



AGENDA
PLANNING COMMISSION
TUESDAY, May 9, 2023
7:00 P.M.

MEMBERS

Corey Watt, Chair, HAPC Rep.	Steve Dana, CIC Rep.
Shana Rosenberg, Vice Chair, HAC Rep.	Carla Blackmar, OPTAB Rep.
Jason Bracken, Council & Environmental Commission Rep.	Michael Smith
David Prytherch, Council & CASC Rep.	

STAFF

Sam Perry, Director, Community Development
Zachary Moore, City Planner / GIS Coordinator
Christopher Conard, Law Director

MEETING PROCEDURE: Comments from the Public are welcome at two different times during the course of the meeting:
(1) Comments on items not on the Agenda will be heard under Public Comments Related to Items not on the Agenda – and
(2) Comments for all public hearing items will be heard during Planning Commission consideration of said item. Please wait until you are recognized by the Chair, state your name and address so that your comments may be properly recorded and limit your remarks to a period of three minutes or less.

- | | |
|---|----|
| I. Call to Order | |
| II. Approval of Agenda | |
| III. Approval of Minutes of March 14, 2023 | 1 |
| IV. Public Comments Related to Items <u>Not</u> on the Agenda | |
| V. Reports from Commissions, Boards, Committees & Staff | |
| VI. Old Business | |
| PC-2022-02, 5470 College Corner Pike, CONDITIONAL USE EXTENSION REQUEST, new hotel, High Point Lodging, Applicant, John Bayer, Bayer Becker, Agent | 5 |
| VII. New Business | |
| Annexation/Zoning Discussion and Possible Recommendations to Council for 525 North Campus Ave for a Potential New Hotel Project | 58 |
| Zoning Code Amendments discussion | 67 |
| VIII. Adjournment | |



OXFORD PLANNING COMMISSION

Meeting Minutes

Tuesday, March 14, 2023

[Link for website video here](#)

Roll Call

Corey Watt, Chair

Shana Rosenberg, Vice Chair

Steve Dana

Michael Smith

Carla Blackmar

David Prytherch

Jason Bracken

Time: 2:16

A regular meeting of the Oxford Planning Commission was called to order by Chair Corey Watt on Tuesday, March 14, 2023 at 7:00 p.m.

Members in attendance were Shana Rosenberg, Steve Dana, David Prytherch, Carla Blackmar, and Jason Bracken.

Members excused: Michael Smith

Staff Members in Attendance

Mr. Sam Perry, Director, Community Development, Mr. Zachary Moore, City Planner/GIS Coordinator, Mr. Christopher Conard, Law Director, Ms. Rebecca Kolb, Administrative Assistant.

Staff Members Excused

Ms. Eunike Miller, Administrative Assistant

Approval of the Agenda

[Time: 2:26](#)

Motion – To Approve

(Voice Vote) 1st Mr. Dana

2nd Ms. Rosenberg

AYE: (6)

NAY: (0)

ABS: (0)

Approval of Minutes of February 14, 2023

[Time: 3:12](#)

Motion – To Approve the minutes as written

(Voice Vote) 1st Mr. Dana

2nd Mr. Prytherch

AYE: (6)

NAY: (0)

ABS: (0)

Public Comments Related to Items Not on the Agenda

[Time: 3:36](#)

Comments from the Public are welcome at two different times during the course of the meeting: (1) Comments on items not on the Agenda will be heard under Public Comments Related to Items not on the Agenda - and (2) Comments for all public hearing items will be heard during Planning Commission consideration of said item. Please wait until you are recognized by the Chair, state your name and address so that your comments may be properly recorded and limit your remarks to a period of three minutes or less.

There were no comments from the public.

Reports from Commissions, Boards, Committees & Staff

[Time: 3:52](#)

New Business

PC-2023-02

Time: 12:12

Page 5 of the Agenda Packet

1. 20 E Collins Street, CONDITIONAL USE, to allow for an accessory dwelling unit in the R3MS Zoning District, Scott Webb, Applicant/Agent

Motion – To Enter into Public Hearing

(Voice Vote) 1st Mr. Dana

2nd Mr. Prytherch

AYE: (6)

NAY: (0)

ABS: (0)

Comments from the Public

Sydney Conklin, 204 E Wescott St, Liberty, IN

Motion – To Close Public Hearing

(Voice Vote) 1st Mr. Dana

2nd Mr. Prytherch

AYE: (6)

NAY: (0)

ABS: (0)

Motion – To Approve PC-2023-02 with conditions

(Roll Call Vote) 1st Mr. Dana

2nd Mr. Bracken

AYE: Ms. Blackmar, Mr. Prytherch, Mr. Bracken, Mr. Dana, Ms. Rosenberg, Mr. Watt (6)

NAY: None (0)

ABS: None (0)

The Commission took a 5-minute recess.

Administrative Approvals

PC-2023-03

[Time: 1:36:30](#)

Page 43 of the Agenda Packet

1. 4210 Millville Oxford Road, LOT CONSOLIDATION, lots #925 and 926, new lot #4122 totaling 0.594 acres, Derrick Daily, Applicant/Agent*

Other Business

[Time: 1:37:36](#)

Revisions to Planning Commission Rules of Procedure

Page 51 of the Agenda Packet

Motion to Table this Agenda Item to the Next Meeting

(Voice Vote) 1st Mr. Bracken

2nd Mr. Dana

AYE: (6)

NAY: (0)

ABS: (0)

Annexation Policy Discussion

[Time: 1:45:31](#)

Motion to Adjourn Meeting at 9:10 p.m.

[Time: 2:08:42](#)

(Voice Vote) 1st Mr. Dana

2nd Mr. Bracken

AYE: (6)

NAY: (0)

ABS: (0)



MEMORANDUM
Community Development Department
513-524-5204

TO: Oxford Planning Commission

FROM: Zachary Moore, AICP
City Planner / GIS Coordinator

DATE: May 2, 2023

RE: **5470 College Corner Pike | Conditional Use Extension Request**

John Bayer, Associate at Bayer Becker, is requesting on behalf of High Point Lodging a 6-month extension of the Conditional Use previously granted by City Council on June 21, 2022. The Conditional Use was for the purpose of constructing a new Holiday Inn Express hotel at 5470 College Corner Pike, adjacent to AP Church and directly across from Wild Berry. The request had been approved by City Council Ordinance subject to a total of 11 conditions, 7 of which were simply acknowledgments of waivers to the Zoning Code that were necessary to achieve the proposed development.

Oxford Zoning Code **Section 1147.02(e)(2)(A)** requires a Building Permit to be filed within 1 year of Conditional Use approval and for the use to be *substantially operational* within 2 years. Potential relief from these timing requirements is allowed pursuant to **subsection (B)**, which specifies the following:

If an approved Conditional Use fails to meet these deadlines, the applicant may request a time extension from the Planning Commission. No application materials are required, however, the Zoning Administrator may request information he or she deems necessary for the Planning Commission to make a decision. Planning Commission will consider the request at its next regularly scheduled meeting. Such request does not require a public hearing.

Furthermore, **subsection (C)** sets forth guidelines for considering such a request:

If the scope of the approved Conditional Use has not changed and the proposed use still satisfies the decision standards, the Planning Commission shall grant a 6-month extension of time for compliance. No more than four such extensions may be granted.

Accompanying this memo are copies of the prior plans, staff report, and Council approval including the adopted conditions. See also the letter from John Bayer dated April 25; Mr. Bayer explains some of the reasons why there has been a slight delay with the project getting started.

It is the opinion of staff that: (1) the scope of the request has not changed; and (2) the circumstances and surrounding conditions affecting the development are still substantially similar if not identical, therefore the analysis of the decision standards remains unchanged from the prior staff report dated May 10, 2022. Therefore, it is also the opinion of staff that the extension request be granted subject to the same plans and conditions as were set forth in June 2022.

If the Planning Commission grants this request, the applicant's deadlines would be extended as follows: (1) a complete Building Permit application must be submitted no later than **December 21, 2023**; and (2) the new hotel use must be substantially operational no later than **December 21, 2024**.

April 25, 2023

Zachary Moore, AICP
City Planner / GIS Coordinator
City of Oxford
15 South College Avenue
Oxford, Ohio 45056

Re: PC-2022-02 Conditional use
5470 College Corner Pike

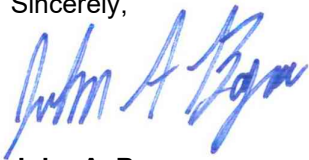
Mr. Moore,

It is understood that the Conditional Use approval noted above stipulates that an approved Conditional Use must be substantially operational within 2 years of its approval and applications for any construction permits necessary for the operation of the Conditional Use must be filed within 1 year of approval. Mr. Sam Chaundhry and High Point Lodging hereby request a 6-month extension for the Conditional Use approval. This extension is requested for both the provision pertaining to filing of construction permits and the provision pertaining to beginning operation of the use. This request is being made as the design process to prepare construction permit drawings may exceed the 1-year timeline allowed by the approval. This delay may in turn delay completion of construction of the project.

The project design process has been delayed due to many factors. First, the availability of the design team to begin and complete the project has taken longer than anticipated. Additionally, now that spring rains are becoming less and conditions are more conducive, High Point Lodging has begun the necessary subsurface geotechnical investigations necessary to complete the structural design of the project. This testing and analysis must be completed prior to submittal of construction drawings. Lastly, as project design has progressed, High Point Lodging has begun to reach out to local contractors to gather cost information for development of the project prior to acquiring City approval for construction. As a result of these factors, an extension is required to remain in conformance with the Conditional Use approval.

Should you have any questions or need any additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, reading "John A. Bayer".

John A. Bayer
Associate
Bayer Becker
513.466.8084
johnbayer@bayerbecker.com



Community Development Department
City Council Action Letter
513-524-5204

June 22, 2022

Mr. Sam Chaudhry
High Point Lodging
14916 E Braemar Avenue
Noblesville, IN 46062

VIA EMAIL:
rosehillhotels@gmail.com
ettareed@bayerbecker.com

PC-2022-02, 5470 College Corner Pike, CONDITIONAL USE, new hotel, High Point Lodging, Applicant

Dear Mr. Chaudhry:

On June 21, 2022 the Oxford City Council voted 4-0 (3 absent) to approve your Conditional Use application subject to the following conditions:

1. Waivers to **Section 1151.05(a)(3)(A)** are hereby granted to allow for 1 freestanding sign and 2 wall signs on the site (in excess of the usual restriction for no more than 2 total signs) and to also allow a wall sign height of 3 feet 7 inches (in excess of the usual restriction of 3 feet).
2. Plans submitted for a Building Permit application shall substantially conform to the architectural elevations depicted on Sheets A.201-A.202 and A408-A409, all dated 1/6/22. This includes conformance with respect to exterior building materials.
3. Appropriate lighting systems, which may include pole and wall pack fixtures, are to be reviews for conformance with the Oxford Zoning Code as part of the Building Permit application.
4. This Conditional Use approval shall not prelude a possible widening of the entry/exit drive off US 27 to better accommodate traffic flow, so long as such widening conforms to the Oxford Zoning Code and meets all other departmental requirements.
5. A waiver to **Section 1143.12(d)(4)(A)** is hereby granted to allow for reduced glazing along the front façade of the building.
6. A waiver to **Section 1143.12(c)(3)** is hereby granted to allow an increase in maximum building height from 45 feet to 49 feet to account for a parapet wall as proposed in the application.
7. A waiver to **Section 1148.04** and **1148.05** is hereby granted to accept the proposed tree planting schedule and relieve the developer from the Tree Survey requirement. These waivers are contingent upon the following two items: (1) The Landscaping Plan is fulfilled as submitted; (2) All portions of the mature vegetation area in the northwestern corner of the site which are free and clear of planned development features (driveways, detention area, etc.) shall remain undisturbed. At any location on site, dead or invasive vegetation may be removed without issue. Clear cutting is prohibited in areas specified to remain undisturbed.
8. A waiver to **Section 1149.07(b)(1)** is hereby granted to allow for parking spaces in the front yard setback.
9. A waiver to **Section 1149.07(b)(2)** is hereby granted to allow parking spaces immediately to the right (east) of the front entrance to be located 5 feet away from the right-of-way line as opposed to the standard 6 foot distance, to allow for increased width of a nearby pedestrian walkway.
10. A waiver to **Section 1149.07(e)(4)(P)** is hereby granted to allow for drive aisles which are not perpendicular to one another, as shown on the site plan.

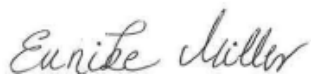
11. A fire hydrant shall be installed as deemed necessary by the Fire Chief.

The corresponding Ordinance (No. 3681) is attached to this letter.

Per **Section 1147.02(e)(2)(A)** of the Oxford Zoning Code, an approved Conditional Use must be substantially operational within 2 years of its approval and applications for any construction permits necessary for the operation of the Conditional Use must be filed within 1 year of approval. If an approved Conditional Use fails to meet these deadlines, the applicant may request a time extension from the Planning Commission in accordance with the Zoning Code.

Should you have any questions related to this action, please contact the Community Development Department at 513-524-5204.

Respectfully,



Eunike Miller
Administrative Assistant
Community Development Department

Cc: File

ORDINANCE NO. 3681

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT APPLICATION TO ALLOW FOR A NEW HOTEL TO BE LOCATED AT 5470 COLLEGE CORNER PIKE, OXFORD, OHIO 45056 WITH CONDITIONS.

WHEREAS, the Planning Commission met pursuant to Oxford Codified Ordinance Section 1147.02 on May 10, 2022 for the purpose of considering the request of High Point Lodging, Applicant, for a Conditional Use permit to allow for the establishment of a new hotel at 5470 College Corner Pike, Oxford, Ohio 45056; and

WHEREAS: the Planning Commission, after a public hearing and discussion, voted and approved a motion recommending approval of the Conditional Use permit application to allow for the establishment of a new hotel at 5470 College Corner Pike, Oxford, Ohio 45056 with the following conditions:

- 1) The development shall be permitted to have 1 freestanding sign and 2 wall signs, in excess of the Zoning Code's usual restriction for no more than 2 total. The 2 wall signs shall be permitted to exceed the Code's maximum height limit to the extent which was previously allowed for the Hampton Inn site. The freestanding sign shall otherwise comply with the dimensional provisions of the Oxford Zoning Code, including the maximum height limit of 6 feet.
- 2) Plans submitted for a Building Permit application shall substantially conform to the architectural elevations depicted on Sheets A.201-A.202 and A408-A409, all dated 1/6/22. This includes conformance with respect to exterior building materials.
- 3) Appropriate lighting systems, which may include pole and wall pack fixtures, are to be reviews for conformance with the Oxford Zoning Code as part of a Building Permit application.
- 4) This Conditional Use approval shall not preclude a possible widening of the entry / exit drive off US 27 to better accommodate traffic flow, so long as such widening conforms to the Oxford Zoning Code and meets all other departmental requirements.
- 5) A waiver to Section 1143.12(d)(4)(A) is hereby granted to allow for reduced glazing along the front façade of the building.
- 6) A waiver to Section 1143.12(c)(3) is hereby granted to allow an increase in maximum building height from 45 feet to 49 feet to account for a parapet wall as proposed in the application.
- 7) A waiver to Section 1148.04 and 1148.05 is hereby granted to accept the proposed tree planting schedule and relieve the developer from the Tree Survey requirement. These waivers are contingent upon the following two items: (1) The Landscaping Plan is fulfilled as submitted; (2) All portions of the mature vegetation area in the northwestern corner of the site which are free and clear of planned development features (driveways, detention area, etc.) shall remain undisturbed. At any location on site, dead or invasive vegetation may be removed without issue. Clear cutting is prohibited in areas specified to remain undisturbed.
- 8) A waiver to Section 1149.07(b)(1) is hereby granted to allow for parking spaces in the front yard setback.
- 9) A waiver to Section 1149.07(b)(2) is hereby granted to allow parking spaces immediately to the right (east) of the front entrance to be located 5 feet away from the right-of-way line as opposed to the standard 6 foot distance, to allow for increased width of a nearby pedestrian walkway.

- 10) A waiver to Section 1149.07(e)(4)(P) is hereby granted to allow for drive aisles which are not perpendicular to one another, as shown on the site plan.
- 11) A fire hydrant shall be installed as deemed necessary by the Fire Chief.
- 12) The applicant shall provide a secondary emergency access point or a second curb cut in consultation with Community Development staff and the Fire Chief.

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

SECTION 1: Council hereby accepts the action of the Planning Commission, and per the Commission's direction accepts the updated recommendation from City staff, and further grants the Conditional Use permit application to allow for the establishment of a new hotel at 5470 College Corner Pike, Oxford, Ohio 45056 with the following conditions:

- 1) Waivers to Section 1151.05(a)(3)(A) are hereby granted to allow for 1 freestanding sign and 2 wall signs on the site (in excess of the usual restriction for no more than 2 total signs) and to also allow a wall sign height of 3 feet 7 inches (in excess of the usual restriction of 3 feet).
- 2) Plans submitted for a Building Permit application shall substantially conform to the architectural elevations depicted on Sheets A.201-A.202 and A408-A409, all dated 1/6/22. This includes conformance with respect to exterior building materials.
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- 8) A waiver to Section 1149.07(b)(1) is hereby granted to allow for parking spaces in the front yard setback.
- 9) A waiver to Section 1149.07(b)(2) is hereby granted to allow parking spaces immediately to the right (east) of the front entrance to be located 5 feet away from the right-of-way line as opposed to the standard 6 foot distance, to allow for increased width of a nearby pedestrian walkway.
- 10) A waiver to Section 1149.07(e)(4)(P) is hereby granted to allow for drive aisles which are not perpendicular to one another, as shown on the site plan.
- 11) A fire hydrant shall be installed as deemed necessary by the Fire Chief.

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

CUR
VICE-MAYOR

ADOPTED: JUNE 21, 2022

ATTEST: Heather Barbour
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: JASON BRACKEN/DAVID PRYTHERCH

PREPARED BY: LAW (STAFF)

STAFF REPORT

Community Development | Planning Commission

APPLICATION DETAILS

Applicant	High Point Lodging, c/o Sam Chaudhry
Location	5470 College Corner Pike – Parcel ID H4100028000002
Action Request	Conditional Use for a new hotel
Engineer	Bayer Becker, c/o Etta Reed
Owner	Marcia A. Haughey & Lindsey J. Zink
Current Use	Vacant / Undeveloped Land
Current Zoning	GB General Business District
Site Area	3.475 acres
Site Frontage	Approximately 1,334 feet along US 27 (College Corner Pike)
Surrounding Land Uses	Undeveloped/natural land to the north; Place of Worship (AP Church) to the east; Commercial/Industrial to west (Wild Berry Incense Factory) and Offices to south (FRC & TOPSS)
Staff Recommendation	Approval , subject to recommended conditions

PROPOSAL SUMMARY

The applicant is requesting Conditional Use approval of a new hotel in the GB General Business District. The intended brand is a Holiday Inn Express, to be located at 5470 College Corner Pike which is immediately north of the Ambassadors Pointe (AP) Church and across the road from the Wild Berry Incense Factory. The 3.475 acre site was recently split off from a larger tract last year; AP Church now owns the “remainder” portion of this tract to the north of the subject site.

The proposed hotel includes a total of 83 guest rooms which include both double queen bed and single king arrangements, as well as numerous other amenities such as an indoor pool, breakfast area, fitness center, small shop, and two meeting rooms. The plan now being presented to Planning Commission has undergone a variety of substantial design changes due to significant preliminary discussions between the applicant and City staff. The hotel is currently proposed to be oriented parallel to the US 27 corridor, with its front entrance canopy situated to be directly visible. Some parking would be situated in front of the building, but the vast majority would be to the sides and to the rear of the building. The vehicular entrance to the site would utilize

an existing curb cut (apron) across from Wild Berry. In terms of pedestrian and bicycle access, the existing multi-use path paralleling US 27 would remain and a connector link will be built linking with the hotel entrance.

PUBLIC COMMENTS

Public notices were mailed to surrounding property owners and a sign was posted at the front of the property. No public comments have been received as of the writing of this report.

