planned development shall substantially conform to the preliminary plan.

(2) Any substantial changes from the preliminary plan improve the plan or were requested by Planning Commission or Council as a part of the preliminary plan approval process.

(3) If the final plan seeks approval of only a portion of the approved preliminary plan, the elements of the proposed phase are sufficient to stand alone if the remainder of the planned development is abandoned.

ORDINANCE NO. 3334

AN ORDINANCE ACCEPTING THE PLANNING COMMISSION'S RECOMMENDATION FOR PRELIMINARY PLAN APPROVAL OF A PLANNED DEVELOPMENT FOR ONE (1) ACRE OF LAND AT 5990 CONTRERAS ROAD OXFORD, OHIO 45056 TO ALLOW THE RECONFIGURATION OF AN EXISTING STRUCTURE FOR RESIDENTIAL AND OFFICE USES 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 13, 2015, in accordance with Section 1145 of the Codified Ordinances of the City of Oxford, on the application of Scott Webb, Applicant/Agent for approval of a Preliminary Plan for one (1) acre of land at 5990 Contreras Road Oxford, Ohio 45056 to allow the reconfiguration of an existing structure for residential and office uses.

SECTION 2: The Planning Commission, after due deliberation found the application satisfies the code requirements in Chapter 1145 of the Oxford Zoning Code and recommended approval of the Preliminary Plan application for one (1) acre of land at 5990 Contreras Road Oxford, Ohio 45056 with conditions.

SECTION 3: Council hereby accepts the recommendation of the Planning Commission and further approves the Preliminary Plan application for one (1) acre of land at 5990 Contreras Road Oxford, Ohio 45056 to allow the reconfiguration of an existing structure for residential and office uses based on the submittals of the applicant that are incorporated and made a part of this approval with the following conditions:

- a. The use shall be limited to a maximum of 3 dwelling units (the current efficiency apartment and 2 additional units) or 2 dwelling units (the current efficiency apartment and 1 additional unit) and 1 professional office (limited to only those professional office uses specifically enumerated in Oxford Zoning Code Section 1159.17).
- b. Maximum occupancy of any dwelling unit for which a rental permit is required shall be 4 persons, no more than two of which may be unrelated unless constituting a family as allowed in Oxford Zoning Code Sections 1146.02(a) and 1146.02(b).
- c. The office use shall be limited to a maximum of 2,500 square feet.
- d. Any sign for the Professional Office shall conform to Oxford Zoning Code Section 1151.05(a)(1) except only a free-standing sign will be permitted and the design of the sign shall be in harmony with the historic character of the home.

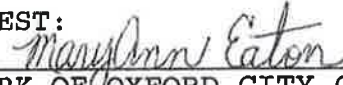
- e. The footprint of the home shall not be expanded, and the exterior of the home shall be maintained as closely as possible to how it currently exists, with changes only as required to meet current building and fire codes for ingress/egress of the new uses and any required changes shall be designed and constructed in consideration and observance of the historical features of the structure.
- f. The hours of operation of the professional office shall be limited to 8:00 a.m. to 8:00 p.m.
- g. The Planned Development shall in all other respects comply with Oxford Zoning Code Section 1143.09 RO Office Residential District.

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


MAYOR

ADOPTED: November 17, 2015

ATTEST:


CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

ORDINANCE NO. 3506

AN ORDINANCE ACCEPTING THE PLANNING COMMISSION'S RECOMMENDATION FOR FINAL PLAN APPROVAL OF A PLANNED DEVELOPMENT FOR ONE (1) ACRE OF LAND AT 5990 CONTRERAS ROAD OXFORD, OHIO 45056 TO ALLOW THE RECONFIGURATION OF AN EXISTING STRUCTURE FOR RESIDENTIAL AND OFFICE USES WITH CONDITIONS.

WHEREAS, Council hereby finds that the Planning Commission held a public hearing on November 13, 2018 in accordance with Section 1145 of the Codified Ordinances of the City of Oxford, on the application of Scott Webb, Applicant/Agent for approval of a Final Plan for one (1) acre of land at 5990 Contreras Road Oxford, Ohio 45056 to allow the reconfiguration of an existing structure for residential and office uses; and

WHEREAS, the Planning Commission, after due deliberation found the application satisfies the code requirements in Chapter 1145 of the Oxford Zoning Code and recommended approval of the Final Plan application for one (1) acre of land at 5990 Contreras Road Oxford, Ohio 45056 with conditions.

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

SECTION 1: Council hereby accepts the recommendation of the Planning Commission and further approves the Final Plan application for one (1) acre of land at 5990 Contreras Road Oxford, Ohio 45056 to allow the reconfiguration of an existing structure for residential and office uses based on the submittals of the applicant that are incorporated and made a part of this approval with the following conditions:

- a. All conditions of Ordinance No. 3334 shall apply with the exception of condition 'g' regarding compliance with the RO District.
- b. The professional office hours shall be limited to 8:00 a.m. to 8:00 p.m. and no more than two customers shall be present simultaneously.
- c. Should the third dwelling unit or professional office tenant not be substantially established within two years of the Final Plan approval, the Final Planned Development approval shall become void.

