



Agenda

Oxford City Council

Court House

TUESDAY, MARCH 1, 2022

EXECUTIVE SESSION

None.

TUESDAY, MARCH 1, 2022

1. Roll Call. William Snavelly, Mayor Chantel Raghu, Vice-Mayor Amber Franklin
Jason Bracken Alex French Glenn Ellerbe David Prytherch

MEETING PROCEDURE: Comments from the Public are welcome at two different times during the course of the meeting: (1) Comments on items not on the Agenda, and Consent Agenda items, will be heard under Public Comments – and (2) Comments on all Resolutions and Ordinances will be heard during Council consideration of said item. Please wait until you are recognized by the Mayor, proceed to the podium, state your name and address so that your comments may be properly recorded and limit your remarks to a period of five minutes or less.

REGULAR MEETING

7:30 P.M.

PLEDGE OF ALLEGIANCE

2. Approval of Agenda.

This facility is wheelchair accessible. If you plan to attend this meeting and you have a disability that requires special arrangements, please notify the City Manager's office 48 hours

in advance so that reasonable accommodations can be made.

3. Public Participation.

- A. Presentation – HRSA Grant – Cecilie McGhehey Miami University.
- B. Public Comments.

The purpose of the Public Comments Section is for members of the Public to speak to the City Council on any subject not scheduled on the Agenda, except Consent Agenda items. City Council values your comments, and Council rules limit public comments to five minutes for each person. Presentations are not to be in the form of public debate, personal attacks on Council, City staff or other members of the public and Council shall not act except to direct the City Manager to take action or schedule the matter for discussion at a later date.

4. Consent Agenda.

- A. Minutes of the, February 15, 2022 City Council Meeting (Heather Barbour, Clerk of Council) pg 5



2.15.22 Action Minutes, Online Public Comments, and Full AI Transcript

- B. Report regarding the February 10, 2022 Oxford Recreation Board Meeting (Casey Wooddell, Parks and Recreation Director) pg 48



Rec Board Report

5. Resolutions.

- 1. A Resolution Authorizing the City Manager to Accept the Oxford Community Foundation Grant in an Amount not to Exceed \$12,000 (Casey Wooddell, Parks and Recreation Director) pg 49



Accepting Oxford Community Foundation Grant

- 2. A Resolution Authorizing the City Manager to Accept the Ohio Department of Natural Resources Grant in an Amount not to Exceed \$10,000. (Mike Dreisbach, Service Director).pg 51



Accepting ODNR Grant

- 3. A Resolution Authorizing the City Manager to Enter into a Site Access Agreement with the Owl's Landing Subdivision Developer. (Mike Dreisbach, Service Director) pg 61



Authorizing Site Access Agreement

6. Ordinances.

- A. First Reading.

1. An Ordinance Approving the Final Subdivision Application and Plat for South Forest Edge Section 2 With Conditions. (Sam Perry, Community Development Director) pg



Final Subdivision application and Plat for South Forest Edge Section 2

2. An Ordinance Accepting the Recommendation of the Planning Commission and Approving the Final Planned Development Application to Allow for Further Commercial Development of an 11.28 Acre Site Incorporating the MayDay Gun Range to Contain a New Business Incubator and Storage Facility with Conditions. (Sam Perry, Community Development Director)_pg 93



Final Planned Development Ringwood Road

3. An Emergency Ordinance Accepting Easements Necessary for the Construction of Phase IV of the Oxford Area Trail System. (Mike Dreisbach, Services Director) pg 147



Necessary Easement Owl's Landing



Necessary Easement Owl's Landing

4. An Ordinance Amending Ordinance No. 3654 Supplemental Budget Ordinance Number 3 to Make Supplemental Appropriations for Fiscal Year 2022. (Joe Newlin, Finance Director) pg 162



Supplemental Budget #3

B. Second Reading - None

7. A. Announcements & Communications.

1. Remarks from City Council and City staff. The comments expressed by individual members of Council or City staff during this portion of a City Council meeting do not necessarily reflect the views of the City of Oxford, The Oxford City Council, or the City staff.

2. Future Meetings.

WED – Mar 2 Environmental Commission Meeting 7 p.m. Municipal Building

TUES – Mar 8 Public Arts Commission Meeting 4:30 p.m. Municipal Building

TUES – Mar 8 Planning Commission Meeting 7:00 p.m.

THUR – Mar 10 Oxford Recreation Board Meeting 11:30 a.m. Municipal Building

THUR- Mar 10 Police Community Relations & Review Commission Meeting 7:00 p.m.

MON – Mar 14 Oxford Parking and Transpiration Advisory Meeting 9:30 am Municipal Building

TUES – Mar 15 City Council Meeting 7:30 p.m.

THUR- Mar 17 Climate Action Steering Committee Meeting 8:30 a.m. Municipal Building

MON – Mar 21 Housing Advisory Commission Meeting 3:30 p.m. LCNB Community Room

TUES – Mar 22 Board of Zoning Appeals Meeting 6:30 p.m.

8. Adjourn.



OXFORD CITY COUNCIL

Meeting Minutes

Tuesday, February 15, 2022

[Full Video Available](#)

Roll Call

William Snavelly, Mayor

Chantel Raghu, Vice Mayor

Amber Franklin

Jason Bracken

Alex French

Glenn Ellerbe

David Prytherch

Time 00:26

A regular meeting of the Oxford City Council was called to order by Mayor William Snavelly on Tuesday, February 15, 2022 at 7:30 p.m. Members in attendance were Jason Bracken, David Prytherch, Amber Franklin, Alex French, Glenn Ellerbe, and Chantel Raghu.

Staff Members in Attendance

Mr. Doug Elliott, City Manager; Ms. Jessica Greene, Assistant City Manager; Mr. Mike Dreisbach, Service Director; Mr. Sam Perry, Community Development Director; Mr. Casey Wooddell, Parks and Recreation Director; Mr. Chris Conard, Law Director; Mr. Joe Newlin, Finance Director; Mr. John Detherage, Fire Chief; and Ms. Heather Barbour, Clerk of Council.

Pledge of Allegiance

Time: 00:39

Approval of the Agenda

Time: 01:02

Motion – To Adopt

(Voice Vote) 1st Ms. Raghu 2nd Ms. Franklin

AYE: (7)

NAY: (0)

ABS: (0)

Public Participation

Time 01:18

Public Comments

The purpose of the Public Comments Section is for members of the Public to speak to the City Council on any subject not scheduled on the Agenda, except Consent Agenda items. City Council values your comments, and Council rules limit public comments to five minutes for each person. Presentations are not to be in the form of public debate, personal attacks on Council, City staff or other members of the public and Council shall not act except to direct the City Manager to take action or schedule the matter for discussion at a later date.

Ms. Ann Bailey- 192 Stone Creek Drive - Ms. Bailey spoke as the team leader of her church's Committee to Eradicate Systemic Poverty. Ms. Bailey mentioned the committee was formed about two years ago, the committee started with lots of research, and has held several workshops. Ms. Bailey said the committee is focusing on affordable housing and wanted to let the Council know they support the creation of affordable housing. Ms. Bailey said she is grateful for the steps the City Council has taken to develop affordable housing.

Mr. Steven Snell- 6 Old Stone Court – Mr. Snell mentioned the disadvantages children face when wearing a mask at school. Mr. Snell spoke in favor of ending the indoor mask mandate.

Ms. Clarissa Snell- 6 Old Stone Court – Ms. Snell speaking as a former Middle school teacher echoed the disadvantages of wearing masks at school. Ms. Snell spoke in favor of ending the indoor mask mandate.

Mr. Chris Williams- Refused to give address – Mr. Williams mentioned the disadvantages of children wearing masks in school and reminded Council that some students who have hearing loss read lips and need to see the speaker’s face. Mr. Williams spoke in favor of ending the indoor mask mandate.

Ms. Amy Shaiman- 11 Heather Ridge Court – Ms. Shaiman thanked Council and City Staff for the intentionality and planning for what will happen tomorrow as well as things like sidewalks and sewage that might not be exciting. Ms. Shaiman mentioned the continued work and planning for everyone in the community especially the unhoused, those at risk of being unhoused, as well as those with food insecurity. Ms. Shaiman spoke in support of the indoor mask mandate.

Mr. Patrick Reeves – 900 East High Street – Mr. Reeves introduced himself as a first-year student at Miami University. Mr. Reeves spoke in favor of ending the indoor mask mandate.

Ms. Megan Kuykendoll- 1304 Dana Drive – Ms. Kuykendoll introduced herself as an Instructor at Miami University. Ms. Kuykendoll wanted to offer an alternative perspective to what has been mentioned this evening and thanked Council for the opportunity to speak. Ms. Kuykendoll spoke in favor of the indoor mask mandate.

Ms. Pam Durand- Milford Township Resident – Ms. Durand mentioned her two sons that wear hearing aids, and have social communication disorders and masks are not allowing them to be properly educated. Ms. Durand spoke in favor of ending the indoor mask mandate.

Consent Agenda

Time: 32:49

All matters under the Consent Agenda are considered by the City Council to be routine and will be enacted by one motion. Any City Council member may, however, remove an item from consent by request. Items removed for separate discussion will be considered after the motion to approve the Consent Agenda.

- A. Minutes of the February 1, 2022 City Council Meeting (Heather Barbour, Clerk of Council) **Page 5 of the Agenda Packet**
- B. Report regarding the February 2, 2022 Environmental Commission Meeting (Mike Dreisbach, Service Director) **Page 26 of the Agenda Packet**
- C. Report regarding the February 8, 2022 Planning Commission Meeting (Sam Perry, Community Development Director) **Page 30 of the Agenda Packet**

Motion – To Adopt

(Voice Vote) 1st Ms. Raghu 2nd Ms. Franklin

AYE: (7)

NAY: (0)

ABS: (0)

Resolutions

Resolution No. 7376

Time: 33:34

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1. A Resolution Declaring that it is Necessary to Improve those Portions of Certain Properties as Shown on Exhibit “A” Attached Hereto in the City of Oxford, Ohio by Re-Paving, Re-Curbing, and Repairing the Sidewalks, Curbs, and Gutters. (Mike Dreisbach, Service Director)

Comments from the Public – None

Motion – To Adopt Resolution No. 7376

(Voice Vote) 1st Ms. Raghu 2nd Ms. French

AYE: (7)

NAY: (0)

ABS: (0)

Resolution No. 7377

Time: 35:57

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2. A Resolution Authorizing the City Manager to Enter into a Contract with GovOS to Provide Enforcement and Collection of the Short Term Rental Tax. (Jessica Greene, Assistant City Manager)

Comments from the Public – None

Motion – To Adopt Resolution No. 7377

(Voice Vote) 1st Ms. Raghu 2nd Ms. Franklin

AYE: (7)

NAY: (0)

ABS: (0)

Resolution No. 7378

Time: 45:49

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3. A Resolution Authorizing the Clerk of Council to Use an Action Style Template for Minutes Creation, Improving Accessibility and Transparency. (Jessica Greene, Assistant City Manager) page 41 of the Agenda Packet

Comments from the Public – None

Motion – To Adopt Resolution No. 7378

(Voice Vote) 1st Ms. Raghu 2nd Ms. Franklin

AYE: (7)

NAY: (0)

ABS: (0)

Resolution No. 7379

Time: 54:59

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4. A Resolution Authorizing the City Manager to Submit a Grant Application to Procter & Gamble for ADA Inclusive Playground Equipment. (Casey Wooddell, Parks and Recreation Director)

Comments from the Public – Ms. Amy Shaiman – 11 Heather Ridge Court – Ms. Shaiman expressed her appreciation of Mr. Wooddell applying for this grant to make the City's playgrounds more accessible. Ms. Shaiman noted that kids should get to play regardless of physical limitations.

Motion – To Adopt Resolution No. 7379

(Voice Vote) 1st Ms. Raghu 2nd Ms. French

AYE: (7)

NAY: (0)

ABS: (0)

Ordinances

Ordinances are adopted using a two-step procedure. First reading introduces the Ordinance and provides an opportunity for public input on the subject as well as allowing Council to request more information as needed. Second reading is to provide Council with the opportunity to consider new information and to deliberate.

First Reading None

Comments from the Public None

Second Reading

Ordinance No. 3665

Time: 57:24

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1. An Ordinance Authorizing the City Manager to Enter into an Easement Agreement Between the City of Oxford and Rams Holdings LTD., LLC for a Permanent Easement over Portions of Real Property as Set Forth in Exhibit “B” Attached Hereto for the Construction and Maintenance of a New Sanitary Sewer System to Serve Said Property.
(Mike Dreisbach, Service Director)

Comments from the Public - None

Motion to Adopt Ordinance No. 3665

(Roll Call Vote) 1st Ms. Raghu 2nd Mr. Prytherch

AYE: Mr. Bracken, Mr. Ellerbe, Ms. Franklin, Ms. French, Mr. Prytherch, Ms. Raghu,

Mayor Snively (7)

NAY: (0)

ABS: (0)

Ordinance No. 3666

Time: 59:10

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2. An Ordinance Authorizing the City manager to Enter into an Easement Agreement Between the City of Oxford and 4-Leaf Development, LLC for a Permanent Easement over Portions of Real Property as Set Forth in “A” Attached hereto to Allow the Construction and Maintenance of a New Sanitary Sewer System to Serve Said Property. (Mike Dreisbach, Service Director)

Comments from the Public - None

Motion to Adopt Ordinance No. 3666

(Roll Call Vote) 1st Ms. Raghu 2nd Ms. French

AYE: Mr. Ellerbe, Ms. Franklin, Ms. French, Mr. Prytherch, Ms. Raghu, Mr. Bracken,

Mayor Snavelly (7)

NAY: (0)

ABS: (0)

Ordinance No. 3667

Time: 1:00:20

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1. An Ordinance Authorizing the City Manager to Enter into an Easement Agreement Between the City of Oxford and 4-Leaf Development, LLC for Two Permanent Easements over Portions of Real Property as Set Forth in Exhibit “C” attached hereto and Labeled Exhibit “A” and “B” to Allow the Construction and Maintenance of a New Sanitary Sewer System to Serve Said Property. (Mike Dreisbach, Service Director) page 65 of the Agenda Packet

Comments from the Public - None

Motion to Adopt Ordinance No. 3667

(Roll Call Vote) 1st Ms. Raghu 2nd Ms. Franklin

AYE: M. Franklin, Ms. French, Mr. Prytherch, Ms. Raghu, Mr. Bracken, Mr. Ellerbe,

Mayor Snavelly (7)

NAY: (0)

ABS: (0)

Ordinance No. 3668

Time: 1:01:22

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2. An Ordinance Authorizing the City Manager to Enter into an Easement Agreement Between the City of Oxford and 4-Leaf Development, LLC for a Permanent Easement over Portions of Real Property as Set Forth in Exhibit “B” Attached hereto for the Construction and Maintenance of a New Sanitary Sewer System to Serve Said Property. (Mike Dreisbach, Service Director)

Comments from the Public - None

Motion to Adopt Ordinance No. 3668

(Roll Call Vote) 1st Ms. Raghu 2nd Ms. French

AYE: Ms. French, Mr. Prytherch, Ms. Raghu, Mr. Bracken, Mr. Ellerbe, Ms. Franklin,

Mayor Snavelly (7)

NAY: (0)

ABS: (0)

Ordinance No. 3669

Time: 1:02:19

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3. An Ordinance Adopting a Revised and Amended Water and Sanitary Sewer Improvement Specifications and Backflow Cross Connection Control Manual. (Mike Dreisbach, Service Director)

Comments from the Public - None

Motion to Adopt Ordinance No. 3669

(Roll Call Vote) 1st Ms. Raghu 2nd Mr. Ellerbe

AYE: Mr. Prytherch, Ms. Raghu, Mr. Bracken, Mr. Ellerbe, Ms. Franklin, Ms. French,

Mayor Snavelly (7)

NAY: (0)

ABS: (0)

Ordinance No. 3670

Time: 1:03:41

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4. An Ordinance Granting the Request of Thad and Renee Van Winkle, to Connect to an Existing City Water Line for a New Single Family Residence to be Located on a 10 Acre Parcel on Bonham Road Outside the Oxford Corporate Limits. (Mike Dreisbach, Service Director)

Comments from the Public - None

Motion to Adopt Ordinance No. 3670

(Roll Call Vote) 1st Ms. Raghu 2nd Ms. Franklin

AYE: Ms. Raghu, Mr. Bracken, Mr. Ellerbe, Ms. Franklin, Ms. French, Mr. Prytherch,
Mayor Snavelly (7)

NAY: (0)

ABS: (0)

Ordinance No. 3671

Time: 1:04:53

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5. An Ordinance Amending Ordinance No. 3654 Supplemental Budget Ordinance Number 2 to Make Supplemental Appropriations for Fiscal Year 2022. (Joe Newlin, Finance Director)

Comments from the Public - None

Motion to Adopt Ordinance No. 3671

(Roll Call Vote) 1st Ms. Raghu 2nd Ms. French

AYE: Mr. Bracken, Mr. Ellerbe, Ms. Franklin, Ms. French, Mr. Prytherch, Ms. Raghu,
Mayor Snavelly (7)

NAY: (0)

ABS: (0)

Announcements & Communications

In an effort to improve accessibility and transparency we will provide full transcripts until closed captioning for the video can be provided.