DEPARTMENT COMMENTS

Below are comments from City departments:

Department	Respondent	Response
Economic Development	Seth Copenbaker, Assistant to the City Manager	Returned with Comments
<i>The proposed development at 5470 College Corner Pike, an 83 room Holiday Inn Express offers economic benefits to the City of Oxford.</i> <i>Holiday Inn Express carries brand recognition and loyalty, attracting visitors to stay within the City limits of Oxford rather than neighboring areas.</i> <i>The emergence of the Spooky Nook Sports Facility is placing a high demand on guest lodging throughout our region, additional hotel inventory in Oxford would not only support guests at Spooky Nook events, but also help support events in Oxford and at Miami that occur concurrently to those at Spooky Nook.</i> <i>The Economic Development Staff have no concerns regarding the proposed development at 5470 College Corner Pike at this time.</i>		
Engineering	Scott Otto, City Engineer	Returned with Comments
<i>The future detailed grading plan submittal will need to provide a design solution for the proposed detention basin and northern section of parking lot that are currently shown directly on the existing bank of a drainage area.</i>		
Fire	John Detherage, Fire Chief	Returned with Comments
<i>The last preliminary submission contained two entrance/exits to the parking lot to allow for emergency vehicle ingress/egress. That design would be preferred by the fire department for better access to the lot and building should there be a fire in this structure. One entrance could create a bottle neck slowing or preventing fire apparatus access costing valuable time in an emergency. The current submission is unacceptable for our needs. [Note: These were the original comments submitted by the Fire Chief. The design has since been revised by the applicant to accommodate additional parking spaces which helps to alleviate the potential for a 'bottleneck' issue at the single curb cut / entrance point on College Corner Pike.]</i>		
Police	John Jones, Police Chief	Returned without Comments

CASE HISTORY

A summary of relevant case history is provided below:

Case No.	Application	Decision
PC-2021-16	Lot Split	Administratively approved May 11, 2021
Three acres was divided from 23 acres. Allowed by Oxford Subdivision Code due to size of remainder.		

In addition to the above case, according to historical zoning maps, the property was previously zoned M-1 Industrial (which no longer exists) and Light Industrial (which does exist). A 2006 Zoning Map shows General Business (which is the current zoning designation).

COMMENTARY

Staff comments on site conditions and a number of key development aspects are provided below:

- **Architectural Materials:** The building is planned to be an artificial stucco material and brick masonry, which complies with the GB code. Additionally, the GB code requires 60% of the ground floor façade to be glass/glazing to create a storefront effect. A hotel building with lodging cannot feasibly meet this standard.
- **Landscaping and Tree Preservation:** The project is subject to the standards of Chapter 1148 Landscaping and Tree Preservation, which includes both tree planting and tree preservation requirements. It should be noted however that the Commission has the ability to waive or modify such standards, or impose more stringent requirements, inherent to a more discretionary review process involved with a Planned Development. Summaries by subject are provided below:
 - **Tree Planting:** 63 Trees and 56 shrubs will be planted to comply with Code.
 - **Tree Preservation:** Existing vegetation in the northwestern area of the site is to be retained. Nine existing street trees are to be retained. Five new street trees will be planted (included in the 63 noted above)
- **Lighting:** Parking lot and site lighting will need to comply minimum safety, maximum glare and and maximum pole height standards of the City. College Corner Pike lacks sufficient street lighting; therefore adjacent site lighting could improve pedestrian mobility on the corridor.
- **Lot Coverage:** The GB District does not have a lot coverage standard, nor does the Conditional Use section of Code.
- **Non-Vehicular Mobility:** Relevant topics are discussed below:
 - **Pedestrian Mobility:** A hotel site development away from the urban core needs to accommodate guests arriving by car; however on-site and off-site pedestrian safety should be accommodated. Staff has worked with the applicant to revise the plans to minimize negative impacts to pedestrian safety.
 - **Bicycle Parking:** The design includes only one driveway crossing of the public multi-use path and also includes on-site bicycle parking prominently located in front of the hotel.

- **Signage:** A summary of the requested signage schedule is provided below. The signs do not comply with Oxford Code. A considerable reduction in wall signage will need to be made in order for staff to recommend approval of any waivers or conditions.

Sign Type	Location	Code Restrictions	Proposal
Freestanding Sign	• Near entry	• 6 foot height limit	• 8 feet tall
Wall Signs	• 16.5 foot tall wall sign on front • 16.5 foot tall wall sign on side	• Only one 3 foot tall wall sign would be allowed on the front if a freestanding sign is installed in front of the building • A wall sign on the side could be allowed through a waiver	• Two wall signs, both of which are 5.5 times the height allowance (Code allows one 3 foot tall wall sign based on the distance of the building from the roadway).

- **Stormwater Management:** Stormwater detention is provided on the west side of the site. Unrelated to the proposed detention, the City Engineer has commented about the transition from the parking lot to the existing drainageway, regarding the need for additional [structural] design work to protect the drainageway and support the parking lot.
- **Traffic Circulation & Parking:** A traffic impact analysis (TIA) was not required by the City Engineer for this development. However, the staff worked closely with the applicant to develop revised plans that would minimally impact the existing multi-use path, while also allowing a minimum amount of access for emergency vehicles, service trucks and hotel guests. The applicant has provided a turn analysis through the front canopy area for the Fire Chief to review.
- **Utilities:** Comments on individual utility services are provided below.
 - **Sewer and Water:** There were no comments or concerns regarding sanitary sewer or water raised by the City Engineer at this point in the project development.
 - **Garbage & Recycling Collection:** A trash and recycling enclosure is provided at the rear of the building, designed to correspond to the main building's architectural design. There were no comments or concerns raised by the City Engineer about access to the enclosure by service trucks.

DECISION CRITERIA

- A. **The proposed use is in fact a Conditional Use appropriate in the zoning district in which it is proposed.**
Yes, "hotels and motels" are listed in *Section 1143.12(b)* as being a Conditional Use in the GB General Business District.
- B. **The use and site will satisfy the general intent of the Zoning Code.**
With exception of the proposed signage, considerable revisions have been made to the development design in response to staff feedback. Based on the information that is known by staff at this time, it is staff's belief that the general intent of the Zoning Code (maintain public health, safety and welfare) will be satisfied.
- C. **The use and site will be compatible with the general intent of the Comprehensive Plan.**

The Comprehensive Plan intends for infill projects within the existing corporate limits and for services to be provided to promote tourism and business activity. A hotel in the proposed location can meet these goals, if designed appropriately.

- D. The use and shape of the site are sufficient for the proposed use.**
The site is very compact for the size hotel that is proposed, even after several re-designs and a reduction in number of rooms. If a suitable design along the drainageway can be approved by the City Engineer as part of the building permit process, staff believes that the shape of the site is sufficient.
- E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.**
A hotel is generally not hazardous but could be disturbing depending on the traffic and lighting impacts. No comments or concerns have been submitted as of this date. Vegetative screening has been included in the design as required by Code. Outdoor lighting details have not been submitted.
- 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.**
This standard is generally intended for industrial operations.
- G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.**
The hotel is the only principal use proposed for the site. Accessory uses will be typical to hotels.
- 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.**
All of the public services typically provided are available and (at this time) have been determined to be of sufficient capacity to accommodate the development. Some additional information has been requested and will continue to be as part of the standard building permit process.
- I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.**
There are not additional public infrastructure or services caused by this development that will not be accounted for by the typical utility tap, street cut and utility capacity benefit charges/fees. The development does create a small number of jobs which does add to the tax base which supports the general fund of the City.
- J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.**
The area is zoned General Business but sits within a mix of Industrial and Residential areas. A 45'+ tall hotel will be a stark contrast to the existing context of the area, but not contrary to the intended/allowed development on the corridor. Some of the surrounding buildings and development are much shorter than the proposed hotel, which is allowed by existing zoning.
- 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.**

A Traffic Impact Analysis was not required. A design with two curb cuts was discussed with staff but ultimately not submitted due to the safety risks with an additional crossing point of the multi-use path.

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

The site has been vacant or previously disturbed within the recent past; therefore there is not an awareness of any of these features that would need preservation consideration. The riparian area within the existing drainageway is intended to remain (unless a future structural design occurs).

M. Proposed construction will not result in the complete elimination of existing mature trees on the site. Effort shall be made to direct disturbance and construction around or away from the existing mature trees without completely taking away use of the site or connectivity to existing infrastructure.

As noted above, the area has been previously disturbed and that existing vegetation beyond the construction area is intended to be preserved.

N. 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.

No obstacles for securing permits for this use are known at this time.

STAFF RECOMMENDATION

Based upon a review of the relevant Decision Standards, staff recommends **approval** of the Conditional Use request subject to the following conditions:

1. All signage shall comply with City of Oxford Zoning Code requirements for the GB district. No waivers to sign size or number are granted by virtue of this Conditional Use approval.
2. Plans submitted for a Building Permit application shall substantially conform to the architectural elevations depicted on Sheets A.201-A.202 and A408-A409, all dated 1/6/22. This includes conformance with respect to exterior building materials.
3. Appropriate lighting systems, which may include pole and wall pack fixtures, are to be reviewed for conformance with the Oxford Zoning Code as part of a Building Permit application.
4. This Conditional Use approval shall not preclude a possible widening of the entry/exit drive off US 27 to better accommodate traffic flow, so long as such widening conforms to the Oxford Zoning Code and meets all other departmental requirements.
5. A waiver to **Section 1143.12(d)(4)(A)** is hereby granted to allow for reduced glazing along the front façade of the building.
6. A waiver to **Section 1143.12(c)(3)** is hereby granted to allow an increase in maximum building height from 45 feet to 49 feet to account for a parapet wall as proposed in the application.
7. A waiver to **Sections 1148.04 and 1148.05** is hereby granted to accept the proposed tree planting schedule and relieve the developer from the Tree Survey requirement. These waivers are contingent upon the following two items: (1) The Landscaping Plan is fulfilled as submitted; and (2) All portions of the mature vegetation area in the northwestern corner of the site which are free and clear of planned development features (driveways, detention area, etc.) shall remain undisturbed. At any

location on site, dead or invasive vegetation may be removed without issue. Clear cutting is prohibited in areas specified to remain undisturbed.

8. A waiver to **Section 1149.07(b)(1)** is hereby granted to allow for parking spaces in the front yard setback.
9. A waiver to **Section 1149.07(b)(2)** is hereby granted to allow parking spaces immediately to the right (east) of the front entrance to be located 5 feet away from the right-of-way line as opposed to the standard 6 foot distance, to allow for increased width of a nearby pedestrian walkway.
10. A waiver to **Section 1149.07(e)(4)(P)** is hereby granted to allow for drive aisles which are not perpendicular to one another, as shown on the site plan.

SUBMITTED BY:



Zachary Moore, AICP
City Planner / GIS Coordinator

DATE: April 29, 2022



Sam Perry, AICP
Community Development Director

DATE: May 5, 2022

APPENDIX A

RELEVANT ZONING CODE PROVISIONS

Within the Oxford Zoning Code, *Section 1143.12* provides the base zoning standards for the GB General Business District. *Section 1147.02(c)-(d)* governs the Planning Commission's decision making process on Conditional Uses. *Section 1147.03(b)(27)* provides Conditional Use provisions specific to motels. **Sections referenced in recommended conditions from 1148 and 1149 are not included in this appendix.**

1143.12 – GB General Business District.

(a) Purpose.

This district is intended to provide for a variety of retail, service and administrative establishments required to satisfy the needs of the overall community. This district is also intended to accommodate retail trade establishments in the community that cannot be practically provided for in a neighborhood commercial district development. This district is only appropriate within areas that are presently served, or will be served upon development, with both central water and sewer.

(b) Uses.

(1) Permitted uses.

- A. Retail services. (Not to exceed 15,000 square feet of total gross floor area)
 - 1. Apparel and jewelry.
 - 2. Books, stationery, newspapers, magazines, office equipment and office supply stores.
 - 3. Department stores.
 - 4. Drug stores selling health and personal care aids.
 - 5. Food products, including groceries, meat, fish, baked goods, confectionary, and beverages.
 - 6. Flowers, potted plants, and garden supplies.
 - 7. Hardware, paint, home furnishings, and other home improvement products.
 - 8. Optical aids.
 - 9. Photography, bicycles, gifts and toys, pets, music, sporting goods, and other hobby and craft supplies.
 - 10. Restaurants, not including drive-in or fast food.
 - 11. Sales of new and used motor vehicles by dealerships holding franchises authorized by manufacturers for the sale of new vehicles.
- B. Personal and professional services. (Not to exceed 15,000 square feet of total gross floor area)
 - 1. Accounting, advertising, architectural, auditing, bookkeeping, legal, and medical offices, and offices for other similar professional service providers.
 - 2. Banks, credit agencies, investment firms, real estate, insurance offices, and other similar establishments engaged primarily in financial services.
 - 3. Barber and beauty shops.
 - 4. Cleaners, including dry cleaning and Laundromats.
 - 5. Home improvement services, including carpentry, electrical, heating, plumbing, and decorating.
 - 6. Offices for nonprofit, charitable, labor, and other service organizations.
 - 7. Repair establishments for bicycles, household appliances, locksmiths, shoes, and motor vehicles (if no gasoline is sold and repair work is done inside).
 - 8. Theaters, not including drive-ins.
 - 9. Other similar personal and professional services, such as employment agencies, travel bureaus, and ticket offices.
- C. Accessory buildings incidental to the principal use.

(d) Supplementary Regulations.

(1) All merchandise, new and used, with the exception of boat, automobile, truck or farm implements and plants and garden supplies, shall be stored within a completely enclosed building. Displays of boats, automobiles, tractors, recreational trailers and/or mobile homes shall conform to the requirements as defined in Section [1141.03](#) (e)

(2) Landscaping: Landscaping of the site shall comply with the requirements of Chapter [1148](#).

(3) The building should be oriented so that the principal building entrance faces the principal street or the street providing main access to the site. The entrance must be connected to the street and adjacent parking with clearly marked sidewalks/walkways. The building façades facing the street must adhere to the façade treatment as outlined in the following sections. In no instance, shall the rear of the building face the public right-of-way.

(4) Building facades that are oriented toward a right-of-way shall be provided for visual relief as follows:

A. Windows and transparent doors must occupy a minimum of sixty percent (60%) of the entire building wall area measured between two and one-half (2.5) and seven (7) feet in height above grade along the entire front façade. Glass block, opaque or darkly tinted glass is not considered to be transparent.

B. Building facades must have different articulation in height and setback. Different horizontal articulations with material, color and opening shall also be utilized when building elevation is higher than fourteen (14) feet. Preferred materials include brick, stone, glass or wood.

(5) Each development is required; where appropriate, to provide adequate space (including easements) for alternative modes of transportation such as bike paths, multi-use paths, bus stops and turnarounds. Each development is also required to provide bicycle rack space at a rate of three (3) per 10,000 square feet of gross floor area.

(6) The front facade of the principal structure shall be finished, utilizing at least fifty percent (50%) natural materials including brick, stone, masonry, glass, or wood. No aluminum or vinyl siding shall be used in finishing or utilized on the front facade of the building.

(7) A. All utility boxes must be screened with appropriate landscaping material such that they are not visible from a right-of-way or other publicly accessible area.

B. All refuse collection and recycling containers must be enclosed or screened so as not to be visible from a right-of-way or other publicly accessible area. The structure surrounding the container(s) must be enclosed on all sides, one of which includes a gate or door that can be secured. The enclosure may consist of wood or masonry walls. Containers shall not be located in any front yard. The exterior perimeter of the enclosure(s) must be landscaped, excluding the access point.

(2) Conditional uses.

The following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.

1147.02(c) – Planning Commission Review.

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

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

(1) Burden of Proof.

A. Planning Commission has no obligation to recommend approval and City Council has no obligation to approve a Conditional Use. This Zoning Code assumes that the uses listed in this section are not appropriate unless an applicant proves that the use will not be detrimental to the public health, safety, or general welfare of the City or the neighborhood in which it is proposed.

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

(2) General Decision Standards.

All Conditional Uses shall satisfy these General Decision Standards.

- A. The proposed use is in fact a Conditional Use appropriate for in the zoning district in which it is proposed.
- B. The use and site will satisfy the general intent of this Zoning Code.
- C. The use and site will be compatible with the general intent of the Comprehensive Plan.
- D. The size and shape of the site are sufficient for the proposed use.
- E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.
- F. The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.
- G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.
- H. The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.
- I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
- J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.
- K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.
- L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
- M. Proposed construction will not result in the complete elimination of existing mature trees on the site. Effort shall be made to direct disturbance and construction around or away from existing mature trees without completely taking away use of the site or connectivity to existing infrastructure.
- N. 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.

1147.02(d) – Action by Planning Commission.

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

1147.03(b)(27) – Motels.

- A. Potential Concerns.
 - 1. Proximity to residential.
 - 2. Screening from residential.
 - 3. Appropriate street access.



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STAFF REPORT

ORIGINATING DEPARTMENT:	Community Development
PREPARED BY:	Zachary Moore
DATE PREPARED:	May 25, 2022
COUNCIL MEETING DATE:	June 7, 2022
AGENDA TITLE:	PC-2022-02, 5470 College Corner Pike, CONDITIONAL USE, new hotel, High Point Lodging, Applicant
CITY MANAGER/DEPT HEAD APPROVAL:	

Proposal Summary:

The applicant is requesting Conditional Use approval of a new hotel at 5470 College Corner Pike. The site is 3.475 acres in size and is zoned GB General Business District. The property is immediately north of Ambassadors Pointe (AP) Church and across College Corner Pike from the Wild Berry Incense Factory. The intended brand is a Holiday Inn Express, comprising a total of 83 guest rooms including a combination of double queen and single king arrangements. Other planned amenities include an indoor pool, breakfast area, fitness center, small shop, and two meeting rooms. On-site, off-street parking is to be built surrounding the hotel building to serve hotel guests and employees. An existing multi-use trail along College Corner Pike will remain in place, with the developer constructing a link between the existing trail and hotel. Bicycle parking is also planned to be provided close to the hotel entrance, in accordance with Zoning Code requirements.

Background:

The site plan now coming before City Council has gone through an evolution design-wise due to significant preliminary discussions between the applicant and City staff. The hotel is currently proposed to be oriented parallel to the US 27 corridor, making its front entrance and associated canopy directly visible from the road and accompanying path. Some parking is to be situated in front of the building, but the vast majority would be to the sides and to the rear of the building. The plan initially submitted by the applicant for Conditional Use consideration included a single vehicular entrance near the existing entrance to Wild Berry, utilizing an existing curb cut (apron) off College Corner Pike. The applicant has also demonstrated



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compliance with the planting requirements of the City's Tree Ordinance, through submission of a detailed landscaping plan.

Planning Commission Discussion/Recommendation:

On May 10, 2022, the Oxford Planning Commission held a public hearing and reviewed the proposal and the decision standards. Community Development staff had recommended approval of the application subject to 10 conditions, 6 of which touched upon various waivers to Zoning Code standards. The Commission heard from Community Development staff and the applicant. The applicant expressed agreement with all of staff's conditions, with an exception to Condition #1 which dealt with signage. The Commission later heard from Fire Chief John Detherage, who voiced concerns pertaining to emergency access for the project, as well as Assistant to the City Manager Seth Copenbaker, who spoke in support of the project from an economic development perspective. A summary of the key issues heard during the hearing is provided below:

Regarding **signage**, in the GB District the Oxford Zoning Code allows for no more than two (2) total signs per single tenant site, only one of which can be a freestanding sign. The applicant requested a waiver in order to allow a total of three (3) signs, including one freestanding sign near the vehicular entrance and two wall signs on the hotel building itself. In their eventual motion, the Planning Commission supported the request for an extra wall sign. Another set of sign-related waiver requests pertained to the height of signage. Per the Zoning Code, the maximum height of a freestanding sign is 6 feet and the maximum height of a wall sign is 3 feet. The applicant requested increased sign heights of 8 feet and 16.5 feet respectively for the two sign types. The Commission did not support a height increase for the freestanding sign, but did support an increase to wall sign height so long as it did not exceed the height allowed for the Hampton Inn located in town at Stewart Square. Following the Planning Commission meeting, staff pulled the past permits associated with the Hampton Inn wall signs and determined the resulting height was 3 feet 7 inches. Therefore, the Ordinance drafted for this Conditional Use request includes a waiver to wall sign height to be capped at a maximum of 3 feet 7 inches (as opposed to referencing Hampton Inn in the official language).

