

**URBANA CITY COUNCIL
REGULAR SESSION MEETING**

October 18, 2022

(To be held in the Training Room on the 3rd Floor of the Municipal Building)

Urbana City Council meetings will now be streamed via Facebook Live. These live streams can be found by visiting the City Council of Urbana, Ohio Facebook page via clicking on the link on the City Council's website: <https://www.urbanaohio.com/city-council.html>

All comments must continue to be made in person. Due to this, the ability to comment on City Council Facebook streams will be disabled.

- **Call to Order**
- **Roll Call**
- **Pledge of Allegiance**
- **Approval of Minutes:** Urbana City Council Regular Meeting Minutes of October 4, 2022.
- **Communications:**
 1. Oak Dale Cemetery Board Meeting Minutes of May 20, 2022 and July 15, 2022. (See Attached)
 2. Letter from Director of Administration Kerry Brugger regarding the City of Urbana's Community Reinvestment Area Housing Officer dated October 11, 2022 (See Attached)
 3. 3rd Quarter Staff Highlights (See Attached)
 4. Downtown Urbana Designated Outdoor Refreshment Area (DORA) Plan (See Attached)
- **Board of Control:**
 1. The Board of Control recommends The Board of Control recommends that Council authorize a purchase order to Software Solutions in the amount of \$116,600.00 for the software upgrade and data conversion from eGov to VIP Suite for the Finance Department. This expense will be charged to the General Fund and is not in the 2022 budget. See attached. **VOTE: 3-0**

Footnote – Purchase Orders \$2,501 - \$50,000 for September 2022 (see attached)

Citizen Comments: (In Person Only; Must Sign-in)

Ordinances and Resolutions

Old Business:

Third Reading: None

Second Reading: None

New Business:

First Reading:

Ordinance 4580-22: An ordinance to amend the City of Urbana’s official zoning map by rezoning parcels in the area of Lionel Drive, Fulton Avenue and Railroad Street currently designated R-2 Medium Density Residential to R-3 High Density Residential. (Three readings required, Public Hearing required)

Ordinance 4581-22: An ordinance to amend the City of Urbana’s official zoning map by rezoning parcel K48-25-11-04-34-018-00 currently designated M-1 Manufacturing to R-2 Medium Density Residential. (Three readings required, Public Hearing required)

Ordinance 4582-22: An ordinance to amend the City of Urbana’s official zoning map by rezoning parcels in the area of Gwynne Street and North Russell Street currently designated M-1 Manufacturing to BR-1 Business Residential as well as parcels in the same area currently designated R-2 medium density residential to M-1 manufacturing. (Three readings required, Public Hearing required)

Ordinance 4583-22: An ordinance to amend the City of Urbana’s official zoning map by rezoning parcels in the area of Dellinger Road currently designated R-3 high density residential to R-1 low density residential as well as establish zoning for newly annexed parcels in the same area as R-1 low density residential. (Three readings required, Public Hearing required)

Ordinance 4552-22: An ordinance to revise the Codified Ordinances by adopting current replacement pages. (Requires one reading)

• **Department Liaison Reports:**

• **Miscellaneous Business:**

1. Council
2. Administration
3. Council Clerk

• **Next Meeting:** Tuesday, November 1, 2022

- **Executive Session:** Pursuant to Ohio Revised Code section 121.22(G)(2) to consider the purchase of property for public purposes, the sale of property at competitive bidding, or the sale or other disposition of unneeded, obsolete, or unfit-for-use property in accordance with section 505.10 of the Revised Code.

• **Adjourn**

**URBANA CITY COUNCIL
REGULAR SESSION MEETING
TUESDAY, OCTOBER 4, 2022**

President Hess called the City of Urbana Regular Session Meeting to order at 6:00 pm.

City Staff attending: Director of Administration Kerry Brugger, Director of Director of Finance Chris Boettcher, Director of Law Mark Feinstein, City Engineer Tyler Bumbalough, Fire Chief Dean Ortlieb, and Police Chief Matt Lingrell

President Called Roll: Ms. Jumper, present; Mr. Scott, present; Mr. Paul, present; Ms. Truelove, present; Mr. Thackery, present; Mrs. Collier, absent; and Mrs. Bean, present.

Council Clerk Roger Steffan made a brief remark regarding Council Microphones. He informed Council that as noise canceling microphones, Council must speak directly into them. Otherwise, the sound will be intentionally left out, making it difficult to be heard by anyone watching the livestream.

Minutes

Mr. Paul moved to put the minutes of September 20, 2022 and September 27, 2022 on the floor for discussion and possible approval. Mr. Thackery seconded.

Mr. Thackery asked if Council had come to any responses regarding the feral cat communication. Council answered as a whole stating the response was left open-ended, leaving it as the status quo.

Voice vote on approval of minutes: all ayes; nays, none.

Motion passed 6-0

Communications:

1. Community Paramedicine Final Report

Mrs. Bean moved to put the communications on the floor for discussion and possible acceptance. Mr. Thackery seconded.

Chief Ortlieb stated this was the final review with Mercy Health Urbana. The services for the entire County will be continued through them. One of the takeaways from the report was over a twelve-year period, there was a reduction of over 80% for high-user ambulance services. This report shows that what we are doing in Champaign County is working, but there are still gaps. One such gap is the elderly who should be in assisted living, but won't leave their homes.

Mr. Paul asked who performs these well checks on elderly. Chief Lingrell informed Council that UPD is handling such requests.

Mrs. Bean stated this was an impressive report and it really opened her eyes to what was going on in Urbana.

President Hess asked what happens with the 12% pay not collected. Chief Ortlieb stated that figure was on the hospital side, and he really couldn't speak to that.

Voice vote on approval: all ayes, nays none.

Motion passed 6-0.

Administrative Reports – Board of Control:

1. The Board of Control recommends The Board of Control recommends that City Council authorize the Director of Finance to enter into a three-year contract with Rea & Associates for the preparation of basic financial statements for fiscal years 2022, 2023, and 2024 for a total cost of \$80,390.00. This expense will be charged to various funds and will be included in the 2023, 2024, and 2025 budgets. See attached. **VOTE: 2-0**

Mr. Thackery moved to put this request on the floor for further discussion and possible passage. Mr. Paul seconded.

Ms. Boettcher stated this was for the annual financial statements. This company has held the costs the same for the last ten years and the contract was currently up. The City was presented with new three-year contract moving forward.

Mr. Scott asked for clarification that the \$80,000 was the total for all three years. Ms. Boettcher confirmed.

Mr. Paul asked for the previous costs. Ms. Boettcher stated the cost had been \$13,000 a year, but hadn't changed in ten years. She added that if Council did not approve, she would search for another firm as the City needs these services. She would like to stay with the same company. She added that the numbers increase mirrors the audit services.

Ms. Truelove asked why this could not be done in house. Ms. Boettcher stated that she was not a CPA and the finance department does not have the staffing.

Mr. Thackery stated it was a pretty big price hike but he understood the numbers were ten years old.

Voice vote on approval; all ayes, nays none.

Citizen Comments: None

ORDINANCES AND RESOLUTIONS

Third Reading: None

Second Reading: None

First Reading:

Ordinance 4579-22: An ordinance to establish a speed limit for a local highway named North Dugan Road in the City of Urbana, Ohio.

Mr. Thackery moved to place this ordinance on the floor for discussion and possible passage. Mr. Paul seconded.

Mr. Bumbalough informed Council there was recently a speed study conducted on North Dugan Road in anticipation of the new development. The developer paid for this study. He added that the City shares this limit with Urbana Township.

The proposed change to 50 mph considers existing data, such as the existing amount of travel, the road width, and the amount of urbanization. ODOT has to officially accept this. Urbana Township passed similar legislation last night. Finally, UPD and the Champaign County Sheriff's Office both wrote letters supporting the change.

Mr. Scott stated that 50 mph seems reasonable.

Mr. Paul asked what the language of "prima facie speed of 25" meant. Mr. Bumbalough stated that as the city side is currently in the city limits, if it were signed, the city side would theoretically be 25 mph as it had never been changed. The City will place 50 mph signs if the legislation passes. The township will sign their side of the road.

Mrs. Bean asked if the study would have to be redone after the development is completed. Mr. Bumbalough stated it is something the City will have to consider, adding that after the school was built, the City restudied that speed limit.

President Hess called for a roll call on passage: Mr. Scott, aye; Mr. Paul, aye; Ms. Truelove, aye; Mr. Thackery, aye; Mrs. Bean, aye; and Ms. Jumper, aye.

Ordinance passes 6-0.

Resolution 2641-22: A resolution authorizing the City of Urbana, Champaign County, Ohio to enter into an enterprise zone agreement with ALDI, Inc. (Ohio), and declaring an emergency.

Mr. Paul moved to place this ordinance on the floor for discussion and possible passage. Mrs. Bean seconded.

CEP Director Rich Ebert introduced Patrick Valerius, the real estate property manager as the representative from ALDIs. Mr. Valerius stated he believes ALDIs has found the right fit.

Mr. Ebert stated there have been a number of issues that have arisen since deciding on their location. ALDI has asked for help from the City to help offset those surprise expenses. This is a six-year abatement with descending amounts, averaging 35%. This allows ALDIs to get up and running. The school district approved the agreement already.

Mr. Paul asked what other hoops are needed to get started. Mr. Ebert stated this would go to the Commissioner's office for their approval. The abatement starts the year after the project is completed and only covers additional taxes. After the asbestos abatement, demolition and construction would start in December. The goal would be to be up and running by next July.

President Hess asked what cost this was to the City. Ms. Boettcher indicated the City only gets a very small percent of property tax.

President Hess called for a roll call on passage: Mr. Paul, aye; Ms. Truelove, aye; Mr. Thackery, aye; Mrs. Bean, aye; Ms. Jumper, aye; and Mr. Scott, aye.

Resolution passes 6-0.

Resolution 2642-22: A resolution to participate in the Ohio Department of Transportation's Municipal Bridge Inspection Program.

Mr. Paul moved to place this ordinance on the floor for discussion and possible passage. Ms. Jumper seconded.

Mr. Bumbalough stated that on Resolution 2638-22, he accidentally left out Section 5, designating Mr. Brugger as the contractual agent. ODOT requires this language. This resolution would supersede the prior legislation.

No comments/questions from Council.

President Hess called for a roll call on passage: Ms. Truelove, aye; Mr. Thackery, aye; Mrs. Bean, aye; Ms. Jumper, aye; Mr. Scott, aye; and Mr. Paul, aye.

Resolution passes 6-0.

Department Liaison Reports:

Mr. Thackery stated he recently met with Mr. Crabill and Ms. Boettcher about the TIF. He stated his questions were answered and he feels pretty good about it. He stated the TIF would raise money for infrastructure and end up paying itself back.

Mr. Paul stated he is still trying to get the Chiefs together to talk about lateral transfers.

Mr. Scott stated the he recently met with Mark Muirhead. He saw photos of the new trailer and believes it will be a good addition.

Miscellaneous Business

Mr. Thackery informed Council he recently had a meeting on DORA. He hopes to see legislation soon.

He also stated that he has a general concern about electric bicycles traveling faster on side walks than the speed limit. He stated it was something to keep in mind.

Ms. Truelove thanked Mr. Crabill and Ms. Boettcher for meeting with her recently about the TIF as well.

Mr. Paul asked if it was too early to welcome ALDIs. He stated it has been creating a lot of buzz in the City.

Ms. Jumper stated the car show would be this Friday at 5 pm. She hoped to see everyone there.

The proposed City Council budget for the 2023 fiscal year. Mr. Paul mentioned that OML training is currently \$75 a session. He stated there should be at least a small amount proposed in the training section to cover those expenses. Mr. Paul moved to propose \$200 be allotted to Council's training budget. Mr. Thackery seconded. Voice vote on proposal: All ayes, nays none.

No other section of the proposed budget was altered. Council decided the City can always reappropriate at the end of the year if something arises.

Ms. Boettcher indicated she will be reaching out to department liaisons soon to make sure each Council member is actively engaged with each department's budget.

Mr. Brugger stated the crack sealing project is completed. He also made Council aware the ODOT milling and paving project begins tomorrow on South Main Street.

Chief Ortlieb stated a new firefighter was beginning on Monday. He added that another firefighter is going through the process and should be starting next month.

Chief Lingrell stated to watch out for works and officer directing traffic around the paving sites. He stated UPD is entering the next phase of the hiring process. The deadline to apply is October 21 @ 3:00 pm and can be done either online or at Human Resources. UPD hired three officers during the last cycle, but the Division is still three officers short. Finally, Chief Lingrell stated UPD is doing a new cop card program. The last time it made cop cards was in 2002. He passed out the sets to Council members.

Mr. Paul told Chief Lingrell he has been hearing from the Urbana City Schools staff how valuable School Resource Officer Ervin has been. He asked how officers complete the academy. Chief Lingrell stated the academy is no cost to the City. It is a training program covered by the State of Ohio. Officers look more valuable to UPD if they apply having already been certified, as they would not have to complete the six-month training process.

Ms. Jumper moved to adjourn. Ms. Truelove seconded. Voice vote on approval: all ayes, nays none. Motion passes 6-0.

ADJOURNED AT 7:00 p.m.

NEXT SCHEDULED MEETING
October 18, 2022, at 6:00 p.m.

Council Clerk

Council President

COPY

Oak Dale Cemetery Board
Meeting minutes Friday, May 20, 2022

Members Present: John Bry, Wayne Smith, Stephanie Truelove,
Patsy Thackery

Approval Minutes - meeting March 18, 2022

Reviewed and approved by
Stephany Truelove, seconded by
John Bry

New Business

Sat June 18th - Urbana Black
Heritage Festival

Old Business

Arboretum update - invite
Doug Crabill to July 15th meeting

John Bry - looking at tourism
grants from the state
to do map of Oak Dale
forming Historic
Subcommittee.

Kerry - new lights for flag pole
questioned time for
Memorial Day Service

Bob Jumper - Mausoleum entrance
repaired. Foundations
poured. Flowers being
planted.

42 Burials YTD - 4 pending.

Update on time for
funeral service for
Mrs. Hilderbrand.

Adjournment
motion by

John Bry, seconded by Patsy Thackery

Stephany Truelove

COPY

Oak Dale Cemetery Board
Meeting Minutes Friday, July 15, 2022

Board Members Present: Stephanie Truelove, Kevin Easton and Tonya Barrett.
Others Present: Kerry Brugger

Tonya Barrett called the meeting to order at 2:30 PM.

Unable to review minutes from previous meeting.

Old Business:

- Update from John Bry-CCPA tour will be held October 21st & 22nd. The focus will be on the ladies of Oakdale.
- No update on Arboretum

New Business:

- Kerry Brugger advised the Board would need to review Admin Regs at the Sept meeting and make any recommendations of changes/clarifications.

Updates from Bob Jumper:

- 26 Burials, 70 YTD
- Charles Hilterbran homecoming service went well.
- Ordered glass to replace 2 windows and 4 door seals at the Shepard Mausoleum.
- Cleared 2 trees from last storm.
- Cleaning up fence row in new section.

Kerry Brugger updates:

- David Bus Hill marker in place gravesite.

Comments:

- Kevin Easton complimented Bob and crew for how good the grounds looked for Memorial Day. He knows they were fighting the weather but wanted to recognize them for their hard work.

Next meeting will be September 16, 2022 at the Cemetery Office.

Kevin Easton made a motion to adjourn, seconded by Tonya Barrett.

Meeting adjourned 3:15pm

Respectfully submitted,

Tonya Barrett

Tonya Barrett



Administration • 205 S. Main Street • Urbana, Ohio 43078 • <http://www.urbanaohio.com> • (937) 652-4300

October 11, 2022

Ohio Department of Development
Mr. Patrick Conley
Business Incentives Analyst
Office of Grants & Tax Incentives
77 South High Street
Columbus, Ohio 43215

Re: City of Urbana's Community Reinvestment Area Housing Officer

Dear Mr. Conley,

On July 19, 2022, Urbana City Council adopted Ordinance 4574-22, which amended the exemption periods of Urbana Community Reinvestment Area 1, as established by City Ordinance No. 4348, and repealed the City Community Reinvestment Area No. 4 and the North Main Street Community Reinvestment Area.

Pursuant to Section 2 of Ordinance 4574-22, "To administer and implement the provisions of this Ordinance, the City Director of Administration or his, or her, designee is hereby designated as the Housing Officer, with those duties as described in ORC Sections 3735.65 through 3735.70", I hereby designate Doug Crabill as the City of Urbana's Community Reinvestment Area Housing Officer.

An amended confirmation of the Urbana Community Reinvestment Area – Area 1 (Area No. 021-79072-01), which was originally confirmed as a Community Reinvestment Area on 5/11/2011 was made by the Ohio Department of Development on September 21, 2022.

If you have any questions, please don't hesitate to contact me.

Sincerely,

Kerry Brugger
Director of Administration

Cc: Urbana City Council
Doug Crabill, Community Development Mgr.
Chris Boettcher, Director of Finance
Mark Feinstein, Director of Law

• City of Urbana, Ohio •

TO Mayor Bill Bean and Members of Urbana City Council
FROM Staff
SUBJECT Division Activities Report
July - September

DATE: October 14, 2021



CEMETERY

Total Burials: 23
Including Saturday (a.m.): 4
Saturday (p.m.): 0

Total Graves Sold: 11
(Including)
Shepherd Mausoleum: 0 (Niche)
Shepherd Mausoleum: 0 (Crypt)
Legacy Mausoleum: 2 (Niche)
Legacy Mausoleum: 1 (Crypt)

Misc. Sales: 1 (Vases, Plaques, Emblems)

Notes:

- o Window and door seals repaired/replaced in the Shepherd Mausoleum

ZONING & COMPLIANCE

Overview

- Oversaw the enforcement of the city's grass nuisance ordinance.
- Reviewed and issued various large-scale commercial development projects.
- Working on multiple zoning map amendments.
- Assisted in rewriting Chapter 1112 City Center Heritage Overlay District.
- Continuing to revamp and enforce the city's Vacant Registration Program.
- Continuing to develop new Trash Receptacle Ordinance.
- Working on updating Sign Ordinance.
- Developing text for the addition of an M-2 Zoning District.
- Working with various local developers on downtown renovation efforts.

Statistics

- 60 new permits issued
- 88 grass/weeds violations issued for this season (May 1st – Oct 1st)
- 85 grass violation work orders issued (city abatements)
- 32 other nuisance violations issued

PARKS AND RECREATION DIVISION

- Completion of another successful city pool season, operated by The Champaign Family YMCA
- Layout, line and setup the following areas for the fall season
 - o 1 pee wee tackle football field – grades 3-6
 - o 1 flag football field - grades K-2
 - o 12 soccer fields – ages 3-14
- Fall recreation and club soccer season, with approximately 300 students utilizing the park and fields several days a week
- Pee wee tackle and K2 flag football seasons, with 75-80 students utilizing the park and fields 3 to 4 days a week
- Tennis court seam repairs, resurfacing and painting
- Begin and complete Nature works 27 project which included
 - o Re-development of Pickleball court/ playing surface area size from the old existing tennis courts
 - o Paving/ re-surfacing of following areas
 - Newly designed Pickleball courts
 - East-end of existing gravel parking area adjacent to tennis, sand volleyball, pickleball, church shelter, skatepark, inclusive playground area
 - Park drive from roundabout area back to tennis courts

- Park maintenance building front entry approach
- Continue daily responsibilities of the parks, nuisance/ city wide mowing, roundabout and municipal buildings

AIRPORT

- Ageless Aviation Dream Foundation was here August 11 and gave rides to Veterans. This year they brought veterans from all three Ohio Masonic Homes to experience a ride in an open cockpit Stearman Aircraft as a way of 'giving back' to those who gave when called upon.
- MERFI (Mid-Eastern Regional Fly-in Wings and Wheels Cruise-In) was held on August 20th. This is one of the United States longest running General Aviation Fly-In events with a Car & Truck Show to boot! The FAA was here conducting safety seminars and displays, plus we offered rides and fun for children of all ages. EAA Chapter 421 offered a pancake breakfast from 8:00 to 11:00AM.
- The Champaign County Hot Air Balloon Festival was Sept 9 & 10 – The weather cooperated Friday night and all the balloons were able to launch, plus this year for the first time we were able to offer tethered balloon rides which the crowd really enjoyed! Saturday night's weather was not as cooperative but with music, food and good friends we still had a fun night.
- Annually we meet with the FAA Airport District Office out of Detroit to plan future projects at Grimes. This year's meeting has been set for late October. Future projects planned include:
 - Pavement repairs
 - Terminal update, expansion and improvements
 - Beacon Replacement
 - Master Plan Update
 - Apron/Ramp Expansion
 - Runway/Taxiway Sealing & Extensions
 - Airfield Lighting Update
 - Equipment Acquisition to support future growth
 - Grimes Hangar Roof & Siding

FIRE DIVISION

News

- Preparing to onboard two new firefighters, which will bring us to full staffing. The current fire list does not have any additional candidates to consider.
- Responded to 22 incidents at the fairgrounds during the fair; assisted by county departments and Mercy Urbana in covering fire and EMS at the fairgrounds.
- Firefighter Michael Drake resigned and accepted a position at Lancaster Fire Department.
- Logged 282 hours of training for the quarter.

Administrative

3 rd Quarter Inspections by Type	
Inspection Type	Amount
Building	95
Fire	3
Fire Alarm	1
Fire Protection	26
Food Truck/Festival	66
Foster Care	2
General	42
New Business	1
Permit	1
Pre & After School Programs	1
Re-inspection	25
Total	263

Operations

3 rd Quarter Incidents			
Incident Type	Amount	Daily Average	Daily Average Year to Date
EMS	695	7.55	7.29
Fire	83	.90	.85
Rescue	71	.77	.60
Totals	849	9.23	8.74
Multiple incidents in progress	187	2.03	1.79
Transports	478	5.20	5.15
Mutual aid received	38	.41	.23
Mutual aid given	57	.62	.44

PUBLIC WORKS

STREET DIVISION

Street sweeper operations

- 60.45 tons of sweeper debris was collected and hauled to Cherokee Run Landfill for disposal.
 - Cost of disposal \$3782.19 (\$62.57/ton)
 - 120 hours total broom time.

O.U.P.S. tickets for utility locates

- 7/1/2022 thru 9/30/22 responded to 668 tickets for locating of underground utilities.

Nova Drive storm sewer project

- The final stage of the project pouring concrete around new catch basins and re-pouring curbs and gutters was completed.

Street light outages

- Reported and logged a total of 12 street light issues to Miami Valley Lighting for repair.

Detour/event routes, maps and trailer

- W Productions wrapped the entire trailer and put the city logo on the sides, front and back. It now looks close to a new trailer.
- Detour/event trailer is stocked with signage and barricades and proved to be a very useful piece of equipment during its first use for the Chili Cookoff.
- Current mapping of detour routes is currently under review for modifications.

Tree trimming

- Many trees were trimmed on Boyce St, Lafayette Ave, Lincoln Pl, Washington Ave. and numerous other locations around town, many called in by Urbana City Schools Transportation Department. (bus drivers)

Hot Mix/Street repair patching program

- This program is being done with all street workers as well as daily help which has been very much appreciated from both Sewer Maintenance and the Water Divisions.
- A total of 32 utility service dig areas were prepared and base asphalt laid; then topped with surface coat asphalt.
- A total of 11 areas of broken-down asphalt were milled and new asphalt laid at Melvin Miller Park and Grimes Airport.
- Rebase work to repair broken down areas was completed on South Main Street ahead of A&B Asphalt's repaving of the street. North Main rebasing started on October 3rd and should be completed in 3-4 days.

Special events

- The Street Division responded to and assisted with a total of 17 special events in the 3rd quarter 2022.

Nut Wood Place

- Assisted the Water Division with digging old water mains and lines to identify what lines to eliminate in order to abandon the three wells which are no longer in use.
- Demolition of one of the old well houses was completed; remaining two are on schedule to be demolished and removed soon.

Powell Avenue culvert replacement

- Replaced the 48" culvert under Powell Avenue by fairground parking entrance.
- Two field tiles were exposed on the south side to eliminate the need to replace a 12" culvert which took those drains output under Powell Avenue. The water from those two tiles now flows through the 48" culvert.