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


MAYOR

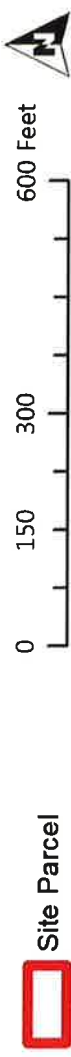
ADOPTED: December 18, 2018

ATTEST:

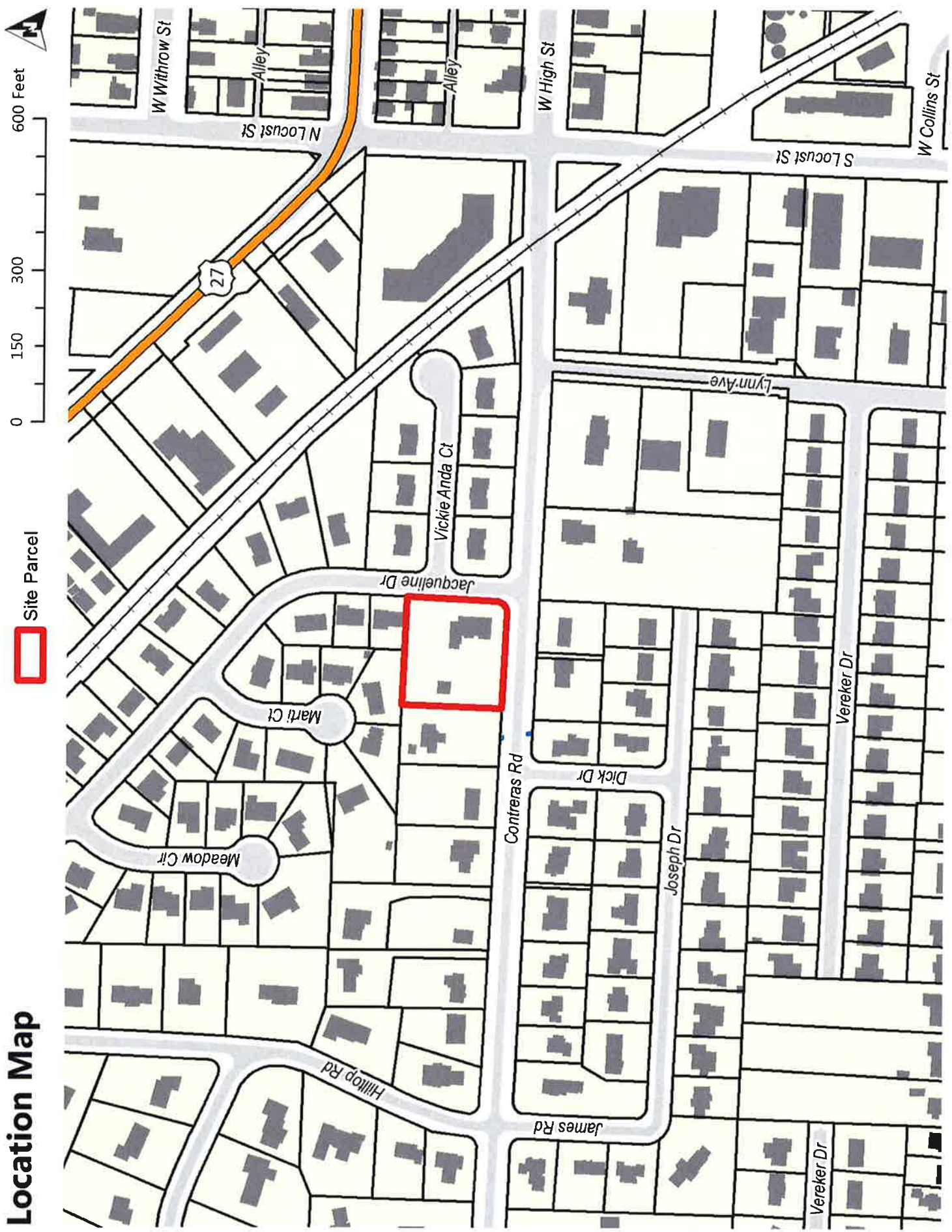
CLERK OF OXFORD CITY COUNCIL
INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