Remarks from City Council and City Staff

Time: 1:08:28

The comments expressed by individual members of Council or City staff during this portion of a City Council meeting do not necessarily reflect the views of the City of Oxford, The Oxford City Council, or the City staff.

Motion to Adjourn Meeting at 8:58 p.m.

Time: 1:29:09

(Voice Vote) 1st Ms. Raghu 2nd Ms. Franklin

AYE: (7)

NAY:

ABS:

Public Comment to Council Form

Print

Submitted by: Tomoko Brown

Status: Completed

Priority: Normal

Assigned To: Doug Elliott

Due Date: Open

Public Comment To Council



*** First Name**

Tomoko

Enter your First Name

*** Last Name**

Brown

Enter your Last Name

*** Address**

100 Prevalent Drive

*** City**

Oxford

*** State**

OH

*** Email**

TomokoTBrown@gmail.com

Phone

5135240524

*** I am a...**

- ☐ Visitor
- ☒ Resident
- ☐ Business Manager
- ☐ Business Owner
- ☐ Employee in Oxford
- ☐ Student
- ☐ Other

*** Comment(s)**

Just wanted to send a quick email out before tonight's City Council meeting (February 15, 2022). I know there are multiple people who show up at every meeting to request the mask mandate to be removed as soon as possible. I have been watching every City Council meeting online. Please know that there are some of us with little kids (specifically kids under age 5, who are not even eligible to get vaccinated yet) who have been avoiding attending

these in-person meetings in a small tight crowded space. While others are trying to move on and trying to go back to "normal", The families with young children have been ignored and forgotten from the consideration and discussion for these mandates. I know those who are against the mask mandate have been loud at the meetings, but please do not forget us. Our family, along with many others in this community, still support the mask mandate. We think the numbers haven't come down enough and Miami University is keeping the mask mandate until March. Therefore, I do not see the reason why we have to remove the mask mandate at this point. Thank you very much. Tomoko Brown 100 Prevalent Drive, Oxford, OH 45056

Make a public comment for review by City Council

From: noreply=revize.com@turbo-smtp.info on behalf of noreply@revize.com
To: [Heather Barbour](#)
Subject: Contact Form
Date: Friday, February 18, 2022 10:54:49 AM

Name = Joanne Gerson

Phone-Number = 513-793-2648

Email-Address = fcgg@greenumbrella.org

Message-Content = Dear Council members of Oxford, You will be so proud of your local university students working to protect the environment. I hope you can attend Sunday, February 27, 2022, at 4:00pm ET, to hear student activists from six local universities (Cincinnati State, Miami University, Mount Saint Joseph, Northern Kentucky University, University of Cincinnati and Xavier University) discuss current campus efforts to address climate change. Join us online via Zoom to hear these bright university students discuss their current ideas and initiatives for how we can all collectively work towards building a better future for both the environment and humankind. This program is brought to you by Faith Communities Go Green in collaboration with Green Umbrella and EquaSion. To register, please visit <https://greenumbrella.org/faith/> Respectfully, Joanne Gerson Co-Chair, FAITH COMMUNITIES GO GREEN A Green Umbrellas and EquaSion Collaborative
<https://greenumbrella.org/faith> fcgg@greenumbrella.org

Client IP = 74.215.72.73

Request has been sucessfully updated.

Public Comment to Council Form

Print

Submitted by: Kerry Pulaski

Status: Acknowledged

Priority: Normal

Assigned To: Doug Elliott

Due Date: Open

Public Comment To Council



Please note: Comments must be received by 2:00 pm the day of the council meeting to be shared with City Council members. Comments will be included in the minutes under the public comment section.

* **First Name**

Kerry

Enter your First Name

* **Last Name**

Pulaski

Enter your Last Name

* **Address**

365 Cobblestone Court

* **City**

Oxford

* **State**

OH - Ohio

* **Email**

kerrypulaski25@gmail.com

Phone

4126805974

* **I am a...**

- ☐ Visitor
- ☒ Resident
- ☐ Business Manager
- ☐ Business Owner
- ☐ Employee in Oxford
- ☐ Student
- ☐ Other

* **Comment(s)**

I was made aware that Council is considering uses for the \$1.2M of American Rescue Plan Funds. I understand that low to moderate income housing in the Western Knolls is under consideration, even though it is not one of the options available for how the money can be used. I would not support using the funds for this endeavor, especially given the fact that it is not one of the four options available for use of the funds. I hope City Council will consider uses that are in compliance with how the funds can be used. I would also not support funds for low income housing in Oxford. I would need to better understand how that would be beneficial to the community. Rather, we should concentrate on attracting new businesses, which would generate jobs and additional tax revenue for the community.

Make a public comment for review by City Council

Mayor Snavely: I'd like to call the meeting to order. And Heather will you call roll

Clerk: Ms. Raghu here. Mr. Bracken here. Mr. Ellerbe here. Ms. Franklin here, Ms. French here, Mr. Prytherch here. Mayor Snavely. Here.

Mayor Snavely: We will now move to the Pledge of Allegiance

Mayor Snavely: I would entertain a motion to approve the Agenda

Ms. Raghu: So moved

Ms. Franklin: Second

Mayor Snavely: Seconded. Any discussion? Any changes? All those in favor, say aye. Aye. Aye. Thank you. Uh, at this time we move to public participation. Uh, anyone wishes to address council on items that are not on the agenda or not the consent agenda now would be your time to come on forward. We welcome you to come and talk to us for up to five minutes, state your name and address for the record and we will welcome you. Yes. Come on up

Ms. Bailey: Mask on or off.

Mayor Snavely: You can take it off if you want.

Ms. Bailey: Okay. Thank you.

Mayor Snavely: Thank you. I think you're far enough away from us.

Ms. Bailey: Okay.

Ms. Bailey: Good evening to all of you. My name is Ann Bailey. Uh, I live at 1 92 stone Creek Drive in Oxford. I've lived in Oxford since 1975. So I'm a long term citizen. I am a member of the Oxford Presbyterian church committee and team leader of the committee on eradicating systemic poverty, which was formed in well about two years ago, early 2020. And we are a group of volunteers who are passionate about the issue of poverty. We, even though most of us knew something about issues related to poverty began by researching the issue. And then as time went on, we became more active in the community. We held a seminar in the summer of 2021. Some of you here this evening attended that. We also held a research, uh, uh, a workshop on eradicating systemic poverty. In August of that year in the seminar, we had two women who test testified and told us about their live living in poverty and what the biggest challenges they faced and foremost among those challenges was the issue of affordable housing

Ms. Bailey: In our eradicating systemic poverty workshop. We learned much the same thing as well as issues we related to adequate food supplies, transportation, and childcare. We did,

uh, a follow up to the workshop we held in August in November. And again, we focused on what are the issues people are facing related to poverty. But this time we talked about, well, what can we do about it? It, once again, the issue of affordable housing came up. We decided as a team in our church to focus much of our efforts on that issue. And we recognize, and if you think about it, that affordable housing is a major step in addressing the issues related to poverty. You really can't go to school and learn and function. If you don't sleep well at night, you can't do well in your job or be a good parent. If you're living in the cold or worried about insects and rain and other issues related to your housing, a comfortable home means so much.

Ms. Bailey: I am here to say to council that I hope you know, that we in the young Presbyterian Church and other churches as well are committed to support the creation of affordable housing. Also, we are very grateful to all of you. We know what you're doing. We are grateful that you have taken steps, significant steps to develop affordable housing in our community already, especially by working with the Episcopal retirement project. We wish you well in continuing these efforts, we will support you in whatever way we can as citizens of our community. Thank you so much for listening to me.

Mayor Snavelly: Thank you very much. Appreciate you coming. Would anyone else like to address council?

Steven Snell: Hey, good evening. My name's Steve Snell live here in Oxford with my wife. Uh, my young son. I appreciate you taking the time to hear my comments. Uh, I'm not gonna discuss the efficacy of masks. I'm not really gonna discuss the mandate specifically. I have had a chance for the past four or five weeks to take a look at it. And again, I think I mentioned last time I noticed this is an emergency ordinance that verbatim declares an emergency. So at the height of January case rates in Ohio for a seven day period were about 28,000. Now we're at about 1300 today with about a 2,907 day average. So if it was an emergency then, and now we're at 10% of that rate, are we still on an emergency? If so then why were we not in emergency five months ago, five and a half months ago.

Steven Snell: These case rates are as low as they've been in the past six months lower actually. So I guess my question would be, you know, much as was raised August 16th, when this first mass mandate was considered by this council, what are the metrics to shut this thing off? Because you had a lady, I won't call her out by name, but she was a very good speaker who came up here when this first brewed up and said, I would like to see I'm speaking in her voice. She said, I would like to see data on hospitalization rates and cases and deaths for Oxford, not for 45056, not for Butler County, not for Ohio, not for Dallas County, Texas for Oxford that has never been produced. We are swinging in the wind. We are relying on statistics at a national and a county level, state level, and even plucking red herrings outta Florida, California, New Jersey, and Texas and making decisions off of that.

Steven Snell: And, and that's dangerous, frankly. I think it's dangerous. It's dangerous in a lot of ways. I, I think every medical intervention has a cost and masks are no different. You can talk around that all you want. But if my child's autistic, if my child has speech issues, if my

child would like to go more than 23 months without seeing his two each or smile at him, when he walks in the door, that's a cost to your medical intervention that you have foisted on this city. You have, your vote has done that. So I would hope that you would consider that. The other thing I hope you would consider when it comes to small children. And, you know, I would say all the way up to college students is just the general concept of intellectual honesty. If this is not making a difference, why are we doing it? And if it is making a difference, why are you not voting to reinstate it tonight? Let's carry it through April or 4th of July or forever. Next flu season Wear 'em for the rest of your lives. But if it's not, then how can I look at my 12 year old son and tell him, you need to put on a mask. Why does it make a difference? We don't know that, but it might. And someone is telling you to, no, I am too anchored in intellectual honesty to do that now, wherever. So I hope you guys will take all that a hundred consideration. And frankly, I hope you vote to resend this emergency mandate because

Steven Snell: I don't see the chief here tonight, but I know some members of the audience have been in an actual emergency, and this is not an emergency when you're running 10% of the case rates, you were four weeks ago, guys need to do some he's stand up and lead. Thank you for your time.

Mayor Snavelly: Anyone

Mayor Snavelly: Else like to address council?

Clarissa Snell: Hey guys, I'm Clarissa Snell, Steven's wife. Um, I don't have the nice prepared statements that he does. Um, but I did seem to send you an email earlier today and I don't know if you had a chance to see it. Um, I decided to send it a little bit late and I understand, um, I appreciate Mr. Staley's response. I understand that we might be in a time crunch to be able to pass an emergency, um, vote tonight on that. And, um, I would have to disagree with that because I've had people that I don't even know in this community reach out because they know that Steven and I speak and have been in the attendance since August at these meetings. And they're asking, what can we do to drop this mandate? So our kids don't have to wear mask at school anymore because frankly, you guys are the gatekeepers between our kids' education, the quality of that education and how they move forward in life, how this community moves forward. And I think the timing's perfect because with the, um, Oxford tomorrow, if I have a, I don't, if I have a correct or not, but you know, as we come together and we focus on this community, what does this community look like?

Clarissa Snell: It's a hot mess right now. You know, I mean, all honesty Because we need leadership. We need quality leadership that says we're moving in a direction where we can come together, despite our differences And how this trickles down to kids really relies on you and on the school, the school board and our superintendent. And It, it, I, I think you're reaching a point with these parents that they need strong leadership and they need to see somebody be an advocate for kids. Because for the past two years, no one has been an advocate for kids. Our kids have taken the backseat

Clarissa Snell: For two years. They've been told to think of others to do the right thing for others while they sacrifice their education and their emotional development and their social development. And now we need to stand up for our kids. It is their time. And frankly, Mr. Bracken, I'm gonna call you out because you as a former middle school teacher and I, myself as a former middle school teacher, I would expect you out of every single leader within this community school board included to understand the dynamics of a middle school student and what they have been through. We need to be advocates for our kids. So I appreciate if it's not possible tonight to drop the mask mandate that you find time amongst yourselves to get together and, and find a way to make that emergency ordinance, that emergency mandates come to an end, cuz this community's ready to move forward. Thank you for your time.

Mayor Snavelly: Thank you very much.

Chris Williams: Hello. My name is Chris Williams. Uh, Oxford member, um, just wanna kind of come up here and talk. I wasn't planning on doing it, but, um, I would like you to continue to look at my son and I, unlike you, didn't Ms. Snell, um, kept looking down, but my son here, you know, this is his second year in school. He he's a first grader. He's never had a normal day in school. He's been bullied from profession, from the administrators at Talawanda over mask. We've had doctors notes and things to, to go over that. But I'm not really here to talk about those specific things at Talawanda, but you all need to realize the impact you're putting on this community and children like him every day, we sit around the dinner table and we say, what is your high? What is your low of the day?

Chris Williams: Just kind of talking about our kids lives and, and what they have to say. And every day he says my, my, my low is wearing a mask and I that's just something you guys all need to understand. Okay? You're all adults. You have the ability to walk around, take masks off whenever you want. Even when you're in situations like the rest of us back there, you have the choice, but when you're a first grader and you're school and all of the adults around you treat you terribly for pulling the mask off your face to take a breath of fresh air, then that's a problem. It's child abuse. He comes home upset, lashes out. I mean, he was in, he was in preschool daycare for years before we started up here at Talawanda. He was the happiest kid ever. He comes home, aggravated all the time, lashing out, fighting with his sister.

Chris Williams: I mean, I get it. That's some stuff small kids do, but this is ridiculous. And it, I can a hundred percent cuz mom and I can tell you that from the way that they treat him at school, he hates going to school all Monday mornings. He loves coming home. He loves having the fresh air all weekend. And then he is gotta go back and deal with the ridicule and terrible stuff that you guys put him through. And we asked Talawanda to, to change it. You know what? The response back to us is, well, Oxford voted it in and this is what we have to do. I had his discussion with Dr. Thore in his office. He hides behind all of you, all of you. He's a first grader. You can take, you tell me to settle down. You understand?

Mayor Snavelly: I'm not telling you to settle down.

Chris Williams: Okay, well, that's,

Mayor Snively: I appreciate you coming. And I know it's not easy, right? To speak in front of a group. I'm saying to the rest of the, a crowd. If you wanna speak, come up at no yelling out. Don't interrupt the gentleman.

Chris Williams: Okay? I appreciate what they're saying though. But I mean, this is ridiculous. And you guys, like I said, you're all adults. You have a choice to do what you want to do. As you go through the day, knowing another adult gonna shame. You puts you down for pulling your mask off your face and taking a breath, brush your breath, fresh air at your desk. Anywhere else, these kids don't have that opportunity. And quite frankly, they don't have the opportunity when they go outside on recess. Not all of the schools are participating in no mask during recess his school. Marshall, when he goes out to recess, he's gotta wear a mask and he's gotta make sure he is socially distant. The first day we sent him to school with no mask on. When he got in trouble, you know, he came home, taught us. And then we got, we got a written permission that he can have a face shield. I can't wear my face shield. I'm gonna make somebody sick. He's in first grade. That's how you, people are making first graders feel. They're afraid to make other people sick. And you think that that's okay.

Chris Williams: You all need to do an emergency vote. It's ridiculous. You guys all think this works. I'm an engineer, a mechanical engineer, the master's degree. I'll tell you what everyone, that pieces of crap on your face is not blocking a bit of this virus. It has been proven in, in hundreds of studies, but you know what it is doing. It's blocking his smile to his teacher. You guys are all supposed to be doctors and educated and stuff. Well, what is, what is communication? Most of communication is nonverbal my daughter back there. She's got a hearing aid. Okay. We learned out she, she has here problems. You know how she helps? Helps what helps her communicate, watching people's lips. Can I see anyone of your lips? No. So like I said, I didn't have anything prepared to say, but I'm pretty aggravated at the way you guys make our fam all of our families feel it's ridiculous because like, uh, Steve said you have no data. And the data that you do have, if you actually looked at the science would tell you that none of those work I've seen all of you pull 'em down. As I'm sitting back there,

Chris Williams: It's cute. How you think it protects you. It's really cute, but really it's just tyranny, pure tyranny. And like Steve said, you're treating teaching children, things you're teaching 'em to just suck it up and deal with whatever the government tells you to do. Is that how you want America to be how you want generations of students, the next people to carry the torch, the flags that you sit behind. Like you want them to just learn that America? Oh, we just do whatever the government tells you to. Maybe you should turn off the fake news. Look at Canada. They're standing up because the government is telling 'em no matter what they do, they're gonna put 'em down. So you're all did I understand my five minutes is out, but I'm done it. It is okay. But you guys all need to stop and think I'm done.

Clerk: Mr. Williams, can I please get your address?

Chris Williams: No, I'm gonna put my, my son's standing. You think I'm gonna put my address on camera? Are you serious? That's more of your, you don't understand it do you.

Mayor Snavelly: Thank you for coming. Okay. Seeing no others, we will move on. Oh, I'm sorry.