Pickleball courts and parking lot at Melvin Miller Park

- Saw cut and removed extra blacktop around the pickleball courts.
- Dirt was added around the new courts after they were paved.
- Old light poles were removed.
- The parking lot area was cut-down 9" to allow water to drain off the lot, correcting a "ponding" issue prior to repaving by A&B Asphalt.

Reach arm mower

- The reach arm mower was active in all Wards of Urbana - mowing grass, ditch banks and cutting back brush and trees. Numerous intersections which had trees/brush protruding into the right of way were cut back to improve safety and visibility for drivers; saving on manpower using chainsaws.
- Cut down/back numerous areas of the bike path through Urbana.
- Trimmed the bushes along North Main Street/North 68 in front of and between the entrances to Grimes Circle.

Chemical spray

- Mark Muirhead obtained his Ohio Pesticide Applicators License.

Park Maintenance Building

- The grade of the parking lot leading up to the building was cut out and enlarged to allow for a more user-friendly grade when driving to the building.
- Dirt was hauled in to back up the enlarged area built with street grindings.

NOVAtime

- NOVAtime has now replaced punching a time card and is the sole method for reporting work hours, requesting time off, coding of overtime and all aspects of each employee's bi-weekly time and pay.

Taft Avenue facilities

- Ongoing efforts are being made to continue improving the appearance and conditions of the entire facility.
- Special thank you to the Water Division for their efforts on improving the interior of the office building with fresh paint, trim and the installation of new flooring,
- Two new windows have been ordered and a screen replaced in the office building.

- Twenty gallons of primer and paint have been acquired through a donation from Tim West (Superior Painting & Restoration) which will be used to primer and paint the fronts and some sides of all the buildings after they are power washed to remove chipping paint.
- All overhead doors have been repaired and one has been replaced.

Sewer, water and storm water departments

- The Street Division logged a total of 747.75 man hours and 615.75 equipment hours assisting these departments with service digs and other projects.

Looking Ahead at 4th Quarter projects

- Catch basin repairs and replacements.
- Bury downspouts on Maintenance Building and repair crushed tiles at Melvin Miller Park.
- Tree trimming when time allows.
- Yellow curb painting planned for this year following the cities codified ordinance 351.03 The new curbs on South and North Main followed by school zones and main routes will be the priority.
- Leaf season seems to be rapidly approaching, so maintenance and service of all leaf equipment will be performed.
- All traffic lights and hanging signs will be inspected for wear/safety.
- Repair work to erosion issues in Dugan's Ditch.
- Line Melvin Miller Park's pond with concrete saved from S. Main project to help slow down erosion.
- Review and revise detour routes and maps.
- Deep rebase work on North Main Street.
- Experimental milling and hot mix asphalt top coating of several bad sections of street to see how it holds up. This is being done to hopefully prove we can begin to repair many sections of street throughout town to make very rough places much smoother. (600 & 700 block of N. Russell Street)
- Remodeling of both office building restrooms is planned for this winter after leaf season is completed.

FACILITIES DIVISION

- Staff continues to maintain the city's multiple locations.
- Responded to 40 various work orders.
- Brightly Software was selected as a new Facilities Management Software. We are gathering data to transfer to this new program. Staff is working with the company for implementation. This software should be operational within the first few weeks of December 2022.
- Completed the install of new LED lighting at various locations at Melvin Miller. This includes indoor and outdoor locations.
- Started shut down procedures for the City Pool. This includes draining and winterizing the entire system and building. In this process we found the main pool pump was needing repair. The pump and motor had to be rebuilt; this was installed in late September.
- Gathered quotes to replace several sections of the municipal building roofing system.
- Our roofing contractor made several repairs and power washed roofing areas at the municipal building. They installed a new roofing system over the Municipal Court offices.
- Above All Glass installed a new door near the court that was rusted and causing water leaks.
- Facilities took over the responsibility of the decorative lights. We had several lights that were out, spent an entire week inspecting each light; replaced 12 bulb/ driver units. We have 6 lights currently awaiting either parts or a whole new light pole and fixture.
- Hired a full-time staff member for facilities, Brandon Pryor has already proven to be a great asset to the City.

GovDeals

- We listed 14 lots for sale and sold for approximately \$40,971.00 total.

SEWER DIVISION

- Sewer Maintenance recorded 10 calls/ backups and 1 sanitary dig.
- 1135 OUPS tickets. (811 call before you dig) Increase of 6.3% over last year 2nd quarter.
- Continue to perform sewer lateral camera inspections free of charge to city residents.
- Monitor and clean (every three weeks) 22 "trouble spot" areas in town.
- Recorded 8 camera inspections for residents. Decrease of 10%
- Cleaned over 5600 Feet of Sanitary and Storm Sewer mains. Decrease of 25%
- Inspected over 3425 feet of Sanitary and Storm Sewer mains. Increase of 5%
- Performed over 27 hydro excavations for the Water department. 10% Decrease
- Maintain the collection system and pump stations.
- Staff continues to maintain the Blower system at the closed landfill, checking the blowers daily and performing maintenance as necessary. Contractor monitors gas readings quarterly.
- Completed the 3rd quarter grease trap inspections in Mid-September. We had two restaurants just like 2nd that were non-compliant and sent notice of violation letters to the owners. Both places became compliant.
- Assisted the Street Division with several asphalt repairs including the deep repairs on north and south main streets.
- Worked along with a contractor to get our SCADA system for all 3 pump stations up and running. We still have to finish training on the new system. However, we are able to monitor the pump stations remotely.
- Continue to pump water and haul from the Water plant to the WWTP every 3 weeks.
- One staff member transferred to the WWTP. This leaves an opening in collections that we are still trying to fill.

WATER RECLAMATION FACILITY (WRF)

- The WRF operated 1,595 consecutive days with no NPDES permit violations; and 1,305 consecutive days without a lost-time accident.
- The Plant treated 149.47 MG wastewater in the 3rd quarter of 2022.
- The Septage Receiving Facility accepted 1.1 million gallons of domestic septic tank waste.
- Recorded 17.9" of precipitation July – September 2022.
- During the 3rd Quarter of 2022, RG Trucking hauled 127.5 dry tons of bio-solids for land application.
- Septage Receiving EQ Basin is still under construction – delays due to equipment lead times with plans to be completed before the end of the year.

WATER DIVISION

Flow information:

July – 48.8974 Million Gallons

1.5773 Million Gallons Average Daily Flow

August – 52.8046 Million Gallons

1.7034 Million Gallons Average Daily Flow

September – 44.5270 Million gallons

1.4842 Million Gallons Average Daily Flow

(All water treatment plants and distribution system are EPA compliant)

Revenue & Expense

As of 09/30/2022

Budget Amount \$2,767,175.62

Month to Date Expense \$165,314.75 (September)

Year to Date Expense \$2,275,326.39

Encumbered Balance \$193,107.99; Unencumbered Balance \$298,741.24

Water Department Personal completed the following for July-August-September:

- Finished flushing fire hydrants in 3 wards
- Grass seeding main breaks continued (all internal work)
- 0 water Main Breaks
- 2 Service Lines Repaired or Replaced
- Well 10 communications rebuilt
- City Pool filled and opened
- Finished Lead and Copper sampling for 2022
- TTHM and HAA5 2022 sampling completed
- Received bids for the Booster station replacement
- M&T Construction completed the water line portion of the Booster Station Project
- 29 WTP Generator back on line
- Meter Project installs finished

Note: The water department has been collectively working with other departments to accomplish many projects in house, and have successfully completed a series of projects that we normally would have contracted out. With all the rising cost, we are doing our part to get more done with less dollars.

Projects that we are working on:

- Valve Exercising
- GPS/GIS new forms and additional functions added
- Locating all water Valves and Customer service valves (GPS/GIS Program)
- Asset Management program updated into GIS/GPS software
- Nut Wood Place wells terminated and sealed.
- Assisting other departments
- Reclassifying the OTP Water Treatment plant from a class 2 to a class 1 water plant
- Leak detection throughout entire city

Upcoming Projects:

- Booster Station project will start (water lines are in progress)
- Lead line inventory
- 29 WTP interior pipes will be painted
- Backflow program redesigned
- 29 WTP filter sand replaced
- UCMR 5 testing will begin

Note: These are only highlights and do not reflect day to day accomplishments. There are many other projects and programs that have been completed and others that are in the process of completion.

ENGINEERING

- Projects ongoing from 2021.
 - None.
- New projects in 2022.
 - 2022 Unit Price Concrete Work – J & J Schlaegel Inc.'s contract was selected through a competitive bid process done in November 2021. The contract covers City dig-related work and the piecemeal Sidewalk, Curb and Gutter program for owners who choose not to complete their own work. Streets impacted by this year's Sidewalk, Curb and Gutter program: Eastview Drive, Seville Drive, Long Bay Drive, Nova Drive, Parview Court, South Main Street and North Main Street. Small portions of the first blocks of E. Court Street, E. Church Street and E. Ward Street are also covered. This work is complete and totaled over \$108,000. Dig-related work done by J & J Schlaegel is wrapping up.
 - South and North Main Street Curb & Gutter Improvements – This project wrapped up in July at a total cost of \$549,866.04. The project replaced curbs and gutters along South Main Street between Market Street and SR 55 as well as those along North Main Street between Court Street and Washington Avenue/Gwynne Street, save a handful of properties with fully intact and exposed curb and gutter. It also included service walks and/or drive approaches. The owners were then billed by the City for their portion of the project costs and given an opportunity to pay. Between the piecemeal concrete replacement program (first bullet above) and the wholesale program (this

- bullet), \$545,643.51 was billed and \$437,090.26 was assessed afterwards to property taxes. The difference was the amount paid by individual property owners after billing.
- 2022 Asphalt Program – The asphalt program was bid in April and the selected contractor was A & B Asphalt Corp. with a base bid amount of \$631,805.59 and an additive #1 amount of \$81,105.77. Street paving work took place in August and September. Eastview Drive, Nova Drive, Seville Drive, Long Bay Drive, Parview Court, Tanglewood Drive and Lippencott Lane (Additive #1) were paved this year. Additionally, paving and repairs at Melvin Miller Park took place. An ODNR NatureWorks grant of \$49,666 helped offset the costs for paving at the park. The project came in under the original bid by \$27,738.69 thanks in part to the non-performance of some milling at the park that was accomplished in-house by our Street crews. Additionally, ODOT is in the midst of paving US 68 between roughly Pearce Place and Washington Avenue/Gwynne Street, skipping the Square. This is being handled by contractor A & B Asphalt as well.
 - 2022 Crack Seal Program – Pavement maintenance via crack sealing was completed in the first week of October for at least portions of the following streets: Scioto Street (SR 29), US 36 East, Community Drive, W. Ward Street, Grand Avenue, Clay Street, S. Locust Street, Hovey Street, Orchard Drive, Thompson Street, Henry Street, N. Kenton Street, E. Reynolds Street, West Drive, East Drive, Sweetman Avenue, N. Rohrer Street, W. Light Street, N. Oakland Street, cemetery drives, Union Alley, Poplar Street, Gwynne Street, Union Street, Mosgrove Street, Pindar Street, Eagle Street, Hagenbuch Street, W. Twain Avenue and Millerstown Road. This work was performed by American Pavements, Inc. at a total bid price of \$47,543.38.
 - Dellinger Road Improvements was a joint project between Salem Township and the City of Urbana. OPWC grant funding obtained in 2020 supplied the majority of the money for this project (roughly \$78,534 for the City portion and \$34,446 for the Township portion). The project was designed in-house with the main purposes of repaving and re-berming Dellinger Road. Bidding was handled by the County Engineer's Office on behalf of the two entities and Fillmore Construction ended up the lowest and best bidder at \$132,029.50. Their work was completed in August upon the finalization of the water line extension (ODOD grant for water lines and booster stations) on Dellinger Road.
- Major designs in progress.
 - South High Street Improvements – The City chose LJB, Inc. for design of the South High Street Improvements, a project for which the City has been awarded approximately \$3.1 million through federal grants and another \$600,000 through OPWC. The City will also use ARPA grant funding in the amount of \$1.2 million for at least the stormwater portion of this project. There is also approximately \$1.3 million in OPWC loan funding at 0% if needed. LJB is on the final leg of design currently. Dunrobin was selected to perform right-of-way acquisition (small strip takes). Construction is currently set for 2023-2024, estimated to cost \$6 million.
 - The City learned in June of 2021 that we were successful in obtaining Ohio Bridge Partnership Program funding for the W. Court Street Bridge Replacement project. The project will replace a 100-year-old plus structure with new 96" piping. The engineer's estimate for this 2025 construction project is \$344,301.91. The grant is for \$379,500, which is supposed to cover both construction and inspection costs at 100%. Compass Infrastructure Group was chosen through a qualifications-based RFP process to be the City's consultant and has completed Stage 1 (of 3) design. In a testament to the inflation we've been experiencing across the U.S., the Stage 1 estimate is now \$439,720.78.
 - Projects to be designed.
 - The CDBG First and Second Ward Curb Ramp project has obtained allocation grant funding in the amount of \$118,400 to benefit the aforementioned City Wards by installing ADA compliant curb ramps where none currently exist. This totals 73 curb ramps. Engineering has begun working on the design as time allows.
 - Railroad Street Storm project would install a large storm system from Railroad Street and Union Alley through road right-of-way and previously acquired land up to Pindar Street as the first phase in order to relieve a storm sewer pinch point. CDBG Critical Infrastructure funding was submitted in June of 2022. Engineering has revisited the routing and cost estimate to arrive at a total project construction estimate of \$1,226,500. The City applied for \$470,000 in construction grant funding from CDBG and will need to use 5-6 years' worth of the stormwater utility fund to complete this project, most of which is already held in reserve in anticipation of this project. We hope to hear whether the grant was awarded any day now.
 - Another grant obtained in early 2022 was for engineering design services for two bike trail crossings in Urbana; this grant totaled \$44,900. Those crossings are the Simon Kenton Trail at Miami Street and at N. Main Street. The objective at Miami will be to add RRFBs at the crosswalks like we have

downtown while the objective at N. Main is to add the same, move the trail crossing further north away from the railroad, reduce the crossing distance and eliminate the first block of Laurel Oak Street. Urbana was also recently awarded an ODOT Systemic Safety Grant for the construction end of this project, totaling \$542,000. The City now has LJB (chosen through a qualifications-based selection process) onboard for the design work.

- The next curb and gutter improvements project is planned for 2023 and will take place on Miami Street and possibly Bloomfield Avenue prior to paving. Design for this will take place over the winter.
- **Miscellaneous**
 - Private developments, such as Orbis, Phoenix Ag, ColePak, Dunkin Donuts, Dugan Place, Aldi, Johnson Welded Products and Pequenos Tapas, garnered attention during the third quarter.
 - Three studies being funded through LUC Regional Planning Commission's rural transportation planning allocation are as follows: 1) Miami Street Safety Study for Striping and Signage, 2) Gwynne Street Bridge Maintenance Planning and 3) Simon Kenton Trail – East Lawn Avenue to Melvin Miller Park Connectivity Study. The first has already been completed and handed over to ODOT for its incorporation into the Miami Street (US 36) resurfacing project next year. The second was also completed, with budgetary design and rehab numbers for the bridge established. The third has received a proposal from a consultant, but the planning effort is on hold until spring.
 - Clay Miller, engineer technician, continued managing sidewalk, curb and gutter projects, marking concrete and sending letters for Miami Street, Bloomfield Avenue and E. Light Street. He has now started surveying work (topography) on Miami Street for next year's planned curb and gutter project. Clay also helped at the park laying out striping for the newly paved parking lot and the soccer fields.
 - Engineering revised our standards for street patching in town. Concrete patching is no longer standard, as the City is moving back to asphalt patches. Just this year, Public Works has begun patching our utility cuts in asphalt with their own labor and equipment.
 - For the water line extension project on Dellinger, East Lawn and Childrens Home, Engineering created a punch list for M&T Excavating in August with input from Public Works and their third-party inspector. Urbana may explore resurfacing a portion of Childrens Home Road once the booster station portion of the project is complete next year due to the toll construction took on the road.
 - GIS map updates were performed in September to account for some of the recent water line and storm line additions.
 - Tyler is the 2022 President of Logan-Union-Champaign (LUC) Regional Planning Commission, representing Champaign County.

COMMUNITY DEVELOPMENT

- Following the issuance of the covenant not to sue for the west side of the former Q3 JMC site by Ohio EPA on April 12, 2022, the City of Urbana sold the remaining parcels that previously comprised the former Q3 JMC property to ORBIS Corporation in August of 2022. As a result of this sale, ORBIS was able to solidify an expansion of their existing Urbana plant. This expansion project will expand the existing manufacturing plant for ORBIS by approximately 50,000 square feet. Furthermore, ORBIS will invest over \$46,300,000.00 into the project, and this project will retain 327 jobs and add 46 new jobs to the Urbana facility. In addition to a local CRA incentive of 75% for 10 years for the expansion project, the West Central Ohio Port Authority assisted with an application to secure a \$100,000.00 grant through the Ohio Rail Development Commission to bring an underutilized rail spur back into use by ORBIS. Lastly, the Champaign Economic Partnership worked with regional and statewide partners to secure a Job Creation Tax Credit for ORBIS through the Ohio Tax Credit Authority for this project.
- On August 19, 2022, a ribbon cutting ceremony was held for the new Urbana location for Community Health and Wellness Partners on the first floor of the former Johnson Manufacturing Company building at 605 Miami Street. This ribbon cutting followed years of redevelopment efforts of this site by the City of Urbana and TIS Properties with assistance from local, regional, and state partners. Furthermore, the opening of this facility concluded several years of efforts by Community Health and Wellness Partners to expand their services into Urbana and Champaign County from their existing base in Logan County. This new health center will provide primary care, behavioral health, addiction treatment, pharmacy, and nutritional services.
- Worked with the CEP, Director of Administration, Director of Finance, and an outside law firm to update the city's Community Reinvestment Area program. On July 19, 2022, Urbana City Council passed Ordinance 4574-22 to update this program, and the changes to the city's CRA program were confirmed by the Ohio Department of Development on September 21, 2022.

- Secured grant funding through the Champaign County Commissioners from the State of Ohio's Building Demolition and Site Revitalization Program to assist with Aldi's redevelopment project at 741 Scioto Street. These funds will be used to assist with asbestos abatement prior to demolition of the existing building on site. A contract is anticipated to be awarded by the Champaign County Commissioners for the asbestos abatement work in October with work to commence soon after. Aldi will then follow behind with demolition and construction of the new store building by its own contractors. Construction of the new Aldi grocery store is anticipated to start by January 2023 and be completed by July of 2023.

POLICE DIVISION

July Highlights

- 7/1/2022 – The Police Division completed its 9th annual *Safety Town* program for the year with 28 new graduates. The two, one-week programs, were coordinated by School Resource Officer AJ Ervin and Officer Robbie Evans. They were assisted by many other local organizations who made safety presentations to the attendees.
- 7/6/2022 – The division culminated a several months long covert drug investigation, dubbed *Project Ice Cream*, involving the trafficking of a large amount of methamphetamine throughout the City of Urbana, with multiple search warrant raids and the arrests of several individuals on various felony drug related charges. Many officers were a part of this investigation effort which was coordinated and led by Sergeants Jason Kizer and Logan Dunn.
- 7/16/2022 – Officers handled special security details at the *Art Affair* on the Square.
- 7/23/2022 – Completed its first ever *COPs & Bobbers* fishing program for area youth. This was an outreach effort coordinated by Sergeant Shawn Schmidt as part of his 2020-21 Champaign County Leadership project, which was delayed a year due to COVID. For our initial program we hosted 47 youngsters, along with their parents in teaching them various fishing components at Melvin Miller Park pond. Several police officers and their wives helped to provide this outreach effort. Each youngster received instructions and demonstrations from an Urbana officer on fishing safety, baiting, casting and catching fish. Each participant was provided with their very own new fishing pole as well as a light tackle box with some basic gear to get them started. We're looking forward to providing this program on an annual basis.
- 7/30/2022 – Sergeant Todd Pratt and Officers Seth Lingrell and Tristin Williams provided outreach for the *National Drug Take Back Day* program from 10 a.m. – 2 p.m. and collected 32 lbs. of old or unused prescription medications from 53 local residents using the outreach service. The drugs collected are turned over to the Drug Enforcement Agency for proper disposal.

August Highlights

- 8/1/2022 – Chief Lingrell, Lieutenant Jacobs and Officers Luke Hiltbran and Seth Lingrell attended the funeral for *Clark County Sheriff Deputy, Matthew Yates*, who was killed in the line-of-duty on July 24, 2022, while responding to a mental health case, involving gunshots, in Clark County.
- 8/15/2022 -- The Urbana Police Division completed its Capital project of purchasing a *Digital DART Range Simulation system* for use to supplement our weapons, tactics and decision-making training involving stressful weapons related police incidents. This system is portable, easy to set up, and can be used on site at the Police Division or off-site for a public presentation.
- 8/22 – 25/2022 – Officers completed their weapons range qualifications with the police shotgun.
- 8/25/2022 – Newly hired police officer Damion Williams, 22, was sworn in by Municipal Court Judge Gil Weithman in front of family, city staff, and fellow officers. Officer Williams is currently attending the 147th Ohio Basic Police certification training at the Ohio State Patrol Academy and is scheduled to graduate from there in January of 2023. He'll then complete a 13-week Field Training program, before he is given a solo patrol shift assignment.

September Highlights

- 9/7-9/2022 – Officers Sam Harris, Luke Hiltibran, Seth Lingrell & Keith Hurst attended training on *Crime Scene Investigations Techniques* in Sandusky, Ohio, provided by nationally known experts sponsored by the Ohio Officers Identification Association. Among some of the cases reviewed included the Jodie Arias-Travis Alexander homicide; the Law Vegas Mandalay Bay mass homicide shooting; and, various other Ohio related high-profile homicide cases. Experts on Interview and Interrogations as well as Crime Scene Processing shared the most current equipment and techniques for officers to use in suspect interviews as well as in detecting, preserving and collecting latent type evidence successfully.
- 9/13/2022 – Newly hired Officer Major Stratton, 21, was sworn in by Municipal Court Judge Gil Weithman in front of family, city staff, and fellow officers. Officer Stratton is a recent graduate of the Clark State College Basic Police Academy where he received his Ohio Peace Officer's Certification. Officer Stratton is currently in his 13-week Field Training program with the police division and upon successful completion will be given a solo patrol shift assignment.
- 9/22/2022 -- Chief Lingrell was a guest speaker for the K – 5 Urbana Elementary *Good Citizen Program* where selected students were honored by their teachers and school counselors for having and showing Respect.
- 9/24/2022 – Several Officers handled special security details at the annual Chili Cookoff and traffic control throughout the HOOPLA parade.
- 9/30/2022 – The Police Division received their new COP Cards depicting current officers and distinct recognition cards. This is a special outreach program, overseen by Sergeant Todd Pratt, to help the agency connect with local school children as they work to collect the full deck. Our last COP Card Program was more than twenty years ago.

LAW OFFICE

City Council Meetings/Work Sessions

In the 3rd Quarter, the Law Director did continue to provide guidance on procedure and to answer any legal questions that arose. He also availed himself to all members of Administration, all City Departments and Divisions, and Council for legal advice and representation within the scope of employment.

Ordinances and Resolutions

In the 3rd Quarter, the Law Director did review and/or draft each piece of Legislation for presentation to Council.

Code Enforcement

In the 3rd Quarter, the Law Director worked diligently with Zoning/Code Enforcement to address specific matters, and to address general issues as well. Evaluation of the process itself and of the remedies available to the Zoning inspector were central to the discussions.

Community Development

The Law Department worked hand-in-hand with Community Development on a number of issues ranging from Community Reinvestment Area legislation, to a review for legal sufficiency of contracts and other legal documents.

Contract/Legal Document Review/Modification

The Law Director and Administration continued to work through numerous City projects. Construction and remediation projects, interaction with the Townships and Champaign County, and matters initiated by Community Development were addressed. Each involves the office of the Law Director, some merely for review, others for more detailed participation.

Municipal Court Prosecutor

The fundamental responsibility of the Municipal Court Prosecutor is to represent the State of Ohio, the City of Urbana, and/or the Villages of Champaign County, in the Champaign County Municipal Court, for all misdemeanors and for any felony cases filed in that Court.

Cases Prosecuted

In the 3rd Quarter of 2022, the Prosecutor's office processed several hundred cases through Municipal Court. This includes all matters, whether resolved by admission, plea, at pretrial, at a trial to the Bench, or by Jury Trial.