Aerial Map



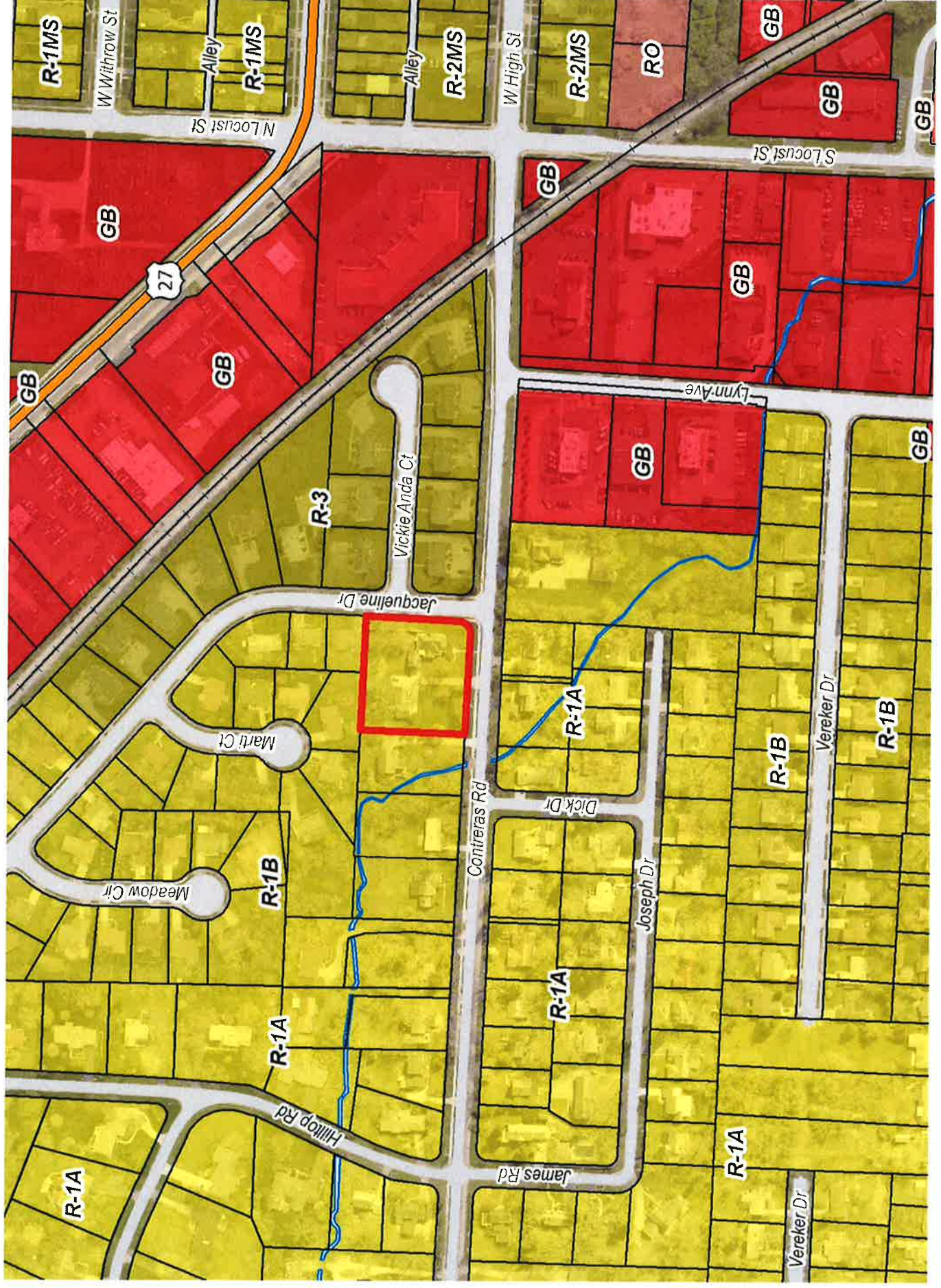
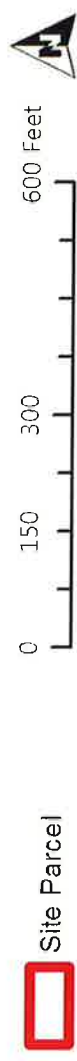
Location Map



Site Parcel

0 150 300 600 Feet

Zoning Map



City of Oxford
Inter-Office Review Transmittal Sheet



Date: November 5, 2019

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

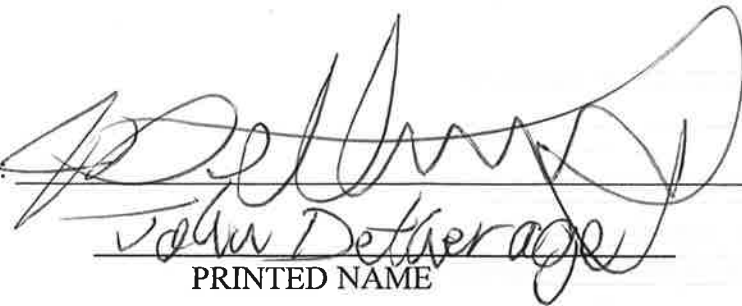
PC-2019-24, PRELIMINARY & FINAL PLANNED DEVELOPMENT, 5990 Contreras Road, one acre,
R-1B District, Scott Webb, Applicant, Agent

 X Review Revisions Other

Please return no later than: **November 26, 2019** 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 DeLaerage
PRINTED NAME

Date:

11-7-19

City of Oxford
Inter-Office Review Transmittal Sheet

Date: November 5, 2019

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2019-24, PRELIMINARY & FINAL PLANNED DEVELOPMENT, 5990 Contreras Road, one acre,
R-1B District, Scott Webb, Applicant, Agent

 X Review Revisions Other

Please return no later than: **November 26, 2019** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

See memo dated 11/25/19.