Amy Shaiman: Good evening. Amy Shaman, 11 Heather Ridge Court. Um, I to say thank you. I appreciate the care and the seriousness that this entire community, especially council and city staff take what for planning and for intentionality, both what will happen tomorrow, as well as things like rules about sidewalks and sewage and other things that we see on the agenda, that aren't necessarily as exciting as yelling about opinions or, or other things, but things that do make a quality of life difference in our community. I wanna encourage a continued work for planning for everyone in our community, especially the unhoused, those at risk for being unhoused, as well as those with food insecurity. I also wanna comment on masks. I, I understand this is a very heated item, um, but our numbers are still up. They're still high. There is no forecast to date anymore for when children under five will have the opportunity and the privilege to be vaccinated.

Amy Shaiman: Every time it gets close, it's getting pushed back. It's now gotten pushed back again to April after just being pushed back to February. So I think we need to that there are people in our community who do not even have the option for their parents to help them become vaccinated. Our country still has more people dying every day than we're killed on 9- 11. Those of us who are old enough to remember 9- 11 might remember the pain of hearing about those 3000 lives that were taken on that day and how it changed our country. Why is it now acceptable that that many people are dying every day and we're approaching a million deaths to this disease. I served our country because I care about all of us, people with whom I agree and the people that I don't agree with, the only way out of a pandemic, according to science is vaccination and masking. Those who refuse to do so are making this pandemic last longer. So if you want this to end, please get vaccinated and wear a mask. They make a difference. Let's continue caring about each other and keep our masks on. Thank you. You.

Mayor Snavelly: Thank you. Come on forward. Welcome.

Patrick Reeves: Thank you. My name is Patrick Reeves. I'm a first year student at Miami. Um, I live at 900 East High Street in room 1 0 5. And I just quickly wanted to pose a question and maybe elaborate on some points that others have made already. I just want to know what the line is for, uh, ending this mandate because I believe, uh, Councilman Bracken and Mayor Snavelly, uh, previously you said that vaccination rates at Miami would, if they exceeded 80%, we might revisit the issue on this mandate. And currently last I checked, I believe that the numbers were at about 92% vaccination rate. Uh, Miami has their testing program in place, and at least from where I stand, I see no clear area on when this will. And, um, it's also, geez, I can't speak for all of the families in here. Obviously I don't have kids, so I have this affects me differently.

Patrick Reeves: I'm not going through the same, um, you know, scrutinization in school, but I wanted to make the point that, um, I'll be scrolling through Instagram every weekend. I see

pictures of people without their masks on. And I just want to know what exactly is this doing? If every weekend people are going out and spitting in its face because it feels like to me, it's doing anything. So at this point, why do we even have it in place as I believe someone else made the point of, um, also Xavier? I don't know if you guys saw Xavier just removed or is about to remove its mandate cities with much larger population densities out in California, Washington, DC, they're removing their mandates. We could work together and be on the front edge of this and remove our mandate and work together. But you know, even, even just for a period of time, like a trial period, we could have it and see, you know, we've been playing this cat and mouse game.

Patrick Reeves: We've gone through with this mandate for a while now, but maybe it's time to let us make our own decisions. Obviously there's a big debate and it's all going to be subjective about where your personal health decisions start and end and where the government interference starts and ends. Right? Like I, you know, everyone's gonna have their own opinion on that. It's futile trying to change your minds on that, but we've already tried one way. Why not have a trial period where we see how we do making our choices? And you know, what if the Oxford data goes up to insane rates? Sure. Maybe we implement the mask mandate again, if it's going to help, but having the knowledge that you guys are listening to us and actually taking into consideration, what we're saying is important because I know last semester someone came up here and made a very good point about how it feels like there's no connection, there's no listening, there's no empathy, nothing.

Patrick Reeves: It feels like everything is already predetermined. And if that's the case, then why are we all here today? Right? Like, why are we here? If we believe that you are not going to even take the time of day to listen to us? Um, so I think that's very important that we at least feel like what we're saying is being taken into consideration. Um, regardless of whether you decide to implement what we suggest or not even having an open discussion and maybe clarifying the line of when this might end would be extremely helpful. So thank you all for your time today. I really appreciate everyone. That's also gone before me and spoken and making your voices heard, um, and have a good night.

Mayor Snively: Thank you very much for coming tonight. While the next person's coming up, I did wanna mention that according to the legislation that was passed, the mass ordinance, um, mandate ends on March 1st. So there is, and, and yes.

Megan Kuykendoll: Hi, I'm Megan.

Mayor Snively: Go ahead.

Megan Kuykendoll: Uh, Megan Kuykendoll 1304 Dana Drive. Um, I wanted to offer an alternative perspective to some of what has been mentioned today, but before I do that, I did want to thank you for this public opportunity for all of us to share. I think it is important that we get to get your community voices, a diversity of those expressions and have opportunities for people to do that. Um, and so I appreciate there being time and that's part of our process. Um, I am absolutely saddened to hear some of the stories and experiences that children are having with addressing the masks in schools. Um, but this

has not been my experience. My family's experience quite a wide variety of other families with children in school, especially those elementary age kids. And largely what I have seen is that when you make it part of the process, the kids figure out how to handle it.

Megan Kuykendoll: We've done some trial and error to figure out what masks are gonna be comfortable and useful in all of those kinds of things. Um, and yes, that is an extra burden on families. And I do acknowledge that, that it can be difficult, an extra ask ESP actually, when you know, you're getting ready, you're running out the door. That can be really difficult that said, um, again, from my observations, um, for a limited amount of time in school, as well as in the process of getting to school, a lot of kids have adjusted. Um, going back to the comments about non-verbal communication, yes, a large portion of our faces are covered, but there are still many, many ways that we can express ourselves. Um, thinking about other ways to communicate emotion, you can see smiles, you can see the, the emotion behind the words, even if you cannot physically see the teeth part of your face.

Megan Kuykendoll: Um, and there are also masks that do provide some of that visibility. Um, that was something that was offered to me as an instructor at Miami teaching students that have visual impairments, having masks that allow them to see my mouth. Um, and I also think that it's important that we think about the care piece of this equation, because the way that masks are most effective is if others are wearing it rather than you wearing it just by yourself. And I think that's a piece that is really, really difficult for us in our kind of individualistic, um, mode. And it's important that we demonstrate that care for other people. And that is how, when I ask others, um, to wear masks because of the current Miami mandate, when I am in my classroom, we talk about that and we talk about demonstrating care and you, yes, it can be uncomfortable.

Megan Kuykendoll: And we find ways to take breaks. And again, from my observations and talking to some folks at schools, they are offering breaks, there are opportunities to manage those systems. Um, again, I don't know what specifically has been happening in the school experience mentioned. I am surprised at that because of the other things that I have heard about the ways that faculty at the schools are accommodating those students. I also want to note that Oxford businesses are supported by this mandate. When we think about business owners who we don't know their health circumstances at home, we don't know what they're dealing with within their kind of exposure bubble and all of those kinds of things that having this mandate helps them feel confident, asking people to wear masks when others enter their business establishment. And I find that to be important, especially with, um, the level of resistance that there tends to be when there is not a mandate in place. Um, I also recognize that it is unlikely to extend the mask mandate, but I feel like the March deadline or the March expiration is helpful. It does offer an end. It offers an end that fits within some other systems. Um, again, masks have really decreased flu, strep, other things that typically run through the schools, like just all over the place, um, especially during the winter months. And so I just appreciate the effort and thought that I's gone into it and just wanted to share an alternate set of observations. Thank you.

Mayor Snavelly: Thank you very much. Come on forward. So glad you came.

Pam Durand: Hello. Thank you for letting me speak today. My name is Pam Durand and I live in Milford Township and I am a community member. I I've been a community member for over 30 years since my childhood. And, um, I, I just wanted to express the same concerns that because Oxford city council has mandated these masks. They are allowing Talawanda to hide behind that bail. And I have two sons that have hearing they're deaf heart of hearing, and they wear double hearing aids. Both of them, they have social communication disorders and the masks are not allowing them to properly be educated. So this is very exactly what she was saying. You don't know what is happening in each home. There are circumstances that people are judged for just for not wearing the masks and, and that is not acceptable and it needs to change. And it can change here. I've been in part of Oxford when it was a great place to live, and I would really like to see us all come together and for it to be that again. So differences of opinion should be welcome no matter what. And I would really like to see Oxford be great again. Thank you very much.

Mayor Snavelly: Thank you.

Mayor Snavelly: Okay. Thank you all for coming. If I wanna let you know that council does listen to you. We don't always agree with every person since we've had people on both sides of it. You should can see that that would be impossible, but we do listen. And, uh, I certainly welcome you to come here and to express your views. And you may not know it since there are probably council members who agree with each of you. Uh, so there's not, I don't pick unanimity on this council. Uh, we will move next to the consent agenda and I have a motion to approve it.

Ms. Raghu: So moved

Mr. Prytherch: Mr. Mayor, did we approve the agenda or did I just link through that? Yeah. Yes we did. Okay. And I, I know we called in order, but I didn't know if we approve.

Mayor Snavelly: Yeah, we did.

Mr. Prytherch: Okay. Yeah. I just wanna double check. Thank you.

Mayor Snavelly: Somebody could if they wanted to, uh, amend it. Um, so it's been moved and seconded to approve the consent agenda. Is there any discussion? Hearing none. All those in favor indicate by saying aye. Aye. Aye. Thank you. All right. We'll move to resolutions. You may read the first one please,

Clerk: A resolution declaring, but it is necessary to improve those portions of certain properties as shown on exhibit A attached here two in the City of Oxford, Ohio by repaving recurbing, and repairing the sidewalks, curbs and gutters.

Mayor Snavelly: Okay. I have a motion this resolution.

Ms. Raghu: So moved

Ms. French: second

Mr. Dreisbach: Good Evening.

Mr. Dreisbach: Thank you. Um, we are currently planning for our summer street resurfacing and improvement program. And as part of that, um, we require, uh, curb gutter and sidewalk to be, uh, repaired where it's defective. Uh, we have already sent courtesy notices to all of the property owners involved, uh, with the summer construction program. Uh, but we're following Ohio Revised Code 7. 29, and the procedure set forth with that. So this is a formality to begin that process. Uh, this is the first of four pieces of legislation that's necessary. So this is a resolution of necessity. Uh, it will be followed by a resolution to approve a construction contract. Uh, there'll be a resolution to inform property owners of the actual cost of the improvements. And then finally an ordinance to levy the special assessments, uh, on each parcel. So as I said, uh, this is not a surprise to the property owners. They've already received notices and uh, many of them have already, uh, pulled permits and are moving forward to get repairs made. I'd be glad to answer any questions.

Mayor Snavelly: Okay. Thank you very much. Is there anyone from the public who would like to address this it or my agenda? See none counselors, discussion, questions. Are we ready to vote? Okay. All those in favor, indicate by saying aye. Aye. Aye. Opposed. Thank you.

Mr. Dreisbach: Thank you.

Mayor Snavelly: Resolutions adopted. Please read the next.

Clerk: A resolution authorizing the city manager to, into a contract with Gov OS to provide enforcement and collection of short term rental tax.

Ms. Greene: Good evening.

Mayor Snavelly: I have a motion to adopt this Resolution

Ms. Raghu: So moved

Ms. Franklin: Second

Ms. Greene: Good evening. Got ahead myself. Um, in August council passed an ordinance that extended the hotel lodging and convention tax to include short term rentals, the tax of the 3% lodging tax and the 3% convention tax. The 3% convention tax will go to enjoy Oxford to support tourism initiatives and the 3% lodging tax from the short term rental properties will go into a housing trust fund. It is unknown how much tax will be collected via short term rentals. And the collection of the tax has proven to be very challenging, um, as properties go on and off these online listings frequently. So we have been researching different ways to address the collection of this tax. And we kind of narrowed down our options to three. One is use the honor system and just ask short term rental providers to please sign up and pay the tax. Two is to require staff to

monitor these online sites and kind of see who's listed and find their address and try to like say, Hey, sign up and pay this tax in third is to use our registration and enforcement tool to monitor this for the city after significant research, a review of the product demonstrations and checking references.

Ms. Greene: In other communities, we propose that the contract with gov OS for of the enforcement and collection of the short term rental tax gov OS will identify the properties regularly by collecting data from these online sites. So they kind of have a, an online AI tool that goes out and looks for these properties going on and off that go so far as to estimate the tax owed based on calendar dates that are, are blacked out. Um, they will have an online portal for us for the registration of our short term providers, and then they provide a portal for the actual tax collection. So it makes it kind of a one stop shop for the short term rental providers. This contract is actually under the amount required that we would need to you as council. Um, but we wanted you to be aware of the amount that it is costing to try to do this, um, enforcement.

Ms. Greene: Um, the original we've got after some negotiation, the contract is \$24,473 and 25 cents. We don't know how much short term tax will be collected. Other communities have told us they feel it's worthwhile. Like they're getting more than just the honor system or, or trying to have staff monitor it. And so we are recommending a one year trial period with gov a OS to see how much taxes collected to see then if a further, um, contract with them is worthwhile to try to get funds for, um, this, for our housing trust fund. I'm happy to answer any questions.

Mayor Snively: Thank you very much with anyone from the public like to address this item before council seeing none, counselor discussion or questions.

Ms. French: Okay. Question. So, uh, just cause we did get an email about this. Um, so let's say I'm a short term rental agent owner, renter type entity. If I'm super great about paying my taxes, I've already handcuffs in the past. Is this portal. I think it's the confusion is coming up from like monitoring versus enforcement, cuz you reference it as being a one stop shop. So if I'm a really like super on point on task, is this gonna make my life easier? Or is this kind of more coming from the enforcement piece for those who maybe are a little bit more lax or like not as forthcoming about paying those taxes

Ms. Greene: In theory? Cause it's a trial, right? Um, it would be both where they would have kind of a one stop shop where they're like I'm a short term rental owner, they get a letter from go gov OS saying it's time to pay your taxes and then they can just pay online through that portal. Um, so that is the reason we're recommending it. And then for those people who maybe aren't as, um, attentive as some others, it will send, you know, reminder letters to them saying your estimated tax is blank based on your block, your blacked out dates on the, um, calendar.

Ms. French: Okay. So in theory this to make it easier for folks.

Ms. Greene: Yes. Okay.

Mr. Newlin: And just a point of clarification nobody's ever remit taxes. So this is brand new to them. So this is, you've thought this is an easiest solution for them to have a place to go, that they would actually register and pay their taxes. So nobody's and paying taxes.

Ms. French: Got It

Mr. Newlin: If they didn't do it correctly, they will because they, they followed the W2 or the 10 99 or put the file with federal tax after 14 days, you're supposed to report that income. So they may have been doing the federal level. Which they would've done. And this is completely different because this is going for specific purposes.

Mayor Snavelly: Could, could you describe how motels and hotels currently comply with the same tax?

Ms. Greene: Yeah. So there are six, six hotels in Oxford, right? Or, yeah. And they, um, can run a report of their lodging rates for the month and then they remit their tax monthly to the city of Oxford. So they pay directly to the city of Oxford. There's only six properties and they run like a, a data report pay. Um, and we have really good compliance with our lodging tax from our hotel years. If we see that someone hasn't paid, cuz there's only six, we can just call and be like, is everything okay? You know, blah, blah. And um, and they're like, oh yeah. And then they kind of just get right on it for the most part with an estimated 90 to a hundred and some short term rentals that pick up the phone call relationship is a little harder to obtain with, with the number of properties that we have.

Mayor Snavelly: Thank you. Other questions?

Mr. Ellerbe: Hey Jessica. So this is effectively Rita, but for short term rentals.

Ms. Greene: Sure. Yeah.

Mr. Ellerbe: Just conceptually in my mind it feels a lot like it, like it's a website it's collecting tax. It's not exactly a city of Oxford, but it's representing your city of Oxford.

Ms. Greene: Yes.

Mayor Snavelly: Thank you, Glen.

Mr. Prytherch: So just a couple questions. So I've seen in other cities that Airbnb will collect, um, that percentage, but ultimately that goes back to the owner and the owner has to voluntarily remit it. So there's no way for, to get Airbnb to send us the taxes ultimately arrests on the, the owner.

Ms. Greene: Correct, so it'll still because the owner will have to put the owner behind the scenes will put that tax under the Airbnb site and then the owner is responsible for then turning it in, but they can still build it into their platform. They can say that we have this tax on their platform.

Mr. Prytherch: Okay. And then, um, so we do have a little bit of honor system data and we just haven't had anything remitted yet. So, um, so yeah, I think that this is, I, I, I think that we have, what's not a small industry in Oxford that is very impactful and I think it should pay its fair way. And um, and this seems like a way to do that. I, I think the honor system sounds wonderful, but I think that this just ensures that people comply speed. Yep.

Ms. Franklin: And I appreciate that, um, the funds are going, taken from the community assistant fund and not affecting the, the housing trust fund. So

Ms. Greene: Yes. And the reason it's just a trial period, cuz we really don't know. And so we didn't want the housing trust fund to go negative just in case. Like we think we'll be able to collect enough, but because we're not sure we're using it out of another fund for this year and then we'll know more and can come back to you with, with what we propose

Ms. Franklin: And what is enough, what

Ms. Greene: It'll be at least this 24,000 that

Ms. Franklin: Okay.