Regarding **emergency access**, the Fire Chief expressed concern about the ability to service the new hotel in the event of an emergency/fire, should only a single vehicular entrance be provided per the plan then under consideration. The Chief asked for a second vehicular entrance off College Corner Pike to be included, in order to provide an alternate route into the development should there be a stalled vehicle,



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blockage, or other obstruction of some kind (such as a supply line hose) at the other entrance. Unless a new hydrant were installed in closer proximity to the development site, a fire hose would have to be connected into an existing fire hydrant on the opposite side of College Corner Pike, thus requiring the road to be shut down in the event of an emergency since vehicles cannot drive over the hose. While the Commission acknowledged the staff report's finding that having additional parking spaces would *help* alleviate potential for a bottleneck issue at the single entrance point, extra parking in and of itself would not fundamentally *solve* the problems identified by the Fire Chief. On the flip side, arguments in favor of a single entrance included less construction impact on an existing drainage swale (more intense grading activity and culverting of stormwater flow will be necessary to install the second entrance), as well as reduced vehicular crossings over the existing multi-use path (increasing safety for users on the path and lessening potential for collision). The Commission weighed the various interests involved, and a majority of members agreed that a secondary vehicular access point needed to be included in the plan. One possible solution discussed was to reinforce ground under and around the multi-use path connector to support the passage of a fire truck in the event of an emergency. Recognizing that a design solution was not going to be reached that night, the Commission directed City staff (including Community Development and the Fire Chief) to work with the applicant on inserting a secondary access point into the plan.

Following discussion and consideration of the decision standards, the Planning Commission ultimately voted 6-0-0 (with 1 member absent) to recommend **approval** of the application subject to 12 conditions. Of these conditions, #1 was modified from staff's original wording and #s 11 and 12 were added brand new; these three conditions are highlighted in **bold** below:

1. **The development shall be permitted to have 1 freestanding sign and 2 wall signs, in excess of the Zoning Code's usual restriction for no more than 2 total. The 2 wall signs shall be permitted to exceed the Code's maximum height limit to the extent which was previously allowed for the Hampton Inn site. The freestanding sign shall otherwise comply with the dimensional provisions of the Oxford Zoning Code, including the maximum height limit of 6 feet.**
2. Plans submitted for a Building Permit application shall substantially conform to the architectural elevations depicted on Sheets A.201-A.202 and A408-A409, all dated 1/6/22. This includes conformance with respect to exterior building materials.
3. Appropriate lighting systems, which may include pole and wall pack fixtures, are to be reviewed for conformance with the Oxford Zoning Code as part of a Building Permit application.



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4. This Conditional Use approval shall not preclude a possible widening of the entry / exit drive off US 27 to better accommodate traffic flow, so long as such widening conforms to the Oxford Zoning Code and meets all other departmental requirements.
5. A waiver to Section 1143.12(d)(4)(A) is hereby granted to allow for reduced glazing along the front façade of the building.
6. A waiver to Section 1143.12(c)(3) is hereby granted to allow an increase in maximum building height from 45 feet to 49 feet to account for a parapet wall as proposed in the application.
7. A waiver to Section 1148.04 and 1148.05 is hereby granted to accept the proposed tree planting schedule and relieve the developer from the Tree Survey requirement. These waivers are contingent upon the following two items: (1) The Landscaping Plan is fulfilled as submitted; (2) All portions of the mature vegetation area in the northwestern corner of the site which are free and clear of planned development features (driveways, detention area, etc.) shall remain undisturbed. At any location on site, dead or invasive vegetation may be removed without issue. Clear cutting is prohibited in areas specified to remain undisturbed.
8. A waiver to Section 1149.07(b)(1) is hereby granted to allow for parking spaces in the front yard setback.
9. A waiver to Section 1149.07(b)(2) is hereby granted to allow parking spaces immediately to the right (east) of the front entrance to be located 5 feet away from the right-of-way line as opposed to the standard 6 foot distance, to allow for increased width of a nearby pedestrian walkway.
10. A waiver to Section 1149.07(e)(4)(P) is hereby granted to allow for drive aisles which are not perpendicular to one another, as shown on the site plan.
11. **A fire hydrant shall be installed as deemed necessary by the Fire Chief.**
12. **The applicant shall provide a secondary emergency access point or a second curb cut in consultation with Community Development staff and the Fire Chief.**

Updated Staff Recommendation:

Following the May 10 Planning Commission meeting, the applicant has been attentive to addressing the emergency access and signage issues which were left pending by the Commission's recommendation. The applicant sent multiple revised site plans to City staff for consideration and feedback. Community Development believes the plan now being presented to City Council for consideration represents the closest possible consensus of agreement among all parties involved, including the applicant, Engineering, and Fire. The latest plan includes a total of two vehicular access points, thus satisfying the Fire Chief's



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Oxford, OH 45056

most pertinent concern for emergency access. The newest access point is positioned directly across from the Reagh's Way intersection with US 27, thus it will turn the existing intersection into a "four-way" as opposed to a "T." Revising the site's traffic circulation in this manner only cost the development one parking space as compared to the previous plan, thereby reducing the total number of spaces from 100 to 99. The accompanying landscaping plan was also adjusted accordingly, and did not result in any loss of planned tree plantings (a few trees shifted location). Finally, the applicant has also submitted revised signage plans which depict a dimensionally compliant ground sign and two wall signs consistent with the height of signs as were approved for Oxford's Hampton Inn.

In light of the revisions now received and made part of the record for this Conditional Use, staff now recommends the following updated list of conditions. As compared to the Planning Commission's conditions, #1 has been reconstructed to communicate a waiver to sign height and #12 has been eliminated since the newest plan now effectively illustrates a second entrance (shown in **bold**):

1. **Waivers to Section 1151.05(a)(3)(A) are hereby granted to allow for 1 freestanding sign and 2 wall signs on the site (in excess of the usual restriction for no more than 2 total signs) and to also allow a wall sign height of 3 feet 7 inches (in excess of the usual restriction of 3 feet).**
2. Plans submitted for a Building Permit application shall substantially conform to the architectural elevations depicted on Sheets A.201-A.202 and A408-A409, all dated 1/6/22. This includes conformance with respect to exterior building materials.
3. Appropriate lighting systems, which may include pole and wall pack fixtures, are to be reviews for conformance with the Oxford Zoning Code as part of a Building Permit application.
4. This Conditional Use approval shall not prelude a possible widening of the entry / exit drive off US 27 to better accommodate traffic flow, so long as such widening conforms to the Oxford Zoning Code and meets all other departmental requirements.
5. A waiver to Section 1143.12(d)(4)(A) is hereby granted to allow for reduced glazing along the front façade of the building.
6. A waiver to Section 1143.12(c)(3) is hereby granted to allow an increase in maximum building height from 45 feet to 49 feet to account for a parapet wall as proposed in the application.
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clear of planned development features (driveways, detention area, etc.) shall remain undisturbed.

At any location on site, dead or invasive vegetation may be removed without issue. Clear cutting is prohibited in areas specified to remain undisturbed.

8. A waiver to Section 1149.07(b)(1) is hereby granted to allow for parking spaces in the front yard setback.
9. A waiver to Section 1149.07(b)(2) is hereby granted to allow parking spaces immediately to the right (east) of the front entrance to be located 5 feet away from the right-of-way line as opposed to the standard 6 foot distance, to allow for increased width of a nearby pedestrian walkway.
10. A waiver to Section 1149.07(e)(4)(P) is hereby granted to allow for drive aisles which are not perpendicular to one another, as shown on the site plan.
11. A fire hydrant shall be installed as deemed necessary by the Fire Chief.
- ~~12. The applicant shall provide a secondary emergency access point or a second curb cut in consultation with Community Development staff and the Fire Chief.~~



PC-2022-02

**Surrounding
Property Owners
Notifications Map**

Legend

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



1 inch = 150 feet

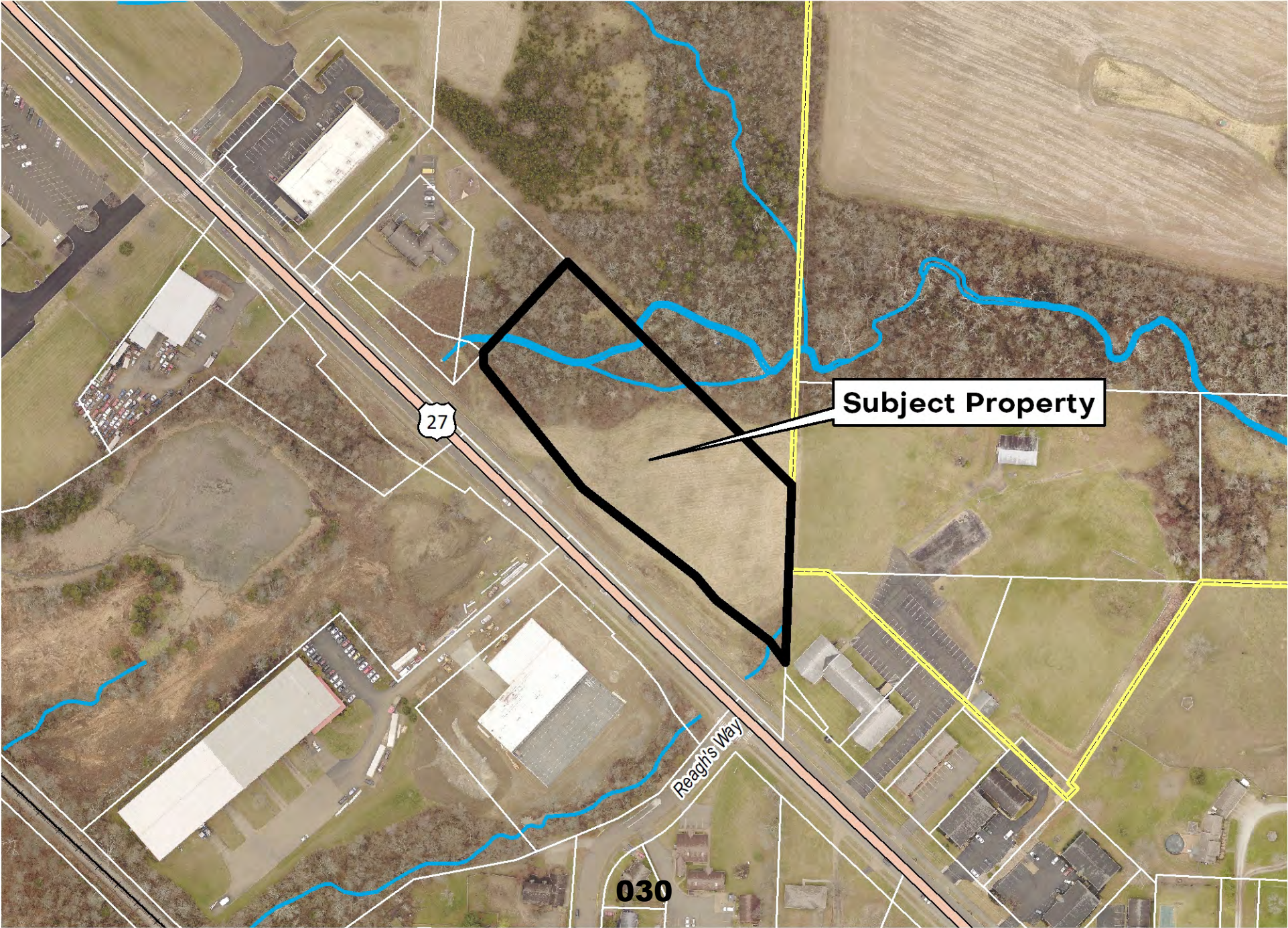
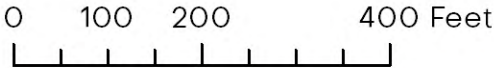
Prepared on Thursday, April 21, 2022

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.

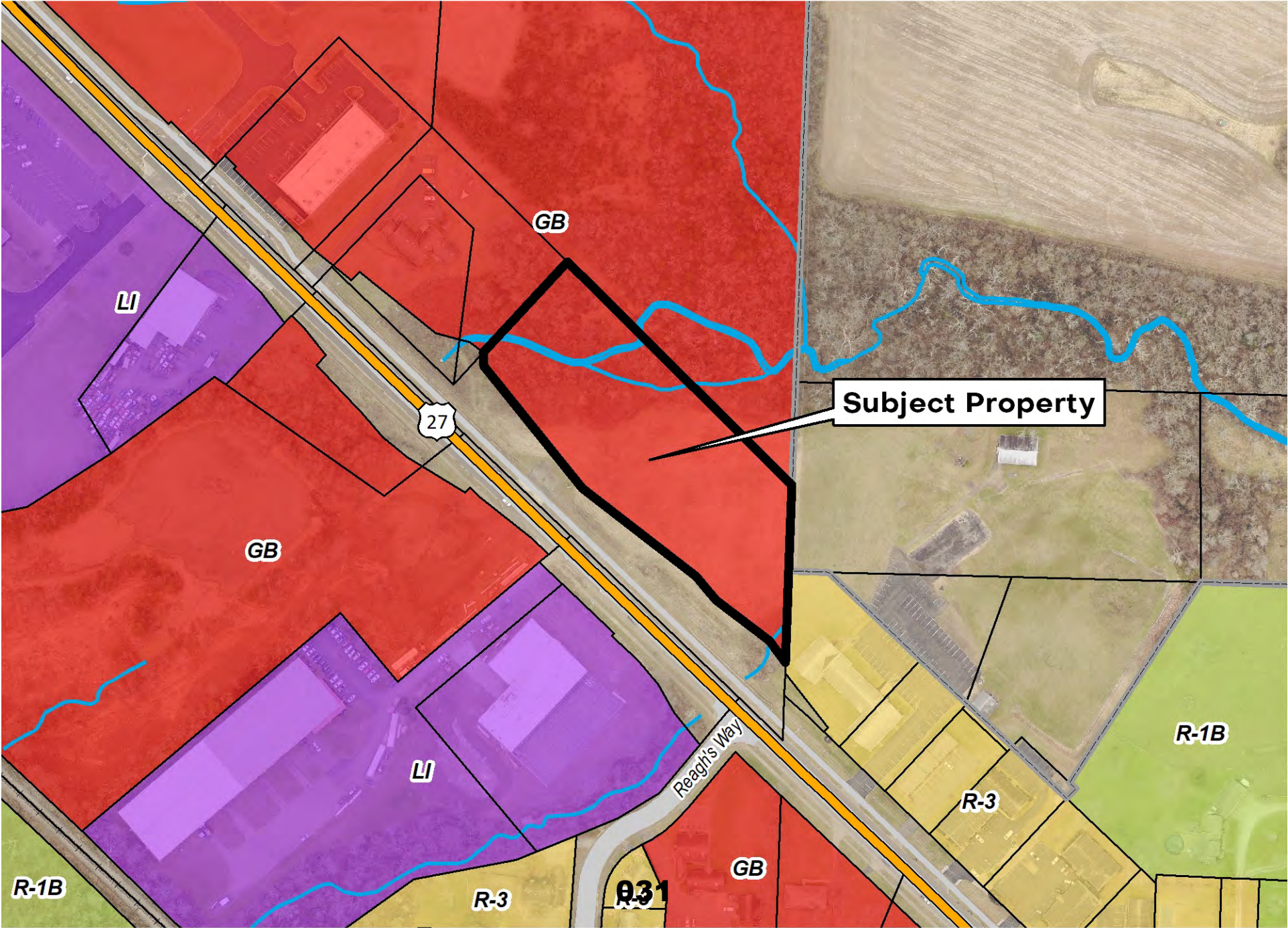
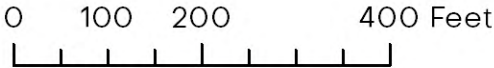


Location Map

 Site

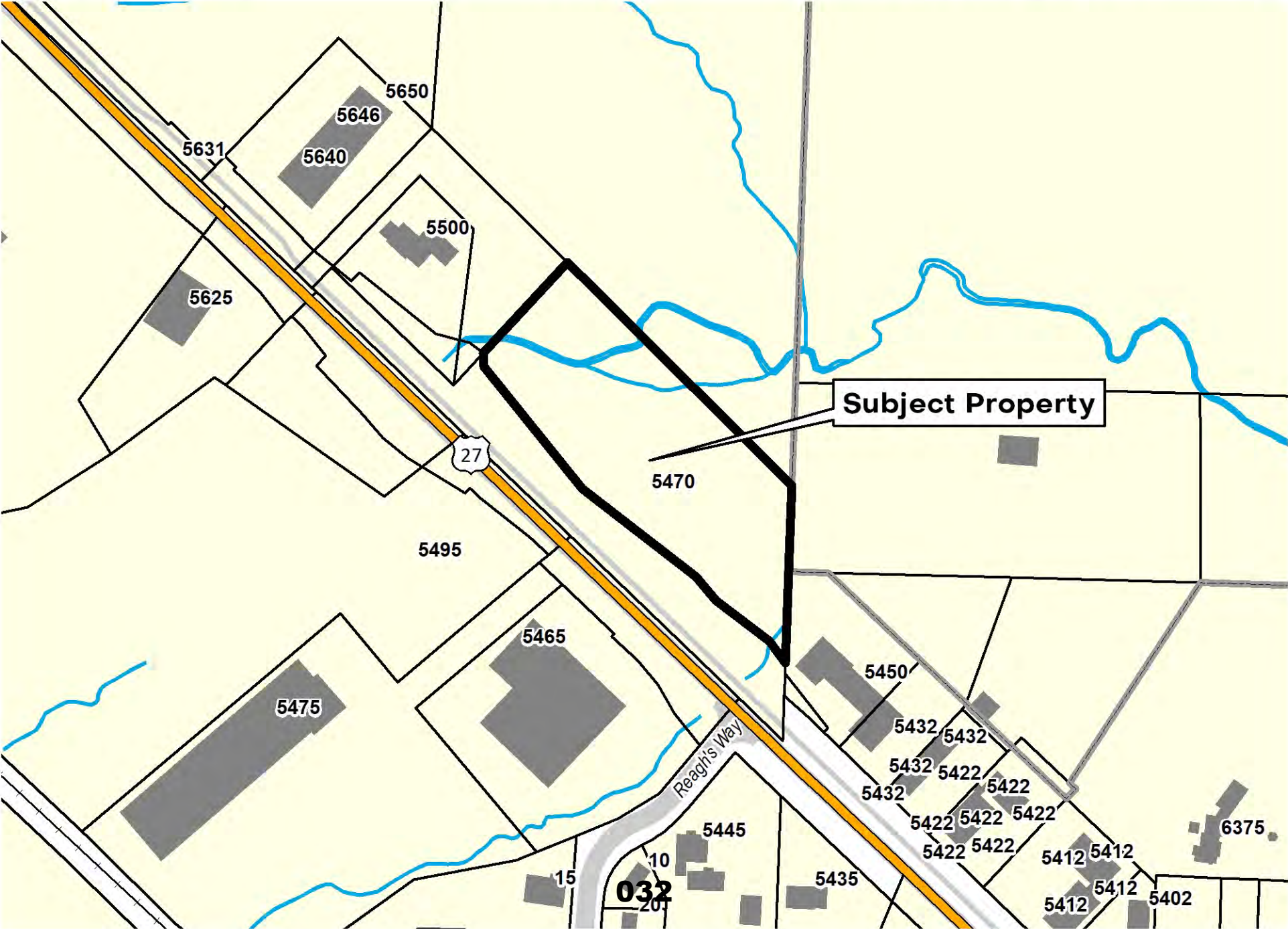
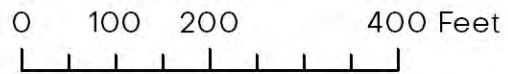


Location Map



Location Map

 Site





Internal Use Only:

Case No.