Case Reviews

In addition to prosecuting cases, the Municipal Court Prosecutor reviewed approximately 40 "Prosecution Packets", which contain fact patterns and evidence gathered by law enforcement, to determine whether it would or would not be appropriate to file any charges in a particular case. Generally, the Prosecutor is asked to review cases which require analysis of complex application of the law to the evidence and facts gathered, matters which law enforcement are uncertain constitute crimes, and/or matters which may be criminal in nature but present challenges as to meeting the high burden of proof necessary for a conviction. They often involve other issues, such as mental and/or physical impairment of suspects, and how diminished capacity might affect charges.

Victim Advocacy

Through the Municipal Court Prosecutor's Victim's Advocate program, multiple victims of crime were provided guidance and services in the 3rd Quarter of 2022. The office provided services to approximately 115 victims of crime.

Diversion

4 individuals entered into the Municipal Court's Diversion Program during the 3rd quarter of 2022.

Miscellaneous

In the 3rd Quarter, the Law Director began the cumbersome process of revamping and updating the City's Records Retention Schedules. Contact was made with each Department/Division Head to initiate the process in each area. The revision process is ongoing.

FINANCE

2022 Expected Revenue & YTD Revenue by Fund

Fund Number	Fund Name	2022 Expected Revenue	YTD 09/30/22 Revenue	Expected Revenue %
100	General	\$7,323,550	\$6,780,831	93%
200	Airport	\$384,975	\$298,086	77%
205	Street	\$891,400	\$673,940	76%
215	Cemetery	\$171,500	\$129,105	75%
275	P & F Tax Levy	\$1,443,000	\$1,422,591	99%
401	Capital Improvement	\$1,303,000	\$1,310,560	101%
402	P & F Tax - Cap Imp	\$481,000	\$484,106	101%
605	Water	\$2,609,000	\$1,833,851	70%
610	Sewer	\$3,657,400	\$2,632,199	72%
620	Stormwater - Oper	\$84,000	\$67,695	81%
625	Stormwater - Cap Imp	\$196,000	\$157,981	81%
TOTAL		\$18,544,825	\$15,790,944	85%

2022 Department Operating Budgets & YTD Expenses				
Department	2022 Budget	YTD 09/30/22 Expenses	Budget %	
CITY COUNCIL	\$92,000.00	\$67,147.35	73%	
ENGINEERING	\$253,400.00	\$193,031.60	76%	
FIRE	\$2,720,755.00	\$2,233,496.03	82%	
MULCH/COMPOST	\$22,005.00	\$9,796.52	45%	
MUNICIPAL COURT	\$786,150.00	\$591,150.63	75%	
POLICE	\$2,452,600.00	\$1,699,482.54	69%	
POOL	\$85,400.00	\$68,106.95	80%	
MAYOR/ADMIN	\$253,150.00	\$194,339.55	77%	
COMMUNITY DEV	\$167,700.00	\$138,364.47	83%	
REC-ADMIN	\$201,650.00	\$175,785.36	87%	
PUBLIC WKS	\$171,530.00	\$110,634.71	64%	
MISC-NON-DEPT	\$473,100.00	\$486,504.03	103%	
FINANCE-ACCTG	\$293,250.00	\$242,241.09	83%	
FINANCE-INC TAX	\$142,200.00	\$120,519.70	85%	
FINANCE-UTIL BILL	\$180,000.00	\$141,868.19	79%	
LAW DEPT	\$245,300.00	\$208,369.92	85%	
ZONING COMPLIANCE	\$163,275.00	\$132,189.45	81%	
AIRPORT	\$396,800.00	\$335,449.26	85%	
CEMETERY	\$169,025.00	\$151,139.20	89%	
STREET	\$822,800.00	\$701,309.40	85%	
POLICE & FIRE LEVY	\$131,000.00	\$131,000.00	100%	
SEWER WRF	\$3,949,600.00	\$3,316,110.06	84%	
STORMWATER-OP	\$81,000.00	\$65,918.23	81%	
STORMWATER-CAP IMP	\$189,000.00	\$127,707.58	68%	
WATER	\$2,479,475.00	\$2,275,326.39	92%	
TOTAL		\$16,922,165.00	\$13,916,988.21	82%

APPLICATION TO THE URBANA CITY COUNCIL
DOWNTOWN URBANA
DESIGNATED OUTDOOR REFRESHMENT AREA
Ohio Revised Code 4301.82



The Mayor of the City of Urbana, Ohio and the Office of the Director of Administration of the City of Urbana, Ohio respectfully submit the following application to the City Council of Urbana, Ohio to approve and establish a Designated Outdoor Refreshment Area (DORA) in Downtown Urbana in accordance with Ohio Revised Code Section 4301.82.

Submitted: October 18, 2022

By: 
Mr. Bill Bean, Mayor
City of Urbana

By: 
Mr. Kerry Brugger, Director of Administration
City of Urbana

A. Introduction and Submittal of Application

The Mayor of the City of Urbana, Ohio and the Office of the Director of Administration of the City of Urbana, Ohio respectfully submit the following application to the City Council of Urbana, Ohio to approve and establish a Designated Outdoor Refreshment Area (DORA) in Downtown Urbana in accordance with Ohio Revised Code Section 4301.82.

Furthermore, Ohio Revised Code Section 4301.82 authorizes municipalities under 50,000 in population to create up to three Designated Outdoor Refreshment Areas or "DORAs". A DORA is an area where the open container restrictions are relaxed during particular timeframes, and adults who are 21 years of age or older are permitted to possess and consume alcohol in public with certain restrictions. In order to consider creation of a DORA, the Chief Executive Officer of the municipality is required to file an application with City Council which meets certain statutory requirements outlined below.

In order to consider the creation of a DORA, the Mayor (Chief Executive Officer) and Administration are required to prepare and submit an application (this document) to Urbana City Council which meets certain statutory requirements as outlined below. The application filing, including the date and time of the required public hearing, shall be advertised for two consecutive weeks in *The Urbana Daily Citizen*, our local newspaper of general circulation. Not earlier than 30 days, but not later than 60 days after the initial notice publication, Urbana City Council must approve or disapprove of the application by ordinance. The purpose of this application is to request that Urbana City Council consider the creation and approval for a Designated Outdoor Refreshment Area (DORA) in Downtown Urbana.

The establishment of a Designated Outdoor Refreshment Area for Downtown Urbana has been requested by existing establishments downtown and by establishments who are planning to open within the downtown district. Furthermore, the approval of the Urbana Downtown Revitalization District in June of 2020 by the Ohio Department of Commerce, Division of Liquor Control and this district's later amendment in September of 2021 has expanded the availability of D5 liquor licenses downtown. As a result of additional D5 licenses being available within the Urbana Downtown Revitalization District, the number of establishments operating downtown or planning to operate downtown has already increased.

Regionally and throughout the State of Ohio, Designated Outdoor Refreshment Areas have proven to be generally popular and have been well received in the vast majority of communities where they have been established. Furthermore, communities with Designated Outdoor Refreshment Areas already in place and operational have reported minimal issues as a result of the operation of their Designated Outdoor Refreshment Areas. In addition, most communities that have started with trial periods or stricter operational limitations of their Designated Outdoor Refreshment Areas have later revised their operating requirements to be less restrictive.

Lastly, the overall purpose of establishing a Designated Outdoor Refreshment Area (DORA) for Downtown Urbana will continue to build upon increased economic activity, investment, and development within the downtown. Furthermore, the establishment of a DORA in Downtown Urbana will assist with the continued revitalization of Downtown Urbana by furthering patronage of new and existing dining and shopping options by the local community, region, and tourists.

The application includes the following sections:

- B. Map and Description of Boundaries
- C. Nature and Types of Establishments
- D. Qualified Permit Holders
- E. Land Use and Zoning
- F. Public Health and Safety
- G. Sanitation
- H. Signage
- I. Hours and Additional Rights and Requirements

B. Map and Description of Boundaries

In accordance with Ohio Revised Code Section 4301.82(B)(1)(b) and (F)(1)(a), the specific boundaries of the DORA are presented in EXHIBIT A – Boundary Map. While the statute allows a municipality with a population of 50,000 or less to include up to 320 contiguous acres within the DORA boundaries, the DORA being proposed for Downtown Urbana is only +/- 18.117 acres and is focused on the locations where issued or pending qualified liquor permits are located. Furthermore, the boundaries have been drawn to keep the walking areas of the DORA confined to the predominantly commercial areas of the downtown area. Within the proposed DORA boundaries, there are eight establishments currently licensed with the qualified license types to participate in the DORA. In addition, there are three establishments with pending liquor permit applications who are also located within the DORA boundaries. Once licensed, these three establishments will also qualify as the proper liquor license type to participate in the DORA.

Street right of ways and address ranges within the DORA include:

Street Name	Address Range	Even/Odd
Monument Square	1-42	Even & Odd
Miami Street	100-198	Even
Miami Street	101-199	Odd
Scioto Street	100-208	Even
Scioto Street	101-299	Odd
South Main Street	100-216	Even
South Main Street	101-199	Odd
North Main Street	100-198	Even
North Main Street	101-299	Odd
East Court Street	100-116.5	Even
East Court Street	101-119	Odd
West Court Street	101-127	Odd

C. Nature and Types of Establishments

In accordance with Ohio Revised Code Section 4301.82(B)(2), the nature and types of establishments within or adjacent to the Downtown Urbana DORA are primarily businesses in the retail, restaurant, entertainment, and service sectors. Furthermore, within the Downtown Urbana DORA, the majority of the buildings have businesses consisting of retail, restaurants, and commercial services on the first floor.

The upper-level floors have a mixture of office space and residential units. In recent years, upper floor spaces that were previously vacant have been converted into upstairs apartments and lofts. For example, the former Douglas Inn had been vacant since 2004 and was reoccupied in 2022 when seventeen new senior apartments were completed. In addition, another thirty-nine residential loft apartments are proposed or under construction within the DORA boundaries.

There are also institutional and governmental uses typical of a historic downtown in an Ohio county seat such as the Champaign County Courthouse and the Masonic Temple. In addition, adjacent to the boundaries of the Downtown Urbana DORA, there is the Urbana Municipal Building, the Champaign County Municipal Court, the Urbana Fire Division, and the Urbana Police Division.

All properties within the Downtown Urbana DORA are located within the B-3 Central Business District and these properties are familiar with the type of activity (pedestrian foot traffic, retail/commerce, and community events) typically found within the area and how the creation of a DORA would further promote commerce within Downtown Urbana.

Examples of retail, restaurant, financial/service, and institutional/governmental establishments located in the Urbana DORA are as follows:

Retail	
Middle of the Wood	231 North Main Street
Archetype	102 South Main Street
Bell's Flowers	33 Monument Square
The Boston	121 North Main Street
Carmazzi's	100 South Main Street
Downtown Divas	16 Monument Square
Ethel's Flower Shop	239 Scioto Street
Eve's Place	122 South Main Street
Farm Charm	106 South Main Street
The Garden by Dorcey's	200 Scioto Street
Guild Galleries Interiors & Gifts	118 North Main Street
Hometown Music	237 North Main Street
In Good Taste Market	12 Monument Square
Kaleidoscope	117 North Main Street
Lily's Garden	125 North Main Street
The Merchant Shops	112 North Main Street

Nanny Goat's	115 East Court Street
Nivroc's Country Store	15 Monument Square
Our Kitchen Window	223 North Main Street
Sideline Sports	202 Scioto Street
Vape on the Square	17 Monument Square
The Vintage Traveler	107 Scioto Street
Willow & Walker Plant Boutique	121 Scioto Street

Dining		
Abuela's Kitchen	23 Monument Square	
Bracken's Pub	106 Miami Street	
Café Paradiso	13 Monument Square	
Downtown Nutrition	221 North Main Street	
Fusion 40 83	115 Miami Street	
In Good Taste Market	12 Monument Square	
Let's Eat Cake	117 Scioto Street	
Mayflowers Chinese Restaurant	225 North Main Street	
Tapas Pequenos	31 Monument Square	*Under Construction
Teabaggers	127 North Main Street	
The Spotted Owl Coffee Bar	113 North Main Street	
Urbana Brewing Company	35 Monument Square	*Under Construction

Financial/Service	
Alexander Spencer Kramer, CPA	113 East Court Street
Coverlink Insurance	121 Miami Street
Dye & Doss Insurance	127 South Main Street
Edwin A. Grinvalds, Attorney at Law	125 Scioto Street
Farmers & Merchants State Bank	120 North Main Street
Martin, Browne, Hull, and Harper; Attorneys at Law	1 Monument Square, Suite 200
Martin Insurance	125 South Main Street
The Peoples Savings Bank	10 Monument Square
Phillip M. Edwards Financial Planning	1 Monument Square, Suite 202
Sellman Insurance Group	38 Monument Square
Stocksdale Insurance	114 North Main Street
Thompson, Dunlap, and Heydinger LTD. (TDH Law)	18 Monument Square
Tompkins & Ellis Attorneys	121 South Main Street
Ron Burns State Farm Agent	219 Scioto Street

Wagner, Maurice, Davidson, and Zook; LPA	117 West Court Street
Wallace & Turner Insurance	113 Scioto Street

Institutional/Governmental		
Champaign County Courthouse	200 North Main Street	
Champaign County Municipal Court	205 South Main Street	*Adjacent to DORA
Masonic Temple	222 North Main Street	
Urbana Fire Division	107 East Market Street	*Adjacent to DORA
Urbana Municipal Building	205 South Main Street	*Adjacent to DORA
Urbana Police Division	205 South Main Street	*Adjacent to DORA

D. Qualified Permit Holders

In accordance with Ohio Revised Code Section 4301.82 (B)(3), the Downtown Urbana DORA is located within a municipal corporation with a population of less than 50,000. The 2020 federal decennial census determined that the population of the City of Urbana is 11,115 as of the date of the census. Furthermore, as required by Ohio Revised Code Section 4301.82 (D)(2), the Downtown Urbana DORA will not encompass fewer than two qualified permit holders as defined in Ohio Revised Code Section 4301.82(A)(1). As of the date of this application, there are eight qualified permit holders with an additional three establishments with pending liquor permit applications for qualified license types who are also located within the DORA boundaries.

Permit Holder	DBA	Address	Permit Class	Permit No.	Status
Monument Brewing LLC	Urbana Brewing Company	35 Monument Square	A1A, A1C	6115035	Pending
Our Kitchen Window LLC	Our Kitchen Window	223 North Main Street	A2	6606870	Pending
Dale Chiyong Tai	Mayflowers Chinese Restaurant	225 North Main Street	D1, D2	8779950	Issued
Patrick E. Field	Coppertop	116 Miami Street	D1, D2, D3	2710842	Issued
Grant A. Holcomb	Teabaggers	127 North Main Street	D2	3911597	Issued
Fusion 40 83 LLC	Fusion 40 83	115 Miami Street & Patio	D5	2972261	Issued
Happytime LLC	Café Paradiso	13 Monument Square & Patio	D5	3589836	Issued
Patrick Crowley	Brackens Pub	106 Miami Street & Patio	D5	1836584	Issued
Abuelas Kitchen LLC	Abuelas Kitchen	23 Monument Square	D5L	0036902	Issued

Spotted Cow Coffeehouse LLC	The Spotted Owl Coffee Bar	113 North Main Street	D5L	8443141	Issued
Tapas Pequeños LLC	Tapas Pequeños	31 Monument Square	D5L	8782189	Pending

E. Land Use & Zoning

In accordance with Ohio Revised Code Section 4301.82(B)(4), the land uses within the Downtown Urbana DORA are located within the B-3 Central Business District and the City Center Heritage Overlay District and are in accord with local zoning regulations. See EXHIBIT B – Zoning Map.

As stated within the Chapter 1125.01 of the Codified Ordinances of the City of Urbana, “It is the purpose of the B-3 Central Business District to encourage the functional grouping of those commercial, office, institutional, residential and accessory establishments encouraging the preservation of the historic character of downtown Urbana. Multi-family housing is encouraged on upper stories of buildings in the B-3 Central Business District”.

Furthermore, as outlined in Chapter 1112.01 (b) of the Codified Ordinances of the City of Urbana, the City Center Heritage Overlay District is specifically designed to:

- 1) Maintain, promote, and ensure Urbana's downtown as its historic business and civic center.
- 2) Provide for increased opportunities and land use efficiency for redevelopment, new development and business development expansion.
- 3) Encourage a viable and compatible mix of commercial, business, office, and residential uses in the district.

F. Public Health & Safety

In accordance with ORC 4301.82(B)(5) and (F)(1)(d), the following public health and safety requirements have been developed for the purpose of ensuring the health and safety within the Downtown Urbana Designated Outdoor Refreshment Area (DORA).

The City of Urbana Police Division and the City of Urbana Fire Division will be responsible for providing public safety within the DORA through law enforcement and fire/EMS services.

Law Enforcement Responsibilities

The City of Urbana Police Division will be responsible for providing law enforcement services within the DORA. Uniformed officers are assigned to cover the city 24 hours per day, 7 days per week, 365 days per year, and throughout the hours of operation of the DORA. If law enforcement services are required, assistance can be obtained through dispatch and by phoning the conventional 9-1-1 system.

The on-duty shift Sergeant will do his/her best to ensure that appropriate attention is provided to the DORA during the hours of operation. As of the date of this application, there are four officers assigned to 1st shift, including a Sergeant. Furthermore, there are five officers currently assigned to 2nd shift, including a Sergeant. Lastly, as of the date of this application, there are four officers assigned to 3rd shift, including a Sergeant. In addition to this staffing, the Urbana Police Division is also staffed by a Chief of Police and Lieutenant.

For planned events in the DORA that may draw a larger than normal attendance, the organizer of the event will be responsible for hiring an appropriate number of off-duty police officers as security.

Fire/EMS Responsibilities

The Urbana Fire Division will be responsible for providing Fire, Rescue, and EMS within the DORA. The city's only fire station is located within one block of Monument Square and is within feet of the DORA boundaries. This station is also staffed 24 hours per day, 7 days per week, 365 days per year and during hours of operation of the DORA. Response time to any emergency within the DORA will be minimal.

Within the Urbana Fire Division, there is an assigned A, B, and C shift. Each shift rotates between 24 hours on duty and 48 hours off duty. For each assigned shift, there are five firefighters on station, including a Captain. In addition, the Fire Chief and Fire Prevention Official are employed within the Urbana Fire Division on a full-time basis as regular forty hour per week employees.

G. Sanitation

In accordance with ORC 4301.82(B)(5) and (F)(1)(e) and (F)(1)(f), the following sanitation plan has been developed to help maintain the appearance and public health within the Downtown Urbana Designated Outdoor Refreshment Area (DORA). See EXHIBIT C – Sanitation Plan.

Within the Central Business District, there are currently seventeen 30-gallon trash containers (trash only) that are collected by Rumpke of Ohio, Inc. pursuant to a contract with City of Urbana. Collection of these containers is twice per week from April through October (on Mondays & Thursdays, unless otherwise agreed upon) and once per week from November through March (preferably on Thursday, unless otherwise agreed upon). Additional collections will be done on an as-needed basis, and the existing placement of these containers may be adjusted at a later date based on the operational needs of the DORA. The City of Urbana Public Works Superintendent will monitor the containers and coordinate additional collections with Rumpke if needed and coordinate any required relocations of containers.

The DORA area will be monitored for litter and additional receptacles will be added as necessary. The City of Urbana will explore the possibility of adding recycling containers within the DORA by working with its recycling vendor, Rumpke.

The streets located within the DORA boundaries, including Monument Square, are regularly cleaned by the full-time staff of the City of Urbana Street Department with the city's street sweeper. If deemed necessary by the Director of Administration and/or the Public Works Superintendent, the City of Urbana will increase the frequency of street sweeping operations within the DORA.

H. Signage

In accordance with ORC 4301.82(F)(1)(b), permanent sidewalk stencils with the wording "NO ALCOHOL BEYOND THIS POINT" with the DORA logo/title will be installed and maintained by the City of Urbana Street Department as signage at the DORA boundaries. For instances where sidewalk stencils are not

feasible for installation as planned, a raised sign will be installed with similar wording and graphics. All DORA boundary signage will be placed where public sidewalks intersect with the DORA boundaries and where the DORA boundaries end in order to provide pedestrians with a clear indication of when they are entering or exiting the boundaries of the DORA. As of the date of this application, approximately thirty-five signs are estimated to be required to be installed to properly delineate the DORA boundaries as shown on the signage plan.
See EXHIBIT D – Signage Plan.

I. Hours and Additional Rights and Requirements

a) Hours of Operation

In accordance with ORC 4301.82(F)(1)(c), the hours of operation for the Downtown Urbana DORA will be year-round from 11:00AM to 10:00PM daily. Furthermore, the Director of Administration shall be permitted to issue special event permits that may operate within the boundaries of the DORA and which may extend the operational days or hours of the DORA. In addition, the Director of Administration shall be permitted to consider and approve additional events on an ongoing-basis.

The City of Urbana requires that each special event receives a permit, and each event will be reviewed by the Director of Administration and the appropriate Departments/Divisions of the City. Permit requirements may differ between events depending on the size, layout, use of right of way, or program requirements of the specific event. Furthermore, each event will be reviewed to ensure that adequate sanitation, signage, and public safety requirements are addressed. In addition, the necessity of portable restrooms, handicap accessibility, pedestrian mobility, public safety ingress and egress, crowd control, DORA boundary management, and trash management will be addressed. Event organizers may be required to pay for special duty officers or overtime for public service or safety workers if necessary to ensure adequate and public safety requirements are met.

Potential DORA Special Events:

Second Saturdays

Art Affair on the Square

Simon Kenton Chili Cook-Off & Hoopla Parade

Pumpkin Walk

Loft Tour

Holiday Open Houses

Holiday Horse Parade

Small Business Saturday

Christmas Shop Hop

** Inclusion as an eligible DORA event does not necessitate participation. Each host organization will have the opportunity to decide if the event will participate in the DORA process.*

b) Official DORA Cup

In accordance with ORC 4301.82(F)(1)(g), beer, wine, and intoxicating liquor shall only be consumed within the Downtown Urbana DORA as follows:

- 1) Beer, wine, and intoxicating liquor shall only be served and consumed within the DORA in a specifically designated DORA cup (the "Official Cup").
- 2) Each official cup shall be clear and shall not hold more than sixteen (16) ounces of liquid.
- 3) Each official cup shall only be used once, and no permit holding establishment shall allow a cup to be refilled after use.
- 4) Each official cup shall consist of specific identifiable marks and logos to ensure the integrity of the DORA regulations.
- 5) No other container shall be permitted to be utilized within the Downtown Urbana DORA.
- 6) Used official cups shall be disposed of before entering any establishment of a qualified permit holder.

The Downtown Urbana DORA Cup (the "Official Cup") shall be sold and distributed exclusively through the Champaign County Chamber of Commerce. Participating establishments will contact the Champaign County Chamber of Commerce during regular business hours for all orders and sales of cups in advance of cups being needed by the establishment.

The Champaign County Chamber of Commerce shall reserve the right to charge \$0.25 per cup above actual cost of each cup to each participating establishment. Funds generated beyond the cost of the cups shall be placed in a designated fund at the Champaign County Chamber of Commerce that can be used for operation and marketing expenses for the Downtown Urbana Designated Outdoor Refreshment Area. If excess funds are generated beyond the required operating and marketing expenses for the DORA, the Champaign County Chamber of Commerce shall determine a process for distributing funds to support continued revitalization efforts within Downtown Urbana. Furthermore, the Champaign County Chamber of Commerce shall establish a committee to assist with the allocation of DORA cup proceeds.