Mr. Prytherch: So I, I think you put it at end, but um, yeah, regardless of whether this trial is, I imagine the value of the new information you're gonna get through, installing it for a year would be very significant. And even if we didn't go with them after that, we would've learned stuff that we wouldn't have learned. Otherwise it would help us going forward after that point. Is that that right?

Ms. Greene: Yeah. I think we would have data on how many properties we have and yeah.

Mr. Prytherch: Okay.

Ms. Raghu: And as a no brainer question, the websites would be all inclusive. Right. It's like, Airbnb, BRBO and like maybe Craigslist.

Ms. Greene: I'm assuming. Uh, I don't, I don't know if it includes Craigslist, but I can check with them. I know it does cover Airbnb and B R B O and that's a new one, uh, VACA or something, but it covers those for sure. I'll ask about Craigslist.

Mr. Prytherch: Is there a way, um, I guess some people are not practically up, we're not on those platforms, but may be registered with the city, you know? And so for those people who are occasional, is there a way to at least communicate that this is the place to voluntarily remit? Um, like if I do this and I want to pay my taxes,

Ms. Greene: We will send out a notice to everyone who we know so far. Okay. And say, this is how you read stern and remit your tax. Like, like you said, like Rita for short-term rental. Right.

Mr. Prytherch: Thank you.

Mayor Snavelly: Okay. And are you ready to vote all those in favor indicate by saying aye. Aye. Opposed? Resolution is adopted. When you're ready read the third one.

Clerk: A resolution authorizing the clerk of council to use an action style minutes template for minutes creation, improving accessibility and transparency.

Mayor Snavelly: Is there a motion to adopt

Ms. Raghu: So moved

Ms. Franklin: Second

Mayor Snavelly: And moved and seconded and we back to you

Ms. Greene: Hello? So, um, I love titles and names. And so Heather and I have named this, the efficiency and transparency project. Um, and it has three phases. Um, but you know, with, with new stuff and new people, you have an opportunity to look at things with new eyes. And, and so we have been kind of looking at how do we do minutes? Are they excessive is the way we provide our information to the public, easy to use and searchable. And in all honesty, we found like we think we should, can be making some improvements. And so we would like to propose a phased solution of the way that we, um, do our public records. And the first would be the minutes format at we found in our research that a lot of cities that do video streaming, such as we do where the video is out there, do an action minutes format, which includes the agenda item, a timestamp of when in the meeting it is.

Ms. Greene: So it'll say go to minute 37 and 32 seconds. Um, the motion, the second and the vote. And we are recommending that we move to that model and we'd like to add, in addition to that, well, Hamilton does this. We really like their model. They also include the goal area of council. And we'd like to get there maybe after our council retreat. And then we'd also like to include the page number and the council packet that a person could go look at the full information. We believe that this will greatly improve the efficiency of staff, um, in our minutes creation because right now, um, and this is the same as the previous clerk. Um, it takes three to five days to compile the minutes, um, in the way that we do them now. And we can imagine by doing this how much time our staff could be doing on other things.

Ms. Greene: So that's our proposed phase one is action minutes. For some reason you feel uncomfortable with that. An alternative solution would be to use AI to do a full transcription. Technology has vastly improved. And this is like the weirdest thing to come out of. COVID for me is to see these transcription services working when we're having these YouTube meetings and zoom meetings and things. But for four hours of meetings a month annually for an AI transcription is \$720. So it, that would be an alternative if you didn't like the action minutes as, as a safeguard. Um, in addition to the video streaming, because if we're relying on the video, wanna make sure I have a really on recording. We're also doing an audio recording just so that we have a backup just in case our video would go down in the long term. We can imagine looking at our audio

visual equipment to see if there's any better streaming that we could be doing or something like that.

Ms. Greene: But in the short term, we're seeing action minutes with a backup of audio phase two and three longer term. That's not for tonight, but I want you to be aware of what we're thinking. So phase two would be our agendas in minutes, online management. Currently we use Granicus, which is \$14,000 a year. And that's where we put our agendas in, in minutes and things like that. Um, but with the increasing technology, we're wondering if that investment is still wise because there's a lot of other free services that have very similar search features. And so we're weighing the pros and cons and we hope to come to you with a recommendation by June. And then finally phase three would be records, retention management. We have a, a lot of paper files and just today, Heather had to go to a card catalog and like dig through paper and try to find something we're proposing that we spend time. Digitizing city manager, office records tagging them for search. And we would have an online portal, a tag for each item you can imagine contract with X, Y, Z, 2022. You know, some keywords that you can quickly pull that up. And we're proposing that we take this year to digitize city manager, office records, and then other departments, if we like it could be done in future years. So that's what we're is coming down the line in our efficiency and transparency project. Um, so with that, I'm happy to answer any questions.

Mayor Snavelly: Thank you very much. Would anyone from the public like to address this item before the Council? Seeing none counselors, discussion.

Ms. Raghu: For the, I love this. This is awesome. Um, Granicus is not easy to use, um, for the video for the people with hearing impairments. I'm assuming there's closed captioning right on the videos

Ms. Greene: Currently not, but that could be one of our long term things that we're looking at with better video streaming would be the auto closed captioning.

Mayor Snavelly: Okay.

Mr. Prytherch: Yeah. That was my question. I love this idea too. I, I, we can do a much better job of our materials being accessible. Um, and you know, so, so far we have things that are not necessarily even text readable, but that's where I wonder whether it doesn't need to be an either or because I do worry about those people. If, if you had an, an impairment, the video is not gonna be really useful to you. Um, and so that the transcription, the AI transcription is, is it either, or is a transitional thing, we maintain the AI for those people. Yeah. I just worry about having,

Ms. Greene: I honestly, it's up to you guys. If you want us to provide a full trans, we are recommending the action minutes with the full video. I could look at speeding up our, uh, video streaming upgrade to include, um, like if we, if we live streamed on Granicus or whatever platform we use, but then we live streamed out to YouTube. YouTube has the auto transcription. We're not currently doing that, but we could try to do that sooner than later. I was proposing June for that.

Mr. Prytherch: But one way or the other \$720 a year is the additional service. Yeah. So it's, yes. I mean, the, the efficiency gained, I mean, knowing how much Maryanne put into minutes and the, and, and Heather puts into the minutes are beautiful, but, but there's a better you of, of staffer's time. Uh, so I, a hundred percent support of it, especially if we can maintain the accessibility across.

Mayor Snavelly: I, I think it's very difficult too, for staff to try and accurately capture what somebody says in a paragraph when they spent five minutes talking it, you know, it's not really fair.

Ms. Franklin: I think the accessibility is really important. I don't know if you remember, but when we had gone to zoom during the early part of the pandemic, I'd asked if there could be a sign language and you looked into some of that sign language interpreter. Um, but if we could, if we could expedite getting that, um, transcript, um, that would be really helpful. I think that's important

Mayor Snavelly: Or putting it on YouTube.

Ms. Greene: I think the clarification is you wanna see like the livestream with the closed captioning. That's what that would be. Okay. I will look and cuz that's a little bit different than the transcription, but I will. Yeah.

Ms. Franklin: Closed captioning.

Mr. Prytherch: The transcription could just be a bridge technology to get us through there. \$720 a year. You could provide both services. And then when we get there, I mean it's \$720.

Mayor Snavelly: I think with this resolution, we can allow staff to make that particular, any further discussion or question

Mr. Ellerbe: I'm sorry. I was just saying I'm seconding. Mr. Privileges proposal \$720. Seems like an excellent investment. I think we should run all the things that you proposed in parallel.

Ms. Greene: Okay. We, that's not hard to do. We can do.

Mayor Snavelly: Okay.

Ms. Greene: Just to clarify until we can upgrade our video stream, these services we'll provide a full transcript and we'll probably put the summary action minutes on top, the full transcription on the back then when we can upgrade the streaming, it'll have the close captioning, but that would be just a little bit of time for us to figure out.

Ms. Franklin: Yes, Great.

Mayor Snavelly: Well, I, I think if you have the transcript available for someone who wants it, that's sufficient. I can do that too. Need to reproduce. Oh, massive copies.

Ms. Greene: Even better,

Mayor Snavelly: But let's have it available so that if somebody

Ms. Greene: Okay, good call. Yep.

Mayor Snavelly: All right. Are we ready? All those in favor of the motion indicate by saying aye. Right. All those opposed? Resolution is adopted.

Ms. Greene: Thank you.

Mayor Snavelly: You're welcome. Congratulations. Okay. Resolution number four.

Clerk: A resolution authorizing the city manager to submit a grant application to Procter and Gamble for ADA and clean is the playground equipment.

Mayor Snavelly: Okay. Is there a motion to adopt?

Ms. Raghu: So moved

Ms. French: Second

Mayor Snavelly: Welcome Casey

Mr. Wooddell: Good evening. Uh, we are requesting, uh, permission to apply for a grant in the amount of \$75,000, which will go towards renovating the, um, playground out at the Oxford Community Park. And those renovations and upgrades will include some wheelchair accessible, um, amenities as well as all new safety surfacing to go across the entire playground and into, um, some additional areas that we're proposing with this project. We do have some CIP funds already in the 2022 budget that we would use as matching funds if we get awarded this grant. So I'm happy to answer any questions you have.

Mayor Snavelly: Thank you would anyone from the public like to address this item before Council?

Amy Shiaman: Amy Shiaman, 11 Heather Ridge Court. Um, very much appreciate Casey. You applying for this grant and making our playgrounds more accessible. Kids should get to play regardless of what a particular kids' needs are. So thank you.

Mayor Snavelly: Thank you. Anyone else? Seeing none council discussion? Any questions?

Ms. French: Yep. Just great work. And I loved in your, um, description talking about how this is kind of like a foot in the door for potentially other grant funding for this. So I think it's great. Can't say enough. Good things. Great. Casey,

Ms. Franklin: Congratulations.

Mayor Snavelly: Are you ready to vote all those in favor indicate by saying aye. Aye. All those opposed? , the resolution is adopted. Thank you very much. Uh, we'll move to ordinances. We have no first reading of ordinances. So we'll go to second for those who are new to council

ordinances, take two readings. And the first one is where we have both of the discussion and debate typically, but not exclusively. And second reading, we have a chance to make modification. And so I'll start with the reading of the first Ordinance.

Clerk: An ordinance authorizing the city manager to enter into an easement agreement between the city of Oxford and Rams holdings, LTD, LLC, for a permanent easement over proportions of real property as set forth and exhibit B attached here to, for the construction and maintenance of a new sanitary sewer system to serve said property.

Mayor Snavelly: Okay. Uh, is there a motion to adopt?

Ms. Raghu: So moved.

Mr. Prytherch: Second

Mayor Snavelly: Uh, Mike, welcome.

Mr. Dreisbach: Thank you Mr. Mayor, uh, ordinances one through four go together. And this is, uh, the early planning to provide sanitary sewer service, uh, for the, uh, new developable developable land, uh, adjacent to lake forest drive. So, uh, I've had no changes and no comments from the public.

Mayor Snavelly: Thank you very much for, would anyone from the public like to address this item before Council? Seeing none, any comments or discussions from council?

Mr. Ellerbe: Mr. Dreisbach did you receive any comments or any change requests for any of the other second readings of three ordinances?

Mr. Dreisbach: Uh, no.

Mr. Ellerbe: That's all I needed.

Mr. Dreisbach: Yeah. Thank you.

Mayor Snavelly: Good question. All right. Are you ready? You please call the roll.

Clerk: Mr. Bracken

Mr. Bracken: Yes.

Clerk: Mr. Ellerbe. Yes. Ms. Franklin. Yes. Ms. French. Yes. Mr. Prytherch. Yep. Ms. Raghu. Yes. Mayor Savely. Yes.

Mayor Savely: Ordinance is adopted. When you're ready. Go to the second,

Clerk: An ordinance authorizing the city manager to enter into an easement agreement between the city of Oxford and four-leaf development, LLC, for permanent easement

over portions of real property as set forth in A attached hereto to allow the construction and maintenance of a new sanitary sewer system to serve said property

Mayor Snavelly: There. A motion

Ms. Raghu: So moved

Ms. French: Second

Mayor Sanvelly: And do you have anything more to add to these four from public, these four all go together. They're just for different portions of the property and we've discussed that last time. No changes, sir. Okay. Thank you. Any comments? Uh, from the public? Any comments from council? Okay. Please call roll.

Clerk: Mr. Ellerbe. Yes. Ms. Franklin. Yes. Ms. French. Yes. Mr. Prytherch. Yep. Ms. Raghu. Yeah. Mr. Bracken. Yes. Mayor Snavelly. Yes.

Mayor Sanvelly: This ordinance was adopted, move on to number three.

Clerk: An ordinance authorizing the city manager to enter into an easement agreement between the city of Oxford and four-leaf development, LLC for two permanent easements over portions of real property as set forth in exhibit C attached hereto and labeled exhibit a and B to allow the construction and maintenance of a new sanitary sewer system to service said property.

Mayor Sanvelly: Uh, motion to adopt.

Ms. Raghu: So moved.

Ms Franklin: Second

Mayor Snavelly: It's been moved, seconded.

Mr. Dreisbach: No changes, please.

Mayor Snavelly: No changes, anyone from the public. You'll have one more opportunity. And Council, seeing none, you may call the roll.

Clerk: Ms. Franklin. Yes. Ms. French. Yes. Mr. Prytherch. Yeah. Ms. Raghu. Yes. Mr. Bracken. Yes. Mr. Ellerbe. Yes. Mayor Snavelly. Yes.

Mayor Sanvelly: This ordinance is adopted and finally, number four of these 1-4.

Clerk: And ordinance authorizing the city manager to enter into an easement agreement between the city of Oxford and four-leaf development, LLC, for permanent easement over portions of real property as set forth in exhibit B attached hereto, for the construction and maintenance of a new sanitary sewer system to serve said property.

Mayor Sanvely: Is there a motion to adopt?

Ms. Raghu: So moved.

Ms. French: Second

Mayor Snavelly: It's been moved and seconded and any changes?

Mr. Dreisbach: No changes. Thank you very much.

Mayor Snavelly: Anyone from the public. Okay. Thank you. Counselors seeing none. You may call the role

Clerk: Ms. French. Yes. Mr. Prytherch. Yes. Ms. Raghu. Yes. Mr. Bracken. Yes. Mr. Ellerbe. Yes.
Ms. Franklin. Yes. Mayor Snavelly. Yes.

Mayor Sanvely: Ms. Ordinance is adopted and we will now move to ordinance number five,

Clerk: An ordinance adopting a revised and amended water and sanitary, sewer improvement, specifications, and backflow cross connection control manual.

Mayor Sanvely: Is there a motion to adopt?

Ms. Raghu: So moved.

Mr. Ellerbe: Second.

Mayor Snavelly: second, who? Second is it, Glenn. Thank you. And, uh, Mike, you're back

Mr. Dreisbach: Again. This is a five year review. We try to review our specs every five years and make improvements and clarifications. So, uh, nothing Earth's shattering in here. Uh, we've revised a few drawings, uh, clarified definitions. Um, we've advertised this. It's been on our website. Uh, we've received no comments or requests for changes from any contractors or citizens, recommend approval.

Mayor Snavelly: Thank you. Anyone from the public who would like to address this seeing none counselors. Any comment questions? You may call the roll.

Clerk: Mr. Prytherch. Yes. Ms. Raghu. Yes. Mr. Bracken. Yes. Mr. Ellerbe. Yes. Ms. Franklin. Yes.
Ms. French. Yes. Mayor Snavelly. Yes.

Mayor Snavelly: Ordinance is adopted. Yes. Now we'll have number six.

Clerk: An ordinance granting the request of Thad and Renee Van Winkle to connect to an existing city water line for a new single family residence to be located on a 10 acre parcel on Bonham road, outside the Oxford corporate limits.

Mayor Snavelly: Is there a motion to adopt.

Ms. Raghu: So moved.

Ms. Franklin: Second.

Mr. Dreisbach: Again, no, no comment from citizens or neighbors. Now this will have no detrimental impact to our system and there will be an agreement for annexation, uh, prior to allowing the, uh, connection to our utility. I'd be glad to answer any question.

Mayor Snively: Okay. Is there anyone from the public who'd like to address inside Councilor's? Seeing none. Okay. Um, you may call it.

Clerk: Mr. Raghu. Yes. Mr. Bracken. Yes. Mr. Ellerbe. Yes. Ms. Franklin. Yes. Ms. French. Yes. Mr. Prytherch. Yep. Mayor Snively. Yes.

Mayor Snively: Yes. This ordinance is adopted.

Mr. Dreisbach: Thank you.

Mayor Snively: And finally, number seven,

Clerk: An ordinance amending ordinance no. 3654 supplemental budget ordinance, number 2, to make supplemental appropriations for fiscal year 2022.

Mayor Snively: Is there a motion to adopt this there?

Ms. Raghu: So moved.

Ms. French: Second.

Mayor Snively: Thank you, Joe. Welcome.

Mr. Newlin: Thank you. Um, I'll go through this quickly. There were a couple there's three other items that were added since we reading. Uh, the first one has to do with, um, the grant that the police department got for the body worn cameras, uh, for 31,451.38, that was previously, uh, budgeted expense. And this is this revenue that they went out and got to help cover that expense for the year. The next one is to make an adjustment to the budget expenditures for part-time environmental specialists, by increasing the personnel expenditures and decreasing the operation expenditures in an budget. We had \$10,000 in the engineering budget and the general fund 10,000 in the, uh, fire EMS fund in both 40,000 in the water and wastewater funds and the engineering budget, their allocation for, um, energy efficiency improvements and this year. And so we're just gonna move part of that money from each fund.