-SAO

Drawings reviewed by:

Scott Otto

Date:

11/25/19

Scott Otto

PRINTED NAME



Memo

Service Department
Engineering Division

513/524-5208 fax 513/524-5267

TO: Community Development Department

FROM: Scott Otto, P.E.
City Engineer

RE: PC-2019-24
Preliminary and Final Planned Development – 5990 Contreras

DATE: November 25, 2019

The Engineering Division offers the following comment:

- If the lot split is approved, please provide a recorded copy of the Plat of Survey, including the proposed private sanitary easement, to the City of Oxford Engineering Division.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: November 5, 2019

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

**PC-2019-24, PRELIMINARY & FINAL PLANNED DEVELOPMENT, 5990 Contreras Road, one acre,
R-1B District, Scott Webb, Applicant, Agent**

 X Review Revisions Other

Please return no later than: **November 26, 2019** 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 A. Jones

PRINTED NAME

Date: _____

11/19/19

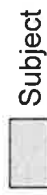
PRINTED NAME



PC-2019-24

Surrounding Property Owners Notifications Map

Legend



Subject



200 Ft. Buffer



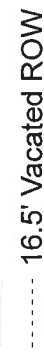
Oxford Corp. Limit



Address Point



Parcel



16.5' Vacated ROW



Building Footprint



Paved Roadway



1 inch = 100 feet

Prepared on Monday, November 25, 2019
The City of Oxford does not guarantee the dimensional accuracy of this map. Precise dimensional accuracy should be based upon recorded deeds, plats or a professional survey.



LETTER OF AGENCY

To Whom It May Concern:

Please be advised that Scott Webb, Architect has permission to represent our interest with the City of Oxford's Planning Commission & City Council regarding the proposed change to an approved Planned Development at 5990 Contreras Road.

Thank you,

Signed:


Peter & Constance McCarthy

10-28-2019
Date:

**Internal Use Only:**

Case No.

PC-2019-24

Date Filed

10/28/19

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 *

Scot Webb, Architect

Mailing Address *

103 West Walnut Street

City, State & Zip Code *

Oxford, Ohio 45056

Telephone Number *

523-3838

Email Address

scott@scottwebbarchitect.com

Owner Information

Name *

Peter & Constance McCarthy

Mailing Address *

6073 Contreras Road

City, State & Zip Code *

Oxford, Ohio 45056

Telephone Number *

431-1920

Email Address

pecomcc@gmail.com

Engineer/Surveyor Information

Name *

Bayer Becker / David Douglas Smith P.S.

Mailing Address *

318 S College Ave. / 910 Marilyn Drive

City, State & Zip Code *

Oxford, Ohio 56045

Telephone Number *

523-4270/523-9964

Email Address

ettareed@bayerbecker.com

Location and Lot Information

Name of Subdivision *

Location of Property *

5990 Contreras Road

Legal Description *

H4100016000047 - Survey Attached

Zoning District *

R-1B

Total Area *

1

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 \$470.00 plus \$100.00 per acre, plus \$10.00 postage charge.

Sign and Date

Applicant Signature *

Date *

Handwritten signature in blue ink over a horizontal line, with the date 11/4/19 written below it.

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, 15 South College Avenue, 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/>

Sam Perry, Community Development Director
City of Oxford
Municipal Building
15 South College Avenue
Oxford, Ohio 45056



**SCOTT
WEBB**

Re: Proposed Change to an Approved Planned Development
5990 Contreras Road

A R C H I T E C T

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

October 28, 2019

www.scottwebbarchitect.com

Mr. Perry,

My clients have asked me to present a proposed change to the approved Planned Development at 5990 Contreras Road as shown on the attached drawings.

This application seeks to modify existing PUD Ordinance 3506. In lieu of the previously approved multi-family and professional office use, the applicant proposes to:

1. Separate the one acre lot into two separate lots. Lot B to be .6 acres that includes the current 5000 SF house. Lot A is .4 acres and includes the detached garage. A survey indicating the boundary lines of each lot is enclosed.
2. Use of the existing house to be non-owner occupied short term rental, residential, and to maintain the existing rental permit for 5. Five short term rental suites are proposed, in keeping with the current rental permit. The intent is to market five self-contained guest suites for stays less than 14 days as the primary use. Occasionally guests request a stay of longer than 14 days so we request that the existing rental permit remain active. The enclosed floor plan indicates the size and general layout of each suite. Site plan shows on-site parking for five spaces (a reduction from the previous PUD submission) on Lot A.
 - a. Studio Suite 555 SF.
 - b. Family Suite 791 SF
 - c. Master Suite 440 SF
 - d. Family Suite 1150 SF
 - e. Master Suite 816 SF
3. Lot B to include a future residence meeting all requirements of the R1B district.

Based on the decision standards as addressed below, we feel this could be approved as a Minor Change to an Approved Planned Development.

The attached Site Plan shows the proposed lot split and its effect on the dimensional requirements of the Approved Planned Development

Also attached is a narrative statement from the owners regarding the proposed changes and drawings of the interior alterations of the existing historic house.