Failure or non-compliance of permit holders to uphold the regulations and rules required by this application may result in a failure to renew the DORA permit or force the City of Urbana to revoke the permit holders' participation in the DORA.

c) Additional Requirements

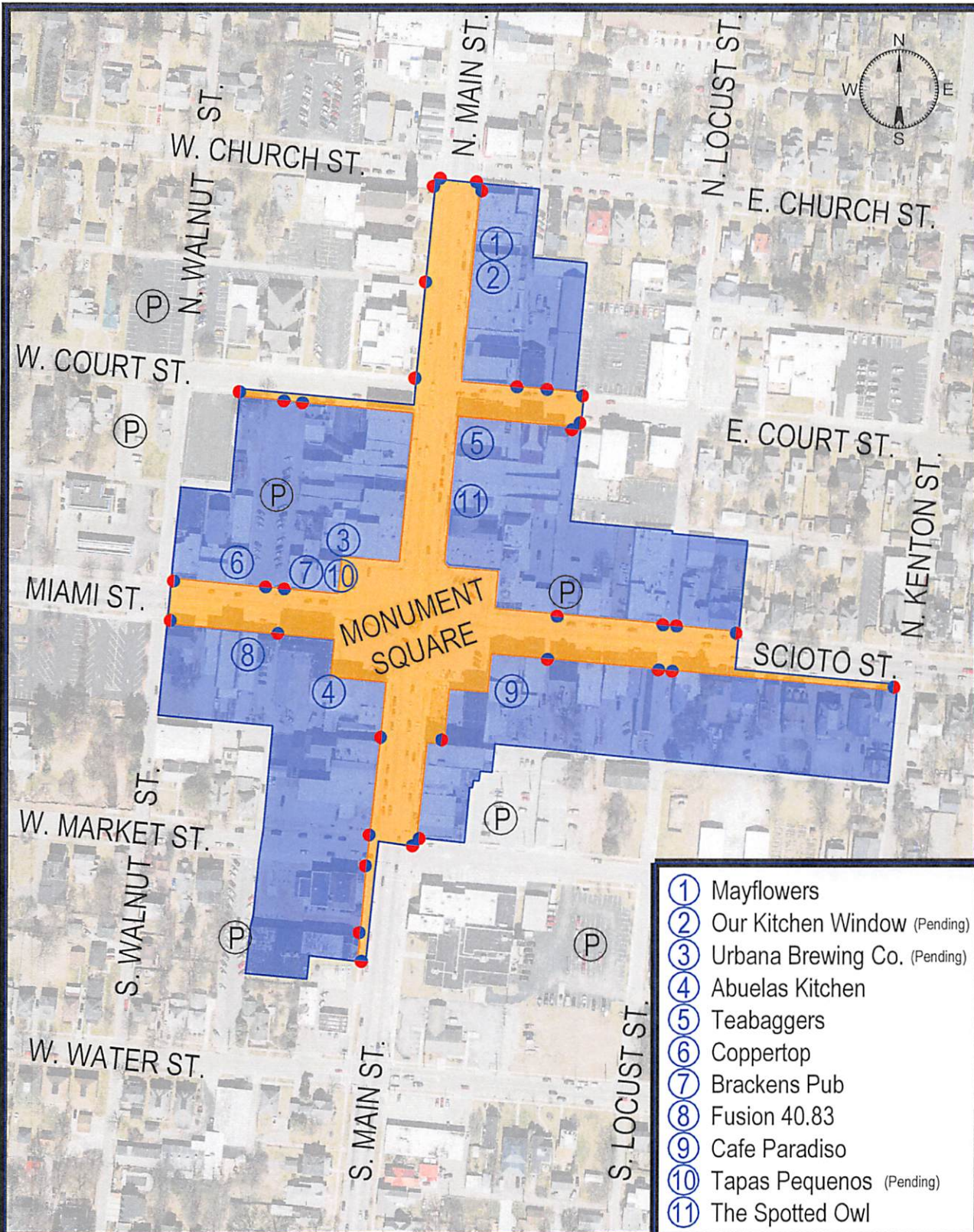
In accordance with ORC 4301.82(B)(5) and in conjunction with other rules, standards, and requirements set forth in this application, additional rules and requirements for the purpose of ensuring public safety and health within the Downtown Urbana DORA are as follows:

- 1) No person shall enter the premises of a non-liquor serving establishment within the DORA with an open container of beer, wine, or intoxicating liquor without the owner's permission.

- 2) No person shall enter the premises of a liquor serving establishment with an open container of beer, wine, or intoxicating liquor purchased from a separate liquor serving establishment.
- 3) No person shall reenter the premises of a liquor serving establishment with an open container of beer, wine, or intoxicating liquor purchased from the same establishment.
- 4) No person shall possess an open container of beer, wine, or intoxicating liquor while being in or on a motor vehicle within the Downtown Urbana DORA.
- 5) No person shall refill or reuse the "Official DORA Cup".
- 6) A person may have in his/her/their possession an open container of beer, wine, or intoxicating liquor at an outdoor location within the boundaries of the Downtown Urbana DORA if the open container was purchased from a qualified and active participating permit holder to which all of the following apply:
 - a) The permit holder's premises are located within the boundaries of the Downtown Urbana DORA.
 - b) The permit held by the participating establishment has an outdoor refreshment area designation as outlined in the local legislation.
 - c) The open container consists of the official Downtown Urbana DORA cup.
- 7) Any person who fails to comply with the rules and regulations outlined in this application may be charged with a misdemeanor equivalent to an open container violation, as prohibited by Ohio R.C. §4301.62, a disorderly conduct violation, as prohibited by Ohio R.C. §2917.11, and/or any other applicable criminal charge.

EXHIBITS

EXHIBIT A - BOUNDARY MAP



- ① Mayflowers
- ② Our Kitchen Window (Pending)
- ③ Urbana Brewing Co. (Pending)
- ④ Abuelas Kitchen
- ⑤ Teabaggers
- ⑥ Coppertop
- ⑦ Brackens Pub
- ⑧ Fusion 40.83
- ⑨ Cafe Paradiso
- ⑩ Tapas Pequenos (Pending)
- ⑪ The Spotted Owl

- DORA (Designated Outdoor Refreshment Area) Limits
- DORA Walking Area (Stay within This Area When Consuming a DORA Beverage)
- DORA Sign or Symbol for Permitted/Unpermitted Alcoholic Beverage Location
- P Public Parking
- # Permit Holders

CITY OF URBANA
 DIVISION OF ENGINEERING
 205 S. Main Street Urbana, Ohio 43078
 Fax: (937) 652-4306
 Phone: (937) 652-4324

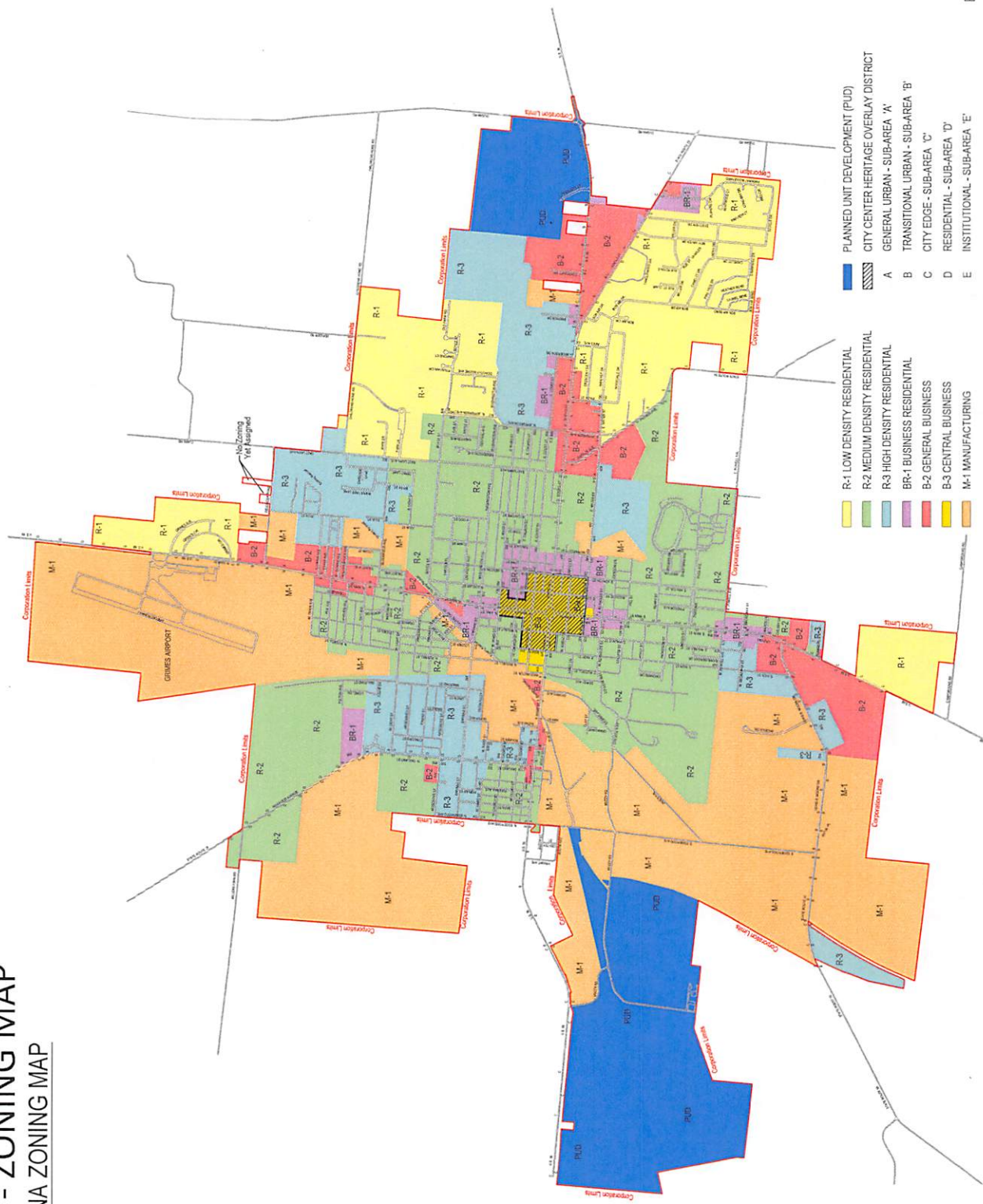
DOWNTOWN URBANA DESIGNATED
 OUTDOOR REFRESHMENT AREA
 Tyler L. Bumbalough, P.E.
 CITY ENGINEER

CAD FILE: Engineering\Urbana Map\Downtown Urbana Outdoor Refreshment Area\Downtown Urbana Outdoor Refreshment Area.dwg	REVISION DATE: ---
DRWN BY: TLB	ISSUE DATE: 10-3-22
APPROV BY: TLB	SCALE: 1" = 250'

A

EXHIBIT B - ZONING MAP

CITY OF URBANA ZONING MAP



EFFECTIVE DATE: 8/18/2022

EXHIBIT C - SANITATION PLAN

EXHIBIT C – Sanitation Plan Downtown Urbana Designated Outdoor Refreshment Area (DORA)

In accordance with ORC 4301.82(B)(5) and (F)(1)(e) and (F)(1)(f), the following sanitation plan has been developed to help maintain the appearance and public health within the Downtown Urbana Designated Outdoor Refreshment Area (DORA).

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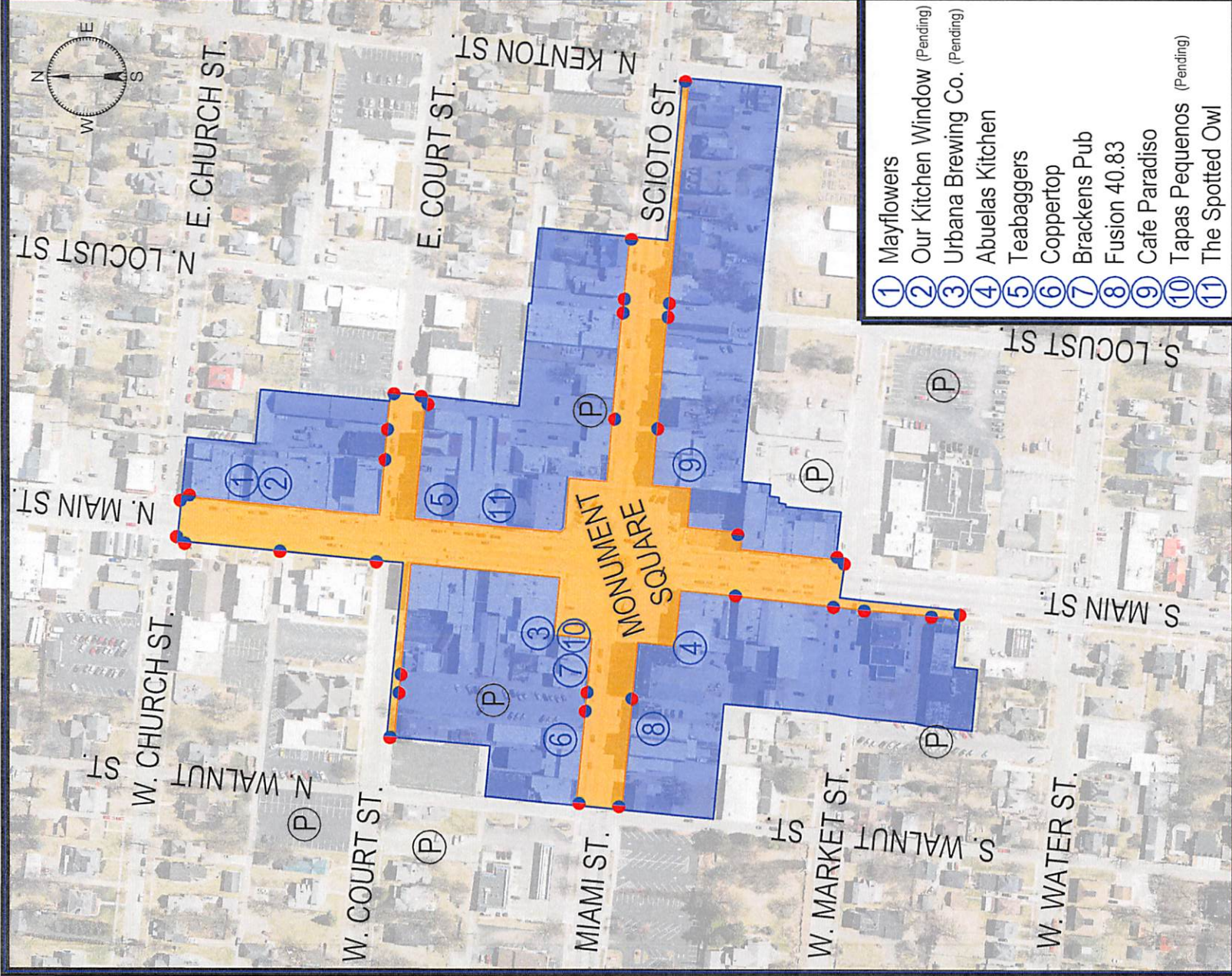
EXHIBIT D1 – Signage Plan Downtown Urbana Designated Outdoor Refreshment Area (DORA)

In accordance with ORC 4301.82(F)(1)(b), permanent sidewalk stencils with the wording “NO ALCOHOL BEYOND THIS POINT” with the DORA logo/title will be installed and maintained by the City of Urbana Street Department as signage at the DORA boundaries. For instances where sidewalk stencils are not feasible for installation as planned, a raised sign will be installed with similar wording and graphics. All DORA boundary signage will be placed where public sidewalks intersect with the DORA boundaries and where the DORA boundaries end in order to provide pedestrians with a clear indication of when they are entering or exiting the boundaries of the DORA. As of the date of this application, approximately thirty-five signs are estimated to be required to be installed to properly delineate the DORA boundaries as shown on the signage plan.

Representative Signage Examples/Concepts Are Shown Below:



EXHIBIT D2 - SIGNAGE LOCATION PLAN




- ① Mayflowers
- ② Our Kitchen Window (Pending)
- ③ Urbana Brewing Co. (Pending)
- ④ Abuelas Kitchen
- ⑤ Teabaggers
- ⑥ Coppertop
- ⑦ Brackens Pub
- ⑧ Fusion 40.83
- ⑨ Cafe Paradiso
- ⑩ Tapas Pequeños (Pending)
- ⑪ The Spotted Owl

- DORA (Designated Outdoor Refreshment Area) Limits
- DORA Walking Area (Stay within This Area When Consuming a DORA Beverage)
- DORA Sign or Symbol for Permitted/Unpermitted Alcoholic Beverage Location
- P Public Parking
- # Permit Holders

CAD FILE: Engineering\Urbana Map\Downtown Urbana Outdoor Refreshment Area.dwg
 DRWN BY: TLB
 APPRD BY: TLB
 SCALE: 1" = 250'
 ISSUE DATE: 10-3-22
 REVISION DATE: ---
 Tyler L. Bumbalough, P.E.
 CITY ENGINEER
 205 S. Main Street Urbana, Ohio 43078
 Fax: (937) 652-4306
 Phone: (937) 652-4324

D2

BOC #1

To: Board of Control & City Council
From: Chris Boettcher, Director of Finance 
Date: October 11, 2022
Re: Upgrade Financial Software to Software Solutions VIP Product Suite

Since 2008, the Finance Department utilizes the Software Solutions eGov Product Suite (eGov). This software is installed on the city's server and is accessible by the seven employees in the department. The eGov modules are used for Utility Billing, Accounts Receivable, Accounts Payable, Payroll, Asset Management, and Income Tax. Each module is limited to three concurrent users.

Obviously, there has been a lot of changes in software applications since 2008, as well as, the platform to use the software. Software Solutions offers a cloud-based platform, *VIP Product Suite (VIP)*, that allows access from basically anywhere via the internet with proper user credentials.

Proposed Upgrades & New Modules:

- Upgrade eGov Financial Management to VIP Accounting
 - Allows for twenty concurrent users
 - Streamlines budget creation (revenue budget and appropriation budget)
 - Ability to duplicate recurring journal entries
 - Built-in budget-checking to ensure compliance
 - Import cashed checks from bank file into bank reconciliation
 - Track projects across multiple years
 - Flexible reporting
 - Allows for implementation of *Departmental Workflow* where the department head submits the purchase requisition through VIP and the approval(s) are completed in the system through notifications.
- Upgrade eGov Payroll to VIP Payroll
 - Allows mass changes for pay rate changes and deduction changes
 - Direct deposit emails to employees
 - Reduces the number of steps to process payroll
- Upgrade eGov Asset Management to VIP Asset Management
 - Enables new assets to be identified and transferred from VIP Accounting to Asset Management
- VIP Analytics
 - Centralizes the budgeting process
 - Allows for forecasting based on historical data
 - Enables report design, building, and publishing
 - Single click reporting – after the report template is built

Utility Billing will remain as an eGov product and will be compatible with the VIP upgrade in Finance. Software Solutions currently does not offer an Income Tax module in VIP, so the current software will remain in use.

The attached quote details the upgrade discount and conversion of five years of data into the VIP platforms for Accounting, Payroll, and Asset Management, as well as, the addition of Departmental Workflow, Analytics, Employee Portal, and Cloud service.



City of Urbana - VIP Product Suite

Quote

Prepared For:
Urbana, City of
 Chris Boettcher
 205 South Main Street
 PO Box 747
 Urbana, OH 43078
 P: (937) 652-4310
 E: chris.boettcher@ci.urbana.oh.us

Prepared by:
Software Solutions
 Grant Halsey
 8534 Yankee Street, Suite 2B
 Dayton, OH 45458
 P: 513.932.6667
 E: ghalsey@mysoftwaresolutions.com

Date Issued:
09.13.2022
 Expires:
11.30.2022

Software & Implementation	Price	Qty	Ext. Price
VIP ACCOUNTING			
VIP Accounting Suite License Income Tax Import Template - Included	\$40,000.00	1	\$40,000.00
VIP Accounting Suite License - (Upgrade Discount)	(\$40,000.00)	1	(\$40,000.00)
VIP Accounting Conversion, Configuration & Implementation Services Data conversion includes current year, plus up to 5 years of history. Includes implementation, training, and project management	\$35,000.00	1	\$35,000.00
VIP Accounting Subtotal			\$35,000.00
VIP DEPARTMENTAL WORKFLOW			
VIP Departmental Workflow License Requisitions/PO's, Invoices, and Budget Requests	\$10,000.00	1	\$10,000.00
VIP Departmental Workflow Configuration & Implementation Services	\$5,000.00	1	\$5,000.00
VIP Departmental Purchasing Subtotal			\$15,000.00
VIP PAYROLL/Human Capital Management			
VIP Payroll/HR Suite License Human Capital Management Tracking - Included NovaTime Import - Included	\$40,000.00	1	\$40,000.00
VIP Payroll/HR Suite License - (Upgrade Discount)	(\$40,000.00)	1	(\$40,000.00)
VIP Payroll/HR Conversion, Configuration & Implementation Services Data conversion includes current year, plus up to 5 years of history. Includes implementation, training, and project management	\$35,000.00	1	\$35,000.00
VIP Payroll/HR Subtotal			\$35,000.00
VIP ASSET MANAGEMENT			
VIP Asset Management License	\$10,000.00	1	\$10,000.00
VIP Asset Management License - (Upgrade Discount)	(\$10,000.00)	1	(\$10,000.00)
VIP Asset Management Conversion, Configuration & Implementation Services	\$8,000.00	1	\$8,000.00
VIP Asset Management Subtotal			\$8,000.00
VIP ANALYTICS			



Software & Implementation	Price	Qty	Ext. Price
VIP Analytics Suite License Budget Builder (w/Dept access) & Forecasts - Included Custom Report Builder Tool - Included Financial Dashboard Visuals - Included	\$5,000.00	1	\$5,000.00
VIP Analytics Configuration & Implementation Services	\$5,000.00	1	\$5,000.00
VIP Analytics Personnel Budgeting Employee Salary & Benefits Budgeting - Included	\$5,000.00	1	\$5,000.00
VIP Analytics Personnel Budgeting Configuration & Implementation Services	\$5,000.00	1	\$5,000.00
VIP Analytics Subtotal			\$20,000.00
VIP Cloud			
VIP Cloud Setup and Configuration	\$2,000.00	1	\$2,000.00
VIP Cloud Setup and Configuration - Included	(\$2,000.00)	1	(\$2,000.00)
VIP Cloud Subtotal			\$0.00
VIP EMPLOYEE PORTAL - PHASE I			
VIP Employee Portal Setup & Configuration	\$1,500.00	1	\$1,500.00
VIP Employee Portal Setup & Configuration - Included	(\$1,500.00)	1	(\$1,500.00)
VIP Employee Portal Subtotal			\$0.00
Additional Products and Services			
Post Live Training Session	\$1,200.00	3	\$3,600.00
VIP Concurrent User License - 20 Included	\$0.00	20	\$0.00
Additional Products and Services Subtotal			\$3,600.00
Subtotal:			\$116,600.00

Quote Summary	Amount
Software & Implementation	\$116,600.00
Total:	\$116,600.00

Notes

Software prices quoted are valid for 90 days.
 Payment Terms: 10% due at signing, 60% due when sandbox is installed, 30% of total order due at scheduled live date.

Annual Fees

Software Assurance maintenance and support fees for new modules are \$4,925 (VIP Analytics and Dept. Workflow) and will begin after initially scheduled live date. The annual subscription fee for the VIP Employee Portal Phase I & Human Capital Management Reporting is \$2,910 and will begin at go-live. The annual subscription fee for VIP Cloud is \$12,000 and will begin when the URLs are provided for access to the VIP Sandbox.

Notes

Data conversions consist of a test conversion and a live conversion. This proposal provides for current year and up to 5 historical years of data to be converted as part of the project for Accounting and Payroll/HR. Additional years of data may be requested by the City for an additional cost.

Features include electronic banking capabilities as part of the applications. These include such things as ACH, Direct Deposit, EFT, etc.

The VIP Employee Portal allows for city employees to access their Payroll data via their mobile phones, laptops/home computers or any internet connected device in a secure environment. They may also use the portal to access important city news and links, pay stubs, W2's, and check vacation/sick accrual balances.



Proposal assumes existing check printing process. Changes in check printing solution, check stock, and positive pay are not included in this proposal. These modules can be quoted if desired.

As proposed, the VIP Applications will reside on a Cloud Server. On-site PC resources may still be required for such things as check & receipt printing, eGov applications, VIP Analytics and other software applications.

VIP CLOUD

VIP Cloud has been proposed to host the VIP Software. With VIP Cloud the City will never be required to buy a server for the software and is built into the solution. VIP Cloud provides an added layer for Cybersecurity, Data Backups, Disaster Recovery, Automated Software Updates and Remote Work Capabilities for city employees. The VIP Cloud platform will continually be upgraded at no additional cost to the city. It will continue to grow to meet the city's database requirements.