Mr. Newlin: It'll be, uh, 1583 in the general fund, 1583 in the fire EMS fund, uh, 6,344 in the water fund and 6,344 in the waste water fund. We're just moving it from operational to personnel. Cause we have to do that in order to satisfy the auditors. The next one has to do with, uh, the, uh, reconstruction of main street between high street and park place.

That's for the new brick work that's gonna be done in there. And, uh, uh, Mike and his group were able to, uh, get an Ohio public works commission grant for \$276,500 to help offset that expense. And on the, uh, expenditure side were appropriate in \$350,000 of the capital improvement fund. And so that the net effect that brings down the, uh, fund balance and the capital improvement fund by \$73,500. But again, that just shows that department had to do a very good job going up, getting all the grant we possibly can to help, uh, the city operate. And then finally the fourth one is to make an additional appropriation in general fund for 24 473.25. And that covers the cost of the, uh, GovOS software that was already approved in the Jessica's, uh, resolution. So this is just appropriating the money. Be glad to answer any question.

Mayor Snavely: Thank you very much. Is there anyone from the public who would like to address this one? Seeing none, any councilors address this one, seeing none, please call the roll.

Clerk: Mr. Bracken. Yes. Mr. Ellerbe. Yes. Ms. Franklin. Yes. Ms. French. Yes. Mr. Prytherch. Yes. Ms. Raghu Yes, Mayor Snavely. Yes.

Mayor Snavely: Thank you, Mr. That adopted, we move now to announcements of communications. So I'd like to start with city manager Elliott.

Mr. Elliott: Thank you. Uh, first I'd like to give council a quick update on our 2021 - 2022 deer management program. Uh, this program was adopted by council in 2009. This is the 13 year, 13th year for the program. As you know, it permits hunting of Whitetail deer with bow and arrow from tree stands on large tracks of land in the city. This year, 19 individuals were certified and issued permits to hunt on six tracks of land, four were city owned and two others Oxford cemetery, and the Oxford country club are the other two sites. Uh, the dates for hunting with bow and arrow was September 25th, 2020 as excuse me, 2021 to February 6th, 2022. Uh, as I said, this is the 13th year for the program. This year nine deer were harvested and eight were donated to the community meal center and Hamilton, uh, the community meal center provides meals to the needy each year on Friday, or excuse me, each week on Friday and the last Monday of the month.

Mr. Elliott: Uh, and as you know, the goal of our program is to restore a natural balance in our ecosystem and not to eliminate the Whitetail deer. So we want to continue this program each year. Couple of other items I wanted to share with you. I did share this with city councils tonight. I gotta email from Valerie Elliott and it's been about five years, uh, since the Oxford NAACP and the Smith history library partnered to obtain an Ohio historical marker for the Woodside cemetery and Maurice Roco. Uh, the marker was acquired, uh, and we're gonna be installing it and they're scheduling a, uh, dedication ceremony for March 19th. And as I get more information, I'll share that with you, but hopefully you can all join us for this, uh, dedication ceremony, as you know, uh, Maurice was an internationally known jazz musician who was born and buried here in Oxford. And the last item that I wanted to share with you on the public is that we do expect the 1st of April that our, uh, sister city representatives, local government representatives from Differdange Luxemburg will be visiting us here in Oxford. So Oxford, so we're

planning some events with them and I'll keep you posted and hopefully you can join us for some. And that's all I have to see. Do

Mayor Snavelly : You have, um, your COVID update?

Mr. Elliott: Sure. I can give you that.

Mr. Elliott: Thank you. So as, uh, Bill knows, and I think I did share it with council, uh, we did, uh, I did talk to, uh, Mike Everett with the hospital and what he shared with us Monday was that they have two COVID patients, one from Liberty township and one from west Alexandria, Ohio, which is in Preble county. Uh, he basically shared with us that, you know, they're getting back to normal. Uh, in fact, what he told me was that they're gonna be reducing the hours for the, uh, drive through testing that they're holding. Now, it's been five days a week and they're gonna reduce it to three and then, uh, probably eliminate it within a, a week or two. So things are looking very, very good. Uh, you know, as, as I also put in my report to council, uh, the average cases have been going down dramatically, excuse me, uh, at Ohio, uh, the average number of new COVID cases per day for this week, uh, dropped. And this is inaccurate when I wrote it. I think now we're down to 3,700, uh, Yeah, 3,173. And this is from a high of four weeks ago of over 27,000 cases. So continues to drop dramatically, uh, folks that are more expert on this than, than we are, are predicting that it's gonna continue, uh, to drop. So, you know, that's good news for us and unless you have some questions, uh, that's all I have this evening.

Mayor Snavelly: Okay. I wanted to give council an opportunity if they wanted to address the initial COVID and masking, um, one Councilor had asked for, and if it seems like would anyone like.

Ms. Franklin: Sure. So first of all, I'd like to thank everyone who took the time to speak to me. Um, I'm a speech language pathologist. So I understand the challenges when people have auditory processing disorders, hearing aids, how difficult that can be in an environment where people are masked, um, on campus that the speech and hearing clinic, obviously when we do therapy with our clients, we're either wearing a shield of clear mask or whatever is necessary for the communication to be effective at the time. Um, you know, we passed a resolution, um, I think with the understanding that once the mandate expired, there would be a statement of value within the community that we support vaccines that we support masking when cases are high. And that resolution, the benefit of it is it stays in place it's good for a year. It doesn't have a date associated with it.

Ms. Franklin: We have been sort of lurching from date to date, not knowing exactly, uh, when the best time would be to drop it because we couldn't find a metric. It was hyper local. That would be beneficial. Although I do still think somehow wastewater could be something I know CDC and Canada are looking at that. Um, we've already been getting some, um, pressure to extend the mandate beyond March 1st. Um, I'm not in favor of that. Um, but I do think that it's reasonable to let the mandate expire when it's set to expire, because we have some community members who are expecting it to expire on March 1st. I'm thinking about the library. I'm thinking about the Knowles of Oxford, but I'm

open to a discussion from council. Um, but certainly I am not in favor of extending it beyond the current expiration date.

Mayor Snively: Okay. Would any other counselors like to address, would you lose Glenn,

Mr. Ellerbe: Have a statement for the audience? I was the dissenting voice about this. I'm sure you guys probably know. I said that we should have a resolution standing at the values in Oxford, that you should be vaccinated and wear a mask if you're unable to get vaccinated. But I was not in favor of forcing anybody to do this. I am very aware that there was a lot of selfishty used to present various points with four and accounts, but, and I'm also aware that the Talawanda school district is using the city of Oxford is their scapegoat. We can't control any of this. I can't control anything other than the values that I have said, I was not in favor of the mandate because I don't like mandating people's behaviors, especially after two years of this in 2020, I was for asking mandate because we didn't have enough information. Now that we've had dearth more, uh, information. I didn't believe that we needed to do this,

Mayor Snively: Please.

Mr. Ellerbe: I know, know that if I were to propose an emergency vote to end a mask mandate, it wouldn't pass up here because of the values that I have with my fellow constituents. Like I just know that's not gonna happen. I'm in end of one, you need an end of six in order for that to happen. It's not gonna happen tonight. Two weeks from now, it's going to expire. Anyway. Most people can tough this out. After two weeks, we've already been doing for two years. Um, that being said, I will be shocked if this gets extended again yet, I will reiterate the exact same things that I've been reiterating for the past six months. And hopefully it may take home. I don't know, but I just wanna let you guys know. Some of this statements that I heard from the public were generalizing. All of council. I just wanted to reiterate my stance, which is, I do believe that massive vaccinations helped everybody get through this, but I did not want to mandate anybody to do anything because of the unintended consequences that were going to result. And you guys now understand what those things are.

Mayor Snively: Do anyone else like to address this? I would just like to say that it will expire on March 1st, um, in order for us to have made it expire earlier, as I communicated to council, it would require an ordinance. That's just the way it works and it would require six votes. Um, Glenn has made his position clear, and I appreciate this position quite a bit. I actually agree with most of the people who spoke and I think the time for the mask ordinances at an end. Um, so if I were here in two weeks, I would not vote to extend it. I will not be here, so there will not be six votes. And so you can pretty well count on the fact that it will expire on March 1st. And I know that that probably makes everyone happy. Okay. That's it. We'll go to Mike,

Mr. Dreisbach: Nothing tonight. Thank you.

Mayor Snively: We'll go to Joe.

Mr. Newlin: I just received the email from Rita today. I didn't realize this, but on, uh, April 15th, They're celebrating emancipation day. So the tax deadline is April 18th now, and I'll have our communication specialist posted it on a website. And there's a few other things that Rita suggesting to post other than the, a change in date. So they follow the federal tax guideline. And I guess I'm not sure I haven't done my federal taxes, but I'm not sure if that's extended till the 18th. It probably is. Cuz that's what Rita does follow.

Mayor Snavelly: Okay. Thank you. Thank you, Joe. Casey, come on down.

Mr. Wooddell: I just have a few, uh, thank yous. I want to hand out this evening. Um, I want to thank the Oxford community foundation as well as the rotary club of Oxford. Both of those organizations within the past week have given us a little over of about \$20,000 in what I call mini grants. Uh, one of those will come to you on the agenda, uh, March 1st for approval, cuz it's over \$10,000 dollars. Uh, and I also wanna thank the Talawanda school district, uh, just sometimes like to do that publicly because they're one of our best partners in terms of using facilities. And there's a lot of programming that we couldn't do if it didn't open the doors to us. So I just wanna thank them for, for being one of our partners and helping make sure all these things that we try to do for the community that, that they can happen. So thank you.

Mayor Snavelly: Okay. Thank you, we'll go to Chief Detherage.

Mr. Detherage: Nothing Sir.

Mayor Snavelly: We'll go to Sam.

Mr. Perry: Just a reminder for everyone who's already registered Oxford tomorrow, public input, uh, tomorrow evening six o'clock you can actually register up through the end of the event, uh, which is 7:30. Uh, we've got over a hundred registered and so expect to have some good input. So, and then there'll be some public meetings, uh, later on in this, in the spring of summer as well to wrap that project up. Thank you.

Mayor Snavelly: Super. Thank you. We'll move to Jessica.

Ms. Greene: Hi. I just wanna let you know that we had, um, kind of a last minute site visit with Amtrak today this afternoon. So that was great. Um, and so they also visited Hamilton and so I just said like, ha, are we competing or co walk rating. And, and um, and they said, you know what, there's room for both of you. So that was a great thing to hear. They, they seemed pleased with our progress on our plans and so we're gonna keep on working on it. It is a slow process, but I wanted to let you know that it was a positive site visit today. Thank you.

Mayor Snavelly: Thank you very much, Heather.

Clerk: Nothing. Thank you.

Mayor Snavelly: Okay, Chris?

Mr. Conard: Uh, yes. So, um, last week, uh, the Senate passed house bill 51, uh, by emergency is an emergency measure house bill 51 will allow, uh, public bodies to meet virtually again. Uh, I haven't seen the legislation yet, but I of the sunset date is June 30th, but don't hold me to that date. Um, there was a belief that the governor would sign that bill before he left for the super bowl. He did not. Um, but it is sitting on his desk and uh, typically the governor signs legislation into law, uh, within seven days of its passage, uh, because the legislation was passed as an emergency, it would take immediate effect. Um, and so that does leave, uh, when it passes. Uh, it does leave open the option for councils to, or public bodies to again, meet virtually if the body chooses to do so.

Mayor Snavelly: Thank you.

Mr. Ellerbe: I like to wish everybody a happy lantern day. It's a lantern festival day, if you, uh, participate in that. So there you go.

Mayor Snavelly: Okay, cool.

Ms. French: Uh, I just wanna kind of echo what else has been said about, you know, thinking everybody for coming. Um, I know it's like for us, at least it's prime dinner time. So, you know, I under, and I understand these meetings are long and they're not always the most exciting place to be. So thank you for being here. Thank you for raising your voice. And I wanna encourage, you know, I think what I heard from everybody is that they, they want an active role in what Oxford looks like moving forward. So I echo Sam's sentiment of make sure you register, if you haven't already for the Oxford tomorrow event tomorrow from 6:00 PM to 7:30 PM. Good he's nodding, that is correct. Um, so 6:00 to 7:30 PM. It is virtual. So you can do it from the comfort of your own home wearing fuzzy socks. Um, so I encourage you to be there and use your voice again to let us know what you want Oxford to look like in the future. Thank you.

Ms. Raghu: In the past few weeks, I've heard from two families who are actively searching for homes in Oxford to move here from Cincinnati. And it's amazing because they want to be here, right? Like they recognize the things that we're doing. They hear that we're making all these efforts towards affordable housing and equities, stopping pollution, clean energy, and they're like, I wanna be there. So I just, I so appreciate the staff and all the work we're doing and everything that the community is doing, because it is truly a special place to make this into this, uh, beacon on a hill, right. To be this perfect place that people want to would be honored to live in. So I am just so proud and I can't wait for everyone to hear about us.

Mayor Snavelly: Thank you, Amber.

Ms. Franklin: Yes. A few things, first of all, happy black history month. I forgot to say that the last meeting at was February 1st. So, um, and I'm so excited to hear about the marker at the Woodside cemetery. I plan to be there, hope to be there, to celebrate that. Uh, you know, I've said before, and I'll say again, this is a hard time to be a human it, the, the pandemic it's just really hard. And, um, the division that we're feeling in Oxford, it's not just in the, in Oxford it's, it's in our nation. And I agree that we do need healing. I will be

here. I will hang out outside after city council for anyone who wants to talk to me, whether they agree with me or not on the decision that I've expressed, because I think that's important. Um, you know, I think it's important for us to air in the direction of connection whenever we can.

Ms. Franklin: Um, it's a hard time. My brother is a police officer in Windsor, Ontario. So he was in the thick of the, um, ambassador bridge shutdown, um, working 20 hour shifts, uh, several nights in a row in the freezing cold. Uh, so things, um, are tense in our, our families have been affected in various ways. Um, I, I do wanna say though that, you know, I think serving in public office is challenging, certainly nobody who does it, um, does it thinking that they're gonna make everyone happy all the time? And sometimes the people will upset are the people who are closest to us. Uh, I said on election night when I was elected, uh, I think, I think Emily was the one who had interviewed me that I wasn't running against anyone or anything, but that I'm running for Oxford and for community. And even though people will disagree with what we think is best for the community.

Ms. Franklin: I think everyone up here wants what's best for the community. I think it's important that we not impute. I will to each other, when we make decisions that might go against our own personal stated values. I respect everyone whether they agree with me or not. Um, I don't think anyone is trying to be manipulative. Uh, sometimes things look clumsy and bumbling sometimes. Uh, they're not as finessed as they should be, but I do think that everyone, um, is operating from their place of value and for the best interest of the community. And I, I stand by that.

Mayor Snavelly: Thank you, Jason.

Mr. Bracken: I said for two years now, please get vaccinated and get boosted if you can, to take care of yourself and others. That's all.

Mayor Snavelly: Thank you.

Mr. Prytherch: So two things I wanna thank, um, and recognize all the journalists in the audience tonight, um, uh, see Patti Newberry in your class. And I see people who cover us for the Oxford Observer, probably maybe somebody here from the Miami student and, and Bob Ratterman. Who's here covering us for the Oxford Press. Um, we really appreciate people who can come out tonight and speak to us, but it's really nice to have vigorous media sharing what's happening in council with the community. We're very fortunate in that. So, and as I tug at my mask, we all look forward to the pandemic being over. It's been almost two years, um, of which something, none of us predicted would be part of our lives or part of the decision making and the debates and all the energy were put into it. Uh, I look forward to, I think the OMICRON wave has crested and is crashing and hopefully we can move into a new phase of normalcy. Uh, and so, yes, um, we'll get there and, and sooner hopefully rather than later. So thank you.

Mayor Snavelly: Thank you very much. Uh, at a previous meeting I had announced the Kiwanis having their chili dinner. It was, has been canceled because it, all of this and, uh, but Kiwanis Pancake Day is just around the corner. Uh, that's February 23rd. And, uh, I hope you will

find those in the community. We will find, uh, Kiwanian and buy advanced tickets, save yourself a little money, pancake breakfast, as far as I can tell in person at Talawanda high school, um, this raises money primarily for children in our community. And that is what Kiwanis club is dedicated to. Uh, at some point I will have, I tickets available if people want them, uh, in a sad note. Uh, last Thursday I lost my brother and, um, that's a very sad time for our family, but, uh, interestingly enough, uh, he also was a member of the Kiwanis club of Farmington, Missouri, in addition to being, uh, a veteran and a member of the Masonic orders, all of them, I think.

Mayor Snavelly: And, uh, we're going to hold his Memorial Service on Farmington Missouri's Pancake Day. And so, um, it's not the same day as ours, so I'll be making both of them. I urge you to, to do that connect with your community. Uh, finally I want to thank everyone who came. I did listen to you and I appreciate you. And, you know, as I said before, we can't make everybody happy. Uh, but I do understand completely you the points that you made and I'm looking forward to the end of mask mandates in our community with that, I would entertain a motion to adjourn

Ms. Raghu: So moved

Ms. Franklin: Second

Mayor Snavelly: All those in favor, say aye. Aye. Aye, all those opposed? Thank you all again for coming.