1145.10 Changes to a Planned Development

The definition of a Minor Change to a Planned Development is clearly outlined in this chapter of the Zoning Code, and as decisions standards, are addressed as follows:

(1) Does not change the Use

As the site was approved for either (2) dwelling units with a max. 2,500 s.f. professional office or (3) dwelling units. The application at hand proposes a minor modification in how the (3) dwelling unit option could be realized on the site, making it available as a non-owner occupied short term rental.

(2) Are of a magnitude that will not substantially alter the appearance of development from off of the site

The proposed change does not affect the appearance of the original historic house and is in fact reduces the changes that may be required for a conversion to a commercial use.

The additional building lot is reflective of the lot sizes in the neighborhood and complies with the requirements of the underlying zoning district, compatible with the neighborhood.

(3) Will not substantially or detrimentally affect the provision of public services to the site or general vicinity

The proposed minor changes will not change the provision of public services.

(4) Will not substantially or detrimentally increase potential demand on public or private utilities.

All utilities are available on the site or in the street.

(5) Are not of a scope, scale, or character, that would cause a negative impact on adjoining properties or the neighborhood.

While the proposed change would result in construction of an additional single family residence, the elimination of the potential commercial use will reduce the potential negative impacts on the neighborhood

(6) Are not contrary to and in no way diminish the intent of the originally approved plan.

The proposed change is represents a minor reconfiguration of one available option of the approved Planned Development.

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

Respectfully,

A handwritten signature in black ink, appearing to read 'Scott Webb', written in a cursive style.

Scott Webb, Architect

Peter & Connie McCarthy
6073 Contreras Rd.
Oxford, OH 45056
e: pecomcc@gmail.com

City of Oxford
Community Development Department
15 South College Ave.
Oxford, OH 45056
Attn: Mr. Sam Perry, Community Development Director

Dear Mr. Perry:

This application is being made on behalf of the buyers of proposed Lot B, Kelly & Dan Umbstead, long time Oxford residents. We began limited short term rental use of the studio apartment in 2015 while the house was for sale. We found that STR use created much less wear and tear on the house than our experience with long term tenants. In 2017, the short term rental use was expanded to the upstairs in the main house as our STR demand steadily grew and we continued to market the house. The second floor lobby created a natural division between suites. Locks with keypad devices were installed allowing for two separate guest suites that share the lobby. The three suites provided clean, comfortable, reasonably priced, safe accommodations that are marketed primarily to Miami parents, in a beautiful setting that is within walking distance of Oxford and Miami's campus. Over the past two years demand continued to grow (with many repeat customers) and we found that we enjoyed the STR business. As was the case with the apartment, wear and tear on our house was minimal, and this seemed to be a great use for our historic home.

All safety devices required by the City of Oxford for long term rentals are installed in each suite including smoke detectors, CO2 monitors, fire extinguishers, etc. No meals are prepared for guests, although a gift basket filled with fresh muffins, fruit, and breakfast bars is offered. To date, no complaints from the neighborhood have been received. Guests are required to sign off on a set of house rules (details below) prior to booking. What began as a hobby has grown into a viable business that helps to meet the increasing housing demand for travelers to Oxford. We actively promote local restaurants, attractions such as the Oxford Community Arts Center, and Miami University through our guidebook and verbal conversations with guests.

The first floor is currently vacant. This application proposes dividing the first floor into two additional guest suites, including one with a full kitchen. Separate entrances with keypad access will be installed and the suites will include safety devices consistent with what is provided in the current three suites. Construction to create the two new suites is limited to two bathrooms

with no demolition of the house's historic features. No significant modifications to the building exterior will be made.

On site parking is planned to accommodate five to seven guest vehicles. Additional parking is available along Jacqueline Drive.

We currently advertise on two platforms – AirBnB and VRBO/Homeaway. Both of these platforms require guests to sign off on the owner's House Rules prior to booking. Our House Rules are clearly stated on both platforms –

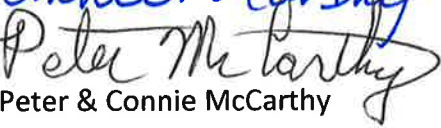
No Smoking	No Parties
No Additional Guests without prior approval	No Pets
No Excessive Noise	

We feel the proposed plan is less impactful to the existing neighborhood than the previously approved PUD since only residential use is proposed. The location of the house is in a barrier zone between the business district at Lynn Avenue and the residential district to the west on Contreras Rd. This barrier zone includes a large multi-family complex to the east, and a multi-family PUD to the south. The property is also adjacent to single family residences (one being a student rental). This location is well suited for a bed and breakfast style short term rental.

The proposed plan is consistent with the goal of the previous PUD – that being to allow an income producing use that will help preserve this historic home that has had a rich history in the City of Oxford. We have found short term rental use to have much less wear and tear on the home than long term rental use. Because the suites are spacious, we have been able to accommodate many international families who are visiting their student during Miami breaks. These families tend to stay for longer periods, up to a month. We request maintaining our current permit for five unrelated persons to accommodate these types of situations.