TERMS AND CONDITIONS OF SALE - VIP Cloud

1. SELLER RESPONSIBILITIES

- 1.1 Provision of Purchased Services. Seller will (a) provide Web and Cloud Back-up Services of Customer's VIP applications to the applicable Seller Software pursuant to this Agreement, and as specified in the attached Quote, (b) be solely responsible for setting applicable data processing and transmission parameters, (c) use commercially reasonable efforts to make the online Purchased Services available 24 hours per day and 7 days a week, except for: (i) planned down (of which Seller shall give notice), (ii) failure of equipment, software or services not under the direct control of Seller and (iii) any unavailability caused by circumstances beyond Seller's reasonable control, including but not limited to, a Force Majeure event (an act of God, act of government, natural disaster, civil insurrection, terrorist act, internet service provider failure or delay, war or other act of military force, epidemic or pandemic, or strike or other labor dispute.)
- 1.2 Protection of Customer Data. Seller will maintain reasonable administrative, physical, and technical safeguards for protection of the security of Customer data. Those safeguards will include measures designed to prevent unauthorized access of Customer Data (other than by Customer or Authorized Users.) Seller shall have no liability to Customer for any lost data or information, or any data or information accessed via any security breach or unauthorized login. Seller will provide best effort cooperation in response to any data restoration services needed during the term of this agreement.

2. CUSTOMER RESPONSIBILITIES.

- 2.1 Customer Acknowledgment. Customer acknowledges and agrees that access to these Services will require Customer to agree to the terms and conditions of Seller's designated supplier of hosting services.
- 2.2 Network Requirements. Customer acknowledges and agrees that the operation of any product Deliverable is dependent upon Customer having and maintaining appropriate hardware, software, and internet capabilities (the "Network Requirements"). The Network Requirements may change as a result of any updates or upgrades to a product Deliverable, and Customer acknowledges and agrees that Customer shall, at its cost, meet those Network Requirements, in order to obtain the applicable hosting services.

3. DISCLAIMER OF CONSEQUENTIAL DAMAGES; LIMITATIONS ON REMEDIES.

Seller hereby disclaims any and all consequential and incidental damages arising out of or relating to the agreement, including but not limited to loss of use, downtime, lost profits, cover, recall costs, loss of goodwill, freight expenses, independent contractor expenses, employee wages and benefits, and lost or destroyed data or information. In no event shall Seller's liability to customer or any third party, arising out of or relating to a deliverable or the agreement, whether for breach of warranty, breach of contract, or arising in tort or otherwise, exceed the amount of one month's subscription service fees for the deliverable to which the claim relates, or \$1,000, whichever is the greater amount.

4. TERM.

The term of this hosting agreement commences on the effective date of the Agreement and is perpetual. Seller may terminate this agreement upon written notice to Customer in the event of Customer's breach of the Agreement. Customer may terminate this agreement at any time after hosting services begin and payment of all fees, upon at least ninety (90) days written notice to Seller; provided, however, no such termination shall result in reimbursement of any fees paid or payable to Seller.

5. POST-TERMINATION OBLIGATIONS.

Within ninety (90) days after termination of this Agreement, Seller shall: provide re-hosting of license and data to Customer's local server.

To proceed with this proposal, please return the signed agreement to Grant Halsey.
Email: ghalsey@MySoftwareSolutions.com



Acceptance

Printed Name: _____

Signature: _____

Title: _____

Purchase Date: _____

Purchase Order Number: _____

SEPTEMBER 2022
PURCHASE ORDERS \$2,501-\$50,000

PURCHASE ORDER # :	VENDOR :	PURCHASE ORDER AMOUNT :	DEPARTMENT :	EXPLANATION :	BOC APPROVAL DATE & VOTE:
29973	MOODY'S OF DAYTON	\$ 8,770.00	WATER	TEST, ABANDON & SEAL PRODUCTION WELL	BOC 9.7.2022(3)
29974	DARANY ASSOCIATES	\$ 2,645.00	POLICE	LICENSE FOR ENTRY LEVEL POLICE OFFICER EXAM & BOOKLETS	BOC 9.7.2022(3)
30000	A&B ASPHALT	\$ 22,000.00	STREET	ASPHALT FOR DEEP REPAIRS ON NORTH & SOUTH MAIN ST	BOC 9.14.2022(3)
30001	HERITAGE	\$ 8,000.00	WATER	FUEL EXPENSE SEPTEMBER-DECEMBER 2022	BOC 9.14.2022(3)
30002	BRADEN LANCE CONSTRUCTION	\$ 12,744.00	PARKS	INSTALL NEW ROOF ON SLOW PITCH BUILDING	BOC 9.14.2022(3)
30003	DOOLEY'S SANITATION SERVICE	\$ 6,750.00	SEWER	HAULING 15 LOADS FROM TRUTEK (LINE BROKE -UPPER VALLEY PK)	BOC 9.14.2022(3)
30004	JOHN'S RELIABLE SEPTIC	\$ 4,800.00	SEWER	40,000 GALLONS PUMPED FROM TRUTEK (LINE BROKE -UPPER VALLEY PK)	BOC 9.14.2022(3)
30005	KELLY'S SEPTIC SERVICES LLC	\$ 10,265.00	SEWER	HAULED 110,993 GALLONS FROM TRUTEK (LINE BROKE -UPPER VALLEY PK)	BOC 9.14.2022(3)
30006	MCKEEVER'S	\$ 2,632.50	SEWER	13 LOADS HAULED FROM TRUTEK (LINE BROKE -UPPER VALLEY PK)	BOC 9.14.2022(3)
30007	LINEMENS SUPPLY	\$ 2,730.00	STREET	STANLEY HYDRAULIC POST PULLER	BOC 9.14.2022(3)
30010	ATLANTIC EMERGENCY SOLUTION	\$ 6,397.11	FIRE	TRUCK 1 AERIAL REPAIRS	BOC 9.14.2022 (2)
30032	PLATINUM COMMERCIAL ROOFING	\$ 41,000.00	POLICE	ROOF REPLACEMENT SALLY PORT & MAIN AREA OF MUNICIPAL BUILDING	BOC 9.21.2022(3)
30034	GARY BROWN	\$ 3,474.15	POLICE	CARPET & INSTALL FOR UPD/UFD RECORDS & UPD CONFERENCE ROOM	BOC 9.21.2022(3)
30042	FIRE SAFETY SERVICES	\$ 3,190.48	FIRE	FIRE HOSES (5 @ 2.5"X50', 3 @ 1.75"X50', 1 @ 3"X25', 2 @ 5"X100')	BOC 9.28.2022(2)
30044	PIONEER ATHLETICS	\$ 7,350.00	PARKS	BRITE STRIPER #3500 SELF PROPELLED AIRLESS FIELD STRIPER	BOC 9.28.2022(2)
30045	ALL-PHASE	\$ 2,632.68	NON-DEPT	2 FIXTURES & MOUNTING ARM (DECORATIVE LIGHTS AT MIAMI & MONUMENT SQ)	BOC 9.28.2022(2)
30046	HENRY P THOMPSON	\$ 2,800.00	SEWER	PRESSURE TRANSDUCER - LEVEL INDICATOR	BOC 9.28.2022(2)

Chris Boettcher
Secretary

ORDINANCE NO. 4580-22

AN ORDINANCE TO AMEND THE CITY OF URBANA'S OFFICIAL ZONING MAP BY REZONING PARCELS IN THE AREA OF LIONEL DRIVE, FULTON AVENUE AND RAILROAD STREET CURRENTLY DESIGNATED R-2 MEDIUM DENSITY RESIDENTIAL TO R-3 HIGH DENSITY RESIDENTIAL (Three (3) Reading Required. Public Hearing Required. Public Hearing to be held on November 1, 2022. Public Hearing Advertisement Date: October 21, 2022).

Department Requesting: Zoning

Sponsor: Audra Bean

WHEREAS, Chapter 1113 of the Codified Ordinances of the City of Urbana, Ohio enables amendment of the Official Zoning Map; and

WHEREAS, whenever the public necessity, convenience, general welfare or good zoning practices require, Council may by ordinance after receipt of a recommendation thereon from the Planning Commission and subject to procedures provided by law, amend, supplement, change or repeal the regulations, restrictions and boundaries or classification of property; and

WHEREAS, on September 26, 2022, the Planning and Zoning Staff formally requested an amendment to the Official Zoning Map for the City of Urbana pursuant to Chapter 1113.03 (a) of the Codified Ordinances of the City of Urbana; and

WHEREAS on September 26, 2022, the City of Urbana Planning Commission recommended by a 7-0 vote, that City Council *approve* the request to rezone parcels in the area of Lionel Drive, Fulton Avenue and Railroad Street currently designated R-2 Medium Density Residential to R-3 High Density Residential; and

WHEREAS, Council held a public hearing pursuant to Chapter 1113.09 of the Codified Ordinances of the City of Urbana on Tuesday, November 1, 2022.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Urbana, County of Champaign and State of Ohio, that:

Section 1: The City Engineer shall amend the Official Zoning Map of the City of Urbana, Ohio to reflect the zoning change depicted in the Planning Commission Staff Report and as recommended by the Planning Commission. An exhibit of the proposed zoning map change is attached and labeled as "Exhibit A".

Section 2: The Mayor shall sign the amended Official Zoning Map of the City of Urbana, Ohio.

Section 3: The Clerk of Council is now instructed to sign the amended Official Zoning Map to attest to this action of City Council.

SECTION 4: The City of Urbana Planning Commission's recommendation to approve the request to rezone the proposed area is attached and labeled as "Exhibit B".

Section 5: The Planning Commission Staff Report is attached and labeled as "Exhibit C."

SECTION 6: All actions of City Council and the Planning Commission related to this legislation were conducted in open meetings pursuant to Urbana Codified Ordinance 107.01 and Ohio Revised Code 121.22.

SECTION 7: This ordinance shall become effective at the earliest time provided by law.

President, City of Urbana Council

PASSED: _____

ATTEST: _____
Clerk of Council

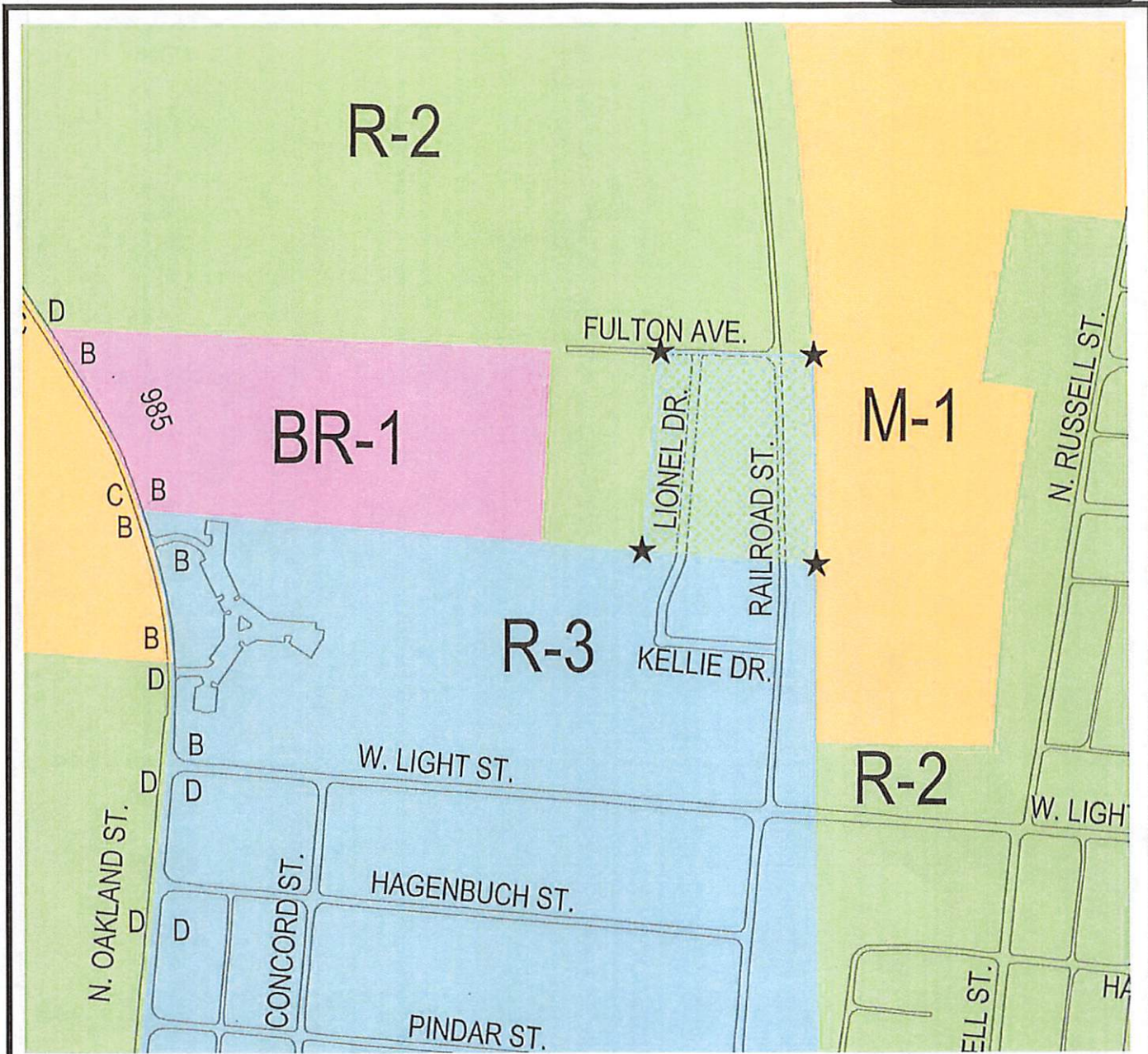
This Ordinance approved by me this ____ day of _____, 2022.

Mayor, City of Urbana



REVIEWED: Mark Al Fennerty 10/11/22
Director of Law Date

- Jumper: ____ Yay ____ Nay ____ N/A
- Scott: ____ Yay ____ Nay ____ N/A
- Paul: ____ Yay ____ Nay ____ N/A
- Thackery: ____ Yay ____ Nay ____ N/A
- Collier: ____ Yay ____ Nay ____ N/A
- Bean: ____ Yay ____ Nay ____ N/A



★ Proposed R-3



R-1 LOW DENSITY RESIDENTIAL	B-2 GENERAL BUSINESS
R-2 MEDIUM DENSITY RESIDENTIAL	B-3 CENTRAL BUSINESS
R-3 HIGH DENSITY RESIDENTIAL	M-1 MANUFACTURING
BR-1 BUSINESS RESIDENTIAL	CITY CENTER HERITAGE OVERLAY DISTRICT

ID	DATE	REVISION

★
**FULTON AVENUE
 REZONING (LIONEL
 DRIVE APTS.)**
 ZONING MAP
 PROPOSED CHANGE:
 R-2 TO R-3
 ★

TYLER L. BUMBALOUGH, P.E.
 CITY ENGINEER

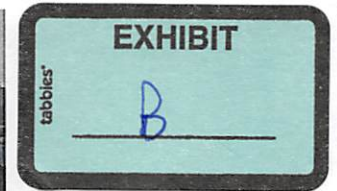
CITY OF URBANA
 DIVISION OF ENGINEERING
 255 S. Main Street • Urbana, Ohio 43078
 Fax: (937) 652-4306
 Phone: (937) 652-4324

**CITY OF URBANA
 PROPOSED ZONING MAP AMENDMENT**

G:\Engineering\Urbana Map\Zoning Map\Urbana Zoning Map.dwg
 9/12/2022

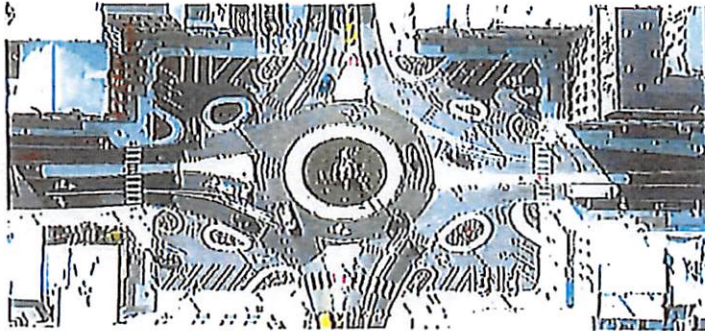
1" = 400'

Exhibit A



City of Urbana Planning Commission September 26, 2022 – 6:00 pm Agenda

- **Call to Order – 6:00 pm**
 - Call to Order
 - Pledge of Allegiance
 - Roll Call
 - Rules of the Meeting
- **Prior Meeting Minutes**
 - August 22, 2022
- **Old Business**
- **New Business**
 - PC-2022-16 – The Lavender House – 415 S. Main St. – Wall Sign (Administratively Approved)
 - PC-2022-17 – City of Urbana – Zoning Map Amendment - Parcels in the area of Lionel Drive, Fulton Avenue and Railroad Street
 - PC-2022-18 – City of Urbana – Zoning Map Amendment – K48-25-11-04-34-018-00
 - PC-2022-19 – City of Urbana – Zoning Map Amendment – Parcels in the area of Gwynne Street and N. Russell Street
 - PC-2022-20 – City of Urbana – Zoning Map Amendment – Parcels in the area of Dellinger Road
- **Miscellaneous Business**
- **Adjourn**



City of Urbana Planning Commission Rules of the Meeting

Greetings and thank you for attending this evening's meeting. We like to start the meeting by covering some ground rules for procedures. It is the role of the Planning Commission to:

1. Continuously review the effectiveness and appropriateness of the Planning & Zoning Text and recommend such changes or amendments it feels would be appropriate.
2. Review all proposed amendments to the Planning & Zoning Text and the zoning district map and make recommendations in the best interest of the public in general to City Council.
3. Review all Planned Unit Development applications and make recommendations in the best interest of the public in general to City Council.
4. Review and act on site plans, including sign permit applications.

We shall begin with approval or disapproval of any minutes from the previous Planning Commission meeting.

Following the approval or disapproval of minutes, each application shall be reviewed in the following manner:

1. The acting secretary shall read the application. And the City of Urbana staff shall read staff comments.
2. The acting chair shall ask for comments from the applicant or applicants.
3. The acting chair shall ask for comments from the public in support of the application and then for comments from the public against the application.
4. The Planning Commission shall discuss the application and the acting chair shall invite a motion from the Planning Commission. The board members shall make a motion to approve or deny the application.

After all applications have been discussed and addressed, any miscellaneous business shall be brought before the Planning Commission. Finally, we shall adjourn the meeting.



Planning Commission

September 26, 2022 Meeting Minutes

Attendance

Member(s) Present: Kerry Brugger; Eric Samuelsson; Jennifer Dunham-Young; Richard Kerns; Steve Brandeberry; Kimberly Gordon-Brooks;

Member(s) Absent: Bill Bean; Tasha Abrams;

Guests Present: Chuck Siegenthaler; Reed Embrey; Faydra Embrey; Yamela Epley; Dixie Pencil Hayes; Caleb Roberts; Andrew Tamplin.

Call to Order and Pledge of Allegiance

Action: Kerry Brugger lead the Pledge of Allegiance and called roll.

Reading of Rules of the Meeting

Action: Kerry Brugger read the rules of the meeting.

Prior Meeting Minutes

Action: It was moved by Eric Samuelsson to accept the previous meeting minutes if the attendance could be revised to have Mr. Brandeberry absent. It was seconded by Mr. Kerns.

Discussion:

Vote:

7 (Yay) – 0 (Nay)

Motion Passed.

Old Business – Application(s)

None

Application, Staff Comments/Recommendations:

Action:

Discussion:



Vote:

5 (Yay) – 0 (Nay)
Motion Passed.

New Business – Application(s)

PC-2022-16 – The Lavender House – 415 S. Main St. – Wall Sign (Administratively Approved)

Application, Staff Comments/Recommendations:

Mr. Kerry Brugger announced the administratively approved application which met all standards and requirements.

Action:

Discussion:

Vote: NONE.

7 (Yay) – 0 (Nay)
Motion Passed.

PC-2022-17 – City of Urbana – Zoning Map Amendment - Parcels in the area of Lionel Drive, Fulton Avenue and Railroad Street

Application, Staff Comments/Recommendations:

Mr. Dusty Hurst stated this was a recommendation from internal staff to update the map. He presented the map and said this area is a bunch of apartments which run from Kelley Dr and run to Fulton. Has is currently R-3 which does allow for multi-family housing. The remaining portion is zoned as R-2 which requires a conditional use for multi-family. This is all under one ownership. There are two parcels fronting these apartments own by the City of Urbana which would be updated as well to make the zoning more consistent with the nature of the neighborhood.

There were no further concerns from the board.

Action:

It was moved by Mrs. Gordon-Brooks and seconded by Mr. Brandeberry to accept the application.

Discussion:

Vote:

7 (Yay) – 0 (Nay)
Motion Passed.

PC-2022-18 – City of Urbana – Zoning Map Amendment – K48-25-11-04-34-018-00



Application, Staff Comments/Recommendations:

This is currently zoned M-1 manufacturing and residential cannot technically exist there which mean this is a non-conforming use. This would bring the properties into compliance as R-2. Eventually these condos will be sold as single-family units outside of the condo association.

Mr. Brugger explained some of the history of this space.

It was asked if they will be putting in more condos. Mr. Brugger stated it was purchased by a private buyer and the intentions are not yet clear. Another person asked if they could put in apartments back in that development. Mr. Hurst stated no because the new zoning would only allow the apartments conditionally and given the drive is private, they could not have apartments in there. It was clarified that if something like that were to be prosed, it would have to go through BZA and then through Planning Commission again and there would be a public hearing and surrounding notification. The parcel would have to be re-platted and it would be a lengthy process. Yes, the property could see apartments eventually but it would be a lengthy process and have a lot of extra back work.

There were no further comments or concerns.

Action:

It was moved by Mr. Kerns and seconded by Mrs. Gordon-Brooks to approve the application.

Discussion:

Vote:

7 (Yay) – 0 (Nay)

PC-2022-19 – City of Urbana – Zoning Map Amendment – Parcels in the area of Gwynne Street and N. Russell Street

Application, Staff Comments/Recommendations:

Current zoning is M-1 and R-2. The current M-1 would become BR-1 and the R-2 would become M-1. Mr. Hurst explained the current M-1 going to BR-1 was a pet groomer and has apartments historically. Therefore, the City is planning to make this more conforming as this exists now so the current uses can continue. The second section exists will be M-1 to no longer split one of the parcels and allow other parcels to be developed further as M-1.

Reed Embrey lives at 129 Gwynne and spoke regarding this change. His house is zoned M-1 currently and asked if his house burnt down if he could replace the house in the current zoning or would it have to be a business or manufacturing. Mr. Hurst answered as the current zoning over his property is, no he could not rebuild a residential structure if his current one was destroyed. However, the BR-1 would allow that house to be rebuilt once the zoning is changed to BR-1. Mr. Embrey asked is the change will change the value of the property and if the residential value is different than manufacturing value. Mr. Hurst said technically yes, a property will value differently if it is used as residential versus manufacturing. However, given the size of his lot anyway, nothing manufacturing could be built there and therefore the property would not likely be more valuable as a manufacturing lot.



Faydra Embry spoke and stated she rents one of the houses in this rezoning area and is just wanting to know that a manufacturing company is not going to come in and kick her out of her house to use the space. It was answered that will not happen given the change and size of the lot.

Action:

It was motioned by Mr. Brandeberry to accept the application and seconded by Mrs. Dunham-Young.

Discussion:

Vote:

7 (Yay) – 0 (Nay)

PC-2022-20 – City of Urbana – Zoning Map Amendment – Parcels in the area of Dellinger Road

Application, Staff Comments/Recommendations:

This will update the map from R-3 to R-1 and establish zoning for newly annexed properties into the City as R-1. The newly annexed properties must be zoned anyway. The rest is being rezoned because the current zoning of R-3 is high density and where you would normally see apartments and multi-family uses. This is inconsistent with the neighborhood.

Caleb Robert from 285 Dellinger Rd spoke. He stated he likes the idea of the rezoning given the character of neighborhood as most homes are single-family dwellings. He stated he lives there with his wife and 4 children. The parcel sizes are more consistent with the new zoning. He also noted the in-between parcel owner has spoke to him and stated they could not attend the meeting but are in favor of the change and the current tenant there feels the same as well. He stated the tenants at one of the newly annexed properties also were in favor. He also noted the speed limit is 40MPH in this area which is inconsistent with an R-3 given most R-3 in Urbana are 20 MPH.

Chuck Siegenthaler spoke and stated he is president of the condo association in this area. He noted they are also in favor of the change.