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45215

STAFF REPORT

ORIGINATING DEPARTMENT:	Parks & Recreation
PREPARED BY:	Casey Wooddell
DATE PREPARED:	February 11, 2022
COUNCIL MEETING DATE:	March 1, 2022
AGENDA TITLE:	Oxford Recreation Board – February 10, 2022
BUDGETED AMOUNT:	
ACCOUNT CODE:	
RECOMMENDATION:	Approve
CITY MANAGER/DEPT HEAD APPROVAL:	CDW 2/11/22

DISCUSSION:

Attendance: Ken Bogard, Craig Bennett, Wes Cole, Kevin Ackley, Holli Morrish, Casey Wooddell, Alex French (Council Rep.)

The Oxford Recreation Board met in the Municipal Building on Thursday, February 10, 2022. Meeting was called to order at 11:32am. Agenda for the meeting and minutes from the January 2022 meeting were approved without comment.

Mr. Wooddell asked Recreation Board members if they were willing to serve on any of the sub-committees created by the Talawanda Recreation, Inc. (TRI) Board to help work on the new indoor recreation center project. Most of the members selected a committee to serve on.

Mr. Wooddell provided a report from the Parks and Recreation Department. This report included information about the aquatic services contract for 2022, grants received from the Oxford Community Foundation and Rotary Club of Oxford, the upcoming Bows and Bowties Valentine's Dance, and the Memorial Tree Plaque program.

Mr. Cole provided a report about Talawanda Athletics, including information about winter sports programs and teams as well as upcoming league and sectional tournament games.

No official updates were provided about Miami University athletics or recreation. No new business was discussed at this meeting.

Meeting adjourned at 12:27 pm.

Next meeting scheduled for March 10, 2022 at 11:30am in the City Building.



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45215

STAFF REPORT

ORIGINATING DEPARTMENT:	Parks and Recreation
PREPARED BY:	Casey D. Wooddell
DATE PREPARED:	February 11, 2022
COUNCIL MEETING DATE:	March 1, 2022
AGENDA TITLE:	Resolution to accept a grant in the amount of \$12,000 from the Oxford Community Foundation.
BUDGETED AMOUNT:	n/a
ACCOUNT CODE:	n/a
RECOMMENDATION:	Approve
CITY MANAGER/DEPT HEAD APPROVAL:	CDW 2/11/2022 DRE 2/23/2022

DISCUSSION:

Oxford Parks and Recreation Dept. (OPRD) applied for a grant in December 2021 to the Oxford Community Foundation. The grant request was \$12,000. OPRD was notified of the awarding of the requested funds in February 2022, pending Council approval.

These funds will help continue an ongoing project of renovating one large ball field at Oxford Community Park into three smaller youth size fields. This project began in 2022 with the renovation of one youth field, continued into 2021 with a partial renovation of the second and third fields, and will now continue in 2022 with the award of this grant as well as allocated Capital Improvement Project funds in the City budget. Miami Little League also supported this project in 2021 with an allocation from their budget.

This field renovation project will allow OPRD to serve more games and teams at Oxford Community Park, host regional tournaments to bring visitors and teams to Oxford, and help produce additional revenue for the concessions operation.

RESOLUTION NO.

AUTHORIZING THE CITY MANAGER TO ACCEPT THE OXFORD COMMUNITY FOUNDATION GRANT IN AN AMOUNT NOT TO EXCEED \$12,000.

WHEREAS, the City Manager and the Oxford Parks and Recreation Director applied for a grant in December 2021 to continue renovations of youth ball fields at the Oxford Community Park; and

WHEREAS, with the acceptance of this grant as well as allocated Capital Improvement Project funds in the City budget this renovation project will continue as planned; and

WHEREAS, field renovation will allow Oxford Parks and Recreation Department to serve more games and teams at Oxford Community Park, and host regional tournaments to bring visitors and teams to Oxford.

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

SECTION 1: The City Manager and the Oxford Parks and Recreation Director recommend the City Manager be authorized to accept the Oxford Community Foundation Grant in an amount not to exceed \$12,000.

SECTION 2: The City Manager is hereby authorized to accept the Oxford Community Foundation Grant in an amount not to exceed \$12,000.

SECTION 4: This resolution shall take effect at the earliest date allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW(STAFF)



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	Service Department
PREPARED BY:	Michael Dreisbach
DATE PREPARED:	February 17, 2022
COUNCIL MEETING DATE:	March 1, 2022
AGENDA TITLE:	Resolution Authorizing the City Manager to Accept a Grant of \$10,000 from ODNR
BUDGETED AMOUNT:	\$30,000
ACCOUNT CODE:	141.345.63151
RECOMMENDATION:	Approve
CITY MANAGER/DEPT HEAD APPROVAL:	DRE 2/23/2022 MBD 2/17/22

City Staff was successful in obtaining a \$10,000 grant from the Ohio Dept. of Natural Resources (ODNR) for the purpose of planting additional trees in urban communities to combat the loss from Emerald Ash Borer as well as to reduce the impact of climate change.

The City will be required to match this grant 1:1. The City Council has already appropriated funds that may be used for the required match.

Staff recommends the City Council authorize the City Manager to accept this grant from ODNR; work will be completed this autumn when weather conditions are conducive to planting.

SUBRECIPIENT GRANT AGREEMENT

This Agreement is between the **OHIO DEPARTMENT OF NATURAL RESOURCES** ("ODNR"), acting through its **DIVISION OF FORESTRY**, with offices located at 2045 Morse Rd., Columbus, OH, 43229, and **THE CITY OF OXFORD** (DUNS #124592114), which is located at 15 South College Avenue, Oxford, Ohio 45056 ("Subrecipient").

Expenditures for this Agreement are partially or fully funded by federal funds. ODNR received a federal grant under the terms and conditions of a Federal Financial Assistance Award, awarded through the USDA Forest Service, Eastern Region, State and Private Forestry. This grant is identified by Federal Award Identification Number (FAIN) 21-DG-11094200-135, which became effective on August 8, 2021, with a total award amount of \$250,000.00. This grant is made under Catalogue of Federal Domestic Assistance Number CDFA #10.664. This Agreement is a subaward of that grant.

Subrecipient is an applicant who submitted a grant proposal (the "Grant Proposal") to ODNR for this grant program. Under R.C. § 1501.01, ODNR may provide federal pass-through grants to eligible applicants for natural resource digital data base development for land use planning and other resource management activities. Subrecipient has met the application requirements and has been approved by ODNR as eligible to receive this federal pass-through grant. Subrecipient will undertake the following with funding from this grant: Tree planting in urban communities where trees are critical to human health and to reducing the impact of climate change.

The parties therefore agree as follows:

1. **Award.** ODNR hereby awards to the Subrecipient a Federal Financial Assistance Award grant subaward not to exceed **\$10,000.00** for the purpose of reimbursing the Subrecipient for performance and completion of the deliverables detailed in Attachment A (the "Project"). The Subrecipient shall provide a minimum local-match of \$10,000.00.
2. **Performance of Project.** Subrecipient shall perform its duties and responsibilities under this Agreement in compliance with the terms, promises, conditions, plans, specifications, estimates, procedures, maps, and assurances set forth in the Grant Proposal, incorporated herein by reference as though fully set forth herein, as well as the terms set forth in this Agreement. Subrecipient shall: (1) perform and complete the Project as set forth herein; (2) promptly submit the ODNR such reports and documents as ODNR may request; (3) establish a separate special account for the funds for the acquisition and/or development of the Project; (4) not change any of the terms, promises, conditions, plans, specifications, estimates, procedures, maps, or assurances set forth in the Grant Proposal unless the proposed change is approved by ODNR. ODNR reserves the right to audit the special account created by Subrecipient, pursuant to this paragraph, either during or after the completion of the Project.
3. **Notice.** All notices, consents, and communications required hereunder (each, a "Notice") shall be in writing and shall be deemed to have been properly given when: 1) hand delivered with delivery acknowledged in writing; 2) sent by U.S. Certified mail, return receipt requested, postage prepaid; 3) sent by overnight delivery service (FedEx, UPS, etc.) with receipt; or 4) sent by fax or email. Notices shall be deemed given upon receipt thereof and shall be sent to the addresses below. Notices sent by fax or email shall be effectively given only upon acknowledgement of receipt by the receiving party. Any party may change its address for receipt of Notices upon notice to the other party. If delivery cannot be made at any address designated for Notices, a Notice shall be deemed given on the date on which delivery at such address is attempted.

Subrecipient Contact:	ODNR Contact:	Federal Agency Contact:
David Treleaven Environmental Specialist City of Oxford 15 South College Avenue Oxford, Ohio 45056 513-524-5274 dtreleaven@cityofoxford.org	Tyler Stevenson Urban Forestry Coordinator ODNR Division of Forestry 2045 Morse Road, Bldg H-1 Columbus, OH 43229 614-265-6707 Tyler.stevenson@dnr.ohio.gov	Donna Foster 180 Canfield Street Morgantown, WV 26505 304-285-1547 Donna.M.Foster@usda.gov

4. **Research and Development.** Grant funds may **not** be used for research and development.
5. **Indirect Costs.** Grant funds are authorized for indirect costs.
6. **Period of Performance.** Implementation of the Project shall not commence until this Agreement is effective. This Agreement shall be effective as of the date on which it is signed by an authorized representative of ODNR. ODNR shall not be responsible for any costs incurred by the Subrecipient prior to the date this Agreement becomes effective. This Agreement shall terminate on December 31, 2022 unless modified by the mutual, written consent of both parties before that date or otherwise terminated as provided herein.
7. **Permissible Costs.** Subrecipient shall comply with 2 CFR Part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards) to determine the permissibility of all expenditures under this Agreement.
8. **Termination by ODNR.** Any time after signing this Agreement, ODNR may terminate the Agreement, in whole or in part, for any reason whatsoever, upon written notification to the Subrecipient. If ODNR terminates this Agreement, the Subrecipient will be paid for any non-cancelable obligation properly incurred by the Subrecipient prior to termination. Subrecipient shall return any unused grant funds to ODNR within thirty (30) days of termination.
9. **Termination by Subrecipient.** Any time after signing this Agreement, Subrecipient may terminate this Agreement for any reason whatsoever upon written notification to ODNR. If Subrecipient terminates this Agreement, Subrecipient shall not incur any new obligations using grant funds and shall use its reasonable best efforts to cancel as many outstanding obligations of grant funds as possible. Subrecipient shall return all unused grant funds to ODNR within thirty (30) days of termination.
10. **Nondiscrimination in Employment.** Pursuant to R.C. § 125.111 and ODNR policy, Subrecipient agrees that Subrecipient, any subcontractor, and any person acting on behalf of Subrecipient, shall not discriminate, by reason of race, color, religion, sex, sexual orientation, age, disability, military status as defined in R.C. § 4112.01, national origin, or ancestry against any citizen of this state in the employment of any person qualified and available to perform the activities. Subrecipient further agrees that Subrecipient, any subcontractor, and any person acting on behalf of Subrecipient or a subcontractor shall not, in any manner, discriminate against, intimidate, or retaliate against any employee hired for the performance of

the activities on account of race, color, religion, sex, sexual orientation, age, disability, military status, national origin, or ancestry.

Subrecipient shall, in all solicitations or advertisements for employees placed by or on behalf of the Subrecipient, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, national origin, ancestry, age, sex, sexual orientation, handicap, or any disability. Subrecipient shall cooperate with the state Equal Employment Opportunity Coordinator, with any other official or agency of the state or federal Government which seeks to eliminate unlawful employment discrimination, and with all other state and federal efforts to assure equal employment practices under the Agreement, and Subrecipient shall comply promptly with all requests and directions from the State of Ohio or any of its officials and agencies in this regard.

11. **Workers' Compensation.** Subrecipient shall provide its own workers' compensation coverage throughout the duration of this Agreement and any extensions thereof. ODNR is hereby released from any and all liability for injury received by the Subrecipient, its employees, agents, or subcontractors, while performing tasks, duties, work, or responsibilities as set forth in this Agreement.
12. **Compliance with Laws.** Subrecipient, in the execution of its duties and obligations under this Agreement, agrees to comply with all applicable federal, state, and local laws, rules, regulations, and ordinances.
13. **Open Trade.** Pursuant to R.C. § 9.76(B), Subrecipient warrants that it is not boycotting any jurisdiction with whom the State of Ohio can enjoy open trade, including Israel, and will not do so during the contract period.
14. **Liability; Indemnification.** Subrecipient shall be solely responsible for any and all claims, demands, or causes of action arising from Subrecipient's obligations under this Agreement. Each party to this Agreement must seek its own legal representative and bear its own costs, attorney fees, and expenses, in any litigation that may arise from the performance of this Agreement. It is specifically understood and agreed that ODNR does not indemnify Subrecipient. Nothing in this Agreement shall be construed to be a waiver of the sovereign immunity of the State of Ohio or the immunity of any of its employees or agents for any purpose. In no event shall ODNR be liable for indirect, consequential, incidental, special, liquidated, or punitive damages, or lost profits.
15. **Drug-Free Workplace.** Subrecipient agrees to comply with all applicable state and federal laws regarding drug-free workplace.
16. **Inspection.** The federal awarding agency, inspectors general, the Comptroller General of the United States, and ODNR, or any of their authorized representatives, have the right of access to any documents, papers, or other records of the Subrecipient which are pertinent to the federal award, in order to make audits, examinations, excerpts, and transcripts. This right also includes timely and reasonable access to the Subrecipient's personnel for the purpose of interview and discussion related to such documents. The rights of access in this section are not limited to the required retention period but last as long as the records are retained.

17. **OMB Guidance.** Subrecipient shall comply with OMB guidance in subparts A through F of 2 CFR Part 200. Subrecipient must also follow the regulations found in 2 CFR 200.330 through 2 CFR 200.332. Electronic copies of the CFR can be obtained at the following internet site: www.ecfr.gov.
18. **Use of MBE and EDGE Vendors.** Revised Code § 125.081 requires state agencies to set aside purchases for Minority Business Enterprises ("MBE") and Executive Order 2008-13S encourages use of Encouraging Diversity, Growth and Equity ("EDGE") businesses. ODNR encourages Subrecipient to purchase goods and services from Ohio-certified MBE and EDGE vendors.
19. **Events of Significant Impact.** Subrecipient shall immediately notify ODNR of developments that have a significant impact on the activities supported under this award. Also, notification must be given in case of problems, delays, or adverse conditions that materially impair the ability to meet the objectives of the award. This notification must include a statement of the action taken or contemplated, and any assistance needed to resolve the situation.
20. **Public Records.** Public access to award or agreement records must not be limited, except when such records must be kept confidential and would have been exempted from disclosure pursuant to Freedom of Information regulations (5 U.S.C. 552) or Ohio public records laws. Requests for research data are subject to 2 CFR 315(e).
21. **Records Retention.** Financial records, supporting documents, statistical records, and all other non-federal entity records pertinent to a federal award must be retained for a period of three years from the date of submission of the final expenditure report or, for federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the federal awarding agency or pass-through entity in the case of a subrecipient. Records for real property and equipment acquired with federal funds must be retained for three (3) years after final disposition in accordance with 2 CFR 200.333.
22. **Debarment and Suspension.** Subrecipient shall immediately inform ODNR if it or any of its principals is presently excluded, debarred, or suspended from entering into covered transactions with the federal government or entities according to the terms of 2 CFR Part 180. If Subrecipient or any of its principals receive a transmittal letter or other official federal notice of debarment or suspension, it shall promptly notify ODNR. This applies whether the exclusion, debarment, or suspension is voluntary or involuntary. Subrecipient certifies that it is not debarred from consideration for contract awards by the State of Ohio under R.C. §§ 153.02, 125.25, or 5513.06. If this certification is false, this Agreement is void *ab initio* and Subrecipient shall immediately repay ODNR all funds transferred by this Agreement.
23. **Findings for Recovery.** Subrecipient represents and warrants that it is not subject to a finding for recovery under R.C. § 9.24, or that it has taken appropriate remedial steps required under R.C. § 9.24 or otherwise qualifies under that section. Subrecipient agrees that if this representation or warranty is deemed to be false, the agreement shall be void *ab initio* as between the parties to this agreement, and any funds paid by ODNR hereunder immediately shall be repaid to ODNR, or an action for recovery immediately may be commenced by ODNR for recovery.
24. **Ohio Ethics Law.** The Subrecipient certifies that it: (i) has reviewed and understands the Ohio ethics and conflict of interest laws as found in Ohio Revised Code Chapter 102 and in Ohio Revised Code Sections

2921.42 and 2921.43, and (ii) will take no action inconsistent with those laws. The Subrecipient understands that failure to comply with Ohio's ethics and conflict of interest laws is grounds for termination of this Agreement and may result in the loss of other contacts or grants with the State of Ohio.