It is the Umbstead's intent to continue the business model described above. The current professional office use and separate apartment use for the PUD can be removed in favor of this less impactful plan.

Sincerely,



Peter & Connie McCarthy

SITE DESIGN

SECTION 145/12

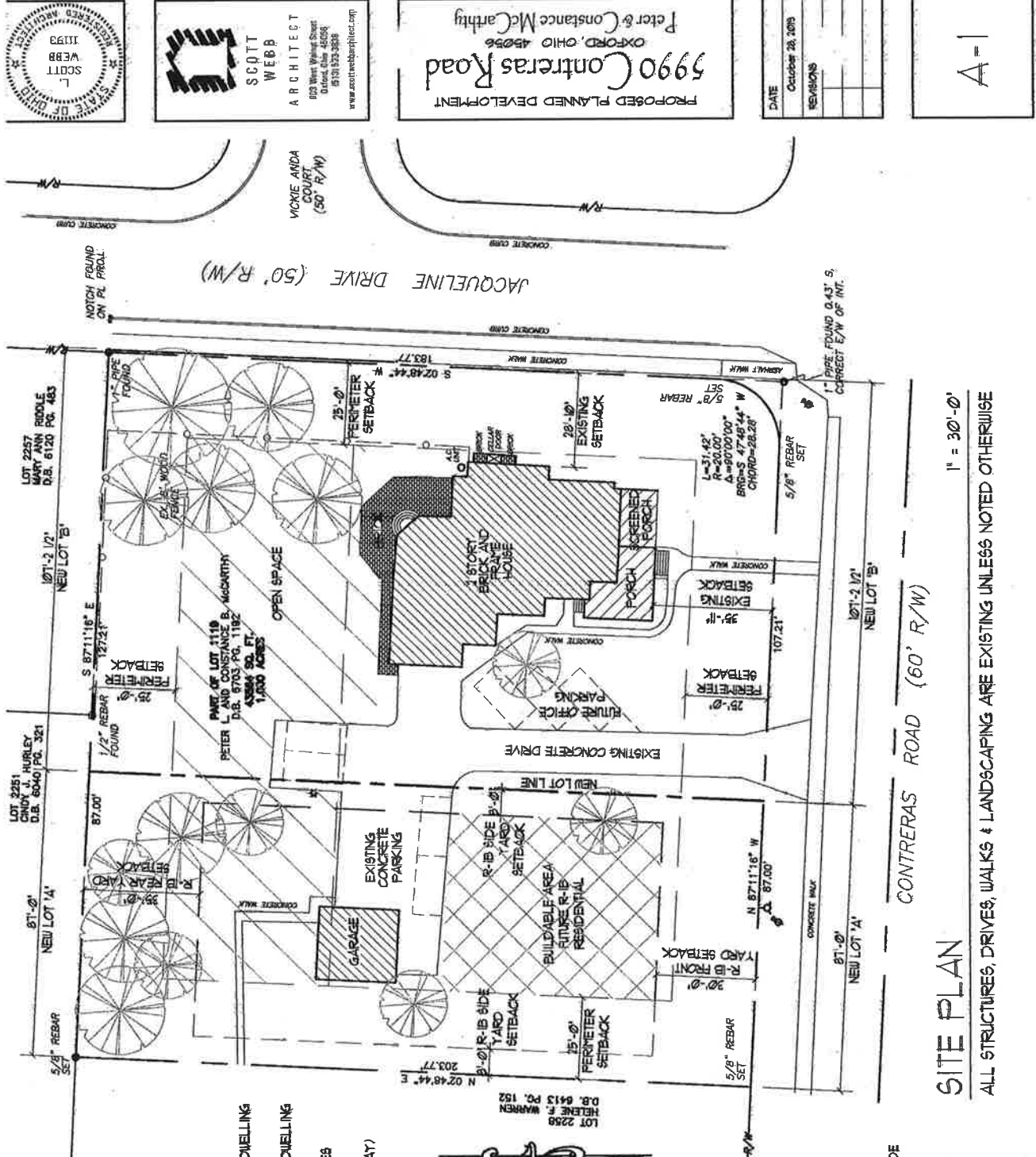
LAND AREA: 43,364 SF (1 ACRE)
 LAND USE: LOT A: 17,728 SF (4 ACRES)
 R-1B SINGLE-FAMILY RESIDENTIAL
 LAND USE: LOT B: 25,636 SF (5.93 ACRES)
 NON-OWNER OCCUPIED SHORT TERM RENTAL

APPROVED MAX. RESIDENTIAL DENSITY:
 (6) UNRELATED OCCUPANTS # (3) DWELLING UNITS MAX (2) PER DWELLING
 PROPOSED RESIDENTIAL DENSITY:
 (6) UNRELATED OCCUPANTS # (3) DWELLING UNITS MAX (2) PER DWELLING
 LOT A: PERMITTED FOR (3) UNRELATED OCCUPANTS
 (5) NON-OWNER OCCUPIED SHORT TERM RENTAL SUITES
 LOT B: R-1B SINGLE FAMILY LOT
 (2) UNRELATED OCCUPANTS (NEIGHBORHOOD OVERLAY)