Andrew Tamplin spoke as the owner of 245, 281 Dellinger and the field on the far East end. He asked if the township parcels had not been annexed, if this would have even been an issue. Mr. Hurst stated that the annexation brought the issue to the forefront, however the City has considering rezoning the whole area prior given the nature of the neighborhood. Mr. Tamplin stated his concerns are the property owners were only given a week notice which he feels was inconsiderate. That aside, he feels the City took opportunity away from him for what he could use that land for in the future which is his objection. Mr. Hurst asked him what changes he was planning on making because the proposed changes really only bring his properties into compliance with their current use of the property. Mr. Tamplin stated that any of the uses permitted under R-3, he could currently apply for if he chose to use his land as any of those uses. However, if the City rezones this to R-1, some of those opportunities would be taken away. Mr. Hurst stated it would depend on the use but each use would still have engineering and zoning requirements which would be the same process regardless of R-1 or R-3 zoning. Those engineering and zoning standards would still have to be met before the permits could be granted.

Mr. Bruggler clarified what exactly is being rezoned to R-1 and what will remain R-3. Mr. Brandeberry explained this update would not be intended to limit Mr. Tamplin's opportunities but rather protect him and his neighbors from something happening that shouldn't. He also noted that just because the use isn't principally permitted,



does not mean it cannot be permitted conditionally if granted by the Board of Zoning Appeals. It was also clarified that if he chose to have something built which is only permitted either way through R-3 such as an apartment, that he could petition for the zoning to change back to R-3 for that specific area if it is a good fit for the City. Mr. Tamplin stated he feels this is a lot of rezoning and hoops to rezone the whole area when he feels the new annexed lots could just be brought in and R-3 and be done. Mr. Hurst explained this is to make things compliant with the current uses of the properties. Mr. Hurst also explained the definitions of the different zoning districts and explained when a city is planned and zoned, they try to lay it out in a way that flows to create buffers between residential areas and major manufacturing areas etc.

Mr. Tamplin also stated the owner 233 Dellinger Road does not like the change as well.

Action:

It was moved by motioned by Mr. Brandeberry and seconded by Mr. Samuelsson to approve the application.

Discussion:

Vote:

7 (Yay) – 0 (Nay)

Miscellaneous

Mr. Brandeberry noted that the PC has seen and approved updates to the new Taco Bel to help improve their drive-thru issues but noted that the issues still exist even after the updates because there is sometimes still a block onto Jefferson Ave.

Action:

Discussion:

Vote:

5 (Yay) – 0 (Nay)

Motion Passed.

Adjournment

Action:

It was motioned by Mrs. Gordon-Brooks and seconded by Mrs. Dunham-Young.

Vote:

7 (Yay) – 0 (Nay)

Motion Passed.



STAFF REPORT

Project Case No.: PC-2022-17
Staff: Preston Carter – Zoning and Compliance Officer
Applicant: City of Urbana
Property Address: Parcels in the area of Lionel Drive, Fulton Avenue and Railroad Street
Current Zoning: R-2 Medium Density Residential

Request Summary:

Proposal to update the City of Urbana Official Zoning Map by rezoning parcels in the area of Lionel Drive, Fulton Avenue and Railroad Street currently designated R-2 Medium Density Residential to R-3 High Density Residential. See Exhibit A for proposed change.

Standards for Zoning Map Amendments:

All recommendations by Planning Commission for Official Zoning Map amendments shall be consistent with the City's adopted plans, goals, and policies, and the following:

- (a) Prior to making a recommendation to City Council on a proposed rezoning, the Planning Commission shall consider whether the following conditions exist:
 - (1) There has been a change in demand for land which alters the information upon which the Official Zoning Map is based.
 - (2) A study indicates that there has been an increase in the demand for land in the requested zoning district, and as a result, the supply of land within the City mapped as such on the Zoning Map, is inadequate to meet the demands for such development.
 - (3) Proposed uses cannot be accommodated by sites already zoned in the City due to lack of transportation or utilities or other development constraints, or the market to be served by the proposed use cannot be effectively served by the location of the existing zoning district.
 - (4) There is an error in the text of this Part or the Official Zoning Map as enacted.
- (b) No residentially zoned district shall be recommended by Planning Commission to be rezoned to a non-residential district unless such proposed rezoning site is contiguous to land in the proposed zoning district classification.
- (c) In addition to the findings required to be made by subsection (b), findings shall be made by the Planning Commission on each of the following matters based on the evidence presented.
 - (1) The extent to which the proposed amendment and proposed use are in compliance with and deviate from adopted plans, goals and policies.
 - (2) The suitability of the property in question for the uses permitted under the proposed zoning.
 - (3) The adequacy of public facilities such as transportation, utilities, and other required public services to serve the proposed use.



-
- (4) The effect of the proposed rezoning on surrounding uses.
 - (5) The effect of the proposed rezoning on the economic viability of existing developed and vacant land within the City.

ORDINANCE NO. 4581-22

AN ORDINANCE TO AMEND THE CITY OF URBANA'S OFFICIAL ZONING MAP BY REZONING PARCEL K48-25-11-04-34-018-00 CURRENTLY DESIGNATED M-1 MANUFACTURING TO R-2 MEDIUM DENSITY RESIDENTIAL (Three (3) Reading Required. Public Hearing Required. Public Hearing to be held on November 1, 2022. Public Hearing Advertisement Date: October 21, 2022).

Department Requesting: Zoning

Sponsor: Audra Bean

WHEREAS, Chapter 1113 of the Codified Ordinances of the City of Urbana, Ohio enables amendment of the Official Zoning Map; and

WHEREAS, whenever the public necessity, convenience, general welfare or good zoning practices require, Council may by ordinance after receipt of a recommendation thereon from the Planning Commission and subject to procedures provided by law, amend, supplement, change or repeal the regulations, restrictions and boundaries or classification of property; and

WHEREAS, on September 26, 2022, the Planning and Zoning Staff formally requested an amendment to the Official Zoning Map for the City of Urbana pursuant to Chapter 1113.03 (a) of the Codified Ordinances of the City of Urbana; and

WHEREAS on September 26, 2022, the City of Urbana Planning Commission recommended by a 7-0 vote, that City Council *approve* the request to rezone parcel K48-25-11-04-34-018-00 currently designated M-1 Manufacturing to R-2 Medium Density Residential; and

WHEREAS, Council held a public hearing pursuant to Chapter 1113.09 of the Codified Ordinances of the City of Urbana on Tuesday, November 1, 2022.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Urbana, County of Champaign and State of Ohio, that:

Section 1: The City Engineer shall amend the Official Zoning Map of the City of Urbana, Ohio to reflect the zoning change depicted in the Planning Commission Staff Report and as recommended by the Planning Commission. An exhibit of the proposed zoning map change is attached and labeled as "Exhibit A".

Section 2: The Mayor shall sign the amended Official Zoning Map of the City of Urbana, Ohio.

Section 3: The Clerk of Council is now instructed to sign the amended Official Zoning Map to attest to this action of City Council.

SECTION 4: The City of Urbana Planning Commission's recommendation to approve the request to rezone the proposed area is attached and labeled as "Exhibit B".

Section 5: The Planning Commission Staff Report is attached and labeled as "Exhibit C."

SECTION 6: All actions of City Council and the Planning Commission related to this legislation were conducted in open meetings pursuant to Urbana Codified Ordinance 107.01 and Ohio Revised Code 121.22.

SECTION 7: This ordinance shall become effective at the earliest time provided by law.

President, City of Urbana Council

PASSED: _____

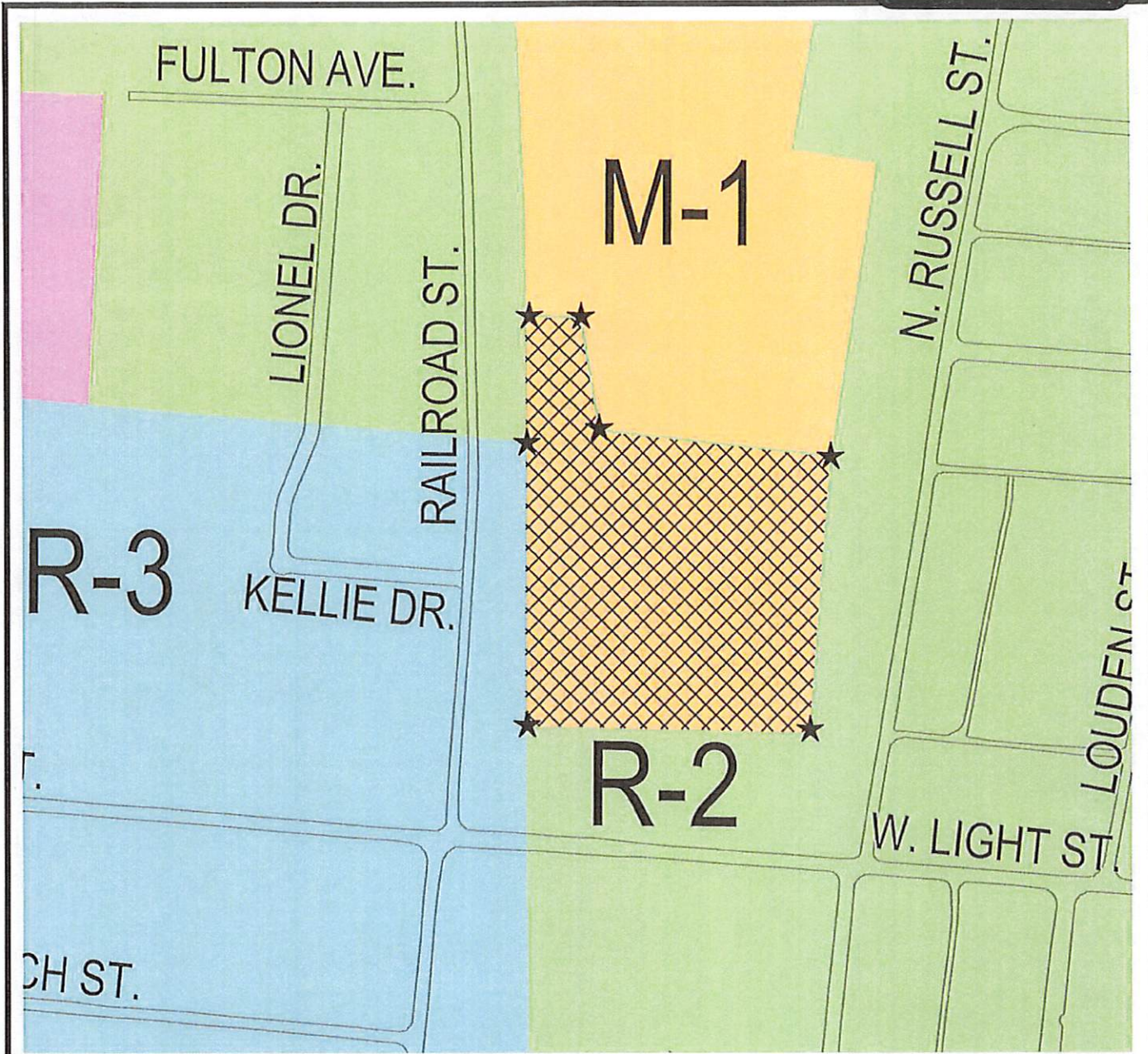
ATTEST: _____
Clerk of Council

This Ordinance approved by me this ____ day of _____, 2022.

Mayor, City of Urbana









REVIEWED:  10/11/2022
Director of Law Date

Jumper:	_____ Yay	_____ Nay	_____ N/A
Scott:	_____ Yay	_____ Nay	_____ N/A
Paul:	_____ Yay	_____ Nay	_____ N/A
Thackery:	_____ Yay	_____ Nay	_____ N/A
Collier:	_____ Yay	_____ Nay	_____ N/A
Bean:	_____ Yay	_____ Nay	_____ N/A



 Proposed R-2



 R-1 LOW DENSITY RESIDENTIAL	 B-2 GENERAL BUSINESS
 R-2 MEDIUM DENSITY RESIDENTIAL	 B-3 CENTRAL BUSINESS
 R-3 HIGH DENSITY RESIDENTIAL	 M-1 MANUFACTURING
 BR-1 BUSINESS RESIDENTIAL	 CITY CENTER HERITAGE OVERLAY DISTRICT

★
 W. LIGHT STREET
 REZONING (LIGHTWAY
 CONDOS/APTS.)
 ZONING MAP
 PROPOSED CHANGE:
 M-1 TO R-2
 ★

TYLER L. BUMBALOUGH, P.E.
 CITY ENGINEER

CITY OF URBANA
 DIVISION OF ENGINEERING
 205 S. Main Street • Urbana, Ohio 43078
 Fax: (837) 652-4306
 Phone: (837) 652-4324

CITY OF URBANA
 PROPOSED ZONING MAP AMENDMENT

ID	DATE	REVISION

FILE	G:\Engineering\Urbana Map\Zoning Map\Urbana Zoning Map.dwg
DATE	9/12/2022
SCALE	1" = 250'

Exhibit A

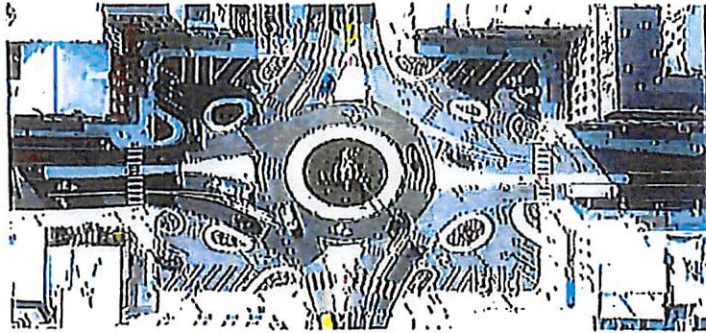


City of Urbana Planning Commission

September 26, 2022 – 6:00 pm

Agenda

- **Call to Order – 6:00 pm**
 - Call to Order
 - Pledge of Allegiance
 - Roll Call
 - Rules of the Meeting
- **Prior Meeting Minutes**
 - August 22, 2022
- **Old Business**
- **New Business**
 - PC-2022-16 – The Lavender House – 415 S. Main St. – Wall Sign (Administratively Approved)
 - PC-2022-17 – City of Urbana – Zoning Map Amendment - Parcels in the area of Lionel Drive, Fulton Avenue and Railroad Street
 - PC-2022-18 – City of Urbana – Zoning Map Amendment – K48-25-11-04-34-018-00
 - PC-2022-19 – City of Urbana – Zoning Map Amendment – Parcels in the area of Gwynne Street and N. Russell Street
 - PC-2022-20 – City of Urbana – Zoning Map Amendment – Parcels in the area of Dellinger Road
- **Miscellaneous Business**
- **Adjourn**



City of Urbana Planning Commission Rules of the Meeting

Greetings and thank you for attending this evening's meeting. We like to start the meeting by covering some ground rules for procedures. It is the role of the Planning Commission to:

1. Continuously review the effectiveness and appropriateness of the Planning & Zoning Text and recommend such changes or amendments it feels would be appropriate.
2. Review all proposed amendments to the Planning & Zoning Text and the zoning district map and make recommendations in the best interest of the public in general to City Council.
3. Review all Planned Unit Development applications and make recommendations in the best interest of the public in general to City Council.
4. Review and act on site plans, including sign permit applications.

We shall begin with approval or disapproval of any minutes from the previous Planning Commission meeting.

Following the approval or disapproval of minutes, each application shall be reviewed in the following manner:

1. The acting secretary shall read the application. And the City of Urbana staff shall read staff comments.
2. The acting chair shall ask for comments from the applicant or applicants.
3. The acting chair shall ask for comments from the public in support of the application and then for comments from the public against the application.
4. The Planning Commission shall discuss the application and the acting chair shall invite a motion from the Planning Commission. The board members shall make a motion to approve or deny the application.

After all applications have been discussed and addressed, any miscellaneous business shall be brought before the Planning Commission. Finally, we shall adjourn the meeting.



Planning Commission
September 26, 2022 Meeting Minutes

Attendance

Member(s) Present: Kerry Brugger; Eric Samuelsson; Jennifer Dunham-Young; Richard Kerns; Steve Brandeberry; Kimberly Gordon-Brooks;

Member(s) Absent: Bill Bean; Tasha Abrams;

Guests Present: Chuck Siegenthaler; Reed Embrey; Faydra Embrey; Yamela Epley; Dixie Pencil Hayes; Caleb Roberts; Andrew Tamplin.

Call to Order and Pledge of Allegiance

Action: Kerry Brugger lead the Pledge of Allegiance and called roll.

Reading of Rules of the Meeting

Action: Kerry Brugger read the rules of the meeting.

Prior Meeting Minutes

Action: It was moved by Eric Samuelsson to accept the previous meeting minutes if the attendance could be revised to have Mr. Brandeberry absent. It was seconded by Mr. Kerns.

Discussion:

Vote:

7 (Yay) – 0 (Nay)
Motion Passed.

Old Business – Application(s)

None

Application, Staff Comments/Recommendations:

Action:

Discussion:



Vote:

5 (Yay) – 0 (Nay)
Motion Passed.

New Business – Application(s)

PC-2022-16 – The Lavender House – 415 S. Main St. – Wall Sign (Administratively Approved)

Application, Staff Comments/Recommendations:

Mr. Kerry Brugger announced the administratively approved application which met all standards and requirements.

Action:

Discussion:

Vote: NONE.

7 (Yay) – 0 (Nay)
Motion Passed.

PC-2022-17 – City of Urbana – Zoning Map Amendment - Parcels in the area of Lionel Drive, Fulton Avenue and Railroad Street

Application, Staff Comments/Recommendations:

Mr. Dusty Hurst stated this was a recommendation from internal staff to update the map. He presented the map and said this area is a bunch of apartments which run from Kelley Dr and run to Fulton. Has is currently R-3 which does allow for muliti-family housing. The remaining portion is zoned as R-2 which requires a conditional use for multi-family. This is all under one ownership. There are two parcels fronting these apartments own by the City of Urbana which would be updated as well to make the zoning more consistent with the nature of the neighborhood.

There were no further concerns from the board.

Action:

It was moved by Mrs. Gordon-Brooks and seconded by Mr. Brandeberry to accept the application.

Discussion:

Vote:

7 (Yay) – 0 (Nay)
Motion Passed.

PC-2022-18 – City of Urbana – Zoning Map Amendment – K48-25-11-04-34-018-00



Application, Staff Comments/Recommendations:

This is currently zoned M-1 manufacturing and residential cannot technically exist there which mean this is a non-conforming use. This would bring the properties into compliance as R-2. Eventually these condos will be sold as single-family units outside of the condo association.

Mr. Brugger explained some of the history of this space.

It was asked if they will be putting in more condos. Mr. Brugger stated it was purchased by a private buyer and the intentions are not yet clear. Another person asked if they could put in apartments back in that development. Mr. Hurst stated no because the new zoning would only allow the apartments conditionally and given the drive is private, they could not have apartments in there. It was clarified that if something like that were to be prosed, it would have to go through BZA and then through Planning Commission again and there would be a public hearing and surrounding notification. The parcel would have to be re-platted and it would be a lengthy process. Yes, the property could see apartments eventually but it would be a lengthy process and have a lot of extra back work.

There were no further comments or concerns.

Action:

It was moved by Mr. Kerns and seconded by Mrs. Gordon-Brooks to approve the application.

Discussion:

Vote:

7 (Yay) – 0 (Nay)

PC-2022-19 – City of Urbana – Zoning Map Amendment – Parcels in the area of Gwynne Street and N. Russell Street

Application, Staff Comments/Recommendations:

Current zoning is M-1 and R-2. The current M-1 would become BR-1 and the R-2 would become M-1. Mr. Hurst explained the current M-1 going to BR-1 was a pet groomer and has apartments historically. Therefore, the City is planning to make this more conforming as this exists now so the current uses can continue. The second section exists will be M-1 to no longer split one of the parcels and allow other parcels to be developed further as M-1.

Reed Embrey lives at 129 Gwynne and spoke regarding this change. His house is zoned M-1 currently and asked if his house burnt down if he could replace the house in the current zoning or would it have to be a business or manufacturing. Mr. Hurst answered as the current zoning over his property is, no he could not rebuild a residential structure if his current one was destroyed. However, the BR-1 would allow that house to be rebuilt once the zoning is changed to BR-1. Mr. Embrey asked is the change will change the value of the property and if the residential value is different than manufacturing value. Mr. Hurst said technically yes, a property will value differently if it is used as residential versus manufacturing. However, given the size of his lot anyway, nothing manufacturing could be built there and therefore the property would not likely be more valuable as a manufacturing lot.



Faydra Embry spoke and stated she rents one of the houses in this rezoning area and is just wanting to know that a manufacturing company is not going to come in and kick her out of her house to use the space. It was answered that will not happen given the change and size of the lot.

Action:

It was motioned by Mr. Brandeberry to accept the application and seconded by Mrs. Dunham-Young.

Discussion:

Vote:

7 (Yay) – 0 (Nay)

PC-2022-20 – City of Urbana – Zoning Map Amendment – Parcels in the area of Dellinger Road

Application, Staff Comments/Recommendations:

This will update the map from R-3 to R-1 and establish zoning for newly annexed properties into the City as R-1. The newly annexed properties must be zoned anyway. The rest is being rezoned because the current zoning of R-3 is high density and where you would normally see apartments and multi-family uses. This is inconsistent with the neighborhood.

Caleb Robert from 285 Dellinger Rd spoke. He stated he likes the idea of the rezoning given the character of neighborhood as most homes are single-family dwellings. He stated he lives there with his wife and 4 children. The parcel sizes are more consistent with the new zoning. He also noted the in-between parcel owner has spoke to him and stated they could not attend the meeting but are in favor of the change and the current tenant there feels the same as well. He stated the tenants at one of the newly annexed properties also were in favor. He also noted the speed limit is 40MPH in this area which is inconsistent with an R-3 given most R-3 in Urbana are 20 MPH.

Chuck Siegenthaler spoke and stated he is president of the condo association in this area. He noted they are also in favor of the change.

Andrew Tamplin spoke as the owner of 245, 281 Dellinger and the field on the far East end. He asked if the township parcels had not been annexed, if this would have even been an issue. Mr. Hurst stated that the annexation brought the issue to the forefront, however the City has considering rezoning the whole area prior given the nature of the neighborhood. Mr. Tamplin stated his concerns are the property owners were only given a week notice which he feels was inconsiderate. That aside, he feels the City took opportunity away from him for what he could use that land for in the future which is his objection. Mr. Hurst asked him what changes he was planning on making because the proposed changes really only bring his properties into compliance with their current use of the property. Mr. Tamplin stated that any of the uses permitted under R-3, he could currently apply for if he chose to use his land as any of those uses. However, if the City rezones this to R-1, some of those opportunities would be taken away. Mr. Hurst stated it would depend on the use but each use would still have engineering and zoning requirements which would be the same process regardless of R-1 or R-3 zoning. Those engineering and zoning standards would still have to be met before the permits could be granted.

Mr. Brugger clarified what exactly is being rezoned to R-1 and what will remain R-3. Mr. Brandeberry explained this update would not be intended to limit Mr. Tamplin's opportunities but rather protect him and his neighbors from something happening that shouldn't. He also noted that just because the use isn't principally permitted,



does not mean it cannot be permitted conditionally if granted by the Board of Zoning Appeals. It was also clarified that if he chose to have something built which is only permitted either way through R-3 such as an apartment, that he could petition for the zoning to change back to R-3 for that specific area if it is a good fit for the City. Mr. Tamplin stated he feels this is a lot of rezoning and hoops to rezone the whole area when he feels the new annexed lots could just be brought in and R-3 and be done. Mr. Hurst explained this is to make things compliant with the current uses of the properties. Mr. Hurst also explained the definitions of the different zoning districts and explained when a city is planned and zoned, they try to lay it out in a way that flows to create buffers between residential areas and major manufacturing areas etc.

Mr. Tamplin also stated the owner 233 Dellinger Road does not like the change as well.

Action:

It was moved by motioned by Mr. Brandeberry and seconded by Mr. Samuelsson to approve the application.

Discussion:

Vote:

7 (Yay) – 0 (Nay)

Miscellaneous

Mr. Brandeberry noted that the PC has seen and approved updates to the new Taco Bel to help improve their drive-thru issues but noted that the issues still exist even after the updates because there is sometimes still a block onto Jefferson Ave.