25. **Expenditure of Public Funds for Offshore Services.** The Subrecipient affirms to have read and understands Executive Order 2019-12D issued by Ohio Governor Mike DeWine. Subrecipient has signed and completed the Standard Affirmation and Disclosure Form and shall abide by those requirements in the performance of this Agreement and perform no services required under this Agreement outside of the United States. The Executive Order can be accessed at the following website: <https://governor.ohio.gov/wps/portal/gov/governor/media/executive-orders/2019-12d>.
26. **Campaign Contributions.** The Subrecipient affirms that, as applicable to it, no party listed in R.C. § 3517.13(I) or R.C. § 3517.13(J) or spouse of such party has made, as an individual, within the two previous calendar years, one or more contributions totaling in excess of \$1,000.00 to the Governor or the Governor's campaign committees.
27. **Non-Appropriation.** Performance by ODNR under this Agreement may be dependent upon the appropriation of funds by the Ohio General Assembly. Therefore, in accordance with R.C. § 126.07, it is agreed that ODNR's payments are contingent on the availability of such lawful appropriations by the Ohio General Assembly. If the Ohio General Assembly fails at any time to continue funding for the payments due hereunder, this Agreement is hereby terminated as of the date that the funding expires without further obligation of ODNR.
28. **Governing Law.** This Agreement and the rights of the parties hereunder shall be governed, construed, and interpreted in accordance with the laws of the State of Ohio and with the laws of the U.S. federal funding source. Subrecipient consents to jurisdiction in a court of proper jurisdiction in Franklin County, Ohio.
29. **Waiver.** A waiver by any party of any breach or default by the other party under this Agreement shall not constitute a continuing waiver by such party of any subsequent act in breach of or in default hereunder.
30. **Assignment.** Neither this Agreement nor any rights, duties, or obligations hereunder may be assigned or transferred in whole or in part by Subrecipient.
31. **Confidentiality Agreements.** Subrecipient shall not require its employees or subcontractors seeking to report fraud, waste, or abuse to sign or comply with internal confidentiality agreements or statements prohibiting or otherwise restricting them from lawfully reporting that waste, fraud, or abuse to a designated investigative or law-enforcement representative. Any prohibitions or restrictions of any internal confidentiality agreements inconsistent with the previous sentence are no longer in effect.
32. **Eligible Workers.** Subrecipient shall ensure all employees complete the I-9 form to certify they are eligible for lawful employment under the Immigration and Nationality Act (8 USC 1324a). Subrecipient shall comply with regulations regarding certification and retention of the complete forms. These requirements also apply to any contract or supplement instruments awarded under this Agreement.
33. **Lobbying.** Subrecipient certifies that no federal appropriated funds have been paid by or on behalf of Subrecipient to any person for influencing or attempting to influence an officer or employee of any

agency, member of Congress, or officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, or the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, Subrecipient shall request, complete, and submit Standard Form-111, "Disclosure Form to Report Lobbying," in accordance with its instructions.

34. **Federal Clean Air Act and Water Pollution Control Act.** Subrecipient agrees to comply with all applicable standards, orders, or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).
35. **Nondiscrimination Statement – Printed, Electronic, or Audiovisual Material.** Subrecipient also shall include the following statement, in full, in any printed or audiovisual material, or electronic media for public distribution developed or printed with any federal funding:

In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability.

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Ave., SW, Washington DC, 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

If the material is too small to permit the full statement to be included, the material must, at minimum, include the following statement, in print no size smaller than the text:

"This institution is an equal opportunity provider."

36. **Copyrighting.** ODNR is granted sole authority and exclusive right to copyright any publications developed as a result of this Agreement. This includes the right to publish and vend throughout the world in any language and in all media and forms, in whole or in part, for the full term of copyright and all renewals thereof in accordance with this Agreement. No original text nor graphics produced and submitted by the U.S. Forest Service shall be copyrighted. The U.S. Forest Service reserves a royalty-free, nonexclusive, and irrevocable right to produce, publish, or otherwise use, and to authorize others to use the work for federal government purposes. This right shall be transferred to any subcontracts.
37. **Qualifications.** Subrecipient represents that it has all approvals, licenses, or other qualifications needed to conduct its business in Ohio and that all are current.

38. **Conflicts.** In the event of any conflict between the terms and provisions of the body of this Agreement and any attachments hereto, the terms of this Agreement shall control.
39. **Severability.** The provisions of this Agreement are severable and independent, and if any such provision shall be determined to be unenforceable in whole or in part, the remaining provisions and any partially enforceable provisions shall, to the extent enforceable in any jurisdiction, nevertheless be binding and enforceable.
40. **Headings.** The headings in this Agreement have been inserted for convenient reference only and shall not be considered in any questions of interpretation or construction of this Agreement.
41. **Counterparts.** This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, and all of which shall constitute one and the same instrument. Either party hereto may deliver a copy of its counterparty's signature page to this Agreement electronically pursuant to R.C. § 1306. Each party hereto shall be entitled to rely upon an electronic signature of any other party delivered in such a manner as if such signature were an original.
42. **Entire Agreement.** This Agreement, including any attachments, contains the entire agreement between the parties hereto with respect to the subject matter hereof, and shall not be modified, amended, or supplemented, or any rights herein waived, unless specifically agreed upon in writing by the parties hereto. This Agreement supersedes any and all previous agreements, whether written or oral, between the parties.

[SIGNATURE PAGE FOLLOWS]

Each party is signing this Agreement on the date stated below that party's signature

SUBRECIPIENT

OHIO DEPARTMENT OF NATURAL RESOURCES

CITY OF OXFORD

DIVISION OF FORESTRY

By:

By:

Printed Name

Printed Name

Title

Title

Date

Date:

RESOLUTION NO.

AUTHORIZING THE CITY MANAGER TO ACCEPT THE OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR) GRANT IN AN AMOUNT NOT TO EXCEED \$10,000.

WHEREAS, the City Manager and the Service Director applied for a grant for the purpose of planting additional trees in urban communities to combat the loss from the Emerald Ash Borer as well as to reduce the impact of climate change; and

WHEREAS, with the acceptance of this grant the City will be required to match this grant 1:1. The City Council has already approved funds that may be used for this required match; and

WHEREAS, Staff recommends the City Council authorize the City Manager to accept this grant from ODNR; work will be completed this autumn when weather conditions are conducive to planting.

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

SECTION 1: The City Manager and the Service Director recommend the City Manager be authorized to accept the ODNR Grant in an amount not to exceed \$10,000.

SECTION 2: The City Manager is hereby authorized to accept the ODNR in an amount not to exceed \$10,000.

SECTION 4: This resolution shall take effect at the earliest date allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW(STAFF)



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	Service Department
PREPARED BY:	Michael Dreisbach
DATE PREPARED:	February 23, 2022
COUNCIL MEETING DATE:	March 1, 2022
AGENDA TITLE:	Resolution Authorizing a Site Access Agreement to Coordinate Oxford Area Trails Development in Conjunction with the Owl's Landing Subdivision
BUDGETED AMOUNT:	\$ N/A
ACCOUNT CODE:	N/A
RECOMMENDATION:	Approve
CITY MANAGER/DEPT HEAD APPROVAL:	MBD 2/23/22

In preparation for construction of Phase IV of the Oxford Area Trail System (OATS), an easement will be required (as described by Exhibit A) to be obtained and certified. ODOT requires this easement be obtained no later than March 25, 2022; once this requirement is met, final design work will be completed and sent to ODOT for final review and comments prior to bidding.

The easement needed is along Brookville Road, in the area of the recently approved development known as Owl's Landing. The developer will need to install infrastructure within the proposed easement area. It is in the mutual interest of the City and the developer of this property to work together in designing the development's utilities, access points, etc... with the construction of this phase of the OATS trail in mind.

It is Staff's recommendation that the City Council authorize the City Manager, with the advice of the City's law director, to negotiate a Site Access Agreement with the developer of the subdivision known as Owl's Landing for the planned improvements needed for this segment of the OATS transportation project.

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A SITE ACCESS AGREEMENT WITH THE OWL'S LANDING SUBDIVISION DEVELOPER

WHEREAS, in preparation for construction of Phase IV of the Oxford Area Trail System (OATS), easements will be required from the Owl's Landing Developer as the Grantor; and

WHEREAS, ODOT requires the needed easements must be obtained no later than March 25, 2022;

WHEREAS, the City Manager and the Service Director recommend a Site Access Agreement to coordinate the Oxford Area Trails development in conjunction with the Owl's Landing Subdivision.

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

SECTION 1: Council accepts the recommendation of the City Manager and the Service Director to authorize a Site Access Agreement, attached hereto as Exhibit I, to coordinate the Oxford Area Trails development in conjunction with the Owl's Landing Subdivision.

SECTION 2: The City Manager is authorized to enter into a Site Access Agreement in the same or substantially similar form as Exhibit I.

SECTION 3: This resolution shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)

Exhibit I

SITE ACCESS AND EASEMENT AGREEMENT

This Site Access and Easement Agreement (the "Agreement") is entered into on the _____, 2022, between the City of Oxford, Ohio, 15 South College Avenue, Oxford, Ohio 45056 and Todd Homes, LLC, 7791 Joan Dr., West Chester, Ohio 45069

WHEREAS, The City of Oxford, Ohio, a municipal corporation ("City"), requires easements rights to the real property more specifically described below for the purpose of completing a section of the Butler-Oxford Area Trail Phase IV Westside Connector to Oxford Area Trails network on the property located on and identified by the permanent parcel numbers H4100141000006 ("Trail Easement #1") and H4100141000007 and H4100141000008 ("Trail Easement #2") collectively shall be referred to as the "Trail Easements" or "Trail Easement Area."

WHEREAS, Todd Homes, LLC, an Ohio limited liability company (the "Developer") or Developer's designee or assigns, is purchasing land where the Trail Easements will be located within a residential development project known as the Owl's Landing Subdivision that has been approved by the Council for the City of Oxford; and

WHEREAS, the City has agreed to pay consideration in the amount of \$12,398.00 to acquire the right to the Trail Easements more specifically described in attached Exhibit A Trail Easement #1 and Exhibit B Trail Easement #2; and

1. The City will pay consideration in the amount of \$12,398.00 to acquire the right to the Trail Easements more specifically described in attached Exhibit A Trail Easement #1 and Exhibit B Trail Easement #2; and
2. The Developer as Grantor will grant Trail Easements to the City as the Grantee. The Trail Easement Area is more particularly described in Exhibit A and Exhibit B attached hereto.
3. The City shall provide, install and maintain an approximately 10-foot-wide multi-use path for recreational use and transportation as part of the Oxford Area Trails System.

4. The Developer as the Trail Easement Grantor may construct utilities/road crossings/grading/landscaping including the placement of utility easements in a mutually agreeable location within the Trail Easement Area so long as the Developer does not hinder the purpose for which the Trail Easements have been created through the placement of the utilities/road crossings/grading/landscaping. Any Trail Easement Area disturbed by the Developer shall be restored to a condition acceptable to the City.
5. The Developer agrees that any proposed vehicle or utility or crossing through the Trail Easement Area shall be approved by the City as the Grantee in writing.
6. The Developer assumes liabilities under law for injuries or damage sustained by lawful use of the Trail Easement Area for its intended use exclusive of injuries or damages caused by acts of the Grantee.
7. In consideration of the foregoing, Developer hereby releases and holds harmless and agrees to indemnify the City, (and their respective officers, agents, and employees) from any and all injuries to person or property, liabilities, costs, expenses, damages, losses, judgments, orders, penalties or fines, arising in any way out of the Developer's Project construction and work.

The undersigned, City of Oxford and Todd Homes, LLC, hereby each represents that they are duly authorized to execute this Site Access and Easement Agreement.

Any action to enforce the terms and conditions of this Agreement shall be commenced in the Butler County, Ohio Court of Common Pleas.

This Agreement shall be in effect for a period of two (2) years from the date of its execution and shall be binding on Developer's successors and assigns. This Agreement may be signed in counterparts, each of which shall be deemed to be an original and all of which shall constitute one and the same instrument. A facsimile or copy of a signature is valid as an original.

INTENTIONALLY LEFT BLANK

BY THE CITY OF OXFORD

IN WITNESS WHEREOF, the undersigned has executed this Site Access and Easement Agreement on this _____ day of _____, 2022.

By: _____

Title: _____

STATE OF OHIO
COUNTY OF BUTLER

Before me, a Notary Public in and for said County and State, personally appeared the above-named representative who acknowledged signing the foregoing instrument on behalf of the City of Oxford.

Notary Public

INTENTIONALLY LEFT BLANK

BY TODD HOMES, LLC

IN WITNESS WHEREOF, the undersigned has executed this Site Access and Easement Agreement on this _____ day of _____, 2022.

By: _____

Title: _____

STATE OF OHIO
COUNTY OF BUTLER

Before me, a Notary Public in and for said County and State, personally appeared the above-named representative who acknowledged signing the foregoing instrument on behalf of Todd Homes, LLC.

Notary Public

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OXFORD AREA TRAIL SYSTEM EASEMENT

THIS OXFORD AREA TRAIL SYSTEM EASEMENT ("Easement") is hereby made this ____ day of _____, 2022 by _____ ("Grantor(s)"), whose mailing address is _____, and **THE CITY OF OXFORD, OHIO** ("Grantee"), whose mailing address is **15 SOUTH COLLEGE AVENUE, OXFORD, OH 45056**, under the following circumstances:

--- RECITALS

WHEREAS, Grantor(s) is the owner of certain real property situated in Butler County, Ohio pursuant to a deed recorded at Official Record _____ of the Butler County, Ohio deed records, with such property being more particularly described on Exhibit A attached hereto ("Grantor's Property"); and

WHEREAS, Grantor(s) are the true and lawful owner(s) in fee simple, and have the right and power to convey the property and that the property is free and clear from all liens and encumbrances, except: (a) easements, restrictions, conditions, and covenants of record; (b) all legal highways; (c) zoning and building laws, ordinances, rules, and regulations; and (d) any and all taxes and assessments not yet due and payable; and that Grantor(s) will warrant and defend the property against all other claims; and

WHEREAS, Grantor(s) desire to provide an exclusive easement to Grantee upon and across the Grantor(s)' Property for the purpose of creating and maintaining a public trail for recreational use and transportation as a part of the Oxford Area Trail System ("OATS Trail"); and

WHEREAS, the property conveyed is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public trail for recreational use and transportation as a part of the OATS Trail; and

WHEREAS, Grantee has provided Grantor with consideration in the sum of \$5,786.00.

WHEREAS, the foregoing recitals form an integral part of the Easement and are hereby incorporated into the body of the Easement.

NOW, THEREFORE, in consideration of the Recitals set forth above and the terms and conditions set forth below, the parties hereby agree as follows:

1. Grant of Trail Easement. Subject to the terms and conditions contained herein, Grantor hereby grants to Grantee, a permanent, exclusive easement for access, ingress and egress over and upon the area currently located on Grantor's Property as depicted on Exhibit B attached hereto and incorporated herein by reference (the "Trail Easement Area"). The Easement granted herein shall include a grant of rights to

Grantee for vehicular and pedestrian access to the Trail Easement Area. Grantor further grants to Grantee rights of access as reasonably necessary for the purpose of maintaining and repairing the trail, mowing and brush clearing, and clearing away litter and debris in the Trail Easement Area. The repair, maintenance or other activity undertaken by or at the direction of the Grantee on or to the Trail Easement Area shall be conducted in a manner that reasonably minimizes the impact on the Grantor's Property. Grantee shall undertake all actions reasonably necessary to restore the affected areas to the same condition as existed prior to such activities.

The Grantee shall be responsible for maintaining and repairing the trail, mowing and brush clearing, and clearing away litter and debris in the Trail Easement Area.

As the intended use of the Trail Easement Area is for public's recreational and transportation use as a connected portion of the OATS Trail, any recreational use may be subject to the provisions of R.C. 1533.181.

2. Use. The Grantee shall not permit the Easement Areas to be used for purposes inconsistent with those permitted in this Easement i.e. recreational use of the OATS Trail by the public at large.

3. Covenants Run with the Land. All covenants, agreements and conditions contained in this Easement shall be considered as running with the land and shall be a permanent benefit to Grantee and a permanent burden to Grantor's Property. This Easement shall be binding on all Grantee's successors and assigns.

4. Assignment. Grantee shall have the right to assign all the rights and benefits granted by this Easement.

5. Notices. Whenever it shall be required or permitted that notice or demand be given or served by either party to or on the other, such notice or demand shall be deemed to have been duly given or served when in writing and either personally delivered or placed in the custody of the United States Postal Service and forwarded by certified mail, return receipt requested, postage prepaid, and addressed to the Grantor or Grantee at the address provided above, or such other address as designated in writing.

6. Severability. If any provision of this Easement shall to any extent be held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of this Easement shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

7. No Waiver. No waiver of any condition or covenant of this Easement to be satisfied or performed by either party shall be deemed to imply or constitute a further waiver of the same or any like condition or covenant, and nothing contained in this Easement nor any act of either party, except a written waiver signed by a party, shall be construed to be a waiver of any condition or covenant to be performed by the other party.

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, the parties have executed this Easement on the day and date first written above.

“Grantor”

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

STATE OF OHIO, COUNTY OF _____, SS:

The foregoing instrument was acknowledged before me this _____ day of _____, 2022, by _____, the _____ of the City of Oxford, an Ohio municipality, on behalf of said municipality.