DIMENSIONAL REGULATIONS:
 BUILDING HEIGHT MAX. 35' (UNDERLYING ZONING DISTRICT)
 FRONT SETBACK: 30' (UNDERLYING ZONING DISTRICT)
 REQUIRED PERIMETER SETBACK = 25'
 OPEN SPACE:
 MIN 20% OF LOT NOT INCLUDING SETBACK AREAS
 8,362 SF. OPEN SPACE AREA = 19.2%
 LOT COVERAGE:
 MAX. 25% ENCLOSED BUILDINGS
 3,451 SF. EXISTING RESIDENCE
 5,300 SF. EXISTING ACCESSORY STRUCTURE
 4,021 SF. = 9.25%
 6,870 SF. AVAILABLE FOR FUTURE
 R-1B RESIDENCE

MAX. 35% LOT TOTAL
 4,021 SF. ENCLOSED BUILDINGS
 5,301 SF. = DRIVES, SIDEWALKS & PATIOS
 9,410 SF. = 21.62% EXISTING
 + 1,252 SF. = FUTURE RESIDENTIAL PARKING
 10,662 SF. = 24.43% TOTAL EXISTING
 4,571 SF. AVAILABLE LOT COVERAGE
 FOR FUTURE R-1B RESIDENCE

ENVIRONMENTAL:
 100' NATURAL BUFFER FROM NATURAL SURFACE WATER - N/A
 LANDSCAPING & SCREENING:
 EXISTING MATURE TREES EXCEEDS MINIMUM OF THE ZONING CODE
 ACCESS & MOBILITY:
 DIRECT ACCESS FROM COLLECTOR OR ARTERIAL ROAD
 PEDESTRIAN CONNECTIVITY PROVIDED BY EXISTING SIDEWALKS
 UTILITIES & INFRASTRUCTURE:
 NO CHANGE TO EXISTING UTILITIES OR INFRASTRUCTURE



SITE PLAN

1" = 30'-0"