Action:

Discussion:

Vote:

5 (Yay) – 0 (Nay)
Motion Passed.

Adjournment

Action:

It was motioned by Mrs. Gordon-Brooks and seconded by Mrs. Dunham-Young.

Vote:

7 (Yay) – 0 (Nay)
Motion Passed.



STAFF REPORT

Project Case No.: PC-2022-18
Staff: Preston Carter – Zoning and Compliance Officer
Applicant: City of Urbana
Property Address: K48-25-11-04-34-018-00
Current Zoning: M-1 Manufacturing

Request Summary:

Proposal to update the City of Urbana Official Zoning Map by rezoning parcel K48-25-11-04-34-018-00 currently designated M-1 Manufacturing to R-2 Medium Density Residential. See Exhibit A for proposed change.

Standards for Zoning Map Amendments:

All recommendations by Planning Commission for Official Zoning Map amendments shall be consistent with the City's adopted plans, goals, and policies, and the following:

- (a) Prior to making a recommendation to City Council on a proposed rezoning, the Planning Commission shall consider whether the following conditions exist:
- (1) There has been a change in demand for land which alters the information upon which the Official Zoning Map is based.
 - (2) A study indicates that there has been an increase in the demand for land in the requested zoning district, and as a result, the supply of land within the City mapped as such on the Zoning Map, is inadequate to meet the demands for such development.
 - (3) Proposed uses cannot be accommodated by sites already zoned in the City due to lack of transportation or utilities or other development constraints, or the market to be served by the proposed use cannot be effectively served by the location of the existing zoning district.
 - (4) There is an error in the text of this Part or the Official Zoning Map as enacted.
- (b) No residentially zoned district shall be recommended by Planning Commission to be rezoned to a non-residential district unless such proposed rezoning site is contiguous to land in the proposed zoning district classification.
- (c) In addition to the findings required to be made by subsection (b), findings shall be made by the Planning Commission on each of the following matters based on the evidence presented.
- (1) The extent to which the proposed amendment and proposed use are in compliance with and deviate from adopted plans, goals and policies.
 - (2) The suitability of the property in question for the uses permitted under the proposed zoning.
 - (3) The adequacy of public facilities such as transportation, utilities, and other required public services to serve the proposed use.
 - (4) The effect of the proposed rezoning on surrounding uses.
 - (5) The effect of the proposed rezoning on the economic viability of existing developed and vacant land within the City.

ORDINANCE NO. 4582-22

AN ORDINANCE TO AMEND THE CITY OF URBANA'S OFFICIAL ZONING MAP BY REZONING PARCELS IN THE AREA OF GWYNNE STREET AND N. RUSSELL STREET CURRENTLY DESIGNATED M-1 MANUFACTURING TO BR-1 BUSINESS RESIDENTIAL AS WELL AS PARCELS IN THE SAME AREA CURRENTLY DESIGNATED R-2 MEDIUM DENSITY RESIDENTIAL TO M-1 MANUFACTURING (Three (3) Reading Required. Public Hearing Required. Public Hearing to be held on November 1, 2022. Public Hearing Advertisement Date: October 21, 2022).

Department Requesting: Zoning

Sponsor: Audra Bean

WHEREAS, Chapter 1113 of the Codified Ordinances of the City of Urbana, Ohio enables amendment of the Official Zoning Map; and

WHEREAS, whenever the public necessity, convenience, general welfare or good zoning practices require, Council may by ordinance after receipt of a recommendation thereon from the Planning Commission and subject to procedures provided by law, amend, supplement, change or repeal the regulations, restrictions and boundaries or classification of property; and

WHEREAS, on September 26, 2022, the Planning and Zoning Staff formally requested an amendment to the Official Zoning Map for the City of Urbana pursuant to Chapter 1113.03 (a) of the Codified Ordinances of the City of Urbana; and

WHEREAS on September 26, 2022, the City of Urbana Planning Commission recommended by a 7-0 vote, that City Council *approve* the request to rezone parcels in the area of Gwynne Street and N. Russell Street currently designated M-1 Manufacturing to BR-1 Business Residential as well as parcels in the same area currently designated R-2 Medium Density Residential to M-1 Manufacturing; and

WHEREAS, Council held a public hearing pursuant to Chapter 1113.09 of the Codified Ordinances of the City of Urbana on Tuesday, November 1, 2022.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Urbana, County of Champaign and State of Ohio, that:

Section 1: The City Engineer shall amend the Official Zoning Map of the City of Urbana, Ohio to reflect the zoning change depicted in the Planning Commission Staff Report and as recommended by the Planning Commission. An exhibit of the proposed zoning map change is attached and labeled as "Exhibit A".

Section 2: The Mayor shall sign the amended Official Zoning Map of the City of Urbana, Ohio.

Section 3: The Clerk of Council is now instructed to sign the amended Official Zoning Map to attest to this action of City Council.

SECTION 4: The City of Urbana Planning Commission’s recommendation to approve the request to rezone the proposed area is attached and labeled as “Exhibit B”.

Section 5: The Planning Commission Staff Report is attached and labeled as “Exhibit C.”

SECTION 6: All actions of City Council and the Planning Commission related to this legislation were conducted in open meetings pursuant to Urbana Codified Ordinance 107.01 and Ohio Revised Code 121.22.

SECTION 7: This ordinance shall become effective at the earliest time provided by law.

President, City of Urbana Council

PASSED: _____

ATTEST: _____
Clerk of Council

This Ordinance approved by me this _____ day of _____, 2022.

Mayor, City of Urbana

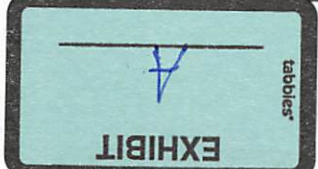
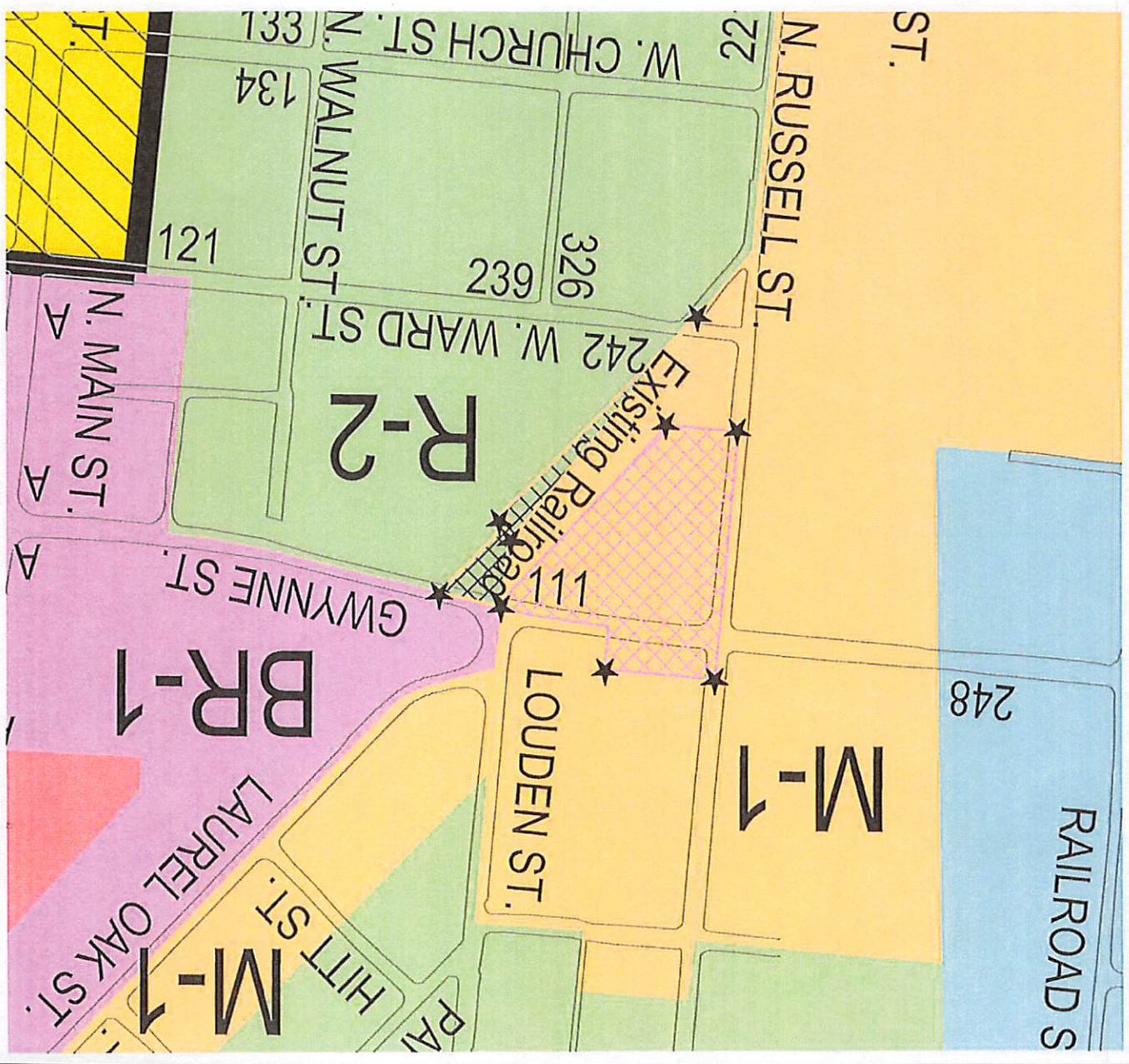


REVIEWED: *[Signature]* 10/11/2022
Director of Law Date

Jumper:	_____ Yay	_____ Nay	_____ N/A
Scott:	_____ Yay	_____ Nay	_____ N/A
Paul:	_____ Yay	_____ Nay	_____ N/A
Thackery:	_____ Yay	_____ Nay	_____ N/A
Collier:	_____ Yay	_____ Nay	_____ N/A
Bean:	_____ Yay	_____ Nay	_____ N/A

CITY OF URBANA DIVISION OF ENGINEERING 205 S. Main Street • Urbana, Ohio 43078 Fax: (637) 652-4306 Phone: (637) 652-4324	TYLER L. BUMBALOUGH, P.E. CITY ENGINEER	Gwynne Street R-2/M-1 Division Zoning Map Proposed Change: M-1 to BR-1 & R-2 to M-1	DATE: _____ REVISION: _____
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Proposed BR-1  Proposed M-1 



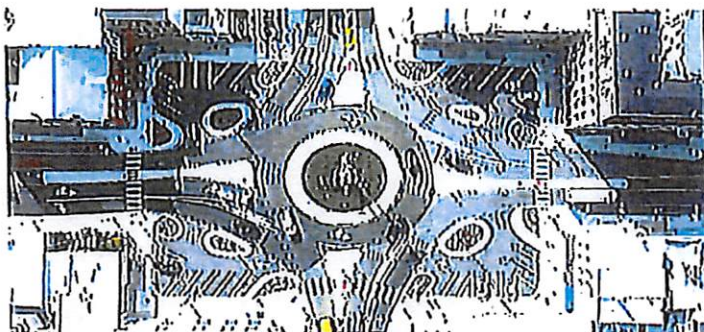


City of Urbana Planning Commission

September 26, 2022 – 6:00 pm

Agenda

- **Call to Order – 6:00 pm**
 - Call to Order
 - Pledge of Allegiance
 - Roll Call
 - Rules of the Meeting
- **Prior Meeting Minutes**
 - August 22, 2022
- **Old Business**
- **New Business**
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 - PC-2022-20 – City of Urbana – Zoning Map Amendment – Parcels in the area of Dellinger Road
- **Miscellaneous Business**
- **Adjourn**



City of Urbana Planning Commission Rules of the Meeting

Greetings and thank you for attending this evening's meeting. We like to start the meeting by covering some ground rules for procedures. It is the role of the Planning Commission to:

1. Continuously review the effectiveness and appropriateness of the Planning & Zoning Text and recommend such changes or amendments it feels would be appropriate.
2. Review all proposed amendments to the Planning & Zoning Text and the zoning district map and make recommendations in the best interest of the public in general to City Council.
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4. Review and act on site plans, including sign permit applications.

We shall begin with approval or disapproval of any minutes from the previous Planning Commission meeting.

Following the approval or disapproval of minutes, each application shall be reviewed in the following manner:

1. The acting secretary shall read the application. And the City of Urbana staff shall read staff comments.
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3. The acting chair shall ask for comments from the public in support of the application and then for comments from the public against the application.
4. The Planning Commission shall discuss the application and the acting chair shall invite a motion from the Planning Commission. The board members shall make a motion to approve or deny the application.

After all applications have been discussed and addressed, any miscellaneous business shall be brought before the Planning Commission. Finally, we shall adjourn the meeting.



Planning Commission
September 26, 2022 Meeting Minutes

Attendance

Member(s) Present: Kerry Brugger; Eric Samuelsson; Jennifer Dunham-Young; Richard Kerns; Steve Brandeberry; Kimberly Gordon-Brooks;

Member(s) Absent: Bill Bean; Tasha Abrams;

Guests Present: Chuck Siegenthaler; Reed Embrey; Faydra Embrey; Yamela Epley; Dixie Pencil Hayes; Caleb Roberts; Andrew Tamplin.

Call to Order and Pledge of Allegiance

Action: Kerry Brugger lead the Pledge of Allegiance and called roll.

Reading of Rules of the Meeting

Action: Kerry Brugger read the rules of the meeting.

Prior Meeting Minutes

Action: It was moved by Eric Samuelsson to accept the previous meeting minutes if the attendance could be revised to have Mr. Brandeberry absent. It was seconded by Mr. Kerns.

Discussion:

Vote:

7 (Yay) – 0 (Nay)
Motion Passed.

Old Business – Application(s)

None

Application, Staff Comments/Recommendations:

Action:

Discussion:



Vote:

5 (Yay) – 0 (Nay)
Motion Passed.

New Business – Application(s)

PC-2022-16 – The Lavender House – 415 S. Main St. – Wall Sign (Administratively Approved)

Application, Staff Comments/Recommendations:

Mr. Kerry Brugger announced the administratively approved application which met all standards and requirements.

Action:

Discussion:

Vote: NONE.

7 (Yay) – 0 (Nay)
Motion Passed.

PC-2022-17 – City of Urbana – Zoning Map Amendment - Parcels in the area of Lionel Drive, Fulton Avenue and Railroad Street

Application, Staff Comments/Recommendations:

Mr. Dusty Hurst stated this was a recommendation from internal staff to update the map. He presented the map and said this area is a bunch of apartments which run from Kelley Dr and run to Fulton. Has is currently R-3 which does allow for multi-family housing. The remaining portion is zoned as R-2 which requires a conditional use for multi-family. This is all under one ownership. There are two parcels fronting these apartments own by the City of Urbana which would be updated as well to make the zoning more consistent with the nature of the neighborhood.

There were no further concerns from the board.

Action:

It was moved by Mrs. Gordon-Brooks and seconded by Mr. Brandeberry to accept the application.

Discussion:

Vote:

7 (Yay) – 0 (Nay)
Motion Passed.

PC-2022-18 – City of Urbana – Zoning Map Amendment – K48-25-11-04-34-018-00



Application, Staff Comments/Recommendations:

This is currently zoned M-1 manufacturing and residential cannot technically exist there which mean this is a non-conforming use. This would bring the properties into compliance as R-2. Eventually these condos will be sold as single-family units outside of the condo association.

Mr. Brugger explained some of the history of this space.

It was asked if they will be putting in more condos. Mr. Brugger stated it was purchased by a private buyer and the intentions are not yet clear. Another person asked if they could put in apartments back in that development. Mr. Hurst stated no because the new zoning would only allow the apartments conditionally and given the drive is private, they could not have apartments in there. It was clarified that if something like that were to be prosed, it would have to go through BZA and then through Planning Commission again and there would be a public hearing and surrounding notification. The parcel would have to be re-platted and it would be a lengthy process. Yes, the property could see apartments eventually but it would be a lengthy process and have a lot of extra back work.

There were no further comments or concerns.

Action:

It was moved by Mr. Kerns and seconded by Mrs. Gordon-Brooks to approve the application.

Discussion:

Vote:

7 (Yay) – 0 (Nay)

PC-2022-19 – City of Urbana – Zoning Map Amendment – Parcels in the area of Gwynne Street and N. Russell Street

Application, Staff Comments/Recommendations:

Current zoning is M-1 and R-2. The current M-1 would become BR-1 and the R-2 would become M-1. Mr. Hurst explained the current M-1 going to BR-1 was a pet groomer and has apartments historically. Therefore, the City is planning to make this more conforming as this exists now so the current uses can continue. The second section exists will be M-1 to no longer split one of the parcels and allow other parcels to be developed further as M-1.

Reed Embrey lives at 129 Gwynne and spoke regarding this change. His house is zoned M-1 currently and asked if his house burnt down if he could replace the house in the current zoning or would it have to be a business or manufacturing. Mr. Hurst answered as the current zoning over his property is, no he could not rebuild a residential structure if his current one was destroyed. However, the BR-1 would allow that house to be rebuilt once the zoning is changed to BR-1. Mr. Embrey asked is the change will change the value of the property and if the residential value is different than manufacturing value. Mr. Hurst said technically yes, a property will value differently if it is used as residential versus manufacturing. However, given the size of his lot anyway, nothing manufacturing could be built there and therefore the property would not likely be more valuable as a manufacturing lot.



Faydra Embry spoke and stated she rents one of the houses in this rezoning area and is just wanting to know that a manufacturing company is not going to come in and kick her out of her house to use the space. It was answered that will not happen given the change and size of the lot.

Action:

It was motioned by Mr. Brandeberry to accept the application and seconded by Mrs. Dunham-Young.

Discussion:

Vote:

7 (Yay) – 0 (Nay)

PC-2022-20 – City of Urbana – Zoning Map Amendment – Parcels in the area of Dellinger Road

Application, Staff Comments/Recommendations:

This will update the map from R-3 to R-1 and establish zoning for newly annexed properties into the City as R-1. The newly annexed properties must be zoned anyway. The rest is being rezoned because the current zoning of R-3 is high density and where you would normally see apartments and multi-family uses. This is inconsistent with the neighborhood.

Caleb Robert from 285 Dellinger Rd spoke. He stated he likes the idea of the rezoning given the character of neighborhood as most homes are single-family dwellings. He stated he lives there with his wife and 4 children. The parcel sizes are more consistent with the new zoning. He also noted the in-between parcel owner has spoke to him and stated they could not attend the meeting but are in favor of the change and the current tenant there feels the same as well. He stated the tenants at one of the newly annexed properties also were in favor. He also noted the speed limit is 40MPH in this area which is inconsistent with an R-3 given most R-3 in Urbana are 20 MPH.

Chuck Siegenthaler spoke and stated he is president of the condo association in this area. He noted they are also in favor of the change.

Andrew Tamplin spoke as the owner of 245, 281 Dellinger and the field on the far East end. He asked if the township parcels had not been annexed, if this would have even been an issue. Mr. Hurst stated that the annexation brought the issue to the forefront, however the City has considering rezoning the whole area prior given the nature of the neighborhood. Mr. Tamplin stated his concerns are the property owners were only given a week notice which he feels was inconsiderate. That aside, he feels the City took opportunity away from him for what he could use that land for in the future which is his objection. Mr. Hurst asked him what changes he was planning on making because the proposed changes really only bring his properties into compliance with their current use of the property. Mr. Tamplin stated that any of the uses permitted under R-3, he could currently apply for if he chose to use his land as any of those uses. However, if the City rezones this to R-1, some of those opportunities would be taken away. Mr. Hurst stated it would depend on the use but each use would still have engineering and zoning requirements which would be the same process regardless of R-1 or R-3 zoning. Those engineering and zoning standards would still have to be met before the permits could be granted.

Mr. Brugger clarified what exactly is being rezoned to R-1 and what will remain R-3. Mr. Brandeberry explained this update would not be intended to limit Mr. Tamplin's opportunities but rather protect him and his neighbors from something happening that shouldn't. He also noted that just because the use isn't principally permitted,



does not mean it cannot be permitted conditionally if granted by the Board of Zoning Appeals. It was also clarified that if he chose to have something built which is only permitted either way through R-3 such as an apartment, that he could petition for the zoning to change back to R-3 for that specific area if it is a good fit for the City. Mr. Tamplin stated he feels this is a lot of rezoning and hoops to rezone the whole area when he feels the new annexed lots could just be brought in and R-3 and be done. Mr. Hurst explained this is to make things compliant with the current uses of the properties. Mr. Hurst also explained the definitions of the different zoning districts and explained when a city is planned and zoned, they try to lay it out in a way that flows to create buffers between residential areas and major manufacturing areas etc.

Mr. Tamplin also stated the owner 233 Dellinger Road does not like the change as well.

Action:

It was moved by motioned by Mr. Brandeberry and seconded by Mr. Samuelsson to approve the application.

Discussion:

Vote:

7 (Yay) – 0 (Nay)

Miscellaneous

Mr. Brandeberry noted that the PC has seen and approved updates to the new Taco Bel to help improve their drive-thru issues but noted that the issues still exist even after the updates because there is sometimes still a block onto Jefferson Ave.

Action:

Discussion:

Vote:

5 (Yay) – 0 (Nay)
Motion Passed.

Adjournment

Action:

It was motioned by Mrs. Gordon-Brooks and seconded by Mrs. Dunham-Young.

Vote:

7 (Yay) – 0 (Nay)
Motion Passed.



STAFF REPORT

Project Case No.: PC-2022-19
Staff: Preston Carter – Zoning and Compliance Officer
Applicant: City of Urbana
Property Address: Parcels in the area of Gwynne Street and N. Russell Street
Current Zoning: M-1 Manufacturing & R-2 Medium Density Residential

Request Summary:

Proposal to update the City of Urbana Official Zoning Map by rezoning parcels in the area of Gwynne Street and N. Russell Street currently designated M-1 Manufacturing to BR-1 Business Residential as well as parcels in the same area currently designated R-2 Medium Density Residential to M-1 Manufacturing. See Exhibit A for proposed change.

Standards for Zoning Map Amendments:

All recommendations by Planning Commission for Official Zoning Map amendments shall be consistent with the City's adopted plans, goals, and policies, and the following:

- (a) Prior to making a recommendation to City Council on a proposed rezoning, the Planning Commission shall consider whether the following conditions exist:
 - (1) There has been a change in demand for land which alters the information upon which the Official Zoning Map is based.
 - (2) A study indicates that there has been an increase in the demand for land in the requested zoning district, and as a result, the supply of land within the City mapped as such on the Zoning Map, is inadequate to meet the demands for such development.
 - (3) Proposed uses cannot be accommodated by sites already zoned in the City due to lack of transportation or utilities or other development constraints, or the market to be served by the proposed use cannot be effectively served by the location of the existing zoning district.
 - (4) There is an error in the text of this Part or the Official Zoning Map as enacted.
- (b) No residentially zoned district shall be recommended by Planning Commission to be rezoned to a non-residential district unless such proposed rezoning site is contiguous to land in the proposed zoning district classification.
- (c) In addition to the findings required to be made by subsection (b), findings shall be made by the Planning Commission on each of the following matters based on the evidence presented.
 - (1) The extent to which the proposed amendment and proposed use are in compliance with and deviate from adopted plans, goals and policies.
 - (2) The suitability of the property in question for the uses permitted under the proposed zoning.
 - (3) The adequacy of public facilities such as transportation, utilities, and other required public services to serve the proposed use.



-
- (4) The effect of the proposed rezoning on surrounding uses.
 - (5) The effect of the proposed rezoning on the economic viability of existing developed and vacant land within the City.

ORDINANCE NO. 4583-22

AN ORDINANCE TO AMEND THE CITY OF URBANA'S OFFICIAL ZONING MAP BY REZONING PARCELS IN THE AREA OF DELLINGER ROAD CURRENTLY DESIGNATED R-3 HIGH DENSITY RESIDENTIAL TO R-1 LOW DENSITY RESIDENTIAL AS WELL AS ESTABLISH ZONING FOR NEWLY ANNEXED PARCELS IN THE SAME AREA AS R-1 LOW DENSITY RESIDENTIAL (Three (3) Reading Required. Public Hearing Required. Public Hearing to be held on November 1, 2022. Public Hearing Advertisement Date: October 21, 2022).