PC-2022-02

Date Filed

3/25/22

Conditional Use Permit Application

Applicant Information

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

Name * Sam Chaudhry - High Point Lodging

Mailing Address * 14916 Braemar Avenue East

City, State & Zip Code * Noblesville, Indiana 46062

Telephone Number(s) * 574-298-0410

Email Address rosehillhotels@gmail.com

Owner Information

Name * Marcia A. Haughey & Lindsey J. Zink

Mailing Address * 755 S. Palm Avenue, Unit 605

City, State & Zip Code * Sarasota, FL 34236

Telephone Number(s) *

Email Address ljzink17@gmail.com

Location and Lot Information

Location of Property * US 27 (College Corner Pike)

Legal Description * Pt. Lot 1942, Parcel H4100-028-000-002

Zoning District * GB

Total Area * 3.475 → Check One * Acres ☒ Square Feet ☐

Existing Use Description * vacant

Proposed Use Description * 83 room hotel

Submission Requirements and Documentation

From Section 1147.02(a)¹.

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

A. Application Fee.

B. Description of Use and Site.

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

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

4. A description of the existing uses of the site.
 5. The zoning district in which the site is located.
 6. A description of the proposed use.
 - a. A description of operations, including type of goods sold, services performed, and expected number of customer, clientele, delivery, and service vehicles.
 - b. The hours of operation.
 7. A narrative statement that evaluates the compatibility of the proposed use with the general vicinity and adjacent properties.
 - a. How the use is similar to or different from existing area uses and if there will be any interaction between the proposed use and existing uses.
 - b. How any existing structures, proposed structures, and the site design relate to adjacent structures and sites.
 - c. If the use will involve any operations that create potential nuisances such as excessive noise, lighting, odor, fumes, vibration, or emissions.
 - d. How any potential negative effects on adjacent land will be mitigated.
 8. A statement about why the location proposed is more appropriate for the use than other locations.
 9. A statement of the necessity or desirability of the proposed use to the neighborhood or community.
 10. Separate, detailed statements that individually address each of the items listed as potential concerns for the proposed use.
 11. A list of the names and mailing addresses of all land owners within 200 feet of the site (see next section).
 12. Such other information regarding the proposed use, site, or surrounding area as may be pertinent to the application or required by Planning Commission.
- C. Site Plan. A scaled site plan shall include the following information in detail. The required information may be submitted on multiple site plans if inclusion of all information on a single plan makes it illegible or difficult to understand.
1. North arrow.
 2. Scale.
 3. Vicinity map.
 4. All existing and proposed lot lines within the site.
 5. Dimensions of all lots and of the entire site and any adjacent rights-of-way.
 6. Location, height, and use of all proposed and existing structures.
 7. Location and design of all proposed vehicle management areas.
 8. Location, size, and type of all proposed signs.
 9. Location, height, and type of all proposed screening and landscaping.
 10. Distances to residential zoning districts if within 1,000 feet.
 11. The use of land and location of structures on adjacent property and across adjacent rights-of-way.
 12. Other information as required by the Planning Commission.
- D. Elevations of proposed structures, 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.
- E. Other. Photographs of the existing use and its surroundings.

See Chapter 1147, *Conditional Uses*, for the full text, particularly 1147.03 for use-specific regulations¹.

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 Search² is helpful when searching for the mailing address of adjoining property owners. It allows you to search by owner, address, or parcel number.

Planning Commission Review

From Section 1147.02(c)¹.

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

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

From Section 1147.02(c)(2) General Decision Standards¹. All Conditional Uses shall satisfy these General Decision Standards.

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

Fees & Receipt

The required fees are \$500.00 plus \$10.00 for postage. You may write a \$510.00 check payable to **City of Oxford**. You may also pay in-person using Visa, MasterCard, and Discover.

Sign and Date

Applicant Signature *

M. Alaudhry

Date *

3-21-2022

Submit Application, Submission Requirements and Documentation, and Fees

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

Send or drop off this application with required plans and documentation as attachments and a check for fee and postage made payable to **City of Oxford**, to Community Development Director, 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 Planning Commission meeting on which the action is requested. City Staff will place a public hearing sign on the subject property. **The Applicant is responsible for removing the signage at the completion of the hearing(s).**

For Staff Use Only

Fee Paid Date *

Receipt Number *

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

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

March 22, 2022

Mr. Zach Moore
Planner
City of Oxford
15 South College Avenue
Oxford, Ohio 45056

Re: Holiday Inn Express
Conditional Use Submittal

Dear Mr. Moore,

Please be advised that High Point Lodging has our permission to submit applications for the approval of a Conditional Use application on parcel H4100-028-000-002 located on the northeast side of US 27 (College Corner Pike).

Should you have any questions, please do not hesitate to contact us.

Sincerely,

Marcia A. Haughey

Marcia Haughey
dotloop verified
03/22/22 3:10 PM EDT
FAEA-K7AH-LRZ0-U4D2

Lindsey J. Link

Lindsey Link
dotloop verified
03/23/22 2:46 PM EDT
ZRZQ-SALY-IINB-LATA

Properties within 200' of the property:

H35100160000037
H40000290000011
H35100160000033
H40000290000010
AMBASSADORS POINTE
COMMUNITY CHURCH WEST
PO BOX 981
OXFORD OH 45056 1092

H40000300000003
H40000300000019
AROMA PROPERTIES LLC
6317 BUCKLEY RD
OXFORD OH 45056 9727

H41000300000021
H40000290000022
H40000300000018
H41000280000021
H41000280000025
H41000300000020
H41000280000026
CITY OF OXFORD
101 E HIGH ST
OXFORD OH 45056 1819

H41000300000004
DINGLEDINE BASIC MATERIALS INC
ETAL
6744 CONTRERAS RD
OXFORD OH 45056 9739

H35100160000011
SUE E GROSS
346 FINS & FEATHERS RD
BURNSIDE KY 42519 9618

H41000280000008
H41000280000001
ZEUS APARTMENT BUILDINGS INC
750 SHRINE RD
SPRINGFIELD OH 45504

H41000300000014
OXFORD TALAWANDA COMMUNITY
SERVICES INC
5445 COLLEGE CORNER PIKE
OXFORD OH 45056

H41000300000005

March 24, 2022

Mr. Zachary Moore, AICP
Planner
City of Oxford
15 S. College Avenue
Oxford, Ohio 45056

Re: Holiday Inn Express & Suites
US 27 (College Corner Pike)
Conditional Use Submittal

Dear Mr. Moore:

Enclosed please find the following items in support of High Point Lodging's Application for Conditional Use approval of the construction of a 83 room Holiday Inn Express and Suites hotel on Parcel H4100-028-000-002, located on the northeast side of US 27 (College Corner Pike):

- 1) Executed Conditional Use Permit Application.
- 2) Two (2) individual packets containing one (1) copy of each of the following:
 - a. Conditional Use Application.
 - b. List of property owners within 200 feet of the site.
 - c. Legal description of the property.
 - d. Site plan both with and without the aerial photo background.
 - e. Landscape plan.
 - f. Preliminary Building Elevations and Floor Plans.
 - g. Prototypical signage package
 - h. Photos of the subject site and surrounding area.
 - i. Property Owner Affidavit.

The aforementioned items have been submitted electronically online.

3) Applicant:

*Sam Chaudhry
High Point Lodging
14916 Braemar Avenue East
Noblesville, Indiana 46062
574-298-0410*

Owner:

*Marcia A. Haughey & Lindsey J. Zink
755 S. Palm Avenue, Unit 605
Sarasota, Florida 34236*

4) Design Professionals:

- a. Architect:
*Maust Architectural Services
112 North Main Street
Goshen, Indiana 46526
574-537-8500*

b. Engineer & Surveyor:
Bayer Becker
110 S. College Ave., Suite 101
Oxford, OH 45056
513-336-6600

- 6) A legal description of the boundary of the property is enclosed.
- 7) The property is currently vacant.
- 8) The property is zoned GB – General Business District.
- 9) Description of proposed use:
- a) A description of operations, including types of goods sold, services performed, and expected number of customers, clientele, delivery, and service vehicles.
- Holiday Inn Express & Suites will contain 83 guest rooms, a meeting room, business center, fitness center and indoor pool. Typical delivery and service vehicles will consist of panel trucks/vans typical for UPS and Fed Ex deliveries.*
- b) Hours of operation.
- Holiday Inn Express & Suites will be open 24 hours a day, 7 days a week.*
- 10) A narrative statement that evaluates the compatibility of the proposed use with the general vicinity and adjacent properties.
- a) How the use is similar to or different from existing area uses and if there will be any interaction between the proposed use and existing uses.
- Property is surrounded by commercial and institutional uses. A multi-use trail currently exists along the frontage of the property and connects the property to the commercial area (Walmart and retail center) to the north and extends south to Hester Road, where it changes to a traditional sidewalk and will allow an individual to walk or bicycle into the downtown area. An extension of the multi-use trail into the site is proposed. The proposed extension will allow a guest to be connected to both the retail to the north and the downtown area.*
- b) How any existing structures, proposed structures, and the site design relate to adjacent structures and sites..
- The proposed Holiday Inn Express & Suites will be constructed with a mix of brick and stone materials, with glass windows. The hotel will consist of 4 stories, with a maximum building height of 48 ft. 9 ½ inches. The adjacent church to the southeast, is a single story building constructed of brick. While the Wildberry retail building to the southwest is a metal industrial style building.*
- c) If the use will involve any operations that create potential nuisances such as excessive noise, lighting, odor, fumes, vibrations or emissions.
- The proposed Holiday Inn Express & Suites will not involve any operations that create potential nuisances.*
- d) How any potential negative effects on adjacent land will be mitigated.
- The proposed Holiday Inn Express & Suites will not have a negative effect on adjacent land. Landscape buffering will be provided along the southeast property line, adjacent to the church.*
- 11) A statement about why the location proposed is more appropriate for the use than other locations.
- The proposed site is an ideal location for a Holiday Inn Express & Suites for the following reasons:*

- a) Existing General Business zoning district allows for a hotel land use.
- b) Per the Comprehensive Plan, the property is located within the Corridor Enhancement Area. The intent of the Corridor Enhancement Area is to promote and attract new commercial uses and enhance connectivity. Holiday Inn Express & Suites would be a new commercial business to the City, which would be connected to both the downtown area and other retail uses in the area via the existing multi-use trail/sidewalk.
- c) Infrastructure is currently in place to support the Holiday Inn Express & Suites.

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

There is a shortage of hotel rooms in Oxford on weekends, thus requiring guests to stay in neighboring cities, such as Hamilton, Fairfield or West Chester. The proposed 83 rooms will help reduce this shortage and bring more visitors to the City of Oxford.

Holiday Inn Express & Suites will provide a high end lodging option, with modern amenities for visitors to the City of Oxford.

Lastly, it will provide employment opportunities and tax revenue. The proposed Holiday Inn Express & Suites will be over a \$10 million investment. During construction of the hotel, the community will benefit as the developer intends to employ many local contractors, workers and suppliers.

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

- a) Proximity to residential.

While the property to the southeast is zoned residential, it operates as an institutional land use, a church. Landscape buffering will be provided along the common property line.

- b) Screening from residential.

Landscape buffering is proposed along the southeast property line to screen the parking lot and hotel from the adjacent church.

- c) Appropriate street access.

Based upon discussions with City staff, a single access point is being proposed for the Holiday Inn Express & Suites. The proposed access point will be located at the location of an existing drive apron to the property, which is opposite an existing access point, on the southwest side of US 27.

In conjunction with the Conditional Use approval, the following variances are being requested:

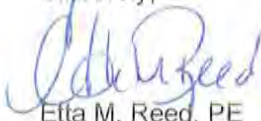
- a) Building height – Per Section 1143.12(c)(3) of the Zoning Ordinance, the maximum building height in a General Business District is 45 feet. While the maximum building height for the proposed building is 48 feet 9 ½ inches, it should be noted that this is for the parapet wall, an architectural element located at several locations along the front and rear elevations. The majority of the building height is 45 feet 11 ½ inches.
- b) Signage –
 - a. Per Section 1151.05(a)(3)(A)(1) no more than a total of 2 wall or freestanding signs are permitted per site. Holiday Inn Express & Suites is proposing a total of 3 signs - a freestanding sign along US 27, a wall sign on the front elevation of the building and a wall sign on the southeast elevation of the building. Per Section 1151.05(a)(3)(A) the maximum total sign area for the site is 1436 Sq. Ft., the proposed 3 signs equate to 497.72 total Sq. Ft. While Holiday Inn Express & Suites is requesting 1 additional sign,

- b. they are still significantly under the maximum square footage of signage permitted, 1436 Sq. Ft. vs. 497.72 Sq. Ft.
- c. Per Section 1151.05(a)(3)(A)(1)(a)(i) the maximum wall sign height is 3 feet. The height of the proposed wall signs is to be 16' - 5 15/16". The proposed wall signs are located in the upper right corner of the front elevation and in the upper left corner of the southeast elevation. These signs will be located approximately 29 feet above the ground elevation. In order for the signage to be effective at this elevation, it is necessary that they exceed 3 feet in height.
- d. Section 1151.05(a)(3)(A)(1)(b)(ii) the maximum height of a freestanding sign support structure and sign is 6 feet. The height of the proposed freestanding sign support and sign is 8 feet.

Please place this item on the May 10th Planning Commission Meeting agenda.

Should you have any questions, or need any additional information, please do not hesitate to contact us.

Sincerely,


Etta M. Reed, PE

Enclosures

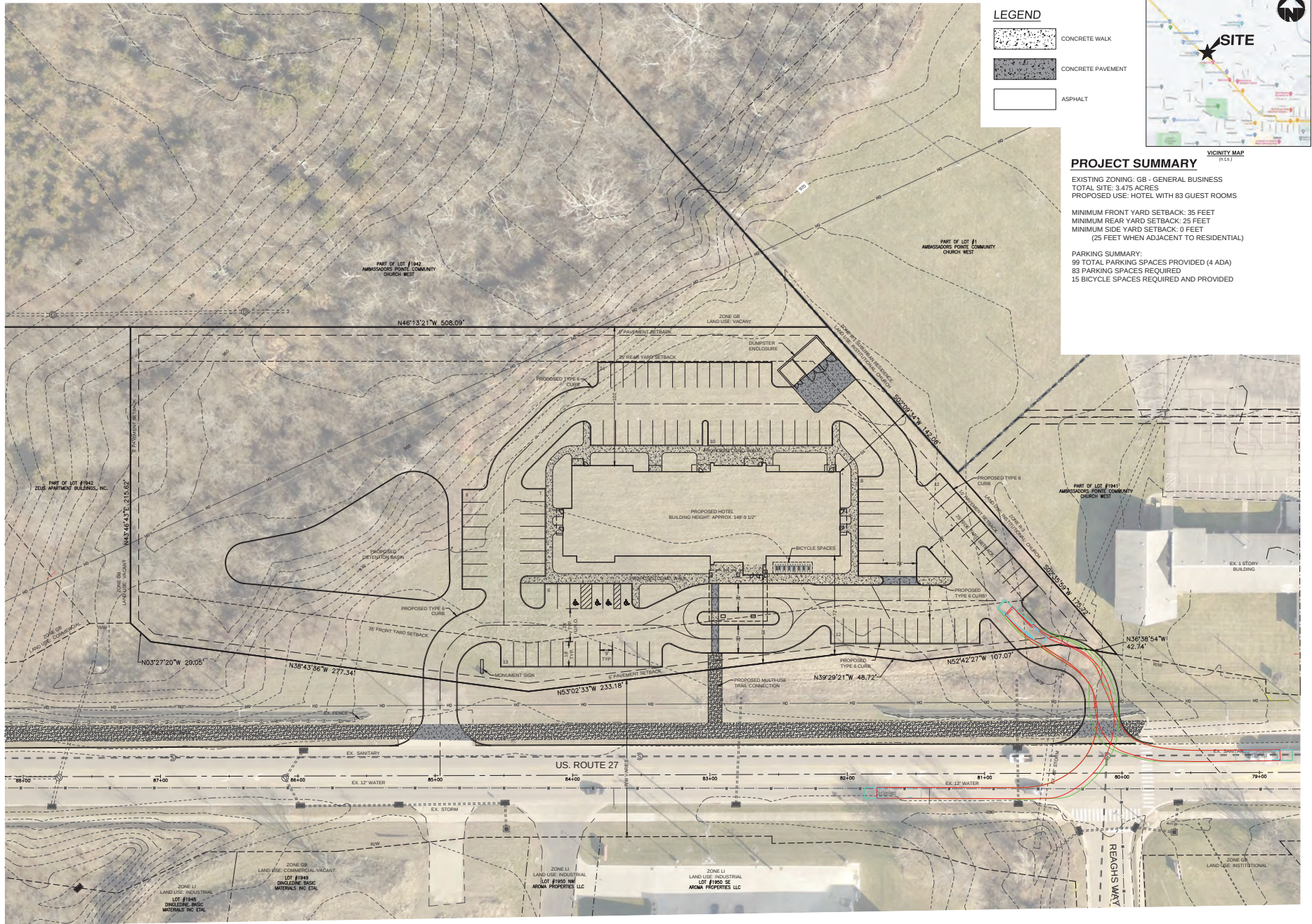
Cc: Sam Chaudhry



View from the south property line at proposed entrance facing northwest along US 27.



View from the south property line at proposed entrance facing southeast along US 27.



LEGEND

- CONCRETE WALK
- CONCRETE PAVEMENT
- ASPHALT



PROJECT SUMMARY

EXISTING ZONING: GB - GENERAL BUSINESS
 TOTAL SITE: 3.475 ACRES
 PROPOSED USE: HOTEL WITH 83 GUEST ROOMS

MINIMUM FRONT YARD SETBACK: 35 FEET
 MINIMUM REAR YARD SETBACK: 25 FEET
 MINIMUM SIDE YARD SETBACK: 0 FEET
 (25 FEET WHEN ADJACENT TO RESIDENTIAL)

PARKING SUMMARY:
 99 TOTAL PARKING SPACES PROVIDED (4 ADA)
 83 PARKING SPACES REQUIRED
 15 BICYCLE SPACES REQUIRED AND PROVIDED

**HOLIDAY INN EXPRESS
 & SUITES**
 CONGRESS LANDS WEST OF THE MAH RIVER
 SECTION 16, TOWN 5, RANGE 1
 BUTLER COUNTY, OHIO



Drawing: 22-0002 CP
 Drawn By: AJB
 Checked By: EMR
 Issue Date: 03/24/2022

Sheet: 1/1

PLANT SCHEDULE						
DECIDUOUS TREES		QTY	BOTANICAL NAME	COMMON NAME	TYPE	MIN. SIZE
ACE ARM	6	1	Acer rubrum 'Kersting'	American Red Maple	B & B	2 1/2' Cal
FAZ GUA	6	1	Ficus grandifolia	Common Fig	B & B	2 1/2' Cal
GLE SHE	6	1	Gleditsia lucasiana nemris 'Shademaster' TM	Shademaster Locust	B & B	2 1/2' Cal
LYN DIL	6	1	Gymnocladia dioica 'Espresso'	Kentucky Coffee-tree	B & B	2 1/2' Cal
LR TUL	2	1	Liriodendron tulipifera	White Tulip	B & B	2 1/2' Cal
MIT QLY	6	1	Metasequoia glyptostrobilus	Redwood	B & B	2 1/2' Cal
ULM PRJ	6	1	Ulmus americana 'Princeton'	American Elm	B & B	2 1/2' Cal
EVERGREEN TREES		QTY	BOTANICAL NAME	COMMON NAME	TYPE	MIN. SIZE
THU GUA	16	1	Thuja plicata 'Green Giant'	Western Red Cedar	B & B	6' Ht.
ORNAMENTAL TREES		QTY	BOTANICAL NAME	COMMON NAME	TYPE	MIN. SIZE
GER ARA	6	1	Geinkia canadensis 'Appalachian Red'	Appalachian Red	B & B	2 1/2' Cal
SYR VO	4	1	Syringa reticulata ' Ivory Silk'	Ivory Silk Japanese Tree Lilac	B & B	2 1/2' Cal
DECIDUOUS SHRUBS		QTY	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT
PHY OBS	10	1	Physocarpus opulifolius 'Ostian'	Ostian Ninebark	3 gal	24" Ht.
EVERGREEN SHRUBS		QTY	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT
LEE CHD	6	1	Leucoctena mexicanus 'China Boy' TM	China Boy Holly	3 gal	30" Ht.
LEE CHD	6	1	Leucoctena mexicanus 'China Girl' TM	China Girl Holly	3 gal	30" Ht.
JUN SAD	10	1	Juniperus chinensis 'Savoybrook Gold'	Golden Juniper	3 gal	18" Ht.
JUN BAR	6	1	Juniperus horizontalis 'Blue Harbor'	Blue Harbor Creeping Juniper	3 gal	Champ
TAX DEN	8	1	Taxus x media 'Danaeformis'	Danae Tree	3 gal	30" Ht.
VIB ALB	8	1	Viburnum x rhytidophyllum 'Alegany'	Alegany Viburnum	B & B	4 Ht.