ALL STRUCTURES, DRIVES, WALKS & LANDSCAPING ARE EXISTING UNLESS NOTED OTHERWISE



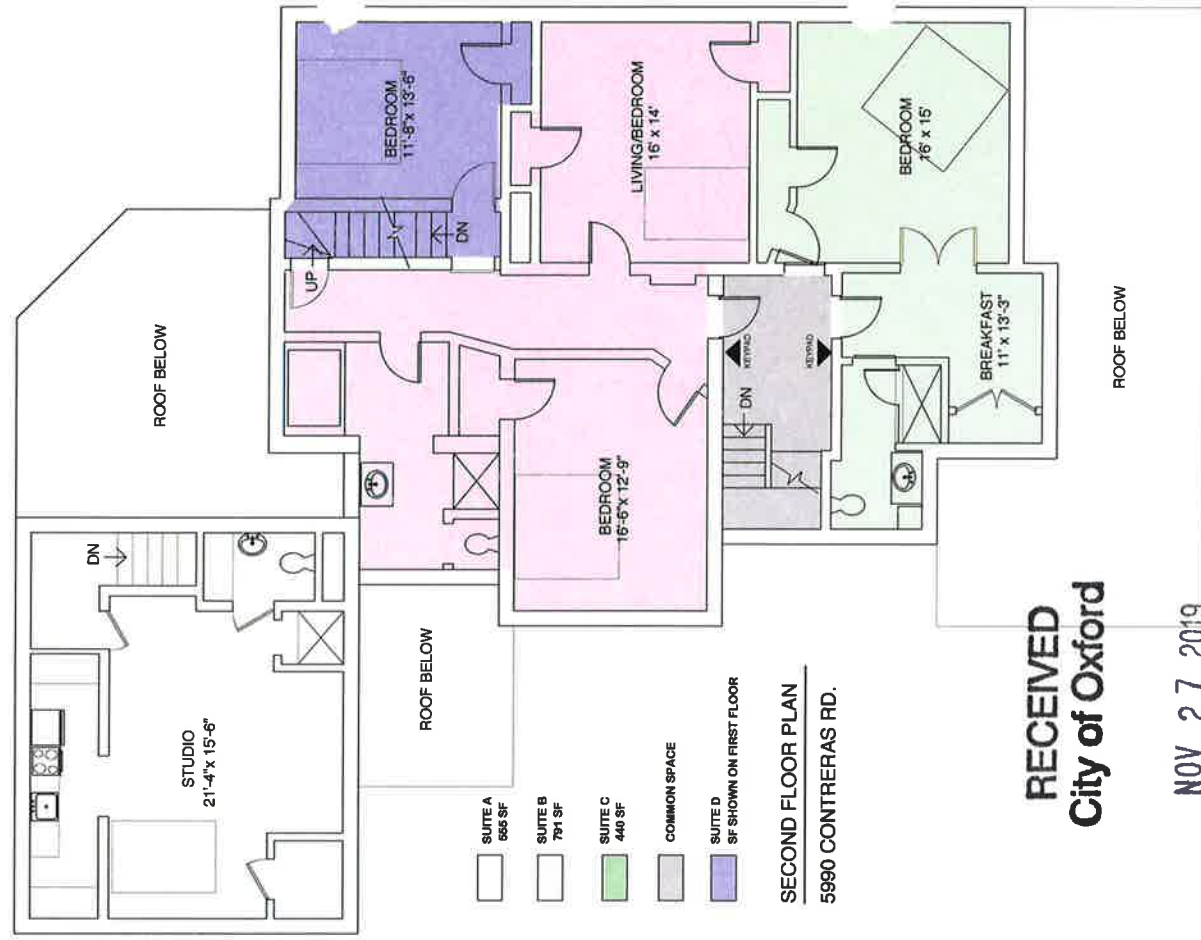
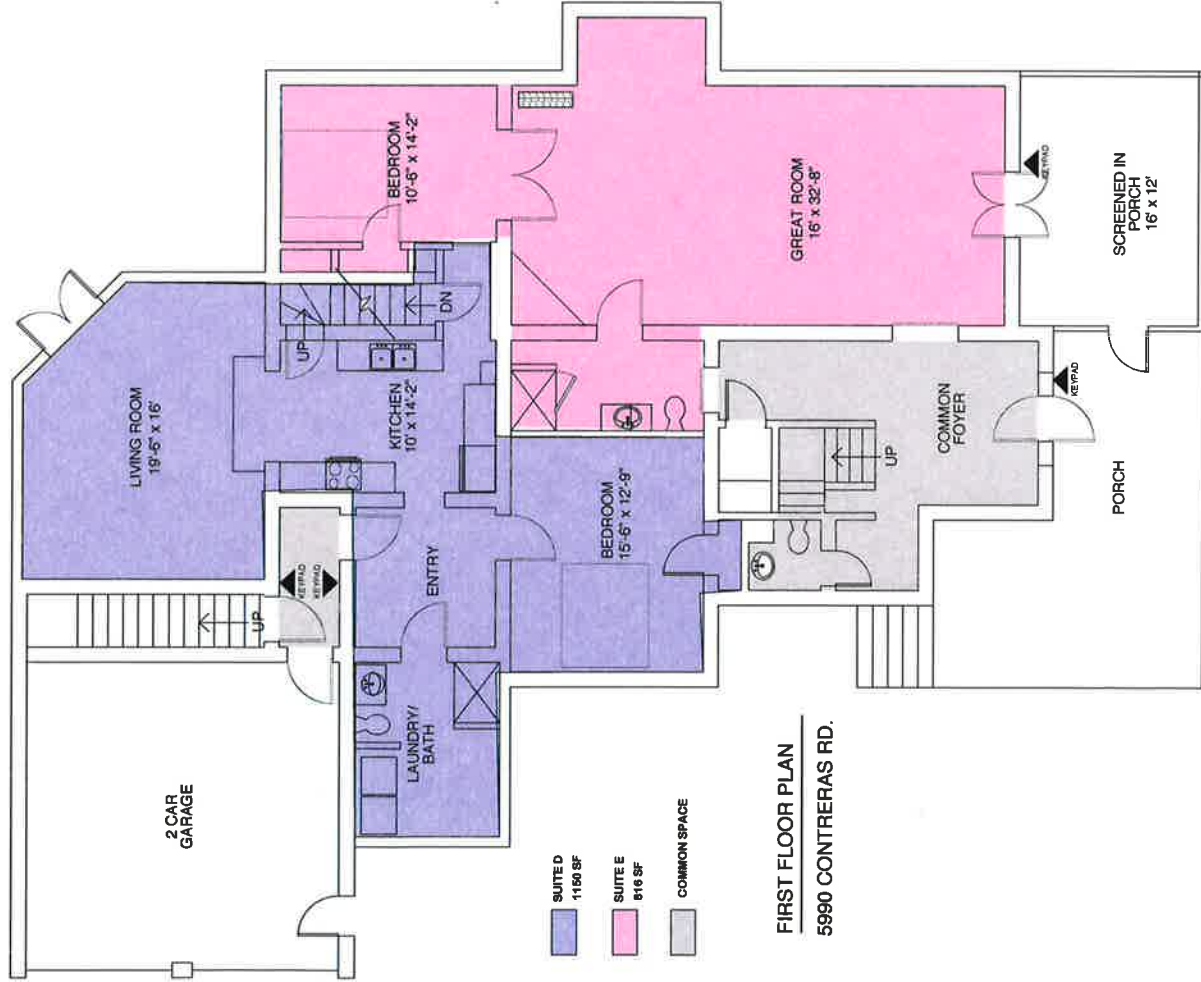
ARCHITECT
 SCOTT WEBB
 803 West Walnut Street
 Oxford, Ohio 45056
 513.523.3838
 www.scottwebbarchitect.com

PROPOSED PLANNED DEVELOPMENT
 5990 Contreras Road
 OXFORD, OHIO 45056
 Peter & Constance McCarthy

DATE	October 28, 2019
REVISIONS	

A-1





RECEIVED
City of Oxford

NOV 27 2019

Community Development