Department Requesting: Zoning

Sponsor: Audra Bean

WHEREAS, Chapter 1113 of the Codified Ordinances of the City of Urbana, Ohio enables amendment of the Official Zoning Map; and

WHEREAS, whenever the public necessity, convenience, general welfare or good zoning practices require, Council may by ordinance after receipt of a recommendation thereon from the Planning Commission and subject to procedures provided by law, amend, supplement, change or repeal the regulations, restrictions and boundaries or classification of property; and

WHEREAS, on September 26, 2022, the Planning and Zoning Staff formally requested an amendment to the Official Zoning Map for the City of Urbana pursuant to Chapter 1113.03 (a) of the Codified Ordinances of the City of Urbana; and

WHEREAS on September 26, 2022, the City of Urbana Planning Commission recommended by a 7-0 vote, that City Council *approve* the request to rezone parcels in the area of Dellinger Road currently designated R-3 High Density Residential to R-1 Low Density Residential as well as establish zoning for newly annexed parcels in the same area as R-1 Low Density Residential; and

WHEREAS, Council held a public hearing pursuant to Chapter 1113.09 of the Codified Ordinances of the City of Urbana on Tuesday, November 1, 2022.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Urbana, County of Champaign and State of Ohio, that:

Section 1: The City Engineer shall amend the Official Zoning Map of the City of Urbana, Ohio to reflect the zoning change depicted in the Planning Commission Staff Report and as recommended by the Planning Commission. An exhibit of the proposed zoning map change is attached and labeled as "Exhibit A".

Section 2: The Mayor shall sign the amended Official Zoning Map of the City of Urbana, Ohio.

Section 3: The Clerk of Council is now instructed to sign the amended Official Zoning Map to attest to this action of City Council.

SECTION 4: The City of Urbana Planning Commission's recommendation to approve the request to rezone the proposed area is attached and labeled as "Exhibit B".

Section 5: The Planning Commission Staff Report is attached and labeled as "Exhibit C."

SECTION 6: All actions of City Council and the Planning Commission related to this legislation were conducted in open meetings pursuant to Urbana Codified Ordinance 107.01 and Ohio Revised Code 121.22.

SECTION 7: This ordinance shall become effective at the earliest time provided by law.

President, City of Urbana Council

PASSED: _____

ATTEST: _____
Clerk of Council

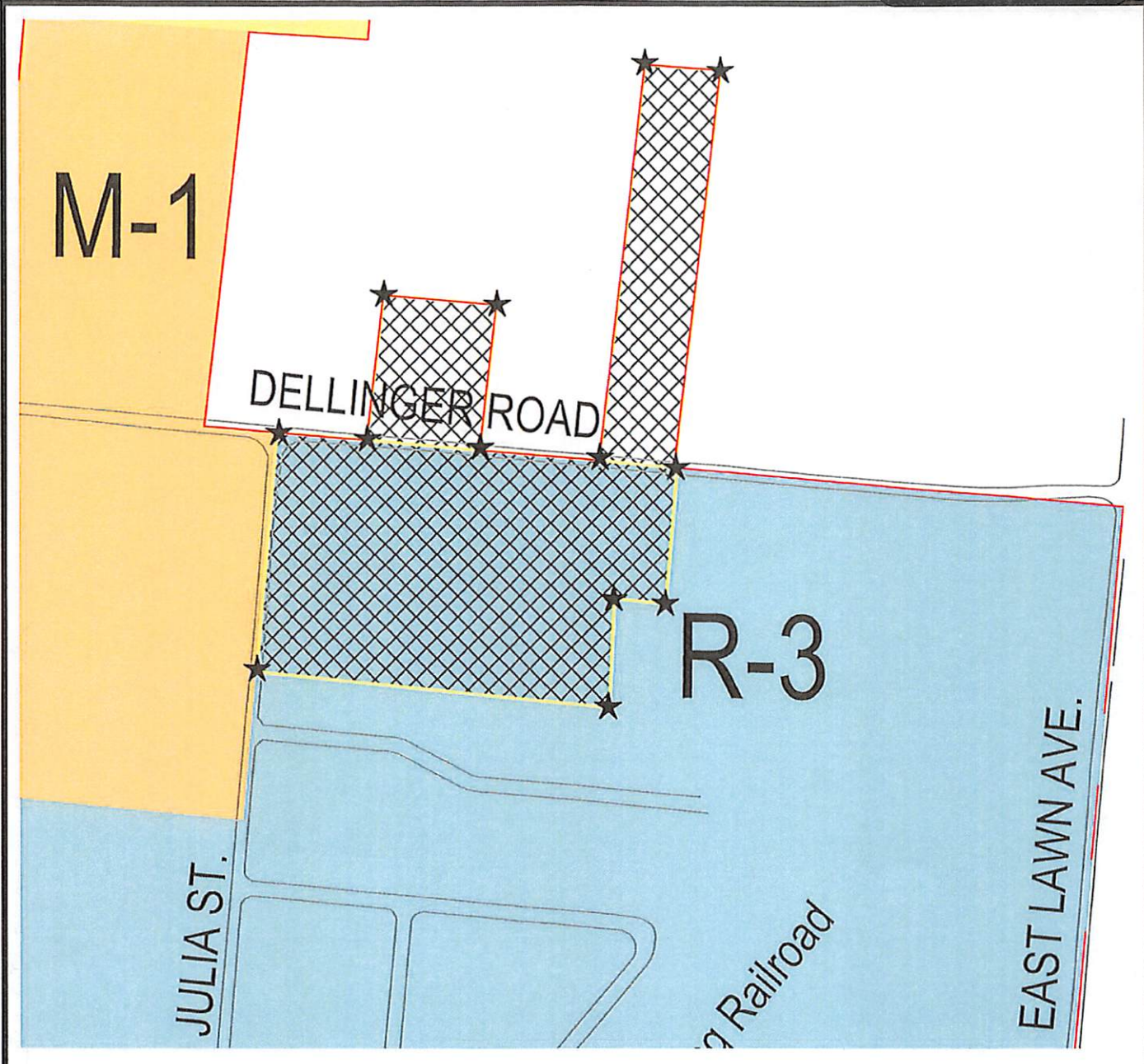
This Ordinance approved by me this _____ day of _____, 2022.

Mayor, City of Urbana



REVIEWED: *Mark M. Pennington* 10/18/22
Director of Law Date

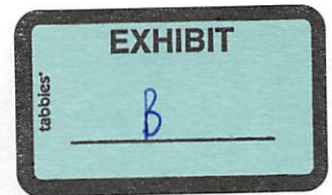
Jumper:	_____ Yay	_____ Nay	_____ N/A
Scott:	_____ Yay	_____ Nay	_____ N/A
Paul:	_____ Yay	_____ Nay	_____ N/A
Thackery:	_____ Yay	_____ Nay	_____ N/A
Collier:	_____ Yay	_____ Nay	_____ N/A
Bean:	_____ Yay	_____ Nay	_____ N/A



Proposed R-1



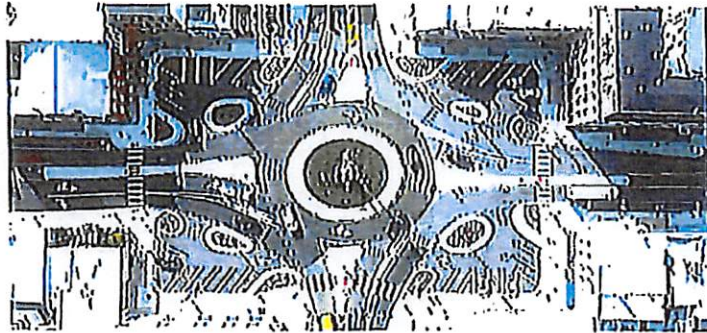
<ul style="list-style-type: none"> R-1 LOW DENSITY RESIDENTIAL R-2 MEDIUM DENSITY RESIDENTIAL R-3 HIGH DENSITY RESIDENTIAL BR-1 BUSINESS RESIDENTIAL B-2 GENERAL BUSINESS B-3 CENTRAL BUSINESS M-1 MANUFACTURING CITY CENTER HERITAGE OVERLAY DISTRICT 	<p style="text-align: center;">★</p> <p style="text-align: center;">DELLINGER ROAD REZONING (233, 245, 250, 281, 285, 292)</p> <p style="text-align: center;">ZONING MAP PROPOSED CHANGE: B-1 (TWP) & R-3 TO R-1 ★</p>	<p>TYLER L. BUMBALOUGH, P.E. CITY ENGINEER</p> <p style="text-align: center;">CITY OF URBANA PROPOSED ZONING MAP AMENDMENT</p>	<p>CITY OF URBANA DIVISION OF ENGINEERING 205 S. Main Street • Urbana, Ohio 43078 Fax: (937) 652-4306 Phone: (937) 652-4324</p>						
<table border="1"> <thead> <tr> <th>ID</th> <th>DATE</th> <th>REVISION</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	ID	DATE	REVISION				<p>DESIGNED BY: TLB DRAWN BY: TLB SCALE: 1" = 250'</p>	<p>FILE DATE: 9/12/2022</p>	<p>PROJECT: Exhibit A</p>
ID	DATE	REVISION							



City of Urbana Planning Commission

September 26, 2022 – 6:00 pm
Agenda

- **Call to Order – 6:00 pm**
 - Call to Order
 - Pledge of Allegiance
 - Roll Call
 - Rules of the Meeting
- **Prior Meeting Minutes**
 - August 22, 2022
- **Old Business**
- **New Business**
 - PC-2022-16 – The Lavender House – 415 S. Main St. – Wall Sign (Administratively Approved)
 - PC-2022-17 – City of Urbana – Zoning Map Amendment - Parcels in the area of Lionel Drive, Fulton Avenue and Railroad Street
 - PC-2022-18 – City of Urbana – Zoning Map Amendment – K48-25-11-04-34-018-00
 - PC-2022-19 – City of Urbana – Zoning Map Amendment – Parcels in the area of Gwynne Street and N. Russell Street
 - PC-2022-20 – City of Urbana – Zoning Map Amendment – Parcels in the area of Dellinger Road
- **Miscellaneous Business**
- **Adjourn**



City of Urbana Planning Commission Rules of the Meeting

Greetings and thank you for attending this evening's meeting. We like to start the meeting by covering some ground rules for procedures. It is the role of the Planning Commission to:

1. Continuously review the effectiveness and appropriateness of the Planning & Zoning Text and recommend such changes or amendments it feels would be appropriate.
2. Review all proposed amendments to the Planning & Zoning Text and the zoning district map and make recommendations in the best interest of the public in general to City Council.
3. Review all Planned Unit Development applications and make recommendations in the best interest of the public in general to City Council.
4. Review and act on site plans, including sign permit applications.

We shall begin with approval or disapproval of any minutes from the previous Planning Commission meeting.

Following the approval or disapproval of minutes, each application shall be reviewed in the following manner:

1. The acting secretary shall read the application. And the City of Urbana staff shall read staff comments.
2. The acting chair shall ask for comments from the applicant or applicants.
3. The acting chair shall ask for comments from the public in support of the application and then for comments from the public against the application.
4. The Planning Commission shall discuss the application and the acting chair shall invite a motion from the Planning Commission. The board members shall make a motion to approve or deny the application.

After all applications have been discussed and addressed, any miscellaneous business shall be brought before the Planning Commission. Finally, we shall adjourn the meeting.



Planning Commission
September 26, 2022 Meeting Minutes

Attendance

Member(s) Present: Kerry Brugger; Eric Samuelsson; Jennifer Dunham-Young; Richard Kerns; Steve Brandeberry; Kimberly Gordon-Brooks;

Member(s) Absent: Bill Bean; Tasha Abrams;

Guests Present: Chuck Siegenthaler; Reed Embrey; Faydra Embrey; Yamela Epley; Dixie Pencil Hayes; Caleb Roberts; Andrew Tamplin.

Call to Order and Pledge of Allegiance

Action: Kerry Brugger lead the Pledge of Allegiance and called roll.

Reading of Rules of the Meeting

Action: Kerry Brugger read the rules of the meeting.

Prior Meeting Minutes

Action: It was moved by Eric Samuelsson to accept the previous meeting minutes if the attendance could be revised to have Mr. Brandeberry absent. It was seconded by Mr. Kerns.

Discussion:

Vote:

7 (Yay) – 0 (Nay)
Motion Passed.

Old Business – Application(s)

None

Application, Staff Comments/Recommendations:

Action:

Discussion:



Vote:

5 (Yay) – 0 (Nay)
Motion Passed.

New Business – Application(s)

PC-2022-16 – The Lavender House – 415 S. Main St. – Wall Sign (Administratively Approved)

Application, Staff Comments/Recommendations:

Mr. Kerry Brugger announced the administratively approved application which met all standards and requirements.

Action:

Discussion:

Vote: NONE.

7 (Yay) – 0 (Nay)
Motion Passed.

PC-2022-17 – City of Urbana – Zoning Map Amendment - Parcels in the area of Lionel Drive, Fulton Avenue and Railroad Street

Application, Staff Comments/Recommendations:

Mr. Dusty Hurst stated this was a recommendation from internal staff to update the map. He presented the map and said this area is a bunch of apartments which run from Kelley Dr and run to Fulton. Has is currently R-3 which does allow for mulkti-family housing. The remaining portion is zoned as R-2 which requires a conditional use for multi-family. This is all under one ownership. There are two parcels fronting these apartments own by the City of Urbana which would be updated as well to make the zoning more consistent with the nature of the neighborhood.

There were no further concerns from the board.

Action:

It was moved by Mrs. Gordon-Brooks and seconded by Mr. Brandeberry to accept the application.

Discussion:

Vote:

7 (Yay) – 0 (Nay)
Motion Passed.

PC-2022-18 – City of Urbana – Zoning Map Amendment – K48-25-11-04-34-018-00



Application, Staff Comments/Recommendations:

This is currently zoned M-1 manufacturing and residential cannot technically exist there which mean this is a non-conforming use. This would bring the properties into compliance as R-2. Eventually these condos will be sold as single-family units outside of the condo association.

Mr. Brugger explained some of the history of this space.

It was asked if they will be putting in more condos. Mr. Brugger stated it was purchased by a private buyer and the intentions are not yet clear. Another person asked if they could put in apartments back in that development. Mr. Hurst stated no because the new zoning would only allow the apartments conditionally and given the drive is private, they could not have apartments in there. It was clarified that if something like that were to be prosed, it would have to go through BZA and then through Planning Commission again and there would be a public hearing and surrounding notification. The parcel would have to be re-platted and it would be a lengthy process. Yes, the property could see apartments eventually but it would be a lengthy process and have a lot of extra back work.

There were no further comments or concerns.

Action:

It was moved by Mr. Kerns and seconded by Mrs. Gordon-Brooks to approve the application.

Discussion:

Vote:

7 (Yay) – 0 (Nay)

PC-2022-19 – City of Urbana – Zoning Map Amendment – Parcels in the area of Gwynne Street and N. Russell Street

Application, Staff Comments/Recommendations:

Current zoning is M-1 and R-2. The current M-1 would become BR-1 and the R-2 would become M-1. Mr. Hurst explained the current M-1 going to BR-1 was a pet groomer and has apartments historically. Therefore, the City is planning to make this more conforming as this exists now so the current uses can continue. The second section exists will be M-1 to no longer split one of the parcels and allow other parcels to be developed further as M-1.

Reed Embrey lives at 129 Gwynne and spoke regarding this change. His house is zoned M-1 currently and asked if his house burnt down if he could replace the house in the current zoning or would it have to be a business or manufacturing. Mr. Hurst answered as the current zoning over his property is, no he could not rebuild a residential structure if his current one was destroyed. However, the BR-1 would allow that house to be rebuilt once the zoning is changed to BR-1. Mr. Embrey asked is the change will change the value of the property and if the residential value is different than manufacturing value. Mr. Hurst said technically yes, a property will value differently if it is used as residential versus manufacturing. However, given the size of his lot anyway, nothing manufacturing could be built there and therefore the property would not likely be more valuable as a manufacturing lot.



Faydra Embry spoke and stated she rents one of the houses in this rezoning area and is just wanting to know that a manufacturing company is not going to come in and kick her out of her house to use the space. It was answered that will not happen given the change and size of the lot.

Action:

It was motioned by Mr. Brandeberry to accept the application and seconded by Mrs. Dunham-Young.

Discussion:

Vote:

7 (Yay) – 0 (Nay)

PC-2022-20 – City of Urbana – Zoning Map Amendment – Parcels in the area of Dellinger Road

Application, Staff Comments/Recommendations:

This will update the map from R-3 to R-1 and establish zoning for newly annexed properties into the City as R-1. The newly annexed properties must be zoned anyway. The rest is being rezoned because the current zoning of R-3 is high density and where you would normally see apartments and multi-family uses. This is inconsistent with the neighborhood.

Caleb Robert from 285 Dellinger Rd spoke. He stated he likes the idea of the rezoning given the character of neighborhood as most homes are single-family dwellings. He stated he lives there with his wife and 4 children. The parcel sizes are more consistent with the new zoning. He also noted the in-between parcel owner has spoke to him and stated they could not attend the meeting but are in favor of the change and the current tenant there feels the same as well. He stated the tenants at one of the newly annexed properties also were in favor. He also noted the speed limit is 40MPH in this area which is inconsistent with an R-3 given most R-3 in Urbana are 20 MPH.

Chuck Siegenthaler spoke and stated he is president of the condo association in this area. He noted they are also in favor of the change.

Andrew Tamplin spoke as the owner of 245, 281 Dellinger and the field on the far East end. He asked if the township parcels had not been annexed, if this would have even been an issue. Mr. Hurst stated that the annexation brought the issue to the forefront, however the City has considering rezoning the whole area prior given the nature of the neighborhood. Mr. Tamplin stated his concerns are the property owners were only given a week notice which he feels was inconsiderate. That aside, he feels the City took opportunity away from him for what he could use that land for in the future which is his objection. Mr. Hurst asked him what changes he was planning on making because the proposed changes really only bring his properties into compliance with their current use of the property. Mr. Tamplin stated that any of the uses permitted under R-3, he could currently apply for if he chose to use his land as any of those uses. However, if the City rezones this to R-1, some of those opportunities would be taken away. Mr. Hurst stated it would depend on the use but each use would still have engineering and zoning requirements which would be the same process regardless of R-1 or R-3 zoning. Those engineering and zoning standards would still have to be met before the permits could be granted.

Mr. Brugger clarified what exactly is being rezoned to R-1 and what will remain R-3. Mr. Brandeberry explained this update would not be intended to limit Mr. Tamplin's opportunities but rather protect him and his neighbors from something happening that shouldn't. He also noted that just because the use isn't principally permitted,



does not mean it cannot be permitted conditionally if granted by the Board of Zoning Appeals. It was also clarified that if he chose to have something built which is only permitted either way through R-3 such as an apartment, that he could petition for the zoning to change back to R-3 for that specific area if it is a good fit for the City. Mr. Tamplin stated he feels this is a lot of rezoning and hoops to rezone the whole area when he feels the new annexed lots could just be brought in and R-3 and be done. Mr. Hurst explained this is to make things compliant with the current uses of the properties. Mr. Hurst also explained the definitions of the different zoning districts and explained when a city is planned and zoned, they try to lay it out in a way that flows to create buffers between residential areas and major manufacturing areas etc.

Mr. Tamplin also stated the owner 233 Dellinger Road does not like the change as well.

Action:

It was moved by motioned by Mr. Brandeberry and seconded by Mr. Samuelsson to approve the application.

Discussion:

Vote:

7 (Yay) – 0 (Nay)

Miscellaneous

Mr. Brandeberry noted that the PC has seen and approved updates to the new Taco Bel to help improve their drive-thru issues but noted that the issues still exist even after the updates because there is sometimes still a block onto Jefferson Ave.

Action:

Discussion:

Vote:

5 (Yay) – 0 (Nay)
Motion Passed.

Adjournment

Action:

It was motioned by Mrs. Gordon-Brooks and seconded by Mrs. Dunham-Young.

Vote:

7 (Yay) – 0 (Nay)
Motion Passed.



STAFF REPORT

Project Case No.: PC-2022-20
Staff: Preston Carter – Zoning and Compliance Officer
Applicant: City of Urbana
Property Address: Parcels in the area of Dellinger Road
Current Zoning: R-3 High Density Residential

Request Summary:

Proposal to update the City of Urbana Official Zoning Map by rezoning parcels in the area of Dellinger Road currently designated R-3 High Density Residential to R-1 Low Density Residential as well as establishing zoning for newly annexed parcels in the same area as R-1 Low Density Residential. See Exhibit A for proposed change.

Standards for Zoning Map Amendments:

All recommendations by Planning Commission for Official Zoning Map amendments shall be consistent with the City's adopted plans, goals, and policies, and the following:

- (a) Prior to making a recommendation to City Council on a proposed rezoning, the Planning Commission shall consider whether the following conditions exist:
 - (1) There has been a change in demand for land which alters the information upon which the Official Zoning Map is based.
 - (2) A study indicates that there has been an increase in the demand for land in the requested zoning district, and as a result, the supply of land within the City mapped as such on the Zoning Map, is inadequate to meet the demands for such development.
 - (3) Proposed uses cannot be accommodated by sites already zoned in the City due to lack of transportation or utilities or other development constraints, or the market to be served by the proposed use cannot be effectively served by the location of the existing zoning district.
 - (4) There is an error in the text of this Part or the Official Zoning Map as enacted.
- (b) No residentially zoned district shall be recommended by Planning Commission to be rezoned to a non-residential district unless such proposed rezoning site is contiguous to land in the proposed zoning district classification.
- (c) In addition to the findings required to be made by subsection (b), findings shall be made by the Planning Commission on each of the following matters based on the evidence presented.
 - (1) The extent to which the proposed amendment and proposed use are in compliance with and deviate from adopted plans, goals and policies.
 - (2) The suitability of the property in question for the uses permitted under the proposed zoning.
 - (3) The adequacy of public facilities such as transportation, utilities, and other required public services to serve the proposed use.



-
- (4) The effect of the proposed rezoning on surrounding uses.
 - (5) The effect of the proposed rezoning on the economic viability of existing developed and vacant land within the City.

ORDINANCE NO. 4552-22

AN ORDINANCE TO REVISE THE CODIFIED ORDINANCES BY ADOPTING CURRENT REPLACEMENT PAGES. (Passage on first reading)

Department Requesting: City Council

Sponsor: None

WHEREAS, certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and

WHEREAS, various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances; and

WHEREAS, the City has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision which is presently before Council;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Urbana, County of Champaign and State of Ohio:

SECTION ONE:

That the ordinances of the City of Urbana, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, title, chapters and sections within the October 2022 Replacement Pages to the Codified Ordinances are hereby approved and adopted.

SECTION TWO:

That the following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law:

Traffic Code

- 337.10 Lights, Emblems, and Reflectors on Slow-Moving Vehicles, Farm Machinery, Agricultural Tractors, and Animal-Drawn Vehicles. (Amended)
- 337.16 Number of Lights; Limitations on Flashing, Oscillating or Rotating Lights. (Amended)

General Offenses Code

None at this Time

SECTION THREE:

That the complete text of the Traffic and General Offenses Codes sections listed above are set forth in full in the current Replacement Pages to the Codified Ordinances which are hereby attached to this ordinance as Exhibit A.

SECTION FOUR:

That pursuant to Section 2.19 of the Charter, notice of the proposed revision shall be published one time in a newspaper of general circulation in the City at least seven days prior to its final approval and no other publication thereof shall be required.

SECTION FIVE:

All actions of City Council related to this legislation were conducted in open meetings pursuant to Urbana Codified Ordinance 107.01 and Ohio Revised Code 121.22.

SECTION SIX:

This ordinance shall become effective on October 20, 2022.

President, City of Urbana Council

PASSED: _____

ATTEST: _____
Clerk of Council

This Ordinance approved by me this ____ day of _____, 2022.

Mayor, City of Urbana



REVIEWED: Mark M. Ferguson 10/11/2022
Director of Law Date

- Jumper: ____ Yay ____ Nay ____ N/A
- Scott: ____ Yay ____ Nay ____ N/A
- Paul: ____ Yay ____ Nay ____ N/A
- Lovegood: ____ Yay ____ Nay ____ N/A
- Thackery: ____ Yay ____ Nay ____ N/A
- Collier: ____ Yay ____ Nay ____ N/A
- Bean: ____ Yay ____ Nay ____ N/A