SECTION 1148.03 STREET TREE REQUIREMENTS:
TREES SHALL BE PLANTED IN THE TREE LAWN OR OTHER APPROPRIATE AREAS IN THE STREET RIGHTS-OF-WAY AS REQUIRED IN CHAPTER 935.

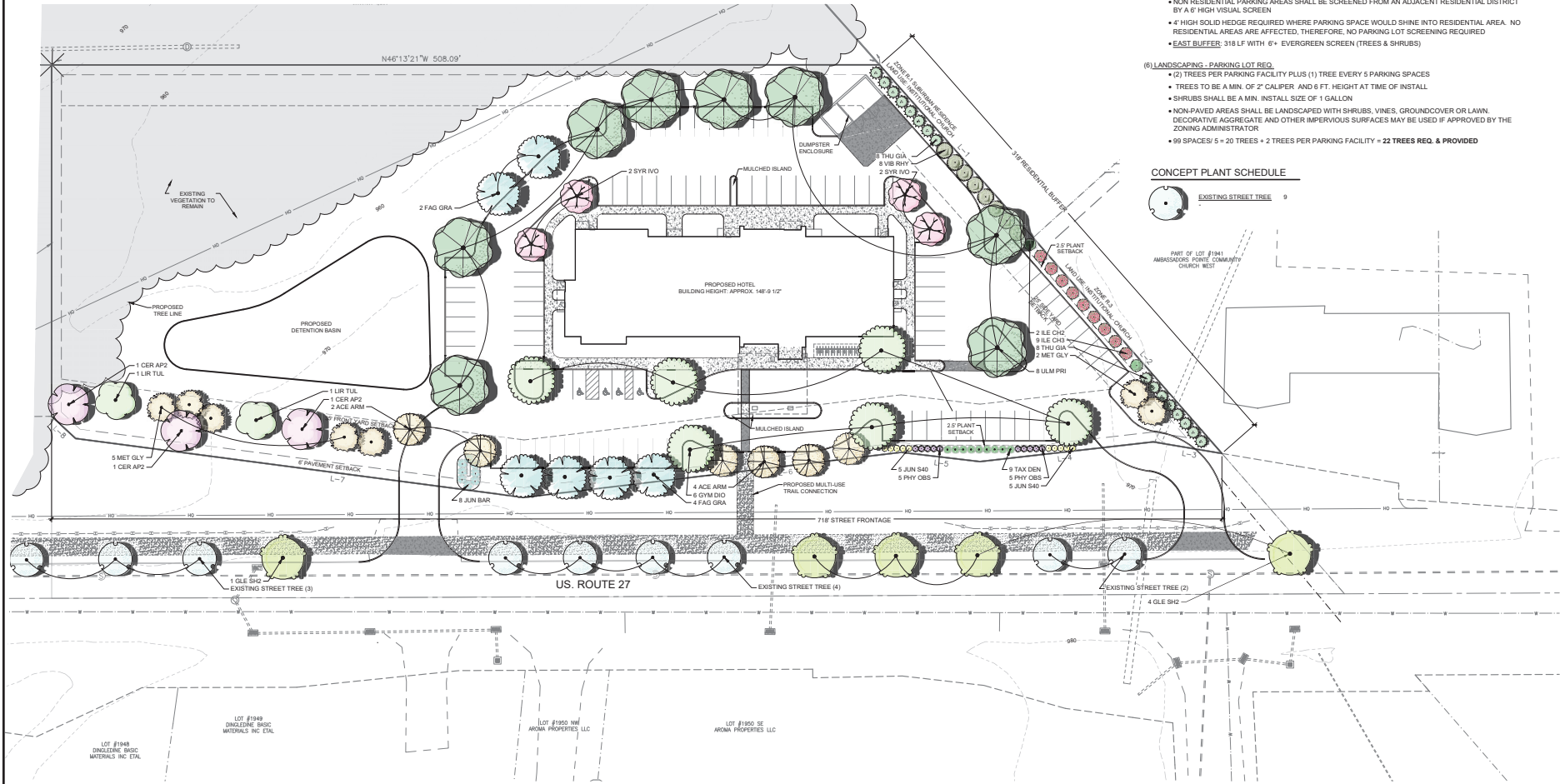
- STREET TREE MIN. SPACING: SMALL TREES: 30FT, MEDIUM TREES: 40FT, LARGE TREES: 50FT
- ALL NEWLY PLANTED STREET TREES SHALL BE PLANTED EQUAL DISTANCE BETWEEN THE SIDEWALK AND THE CURB.
- CALCULATION: $718 \text{ LF} \div 45' \text{ DRIVEWAY} = 673 \text{ LF OF STREET FRONTAGE ON U.S. 27}$
 $673 \text{ LF} \div 50' \text{ (EXISTING TREE SPACING)} = 14 \text{ STREET TREES REQ (9 EXISTING TREES + 5 NEW TREES)}$

(c) NON-RESIDENTIAL & RESIDENTIAL MULTI-FAMILY

- 1) **OVERALL SITE TREES:** (1) TREE PER 10 LF OF LOT FRONTAGE ON A PUBLIC STREET
718 LF STREET FRONTAGE / 10 LF = 71 OVERALL SITE TREES REQ. & PROVIDED (83) PROPOSED TREES + 9 EXISTING TREES (92) TOTAL
- *EACH EXISTING TREE MEETING THE STANDARDS FOR MIN. CALIPER THAT IS PRESERVED MAY BE COUNTED AS (1) REQ TREE (1148.04e)
- 2) **FRONT YARD TREES:** (1) TREE PER 25 LF OF LOT FRONTAGE ON A PUBLIC STREET MAY BE PROVIDED IN THE FRONT YARD AREA OF THE PROPERTY
718 LF STREET FRONTAGE / 25 LF = 29 FRONT YARD TREES REQUIRED & PROVIDED
- ANY SITE TREE, INCLUDING PARKING LOT TREES, CAN COUNT TOWARDS OVERALL SITE TREES, BUT NOT FRONT YARD TREES.

(e) ADDITIONAL REQUIREMENTS

- (4) PARKING LOT DESIGN**
- NON RESIDENTIAL PARKING AREAS SHALL BE SCREENED FROM AN ADJACENT RESIDENTIAL DISTRICT BY A 4' HIGH VISUAL SCREEN
 - 4' HIGH SOLID HEDGE REQUIRED WHERE PARKING SPACE WOULD SHINE INTO RESIDENTIAL AREA. NO RESIDENTIAL AREAS ARE AFFECTED, THEREFORE, NO PARKING LOT SCREENING REQUIRED
 - **EAST BUFFER:** 318 LF WITH 0+ EVERGREEN SCREEN (TREES & SHRUBS)
- (6) LANDSCAPING - PARKING LOT REQ.**
- (2) TREES PER PARKING FACILITY PLUS (1) TREE EVERY 5 PARKING SPACES
 - TREES TO BE A MIN. OF 2" CALIPER AND 6 FT. HEIGHT AT TIME OF INSTALL
 - SHRUBS SHALL BE A MIN. INSTALL SIZE OF 1 GALLON
 - NON-PAVED AREAS SHALL BE LANDSCAPED WITH SHRUBS, VINES, GROUNDCOVER OR LAWN. DECORATIVE AGGREGATE AND OTHER IMPERVIOUS SURFACES MAY BE USED IF APPROVED BY THE ZONING ADMINISTRATOR
 - **90 SPACES** = 50 TREES + 25 TREES PER PARKING FACILITY + **22 TREES REQ. & PROVIDED**



ROOM MATRIX					
	4 HEARING IMPAIRED 5 HANDICAP AND 1 ROLL-IN SHOWER				
	FIRST FLOOR	SECOND FLOOR	THIRD FLOOR	FOURTH FLOOR	TOTAL
KING (H-IDE)	2	8	8	8	26
QUEEN QUEEN	0	7	7	7	21
QUEEN QUEEN SUITE	2	10	4	10	31
ACCESSIBLE KING ROLL-IN	1	0	0	0	1
ACCESSIBLE QUEEN QUEEN	0	0	1	0	1
ACCESSIBLE QUEEN QUEEN H-IDE SUITE	0	1	1	1	3
TOTAL GUEST ROOMS	7	26	26	26	85
TOTAL SQUARE FOOTAGE	13,003	12,870	12,870	12,870	51,613

1 FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

GENERAL NOTES

ALL FINISHES AND MATERIALS SHALL BE AS SHOWN ON THE DRAWINGS. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE SELECTION OF FINISHES AND MATERIALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION OF FINISHES AND MATERIALS. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN OF THE BUILDING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CONSTRUCTION OF THE BUILDING. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN OF THE BUILDING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CONSTRUCTION OF THE BUILDING.

MAIST ARCHITECTURAL
ARCHITECTS
CONSULTANTS
DIVISION OF
L.M. INC.
1000 N. HIGHWAY 100
SUITE 100
GOSHEN, IN 46526
PHONE (317) 537-4000
FAX (317) 537-4008



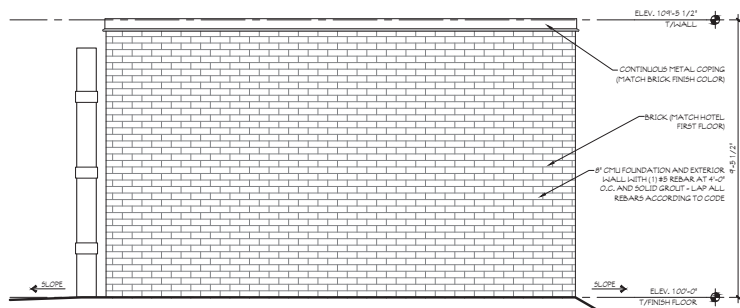
HOLIDAY INN
EXPRESS

OXFORD, OHIO

REVISIONS:

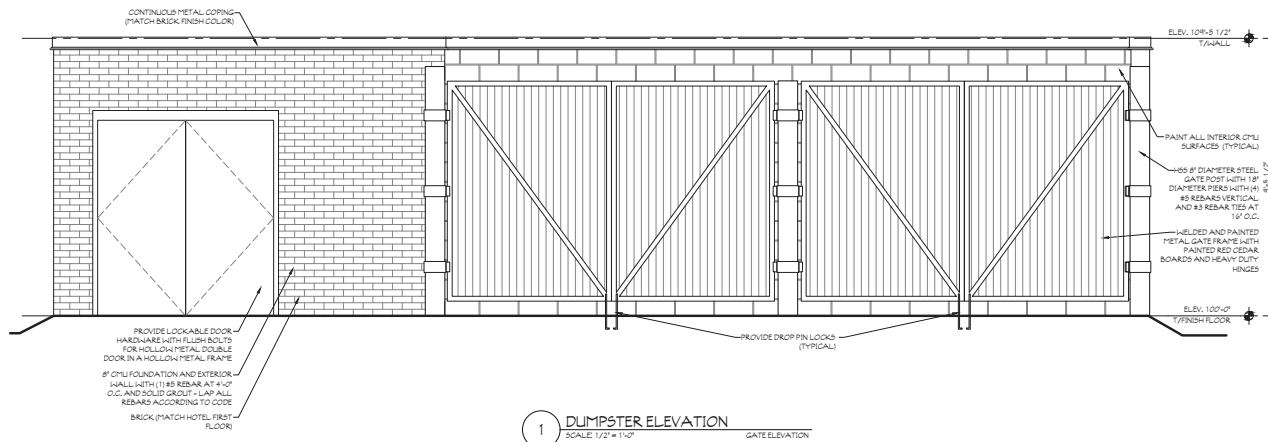
1	DATE: 1-6-22
2	JOB NO.: MAS-22-108
3	NAME:
4	FIRST FLOOR PLAN
5	SHEET:

DATE: 1-6-22
JOB NO.: MAS-22-108
NAME:
FIRST FLOOR PLAN
SHEET:
A101

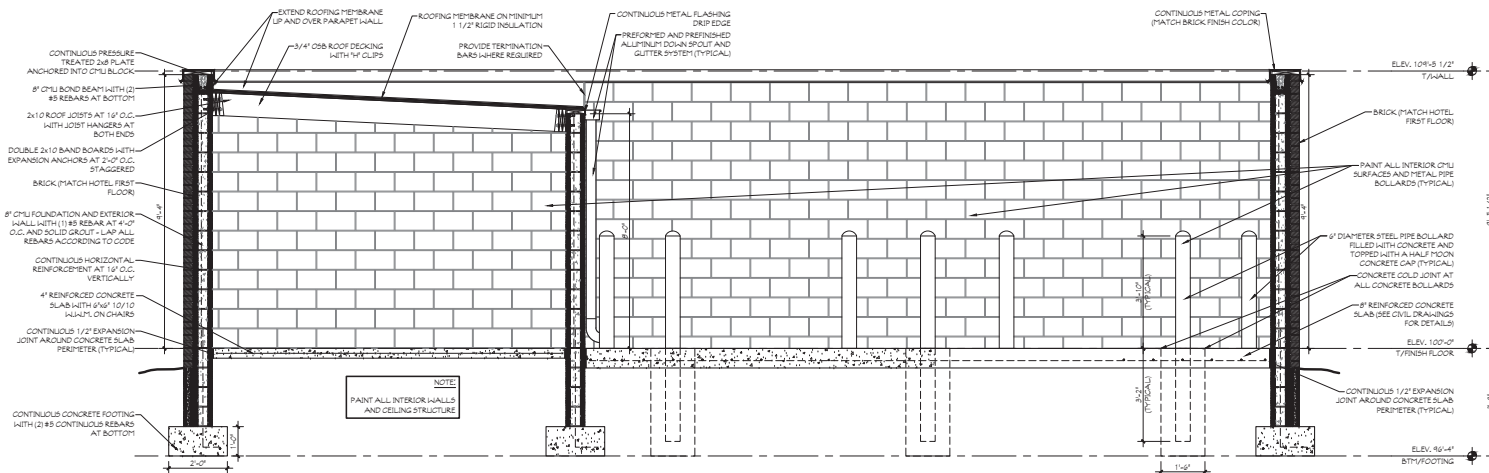


1 DUMPSTER PLAN
SCALE: 1/2" = 1'-0" (SEE SITE PLAN)

54



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



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

GENERAL NOTES

1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.

2. ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AVAILABLE.

3. ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AVAILABLE.

4. ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AVAILABLE.

5. ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AVAILABLE.

6. ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AVAILABLE.

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8. ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AVAILABLE.

9. ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AVAILABLE.

10. ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AVAILABLE.

MAIST ARCHITECTURAL
ARCHITECTS
CONSULTANTS
DIVISION OF
L.M. INC.
1100 N. W. 10TH AVE.
SUITE 100
MIAMI, FL 33136
PHONE (305) 537-4000
FAX (305) 537-4000
WWW.MAISTARCHITECTS.COM



HOLIDAY INN
EXPRESS

OXFORD, OHIO

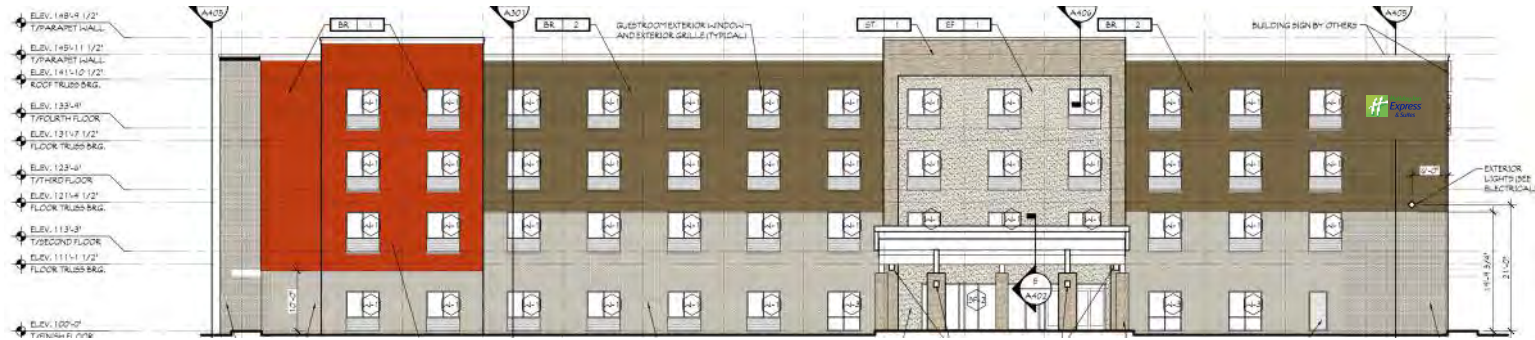
REVISIONS	DATE	BY	CHKD
1	1-6-22	MAIS-22-108	
2			
3			
4			
5			
6			
7			
8			
9			
10			

DATE: 1-6-22
JOB NO.: MAIS-22-108
NAME: DUMPSTER SECTION AND ELEVATION
SHEET: A409

1

EAST ELEVATION

SCALE: 1/32" = 1'-0"

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

PROPOSED:
3'-6 3/4" MONOGRAM W/ 10 1/2"
CHANNEL LETTERS LINEAR STACKED
BOXED AREA: 32.79 SQ FT

APPROVAL BOX - PLEASE INITIAL

CUSTOMER APPROVAL

Date

NOTE: Elevation drawings are for customer approval only, drawings are not to be used as any installation guide, all dimensions must be verified before installation.

Customer:
HOLIDAY INN EXPRESS & SUITES

Date:
05/18/22

Prepared By:
CTM

Note: Color output may not be exact when viewing or printing this drawing. All colors used are PMS or the closest CMYK equivalent. If these colors are incorrect, please provide the correct PMS match and a revision to this drawing will be made.

Location:
OXFORD, OH

File Name:
369131 - R1 - OXFORD, OH

055

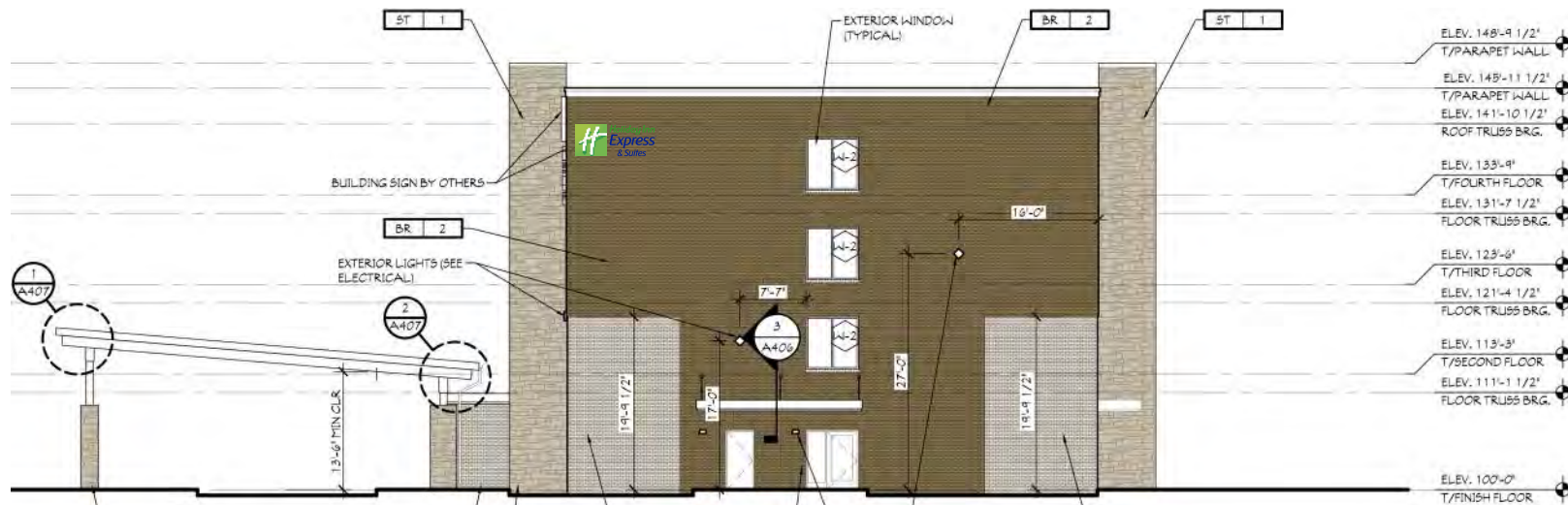
Eng:
-

persona
SIGNS | LIGHTING | IMAGE

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700 21st Street Southwest
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EAST ELEVATION

SCALE: 3/64" = 1'-0"

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

PROPOSED:
3'-6 3/4" MONOGRAM W/ 10 1/2"
CHANNEL LETTERS LINEAR STACKED
BOXED AREA: 32.79 SQ FT

APPROVAL BOX - PLEASE INITIAL

CUSTOMER APPROVAL

Date

NOTE: Elevation drawings are for customer approval only, drawings are not to be used as any installation guide, all dimensions must be verified before installation.

Customer:
HOLIDAY INN EXPRESS & SUITES

Date:
05/18/22

Prepared By:
CTM

Note: Color output may not be exact when viewing or printing this drawing. All colors used are PMS or the closest CMYK equivalent. If these colors are incorrect, please provide the correct PMS match and a revision to this drawing will be made.

Location:
OXFORD, OH

File Name:
369131 - R1 - OXFORD, OH

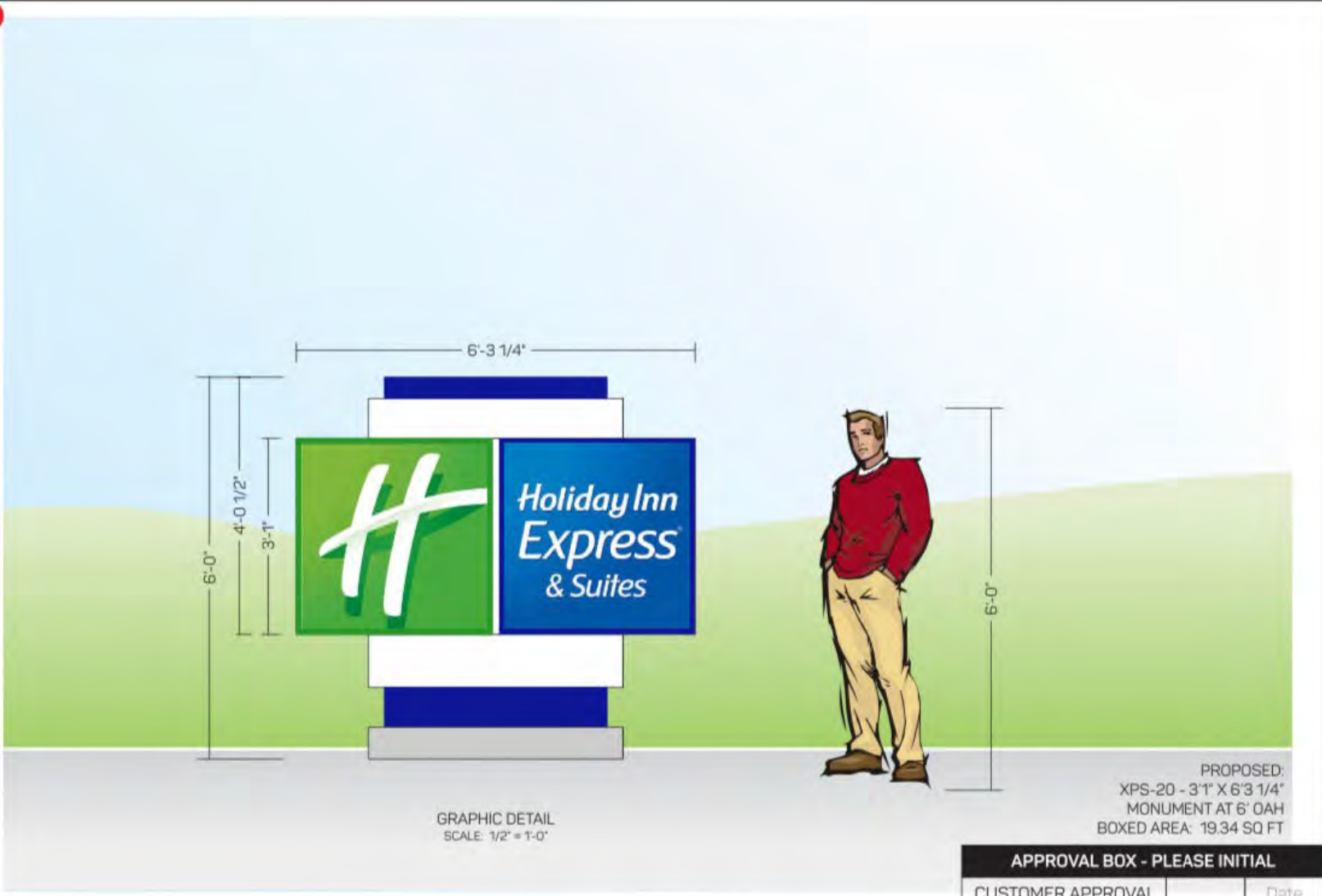
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3





MEMORANDUM
Community Development Department
513-524-5204

TO: Planning Commission

FROM: Sam Perry, AICP
Director

DATE: May 5, 2023

MEETING DATE: May 9, 2023

RE: **Annexation, Future Land Use and Zoning**
6.73 Acres total land area in 3 parcels:

525 North Campus Avenue – H3610026000034
5192 Morning Sun Road – H3610025000004
Morning Sun Road – H3510025000006

Introduction

Staff are initiating a discussion with Planning Commission to advise City Council on the matter of annexation, land use and zoning for a potential upcoming annexation petition of 6.73 Acres of land on the north side of the Oxford corporate limits. Once an Expedited Type II Annexation Petition is filed and the City is notified, the City must file statement of services to be provided within 20 days and may file legislation consenting or objecting to the petition within 25 days. (No petition has been filed). Since the City will require annexation in order to provide water and sanitary sewer services, the City Manager and I believe it is time to have a Planning Commission discussion.

Background

Butler County staff have been keeping City staff apprised of a potential hotel development that is being processed under Oxford Township Zoning, by Butler County staff. Staff have attended hearings and provided comments. The property has been rezoned to County B-3 and is now undergoing a Conditional Use review, scheduled for May 16 with the Butler County Board of Zoning Appeals. Through this process, the hotel developer, by its consultant, Architect Stephen Alexander, have learned that the only public water and sanitary sewer utilities available to the site are owned by the City of Oxford. The City of Oxford policy requires either annexation or an

annexation agreement in order connect to City of Oxford utilities. This utility policy has now re-directed the hotel developer to become interested in annexation.

Annexation

The recently adopted Oxford Tomorrow Comprehensive Plan recommends that careful attention is given to development proposals. **Goal E5-A1** states: “Consider the tax benefits and other residual economic benefits when reviewing development proposals”. It goes further to state that “Oxford should connect land use and fiscal policy for a sustainable and resilient future.” **Goal L4-A2** states: “Develop an annexation policy and adequate public facilities ordinance to ensure growth aligns with public goals.” It goes further to link the adequacy (or lack thereof) of public facilities to the merits of a particular annexation request. While a new policy has not been formulated, the intent is clear. A consideration of impact on public services should be considered when land is added to the City.

Based on the above goals in the plan, the Planning Commission should only consider an annexation in parallel with a land use discussion, not separate from a land use discussion. This is due to the fact that different land uses in different locations have different fiscal impacts on the community’s ability to provide services at a specific location at a sustained cost.

For the subject case, which has yet to be officially received, the request would be non-residential in nature, which would increase tax base, improving the fiscal health of the community. Residential annexation typically is a decrease in fiscal health because residential growth requires more public services than it provides funding for. Non-residential growth improves fiscal health because it creates opportunity for job creation. Non-utility Oxford public services (Fire, Police, Recreation, Zoning, Administration) are funded by general fund revenue from income taxes. A complete utility analysis has not been done, but there are water and sewer services abutting the site. These services are funded by user fees. It is unknown at this time, if additional capacity or extensions of utility mains would be required at all, and if so, if those would be at public cost, or developer cost.

Isn’t Oxford already big enough? Do we even want to grow? Why does the hotel have to go here? What happens if we do not permit the annexation? What will happen to the natural environment? These are all questions that the Planning Commission should be asking.

Land Use

The newly adopted Future Land Use Map (FLUM) intentionally did not recommend changes to most of the lands outside the corporate limits. The reason was that the plan recommended that a joint land use policy be formulated with surrounding jurisdictions (**Goal L4-A1**). This is why the FLUM lists the property as “Rural”. It does not mean that it is intended to stay that designation until the next major plan update. The plan can be revised at any time and should be revised to adapt to changing community needs. However, in this case, the plan was silent on the matter for this property. This means that the Commission can and should recommend a land use designation. It may or may not desire formal joint land use policy plan with surrounding jurisdictions, depending on the timing needs of the community and the property owner.

The abutting land use designations are “Campus” to the east and “Urban Mile Square Neighborhood” to the south. If the Commission was inclined to recommend a land use designation specific for a hotel use, it could recommend Employment Corridor. However, in this context, Employment Corridor would allow a Zoning Designation such as General Business, which is not consistent with the abutting land uses. Neighborhood Business would be a closer fit for a Zoning Designation but would not allow the type of square footage desired by the developer. In this case, staff does not see that Employment Corridor would be a best fit, nor in alignment with the recently adopted plan. Urban Mile Square Neighborhood would be the closest fit, but would not allow a Zoning district that would support a hotel. The best and safest fit for the Commission could potentially be “Campus.” The campus designation aligns best with larger institutional buildings, large open spaces and strong planning principles such as pedestrian and other types of connectivity. There has been recent interest from Miami University to have a hotel near this area in order to create a destination experience for visitors to the stadium complex. A “Campus” designation could potentially be paired with a Planned Development overlay, in an annexation agreement. A Planned Development overlay could further refine the expectations of the City in lieu of Zoning Code Modernization (**Goal L1-A3**).

If the City decides that non-residential land use is inappropriate for this location, it may be best to deny the annexation request. However, there could be some risk that the development could possibly happen under County development processes, which would leave very little involvement from the City and surrounding neighbors. This would only happen if the developer were able to develop private water and sewer or if connection to City utilities were somehow forced by legal or governmental action.

Zoning

The property is currently zoned B3 in Oxford Township. If the City agrees to annex the land without setting the City Zoning District, by Ohio Revised Code, the land will default to Oxford Township zoning. This would not be advisable because the guidance for expected development design would not be by Oxford Code. It is very important that City Council set the zoning at the time of annexation so that it does not default to Township zoning.

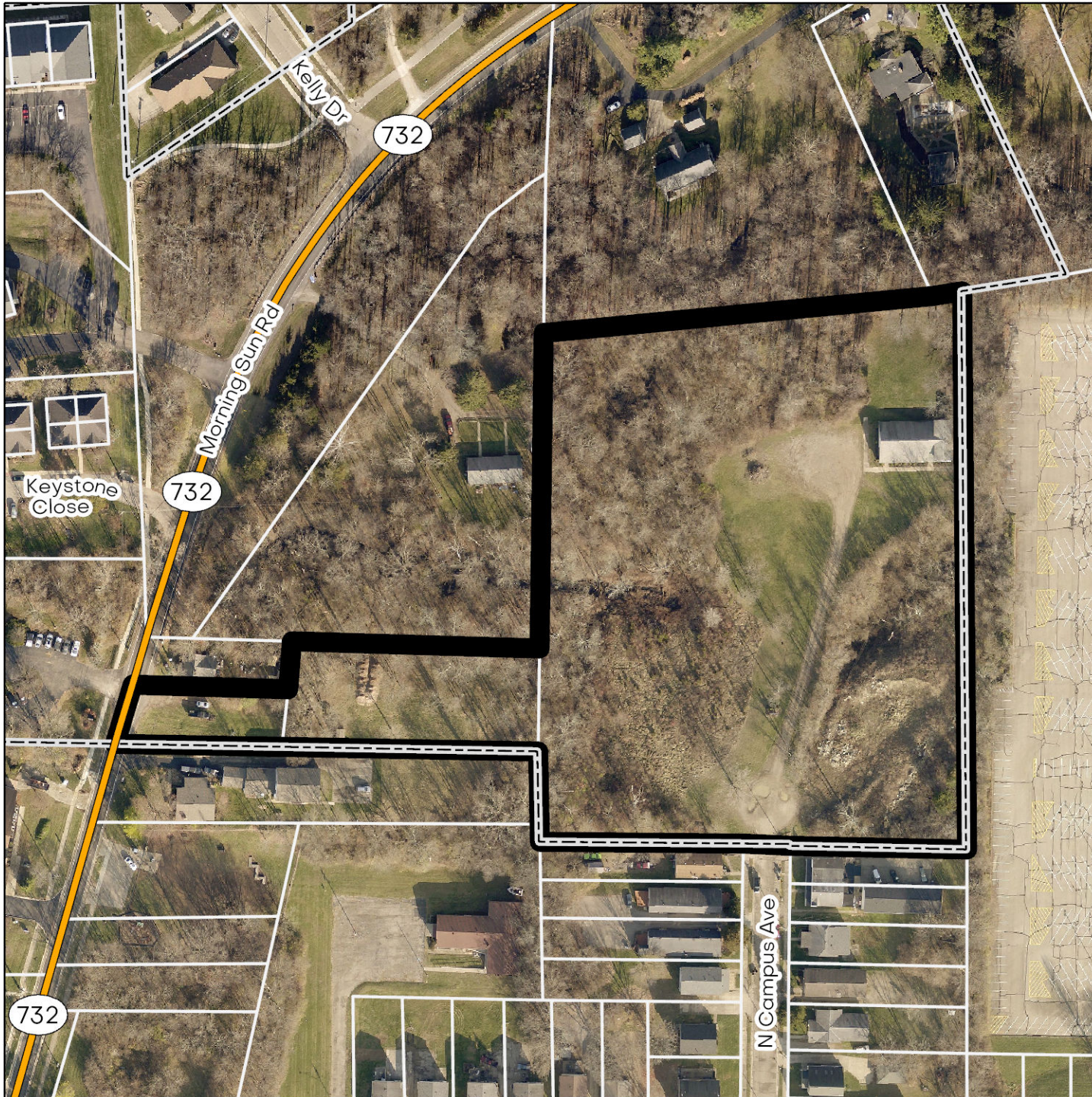
Site Design

Often with annexation requests when there is a site plan proposed, it becomes confusing to separate the processes. The site design comes much later in the process, after annexation and zoning. Although there is a desired site design prepared by Mr. Alexander, the design will likely change if and when the property becomes annexed by the City of Oxford. The site design is showing a driveway connection only to Morning Sun Road, which has not yet been approved by Ohio Department of Transportation (ODOT). It is possible that ODOT may not permit this connection because North Campus Avenue is an abutting local street. There are many other factors to consider that could be advantageous to the City and the surrounding neighbors if the property were annexed into the City, versus being developed in the township:

- Roadway and sidewalk connectivity

- Green space preservation
- Architectural design elements
- Lighting controls
- Fire protection codes for site design
- Police Division commentary
- City Engineer commentary – traffic, utilities, streets
- Building setbacks, noise mitigation and screening

Staff recommends annexation to City Council, along with a discussion of the merits of the various FLUM designations that are outlined in the Oxford Tomorrow Plan. This may be an opportunity to capture a small economic development improvement for the community and the university, while also potentially improving upon a site design that otherwise would have had little influence by the City of Oxford.



525 N Campus Ave Property Exhibit

Aerial Imagery

-  Subject Site
-  Parcels (Butler Co Auditor)
-  US/State Highways
-  Oxford Corporate Limits

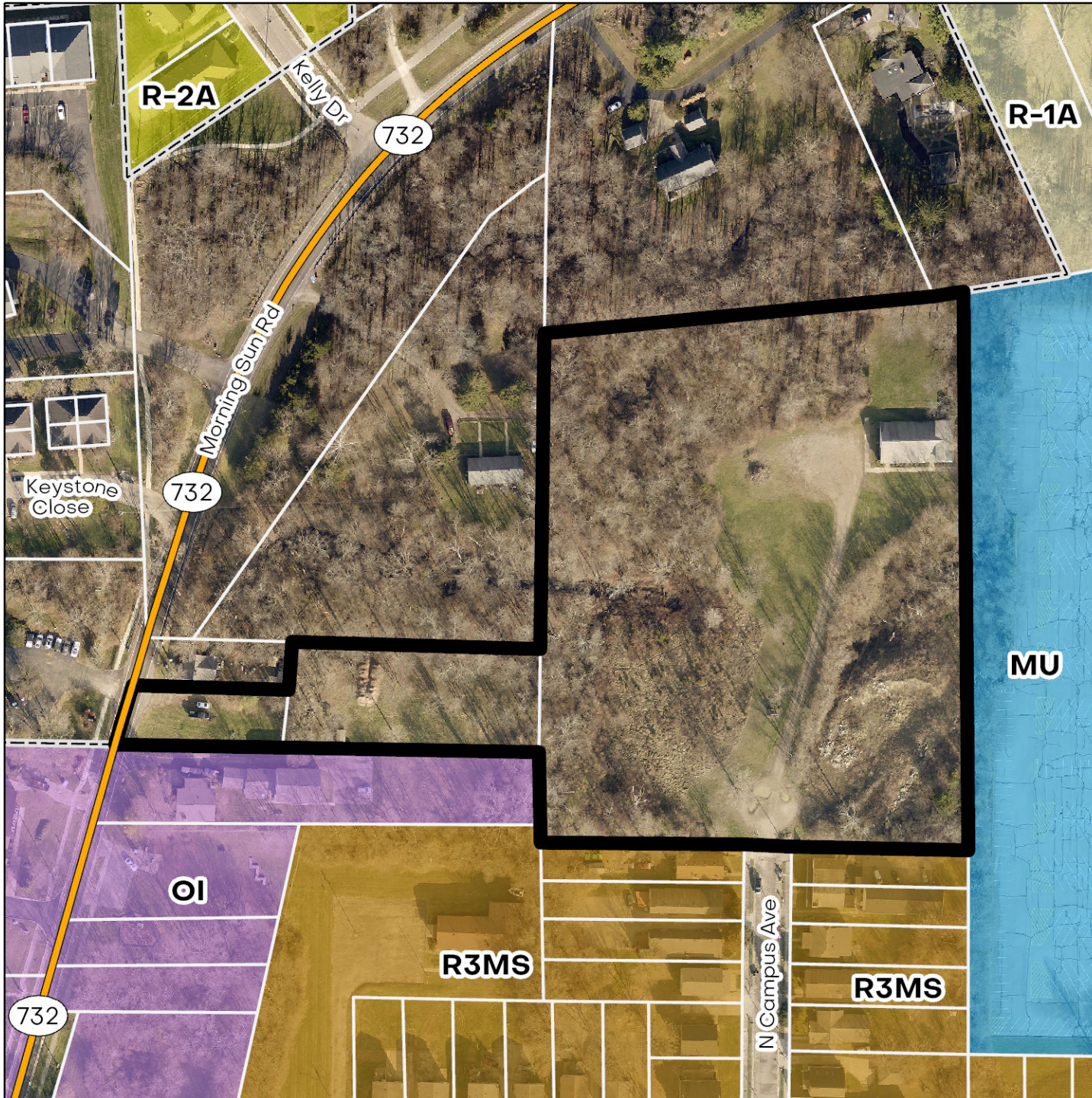
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 Feet

Date: 5/4/2023



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525 N Campus Ave Property Exhibit

City Zoning Districts

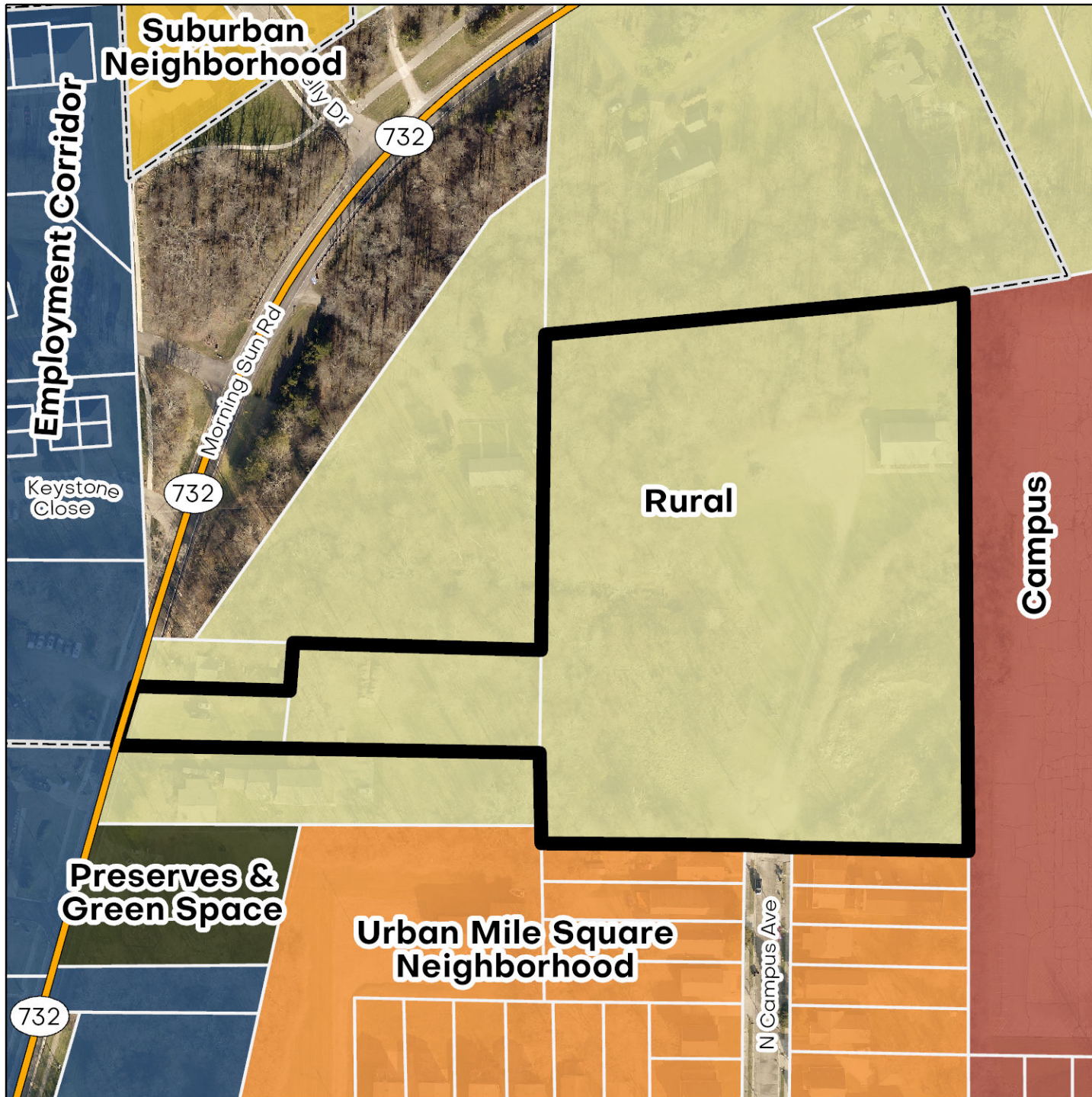
-  Subject Site
-  Parcels (Butler Co Auditor)
-  US/State Highways
-  Oxford Corporate Limits

200
 Feet

Date: 5/4/2023



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.



525 N Campus Ave Property Exhibit

Future Land Use

-  Subject Site
-  Parcels (Butler Co Auditor)
-  US/State Highways
-  Oxford Corporate Limits

200
 Feet

Date: 5/4/2023



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April 13, 2023

Michael B. Dreisbach

Director of Public Services
15 S. College Ave.
Oxford, OH 45056

RE: Written Service Request – WATER AND SEWER SERVICE

Dear Mr. Dreisbach,

On behalf of the owner/developer (OXFORD HOTEL GROUP LLC) of the proposed FAIRFIELD HOTEL BY MARRIOTT (North Campus Hotel) on a parcel at the northern terminus of Campus Avenue (as shown in the attached Site Development Plan), we are hereby requesting permission for connection to the Water and Sewer lines at said terminus of Campus Ave.

We understand that the subject parcel is located outside Oxford corporation limits and must follow the requirements of City of Oxford Codified Ordinance 921.39, Extension of Water Line Outside City Limits and Sale of Water for Use Outside City Limits, and also 923.39 Property Located Outside City for sanitary sewer. We will agree to not oppose annexation at some point in the future.

However, interestingly, the mains for water and sewer do not require extensions, per se. They are already to our property line and only require connection service.

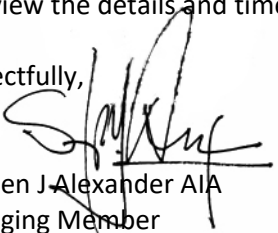
Our expected demand loads are as follows for our 92 room hotel, no restaurant or bar, no swimming pool:

1. Domestic Water (180 gpc x 92) __13,800 gpd max_at 100% occupancy__
2. Sanitary Sewer __same__
3. Fire service __6" dia water line 35 psi min.__

Our Civil Engineer is Bayer and Becker

Thank you for your assistance in this matter. If necessary we can attend a meeting in person or on-line to review the details and timeline.

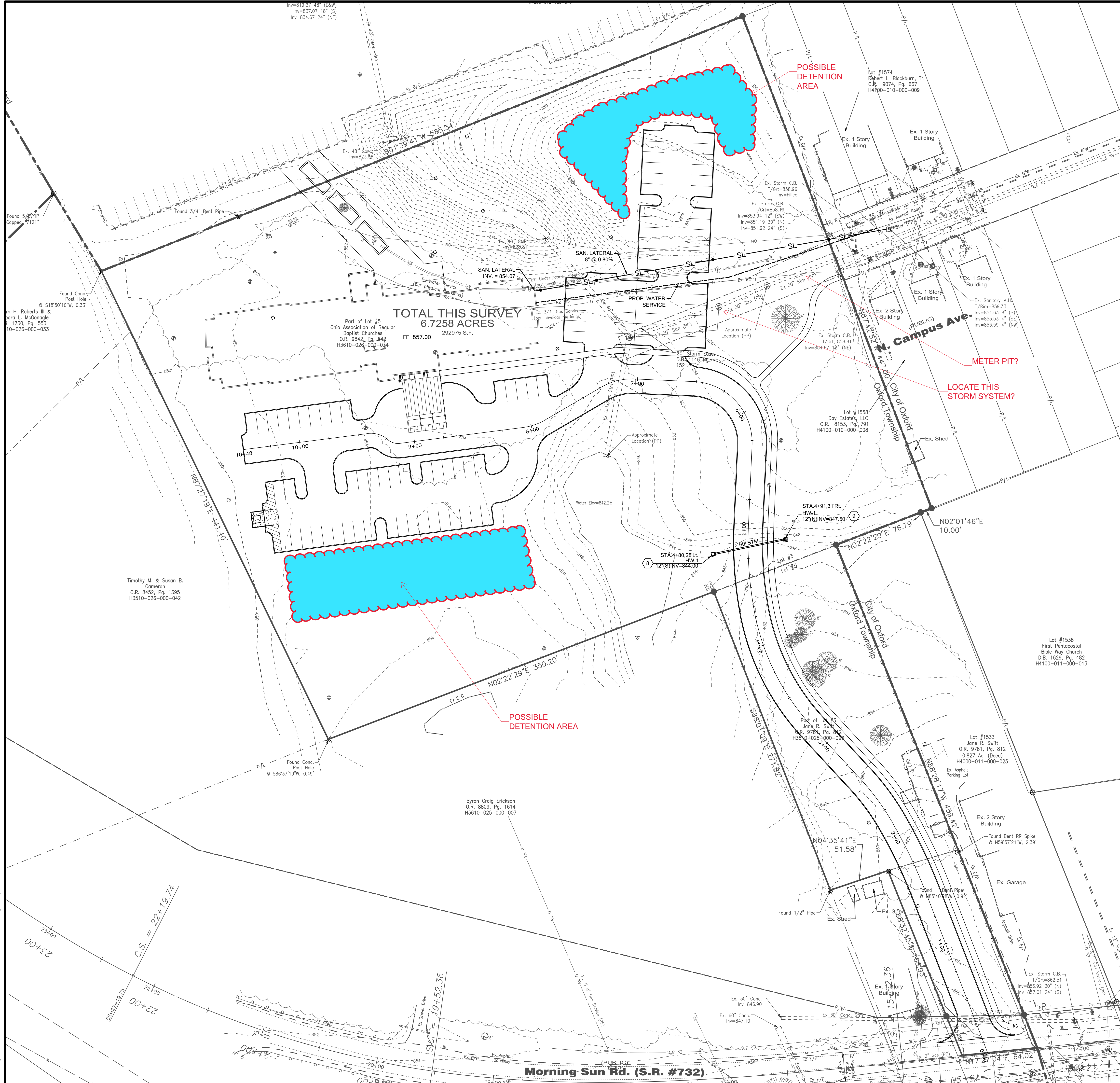
Respectfully,


Stephen J. Alexander AIA
Managing Member

Cc:

Neal Burnett, Paul Page, Tony Page, Oxford Hotel Group LLC
Etta Reed, Mark Rosenberger, Bayer Becker
Scott Otto, PE City Engineer

\\\\TS1400DF62\\share\\A Projects\\Oxford Fairfield\\ADMIN\\Permits\\utilities\\FAIRFIELD hotel utilities service request letter.docx



UTILITY NOTES:

- THE LOCATION OF THE UNDERGROUND UTILITIES SHOWN ON THE PLAN HAVE BEEN OBTAINED BY FIELD CHECKS AND SEARCHES OF AVAILABLE RECORDS AND DO NOT NECESSARILY REPRESENT ALL UNDERGROUND UTILITIES ADJACENT TO OR UPON THE PREMISES. THE ENGINEER DOES NOT GUARANTEE THEIR ACCURACY OR COMPLETENESS. THE CONTRACTOR SHALL VERIFY LOCATIONS WITH UTILITY COMPANIES BEFORE MAKING EXCAVATIONS. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR VERIFYING ALL EXISTING UTILITY LOCATIONS WHETHER SHOWN ON THESE PLANS OR NOT.
- CONTRACTOR SHALL VERIFY LOCATION & DEPTH OF EXISTING UTILITIES PRIOR TO COMMENCEMENT OF CONSTRUCTION OF PROPOSED UTILITIES.
- SIZE OF WATER SERVICE, FIRE PROTECTION LINE, AND METER PIT DIMENSIONS, PER BOONE COUNTY WATER DISTRICT STANDARDS AND SPECIFICATIONS.
- CONTRACTOR SHALL COORDINATE WATER SERVICE CONNECTION WITH THE LOCAL WATER DISTRICT. UNLESS OTHERWISE SPECIFIED, A MINIMUM OF 3'-0" COVER SHALL BE MAINTAINED ON ALL WATER & SERVICE LINES.
- MECHANICAL ENGINEER / PLUMBING CONTRACTOR SHALL VERIFY SIZE OF SEWER AND WATER SERVICES FOR LOCAL CONDITIONS AND REQUIREMENTS.
- STORM & SANITARY BUILDING SEWERS AND TAPS SHALL BE IN ACCORDANCE WITH THE SANITATION DISTRICT #1 REQUIREMENTS AND THE KENTUCKY PLUMBING CODE.
- STORM SEWER WITHIN THE RIGHT-OF-WAY OR WITHIN DEDICATED EASEMENT SHALL CONFORM TO BOONE COUNTY SUBDIVISION REGULATION STANDARDS.
- GAS & ELECTRIC SERVICE SHALL BE COORDINATED WITH THE LOCAL UTILITY COMPANY & MECHANICAL ENGINEER.
- SEE ELECTRICAL PLAN FOR ALL CONDUITS & LIGHT POLE LOCATIONS.
- ALL UTILITY STRUCTURES & CLEANOUTS LOCATED IN PAVEMENT AREAS SHALL HAVE TRAFFIC BEARING GRATES, LIDS AND FRAMES.
- UTILITY CROSSINGS SHALL BE PER THE UTILITY PROVIDERS SPECIFICATIONS WITH THE MORE STRINGENT REQUIREMENTS GOVERNING.
- PROVIDE GRANULAR CLASS B PIPE BEDDING THROUGHOUT. BACKFILL ALL TRENCHES UNDER SLABS, WALKS, AND PAVED AREAS WITH BANK RUN GRAVEL. ALL EXCAVATING AND BACKFILLING IS BY INDIVIDUAL CONTRACTORS (PLUMBING, ELECTRICAL, ETC.).
- COMPACTED FILLS ARE TO BE MADE TO A MINIMUM OF THREE (3) FEET ABOVE THE CROWN OF ANY PROPOSED SEWER PRIOR TO CUTTING OF TRENCHES FOR PLACEMENT OF SAID SEWERS. ALL FILLS SHALL BE CONTROLLED, COMPACTED AND INSPECTED BY AN APPROVED TESTING LABORATORY OR AN INSPECTOR FROM THE APPROPRIATE GOVERNMENTAL AGENCY. A COPY OF THESE TESTING REPORTS SHALL BE SUBMITTED TO THE METROPOLITAN SEWER DISTRICT AND THE ENGINEER'S OFFICE.
- EACH UTILITY CONTRACTOR IS TO ADJUST ANY UTILITY ELEMENT INTENDED TO BE FLUSH WITH GRADE (CLEANOUTS, MANHOLES, CATCH BASINS, INLETS, ETC.) THAT IS AFFECTED BY SITE WORK OR GRADE CHANGES, WHETHER SPECIFICALLY NOTED ON PLANS OR NOT.
- CONTRACTOR SHALL STORE CONSTRUCTION MATERIALS IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS TO PREVENT DELETERIOUS MATERIALS FROM BECOMING AFFIXED OR DETERIORATION FROM SUN EXPOSURE.
- STM SHOWN ON PLAN REFERS TO ALUMINIZED STEEL TYPE II ULTRA-FLO PIPE, POLYVINYL CHLORIDE PIPE (PVC) OR HIGH DENSITY POLYETHYLENE SMOOTH LINED PIPE (HDPE) MEETING THE MANUFACTURERS SPECIFICATIONS BASED ON COVER AND SURCHARGE.
- ALUMINIZED STEEL TYPE II ULTRA-FLO PIPE (N=0.013 OR LESS) SHALL BE PER THE MANUFACTURERS SPECIFICATIONS FOR GAGE BASED ON COVER AND SURCHARGE.
- PVC PIPE SHALL BE TYPE "B" CONDUIT ASTM F 949, ASTM F 794 OR AASHTO M 304, MEETING THE MANUFACTURERS SPECIFICATIONS FOR WALL THICKNESS BASED ON COVER AND SURCHARGE.
- CASP SHOWN ON PLAN SHALL BE CORRUGATED ALUMINIZED STEEL TYPE II PIPE (N=0.024), MEETING THE MANUFACTURERS SPECIFICATIONS FOR GAGE BASED ON COVER AND SURCHARGE.
- HIGH DENSITY POLYETHYLENE PIPE (HDPE) SHALL BE CORRUGATED SMOOTH LINED PIPE, ASTM M 294 TYPE S OR SP MEETING THE MANUFACTURERS SPECIFICATIONS FOR WALL THICKNESS BASED ON COVER AND SURCHARGE.
- CONTRACTOR TO CONFIRM AND MAINTAIN ALL EXISTING BUILDING DOWNSPOUTS.
- CONTRACTOR TO ADJUST ALL EXISTING UTILITIES TO GRADE (MANHOLES, VALVES, PULL BOXES, ETC.)
- ALL STRUCTURES NOTED TO BE ADJUSTED TO GRADE SHALL MEET SD1 SPECIFICATIONS (INCLUDING SECTION 3.2.7). IF STRUCTURES ARE INSTALLED ON SLOPES AND AN ADJUSTMENT IS NEEDED TO MATCH THE SLOPE/GRADE, CAST-IN-PLACE CONCRETE SHALL BE PLACED AND FORMED TO CONSTRUCT THE SLOPE NEEDED BETWEEN THE PRECAST SECTION AND THE TOP SLAB. BRICKS, BLOCKS, ETC. GROUTED IN PLACE TO CONSTRUCT THE SLOPE WILL NOT BE PERMITTED.
- SEWER AS SHOWN TO BE PRIVATELY OWNED & MAINTAINED UNLESS NOTED AS "PUBLIC" WITH ASSOCIATED PROPOSED STORM SEWER EASEMENTS SHOWN.
- FLOW LINES OF EXISTING STRUCTURES WITH PIPES TO BE ABANDONED SHALL BE RECONSTRUCTED TO PLUG & SEAL THE ABANDONED PIPE OPENING AND CONSTRUCT BENCH (MATCHING EXISTING BENCH) IN PLACE OF ABANDONED PIPE OPENING.

PROPOSED STORM SEWER LEGEND

- | | |
|---|---|
| DuroMaxx = STEEL REINFORCED THERMOPLASTIC RIBBED PIPE per ODOT SS938. (n=0.012) | HDPE = HIGH DENSITY POLYETHYLENE PIPE (HDPE) CORRUGATED SMOOTH LINED PIPE, ODOT TYPE B CONDUIT. (n=0.012 OR LESS) |
| RCP = REINFORCED CONCRETE PIPE, CLASS IV (n=0.012 OR LESS) | ULTRA = ALUMINIZED STEEL TYPE II ULTRA-FLO PIPE. (n=0.012 OR LESS) |
| PVC = POLYVINYL CHLORIDE TYPE B PIPE. (n=0.009 OR LESS) | STM = HDPE or PVC or ULTRA-FLO PIPE. (n=0.012 OR LESS) |
| ADS="ADVANCED DRAINAGE SYSTEMS" OR APPROVED EQUAL. | ALL MATERIALS SHALL MEET MANUFACTURERS SPECIFICATIONS FOR WALL THICKNESS (GAGE) BASED ON COVER AND SURCHARGE. |

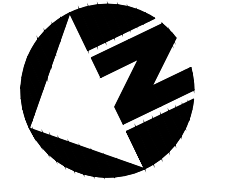
UTILITY PLAN LEGEND

- | | |
|------|---------------------------|
| —●— | EXISTING SANITARY SEWER |
| —○— | EXISTING TELEPHONE |
| —x— | EXISTING WATER MAIN |
| —+— | EXISTING GAS MAIN |
| — | EXISTING E/P |
| —■— | PROPOSED STORM SEWER |
| —SL— | PROPOSED SANITARY LATERAL |
| —CO— | PROPOSED CLEANOUT |
| —WS— | PROPOSED WATER SERVICE |
| —GS— | PROPOSED GAS SERVICE |
| —UE— | PROPOSED ELECTRIC SERVICE |
| —UT— | PROPOSED TELEPHONE |



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State Plane NAD83 (2011)
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SCALE: 1" = 40'

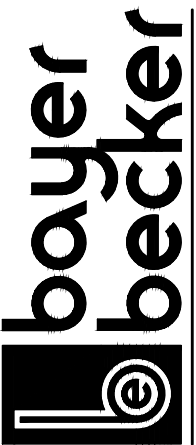
Revision Description

Item

FAIRFIELD BY
MARRIOTT - OXFORD

5186 MORNING SUN ROAD
OXFORD TOWNSHIP
BUTLER COUNTY, OHIO

UTILITY PLAN



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

Drawing: 22-0261 CD

Drawn by:

Checked By:

Issue Date:

Sheet:

C4.0



MEMORANDUM
Community Development Department
513-524-5204

TO: Planning Commission

FROM: Sam Perry, AICP
Director

DATE: May 5, 2023

MEETING DATE: May 9, 2023

RE: **Zoning Code Amendments**

Per the recently adopted Oxford Tomorrow Plan, goal L1-A3, states that a Zoning Code Modernization should be done. It has been 20 years since a major overhaul has been completed. This process could take several months or more. There may be some smaller amendments that should be done in order to address more urgent issues. For example, there are some procedural deadlines that have been problematic for developers to comply with. One is the 6-month expiration of a variance from the Board of Zoning Appeals.

Commission members may recall a work session in April 2022 where some “Issues and Opportunities” were discussed. Attached is the 2022 memo from City Planner Zachary Moore. If meeting time allows, the Commission can provide general direction to staff on these matters. Staff can also provide an update on the status of the Zoning Code Modernization.



MEMORANDUM
Community Development Department
513-524-5204

TO: Oxford Planning Commission

FROM: Zachary Moore, AICP
Planner

DATE: April 5, 2022

RE: Oxford Planning & Zoning Code – Issues and Opportunities

INTRODUCTION

The following memo outlines ongoing difficulties or issues staff is aware of related to the Oxford Planning & Zoning Code, formally referred to as Part Eleven of the Oxford Codified Ordinances. Part Eleven is divided between Title One which contains the Oxford **Subdivision Regulations** and Title Three which contains the Oxford **Zoning Code**.

The Subdivision Regulations regulate various forms of division and consolidation of land/parcels, and also address design-related requirements when new public infrastructure is involved with a project (e.g. construction of new public streets and utilities). The Zoning Code on the other hand primarily controls the use, form and density of the built environment by defining different zoning districts, while also regulating site-related development characteristics including landscaping, lighting, and signage.

Topics in the next section are ranked according to how staff sees their urgency. Potential amendments which are seen as needing to be urgently addressed are identified as being a **Critical Priority**. The urgency level diminishes with subsequent **High**, **Moderate**, and **Low Priority** categories.

In addition to Priority rankings, staff has also developed a matrix for scoring the level of prior education, engagement and/or outreach necessary prior to initiating possible amendments to the Code. The **Prior Engagement Scoring Matrix** table on the next page describes the three different numerical categories, ranging from 1 to 3. A score of 1 indicates subjects where preliminary engagement is not essential, while a score of 3 highlights those deserving of more substantial engagement and outreach prior to entertaining formal amendment proceedings.

The purpose of the Work Session is for the Planning Commission to review these topics and offer thoughts on whether items should be re-categorized in terms of Priority and/or Engagement. Planning Commission members may also suggest new topics to add to the list for consideration.

PRIOR ENGAGEMENT SCORING MATRIX	
SCORE	DESCRIPTION
1	Not essential for engagement prior to initiating text amendments
2	Prior engagement of the general public, City Council, and/or other City staff could lend some assistance before amendments are initiated.
3	Prior education and engagement of the general public, City Council, and/or other City staff are essential before initiating amendments.

TABLE OF PLANNING AND ZONING CODE ISSUES BY TOPIC

The tables found on the next few pages outline some of the specific Zoning Code issues known to staff at this time. This is not intended to be an exhaustive list of every possible issue or Code amendment to explore.

TOPIC	Priority	Prior Engagement	Code Sections
Development on Alley Lots and to Rear of Existing Houses	Critical	3	1137.05(a); 1141.03(a)-(b); Ch. 1143
Development pressures tend to be the strongest in the Mile Square area of Oxford, particularly for those properties closest to the Miami campus. Much of the historic core of the City has already been developed, leaving very little in terms of vacant lots or leftover land for new development. There are generally two options for developing a small Mile Square lot: (1) tear down and rebuild; or (2) additions to existing buildings. The downside of Option (1) tends to be the loss of historic fabric, as older structures are replaced with new ones. While tear downs can erode the historic character of Oxford, an upside is that many structures which do not meet current life safety requirements are being upgraded to meet the latest standards, and thus tenants are better protected in the event of an emergency. Option (2), on the other hand, allows for historic fabric to remain largely in-tact while also accommodating additional demand and density in a way that also is built to current life safety standards, at least for the new portions being built. Dwelling unit additions are required by the Oxford Zoning Code to take on a character similar to the original principal buildings, having a similar bulk/scale and exterior siding and trim materials. However, it can be a challenge for applicants, owners or property managers to find potential opportunities to pursue additions while also complying with Code standards. Side yard setbacks between developed Mile Square properties tend to be narrow and do not allow sufficient room for additions, thus usually making the rear of properties the simplest and most logical place to build. When present, the existence of alleys usually assists the ability to develop toward the rear of existing buildings because off-street parking requirements can be more easily met.			

Notable Code standards related to developing on alley lots (parcels that do not border a public street): • The lot must be pre-existing with at least 3,000 sq ft of area and 33 feet of frontage. A brand new lot of this size cannot be created. Consolidation of pre-existing alley parcels to create a “buildable” site requires approval by either the Planning Chair or Commission. • Past/current practice is to apply setback requirements <i>as if</i> the lot was bordering a street. A lot at the corner of two alleys would therefore have 2 front yards and 2 side yards, whereas a lot with only one side (the “front”) bordering an alley would involve 1 front yard, 2 side yards, and 1 rear yard. • When a rear yard setback (usually 35 feet minimum) is involved, the buildable area for a structure can be significantly reduced resulting in some rather oddly-shaped building proposals, which without respect to Zoning probably would not otherwise be shaped the way they are. Notable Code standards related to developing additions to existing buildings on standard lots (parcels which share a border with a public street): • Entrances to all units must be “upon” the street. There is no further language in the Code clarifying exactly what constitutes a door that is “upon” the street. This is a fair degree of precedent dealing with interpretation of this. • Each zoning district has minimum lot width and lot area requirements, by land use. Changing the land use by adding an extra unit is sometimes prohibited by the fact that the lot is too narrow or too small per Code. • Complying with maximum lot coverage can also pose an issue in making projects happen.			
Lot Split/Consolidation Regulations	Critical	1	1101.6
The Planning Commission has recently encountered requests to either split a lot, or consolidate lots together, for the ultimate purpose of enabling future development. These actions are also known as “minor subdivisions.” The Subdivision Regulations currently state that the Zoning Administrator and Planning Commission Chair can administratively approve such actions if the proposal meets ALL of 7 specific “conditions.” It has been past practice for the Community Development Director to serve in the role of Zoning Administrator in these situations. If the Chair and Director do not agree the request meets the conditions, the matter may be referred to the Planning Commission for a decision. The Code further enables the Commission to require dedication of right-of-way in accordance with the Thoroughfare Plan as a condition of approval, if warranted. Staff is of the opinion this section of the Subdivision Regulations needs to be strengthened, to define more appropriate review criteria and also to clarify the degree the Ohio Revised Code applies when considering minor subdivisions at a municipal level. The City may want to retain a separate consultant and/or legal services on this subject.			

Procedural Considerations	Critical	1	<u>Subtopic 1:</u> 1129.02(a); 1139.02(e)(2) <u>Subtopic 2:</u> Chapter 1129
There are two main subtopics related to procedural considerations: 1. The Zoning Code specifies that Building Permits, once approved, <i>expire and may be revoked if work has not begun within six months after issuance</i> (...). This differs from the expiration period per the Building Code, which is 12 months. The actual expiration date per Building Code can still vary depending on if work begins or resumes at certain points in time. Staff would like to amend the Code to make the timelines consistent with one another. In addition, the Code also specifies that Variances approved by the Board of Zoning Appeals are only valid for 6 months, and during this period a Permit must be obtained and work begun. This timeline is often difficult for applicants to meet, thus requiring additional staff and board time to process extension requests, which have tended to be “ceremonial” in nature. Staff believes Variance expiration should be increased to 1 year, and within this timeframe a Permit must be obtained. Reference to the commencement of work within the time period need not be mentioned in this part of the Code, as this aspect is tied directly to any Building Permit regardless of whether a Variance was involved or not. 2. Chapter 1129 includes a number of procedural provisions dictating the processing of Permits (i.e. “Zoning Certificates” per the Code’s precise terminology), Administrative Appeals, hearing notifications, violations/penalties, and many other things. The entire section deserves a closer look to confirm textual provisions are consistent with current practice. Some current practices may also deserve tweaking and thereby necessitate changes to code. One element in need of significant revising is the “Certificate of Code Compliance” requirement as spelled out in Section 1129.04. Previously, the Community Development Director and Service Director would both sign a physical document (Certificate) once a project had passed all inspections and was officially “closed out.” The Certificate itself essentially expressed that the project was found to be compliant with all relevant codes at the time of inspections. This procedural step is no longer exercised. The current practice is as follows – once all inspections have passed, the Permit is officially closed and any Certificate of Occupancy that would have been generated following Final Building inspection is transmitted to the applicant.			
Affordable Housing	High	3	1145.01(a)(1)(C)
The Housing Advisory Commission has been exploring possibilities in terms of defining affordable housing requirements and/or incentives in the Zoning Code, such as “set-asides” and possibly alternative in-lieu fees. There are multiple ways that such standards could be defined. The community which is closest distance-wise – and which is also most comparable in terms of population/size to Oxford – and has such housing provisions (at least that City staff is aware of) is Bloomington, Indiana. It just so happens Bloomington is also a college town, though much larger in terms of population (approx. 84,000). Bloomington could potentially serve as a model if Oxford were to pursue housing requirements and/or an affordable housing program. To develop a program where housing inventory, property, or funding are directly managed, likely a separate non-profit or similar organization would either need to be established, or an existing entity contracted to fulfill such a purpose. One possibility is for the HAC to “spin-off” from the City board/commission umbrella and			

become its own separate entity charged with pursuing housing-related endeavors. Such efforts, no matter what, could include some degree of Code changes at the City level which may be somewhat tethered to activities conducted by the housing organization should one be created. Staff would be supportive of an incentive program so long as an authority is properly established for enforcement of corresponding rents and affordability periods. A Community Land Trust (CLT) is another potential model to explore. At this point, the only mention in the Zoning Code addressing this subject is within the purpose statements for a Planned Development per Section 1145.01(a)(1)(c); there are no mandatory requirements or specific incentives spelled out.			
Sequencing of Steps – Subdivisions & Planned Developments	High	2	1101.4
Planning and engineering firm Bayer Becker has formally submitted a Code change request on behalf of Todd Homes LLC. Their request relates to the sequencing of steps related to development of a subdivision, which may sometimes also be a Planned Development. A “by-right” subdivision – one that does not follow the Planned Development process – normally entails three main steps: (1) Preliminary Subdivision; (2) Construction Drawings; and (3) Final Plat. When the Planned Development process is followed, those steps are entangled with the subdivision steps as follows: (1) Preliminary Subdivision/PD; (2) Final PD; (3) Construction Drawings; and (4) Final Plat. Most recently for the Owl’s Landing project, applications for the Final PD and Construction Drawings were submitted at the exact same time. Construction Drawings contain precise details related to public infrastructure to be constructed, including streets, sidewalks, utility lines, and storm drains. These drawings are approved administratively by staff, and are a prerequisite to submitting for Final Plat approval and recording. Bayer Becker, on behalf of Todd Homes LLC, is requesting the Subdivision Regulations be amended to allow infrastructure-related construction to commence immediately following approval of the Construction Drawings, but prior to recording (and possibly also Council approval) of a Final Plat. Staff’s position thus far is that a Final PD, when involved, be first approved prior to approving any corresponding Construction Drawings. Bayer Becker cites that other communities in the region do not require posting of a performance bond and recording of the plat prior to the start of construction. The author of this report can note this is accurate as it relates to how Warren County, Ohio processes plats; any construction which occurs prior to plat approval is considered “at the developer’s own risk.”			
Maximum Front Yard Setback	High	2	1143.07(c); Ch. 1159
All residential zoning districts contain minimum front yard setback standards. However, R3MS is the lone district in Oxford that actually contains a <i>maximum</i> front yard setback standard (25 feet). This standard was adopted as part of a package of amendments in 2017, at the same time certain areas of the Mile Square were being rezoned to increase density close to campus. However, this type of standard didn’t seem to make it into any other zoning district, including the other two ‘MS’ districts (R-1MS and R-2MS). In addition, the definitions found in Chapter 1159 are written to support the interpretation of the usual <i>minimum</i> setbacks, thereby offering little guidance in terms of how to apply maximum setbacks. It might be best to create some graphics to visually illustrate how setbacks are to			

be measured. The Commission may also want to explore adopting maximum front yard setback standards for the other two MS districts.			
Residential Off-Street Parking – Dimensions & Maneuverability	High	1	1149.04(a); Tables 1149.04-1 & 1149.04-2; 1149.06(c)(6)
The Parking Chapter of the Zoning Code was recently amended in January 2021. Among other things, the amendments sought to clarify the interpretation and application of standards related to residential parking areas. The Code specifies minimum dimensional standards for multi-family and commercial parking lots, including such provisions as a minimum aisle width of 24 feet when parking spaces are angled at 90 degrees. The 2021 amendment sought to achieve flexibility in applying such standards to “small residential parking lot” situations. These would be lots or parking areas usually located to the rear of existing single-, two-, or three-family dwellings. When an alley is not present, this usually necessitates a small curb cut off the public street be installed to access these areas, and they can be “tighter” than normal large-scale parking lots. The new standard simply reads that optimal maneuverability should be achieved to the point where vehicles aren’t driving over non-paved areas, and that the dimensional provisions only serve as guidance. Ultimately, this new standard is a more of a subjective one as opposed to being objective. Staff’s opinion is the Code should be tweaked again to provide objective standards that provide clear direction for small residential parking lots, which may not necessarily be held to the same standards as larger-scaled commercial parking lots.			
Porch Roof Pitch	High	1	1143.03(d)(5); 1143.05(d)(5); 1143.07(d)(5)
The Mile Square Design Standards require the main roofs of buildings be steep, with a minimum pitch ratio of 6/12. Porch roofs are allowed to be slightly reduced in steepness, to a pitch ratio of 4/12. Staff’s opinion is that the minimum porch roof pitch standard is somewhat arbitrary and doesn’t always achieve the best design for the architectural style intended for the future structure. Many historical homes in Oxford possess flat roofs over their porches, while having a steeper roof for the main structure. Staff recommends the minimum 4/12 pitch standard for porches be eliminated, or merely changed to a suggestion.			
Residential Off-Street Parking – Space Minimums	Moderate	3	1149.05(a); Table 1149.05-1
The minimum number of off-street parking spaces required for residential land uses has remained relatively the same for a while. Most recently, three-family residential uses were reduced from a minimum of 2.5 spaces per unit (8 total) down to 2 spaces per unit (6 total). The Commission may want to discuss whether these standards are still found to be adequate, or whether the City should explore further relaxing the standards in certain areas to further encourage alternate modes of travel.			
Accessory Dwelling Units	Moderate	3	1141.03(b) 1143.07(b)(2); 1143.07(d)(16)
The only district that currently allows accessory dwelling units (ADUs) is R3MS, but Conditional Use approval is required. The Code limits ADUs to stand-alone (detached)			

structures only, unless it is above a garage. ADUs which are additions to an existing principal structure, basement remodels, or attached garage <i>conversions</i> are prohibited. The Code also further limits the total number of units on a single lot to be no more than three, inclusive of any ADU. The ADU provisions were adopted as part of the 2017 Code amendment package, with the goal of increasing density close to campus. Opening up potential for use of ADUs as a tool for generating affordable housing stock may have been a secondary consideration at the time. Since these new standards were adopted, only one Conditional Use application for an ADU has been submitted (for 303 N Main, located behind 305 N Main). One challenge has been how to reconcile the Code’s principal entrance requirement (whereby each unit must have its front door “upon” the street) with the Code’s allowance for ADUs in the rear of properties (which may not always have its front door visible from the street). In addition, staff has received a few inquiries in the recent past from owner-occupant residents wishing to construct ADUs on their property, usually for an aging parent or relative so they can reside on the same property but still possess their own separate living quarters. Most of the inquiries tend to be for larger lots (around an acre or more). The Commission may want to explore adopting provisions to allow for ADUs in a by-right fashion on larger lots outside the Mile Square, while mandating specific design requirements and/or size limitations.			
Sign Standards	Moderate	2	Ch. 1151
As currently written, the Zoning Code’s chapter on signage requirements contains a few standards which are “content-based,” meaning one has to observe the content of the sign in order to know how to regulate it. The U.S. Supreme Court’s <i>Reed v. Gilbert</i> (2015) decision has mandated that signage regulations cannot be content-based – they must be “content-neutral,” meaning you can only regulate the time, place and manner of signs and cannot regulate signs differently based on message or content. For the time being, staff has been applying any content-based standards in a content-neutral way. For example, a “Special Event” sign is not required to advertise a special event, and a “Real Estate” sign is not required to advertise property for sale. It is staff’s opinion that the signage chapter deserves a comprehensive re-write to ensure consistency with the latest case law, to better clarify the application of standards for both permanent and temporary signs, and to possibly consider adjusting some of the dimensional or design related aspects of certain signs or where different types of signs are allowed.			
Balconies & Sky Decks	Low	2	N/A
There are currently no regulations of any kind related to balconies, upper floor roof patios, sky decks, or the like. Recent examples include sky decks on the top of townhouses at Gaslight at Stewart Square, and the sky deck constructed on the side of Brick Street along N Poplar.			

Outdoor Dining / Sidewalk Use Permits	Low	2	1143.10(b)(E) 1143.10(c)(3)(B)
Many jurisdictions consider outdoor dining as a special accessory use that sometimes necessitates additional discretion; for instance, by requiring Conditional Use approval. A similar logic currently applies to drive-thrus in the Oxford Zoning Code, whereby any restaurant or retail use containing a drive-thru operation automatically triggers a Conditional Use review. The current Code only mentions outdoor dining areas within the Uptown (UP) District, but is silent about all other areas of the city. UP standards related to outdoor dining are generally broken out into two categories: (1) seating areas located on private property (e.g. Chipotle; Left Field Tavern); and (2) seating areas located in the public right-of-way (e.g. Skipper's Pub; Starbucks) which require a Sidewalk Use Permit.			
Tree Ordinance Adjustments	Low	2	Ch. 1148
Since adoption of the Tree Ordinance in May 2020, the implementation of the new standards has had its ups and downs. Altogether, staff feels the results have been mostly positive. The good news is more trees are being planted as a result of the Ordinance, particularly in the front yards of new residential projects. In addition, more significantly sized residential and commercial developments are being deliberately designed in a more concentrated manner so as to be granted a waiver of the Tree Survey requirement, which most often has the beneficial effect of preserving existing vegetation. Thus far, no applicant has taken advantage of the "Landscape Plan Review" process that was specifically provided for by-right projects to pursue alternative landscaping arrangements. Predominately, exercising flexibility toward the tree planting requirements has come as the result of a Conditional Use or Planned Development review. Staff believes the Tree Ordinance could benefit from some minor tweaks to allow for slightly smoother day-to-day implementation. For instance, staff believes the number of trees required in the front yard for new two-family and three-family dwellings should either be reduced from 2 to 1, or allow street trees to count toward the minimum; this would permit the planting of trees with a larger mature crown as opposed to two smaller trees in an area that is usually fairly narrow. Also, the application of surveying requirements to small residential lots (e.g. individual Mile Square lots) could be better clarified.			
Foundation Parging	Low	1	1143.03(d)(3); 1143.05(d)(3); 1143.07(d)(3)
The Mile Square Design Standards require foundations to be parged or covered by a historically appropriate treatment (e.g. stucco) when exceeding 2 feet in height. In practice, it has been difficult at the Building Permit stage for staff to determine whether foundations will meet this threshold at the time the project is ultimately constructed and the final grading determined. Usually a memo is issued as part of the Permit approval specifying this fact, so the applicant is aware of the expectation. Clarification is also needed in the Code in terms of whether just the portion exceeding 2 feet is to be parged, or if the entire foundation is to be parged if and when any single portion exceeds 2 feet.			

Window Shutters	Low	1	1143.03(d)(12) 1143.05(d)(12) 1143.07(d)(12)
The Mile Square Design Standards specify that shutters do not have to be operable, but when present must <i>appear</i> to be functional and also <i>proportionally equal</i> to the adjacent window opening. A picture is provided in the Code with shutters side by side, one set of two which complies and one set which does not. Staff believes this standard is useful, but should be modified to account for shutters which are narrower than the window opening as a whole. An additional statement could be added to the Code which specifies the shutter width not account for the entire width of the window. Perhaps discussion with the Commission and an “interpretation memo” is all that is needed on this matter.			