Notary Public

“Grantee”

CITY OF OXFORD, OHIO

an Ohio municipality

By: _____

Name: _____

Title: _____

STATE OF OHIO, COUNTY OF _____, SS:

The foregoing instrument was acknowledged before me this _____ day of _____, 2022, by _____, the _____ of the City of Oxford, an Ohio municipality, on behalf of said municipality.

Notary Public

This Instrument Prepared By:

Coolidge Wall Co., L.P.A.
33 West First Street, Suite 600
Dayton, Ohio 45402

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Exhibit A
Easement for Trail purposes
PID H4100141000006

CORPORATE
450 Grant Street / Akron, OH 44311
P 330.375.1390 / F 330.375.1590
TF 800.835.1390

Situated in the State of Ohio, County of Butler, Township of Oxford (T5N, R1E) and known as being part of Oxford Township Section 28 Lot 5 and further being part of land described in deed to Gregory B & Rebecca A Smith as recorded in book 8155 page 1895 of Butler County records and being more fully described as Follows:

CLEVELAND OFFICE
2800 Euclid Avenue, Suite 620
Cleveland, Ohio 44115

COLUMBUS OFFICE
88 East Broad Street, Suite 880
Columbus, Ohio 43215

envdesigngroup.com

Beginning on the centerline of Brookville Rd at the Grantors Southwest Corner;

Thence N 02° 27' 24" E along the Grantors West line, 33.31 feet to the North line of said Brookville Rd and the True Place of Beginning for the easement intended to be described herein;

Thence N 2° 27' 24" E along the Grantors West line, 40.32 feet;

Thence N 84° 36' 24" E parallel with the centerline of said Brookville Rd. and 40 feet Northerly, by perpendicular measurement, 89.61 feet;

Thence N 85° 23' 24" E parallel with the centerline of said Brookville Rd. and 40 feet Northerly, by perpendicular measurement, 535.19 feet; to the Grantor's east line;

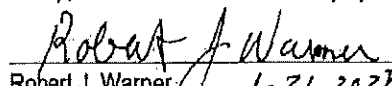
Thence S 2° 27' 24" W along the Grantors East line, 40.32 feet to the North line of said Brookville Road.

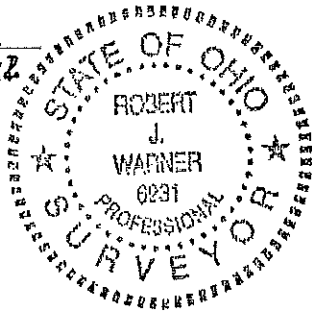
Thence S 85° 23' 24" W along the North line of said Brookville Rd, 534.92 feet;

Thence S 84° 36' 24" W along the North line of said Brookville Rd, 94.86 feet to the True Place of Beginning and containing 0.5783 acres of land.

Bearings are based on grid north in the Ohio State Plane Coordinate System South Zone NAD 83 (2011)

This description was prepared and reviewed by Robert J. Warner P.S. 6931 for Environmental Design Group, LLC based on a field survey by G. J. Berding Surveying, Inc. in June 2020.


Robert J. Warner
P.S. 6931



The community impact people.

CIVIL ENGINEERING / LANDSCAPE ARCHITECTURE / PLANNING / SURVEYING / ENVIRONMENTAL SERVICES / CONSTRUCTION MANAGEMENT

TRAIL EASEMENT
#2
EXHIBIT B

OXFORD AREA TRAIL SYSTEM EASEMENT

THIS OXFORD AREA TRAIL SYSTEM EASEMENT ("Easement") is hereby made this ____ day of _____, 2022 by _____ ("Grantor(s)"), whose mailing address is _____, and **THE CITY OF OXFORD, OHIO** ("Grantee"), whose mailing address is **15 SOUTH COLLEGE AVENUE, OXFORD, OH 45056**, under the following circumstances:

RECITALS

WHEREAS, Grantor(s) is the owner of certain real property situated in Butler County, Ohio pursuant to a deed recorded at Official Record _____ of the Butler County, Ohio deed records, with such property being more particularly described on Exhibit A attached hereto ("Grantor's Property"); and

WHEREAS, Grantor(s) are the true and lawful owner(s) in fee simple, and have the right and power to convey the property and that the property is free and clear from all liens and encumbrances, except: (a) easements, restrictions, conditions, and covenants of record; (b) all legal highways; (c) zoning and building laws, ordinances, rules, and regulations; and (d) any and all taxes and assessments not yet due and payable; and that Grantor(s) will warrant and defend the property against all other claims; and

WHEREAS, Grantor(s) desire to provide an exclusive easement to Grantee upon and across the Grantor(s)' Property for the purpose of creating and maintaining a public trail for recreational use and transportation as a part of the Oxford Area Trail System ("OATS Trail"); and

WHEREAS, the property conveyed is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public trail for recreational use and transportation as a part of the OATS Trail; and

WHEREAS, Grantee has provided Grantor with consideration in the sum of \$6,612.00.

WHEREAS, the foregoing recitals form an integral part of the Easement and are hereby incorporated into the body of the Easement.

NOW, THEREFORE, in consideration of the Recitals set forth above and the terms and conditions set forth below, the parties hereby agree as follows:

1. Grant of Trail Easement. Subject to the terms and conditions contained herein, Grantor hereby grants to Grantee, a permanent, exclusive easement for access, ingress and egress over and upon the area currently located on Grantor's Property as depicted on Exhibit B attached hereto and incorporated herein by reference (the "Trail Easement Area"). The Easement granted herein shall include a grant of rights to

Grantee for vehicular and pedestrian access to the Trail Easement Area. Grantor further grants to Grantee rights of access as reasonably necessary for the purpose of maintaining and repairing the trail, mowing and brush clearing, and clearing away litter and debris in the Trail Easement Area. The repair, maintenance or other activity undertaken by or at the direction of the Grantee on or to the Trail Easement Area shall be conducted in a manner that reasonably minimizes the impact on the Grantor's Property. Grantee shall undertake all actions reasonably necessary to restore the affected areas to the same condition as existed prior to such activities.

The Grantee shall be responsible for maintaining and repairing the trail, mowing and brush clearing, and clearing away litter and debris in the Trail Easement Area.

As the intended use of the Trail Easement Area is for public's recreational and transportation use as a connected portion of the OATS Trail, any recreational use may be subject to the provisions of R.C. 1533.181.

2. Use. The Grantee shall not permit the Easement Areas to be used for purposes inconsistent with those permitted in this Easement i.e. recreational use of the OATS Trail by the public at large.

3. Covenants Run with the Land. All covenants, agreements and conditions contained in this Easement shall be considered as running with the land and shall be a permanent benefit to Grantee and a permanent burden to Grantor's Property. This Easement shall be binding on all Grantee's successors and assigns.

4. Assignment. Grantee shall have the right to assign all the rights and benefits granted by this Easement.

5. Notices. Whenever it shall be required or permitted that notice or demand be given or served by either party to or on the other, such notice or demand shall be deemed to have been duly given or served when in writing and either personally delivered or placed in the custody of the United States Postal Service and forwarded by certified mail, return receipt requested, postage prepaid, and addressed to the Grantor or Grantee at the address provided above, or such other address as designated in writing.

6. Severability. If any provision of this Easement shall to any extent be held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of this Easement shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

7. No Waiver. No waiver of any condition or covenant of this Easement to be satisfied or performed by either party shall be deemed to imply or constitute a further waiver of the same or any like condition or covenant, and nothing contained in this Easement nor any act of either party, except a written waiver signed by a party, shall be construed to be a waiver of any condition or covenant to be performed by the other party.

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, the parties have executed this Easement on the day and date first written above.

“Grantor”

By: _____

Name: _____

Title: _____

By: _____

Name: _____

Title: _____

STATE OF OHIO, COUNTY OF _____, SS:

The foregoing instrument was acknowledged before me this _____ day of _____, 2022, by _____, the _____ of the City of Oxford, an Ohio municipality, on behalf of said municipality.

Notary Public

“Grantee”

CITY OF OXFORD, OHIO

an Ohio municipality

By: _____

Name: _____

Title: _____

STATE OF OHIO, COUNTY OF _____, SS:

The foregoing instrument was acknowledged before me this _____ day of _____, 2022, by _____, the _____ of the City of Oxford, an Ohio municipality, on behalf of said municipality.

Notary Public

This Instrument Prepared By:

Coolidge Wall Co., L.P.A.
33 West First Street, Suite 600
Dayton, Ohio 45402

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Exhibit A
Easement for Trail Purposes
PID H41001410000007

Situated in the State of Ohio, County of Butler, Township of Oxford (T5N, R1E) and known as being part of Oxford Township Section 28 Lot 5 and further being part of land described in deed to Rebecca A Smith & Cassandra K McCartney as recorded in book 8325 page 282 Tract I of Butler County records and being more fully described as Follows:

Beginning on the centerline of Brookville Rd at the Grantors Southwest Corner;

Thence N 2° 27' 24" E along the Grantors West line, 33.25 feet to the North line of said Brookville Rd and the True Place of Beginning for the easement intended to be described herein;

Thence N 2° 27' 24" E along the Grantors west line, 40.32 feet;

Thence N 85° 23' 24" E parallel with the centerline of said Brookville Rd. and 40 feet Northerly, by perpendicular measurement, 137.50 feet;

Thence S 04° 36' 36" E, 12.00 feet;

Thence N 85° 23' 24" E parallel with the centerline of said Brookville Rd. and 28 feet Northerly, by perpendicular measurement, 60.00 feet;

Thence N 04° 36' 36" W, 12.00 feet;

Thence N 85° 23' 24" E parallel with the centerline of said Brookville Rd. and 40 feet Northerly, by perpendicular measurement, 93.19 feet;

Thence N 82° 47' 24" E parallel with the centerline of said Brookville Rd. and 40 feet Northerly, by perpendicular measurement, 111.15 feet to the Grantor's east line;

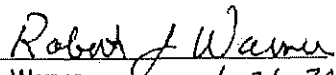
Thence S 2° 01' 10" W along the Grantors East line, 40.52 feet to the North line of said Brookville Road.

Thence S 82° 47' 24" W along the North line of said Brookville Rd, 105.55 feet;

Thence S 85° 23' 24" W along the North line of said Brookville Rd, 296.55 feet to the True Place of Beginning and containing 0.3526 acres of land.

Bearings are based on grid north in the Ohio State Plane Coordinate System South Zone NAD 83 (2011)

This description was prepared and reviewed by Robert J. Warner P.S. 6931 for Environmental Design Group, LLC based on a field survey by G. J. Berdling Surveying, Inc. in June 2020.


Robert J. Warner
P.S. 6931
1-21-2022

The community impact people.

CIVIL ENGINEERING / LANDSCAPE ARCHITECTURE / PLANNING / SURVEYING / ENVIRONMENTAL SERVICES / CONSTRUCTION MANAGEMENT

CORPORATE
450 Grant Street / Akron, OH 44311
P 330.375.1390 / F 330.375.1590
TF 800.835.1390

CLEVELAND OFFICE
2800 Euclid Avenue, Suite 620
Cleveland, Ohio 44115

COLUMBUS OFFICE
88 East Broad Street, Suite 880
Columbus, Ohio 43215

envdesigngroup.com

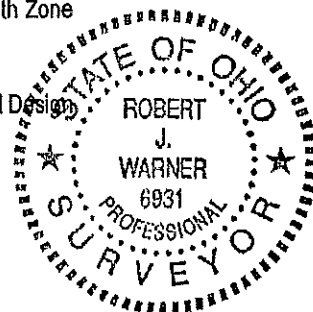




Exhibit A
Easement for Trail Purposes
PID H4100141000008

CORPORATE
450 Grant Street / Akron, OH 44311
P 330.375.1390 / F 330.375.1590
TF 800.835.1390

CLEVELAND OFFICE
2800 Euclid Avenue, Suite 620
Cleveland, Ohio 44115

COLUMBUS OFFICE
88 East Broad Street, Suite 880
Columbus, Ohio 43215

envdesigngroup.com

Situated in the State of Ohio, County of Butler, Township of Oxford (T5N, R1E) and known as being part of Oxford Township Section 28 Lot 5 and further being part of land described in deed to Rebecca A Smith & Cassandra K McCartney as recorded in book 8325 page 282 Tract II of Butler County records and being more fully described as Follows:

Beginning on the centerline of Brookville Rd at the Grantors Southwest Corner;

Thence N 2° 27' 24" E along the Grantors West line, 33.25 feet to the North line of said Brookville Rd and the True Place of Beginning for the easement intended to be described herein;

Thence N 2° 27' 24" E along the Grantors west line, 40.32 feet;

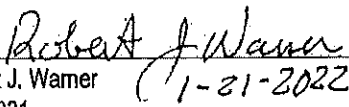
Thence N 85° 23' 31" E parallel with the centerline of said Brookville Rd. and 40 feet Northerly, by perpendicular measurement, 302.30 feet to the Grantors East line;

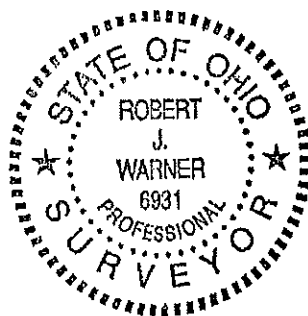
Thence S 2° 27' 24" W along the Grantors East line, 40.32 feet to the North line of said Brookville Road.

Thence S 85° 23' 24" W along the North line of said Brookville Rd, 302.30 feet to the True Place of Beginning and containing 0.2776 acres of land.

Bearings are based on grid north in the Ohio State Plane Coordinate System South Zone NAD 83 (2011)

This description was prepared and reviewed by Robert J. Warner P.S. 6931 for Environmental Design Group, LLC based on a field survey by G. J. Berding Surveying, Inc. in June 2020.


Robert J. Warner
P.S. 6931



The community impact people.

CIVIL ENGINEERING / LANDSCAPE ARCHITECTURE / PLANNING / SURVEYING / ENVIRONMENTAL SERVICES / CONSTRUCTION MANAGEMENT



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	Community Development
PREPARED BY:	Zachary Moore
DATE PREPARED:	February 18, 2022
COUNCIL MEETING DATE:	March 1, 2022
AGENDA TITLE:	PC-2021-36, 1983 Lake Forest Drive, FINAL SUBDIVISION , South Forest Edge Section 2, Hotel Development Services, Applicant
CITY MANAGER/DEPT HEAD APPROVAL:	DRE 2/23/2022

Proposal Summary:

The developer for South Forest Edge Section 2 is requesting approval of a Final Subdivision application to allow for the recording of the development's Final Plat. The existing parcel of land totals 53.67 acres, has frontage on Lake Forest Drive and US 27, and contains areas zoned R-2A and R-4. The proposed Plat would split off 17.87 acres of land (zoned R-2A) to further subdivide into 21 residential lots for new single-family homes. The Plat will also dedicate a 60-foot wide right-of-way for a new 28-foot wide public street named Arbor Edge Trail, from which all but one of the lots will have driveway access. The lone exception is the lot on the southeast corner of US 27 and Lake Forest Drive, which will have its driveway off Lake Forest.

Background:

The South Forest Edge Section 2 project has thus far garnered the following approvals:

- Preliminary Planned Development (PD) – approved by Council on April 20, 2021 by Ord. No. 3616
- Construction Drawings – approved administratively on September 28, 2021. Outstanding fee balance (sewer & water capacity benefit charges) must be paid prior to issuance.

Discussion and Recommendation:

The Record Plat is the legal instrument to be recorded with the Butler County Recorder which will officially subdivide new lot boundaries and establish necessary easements for access, drainage, and utilities. City staff has reviewed the proposed Record Plat instrument and believes it satisfies all prior design-related approval conditions inherent to the previous Preliminary Plat approval, including the provision of a 20-foot multi-use path easement between Arbor Edge Trail and the adjoining agricultural property to the east.



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

Additional steps will still need to be satisfied administratively prior to the signing of the plat itself by City officials, namely: (1) posting a bond or other acceptable financial security in the amount of \$1.3M to guarantee construction of the infrastructure (streets/utilities) and planting of street trees/landscaping; and (2) review and approval of HOA documentation (Declaration and/or Restrictions), most particularly to ensure ongoing private maintenance of two stormwater management basins.

In keeping with Section 203 of the Oxford Subdivision Regulations, staff recommends the subject application be **approved** subject to the following conditions:

1. The Final Subdivision shall be valid for 1 year from the City Council ordinance date. All recordings shall be completed and construction of the infrastructure improvements started within this 1 year time period.
2. As necessary, the applicant shall update and/or re-file Construction Drawings along with any necessary cost estimates for approval by applicable City departments.
3. The applicant shall file with the City a suitable form of financial security in order to guarantee construction of the improvements. The Record Plat shall not be released to the subdivider for recording until such financial security is accepted by the City.

ORDINANCE NO.

AN ORDINANCE APPROVING THE FINAL SUBDIVISION APPLICATION AND PLAT FOR SOUTH FOREST EDGE SECTION 2 WITH CONDITIONS.

WHEREAS, in accordance with Oxford Codified Ordinance Section 1101.203, the City of Oxford's Community Development Department received the Final Subdivision Application and Final Plat for South Forest Edge Section 2 (Exhibit "A") on November 6, 2021 consisting of 17.870 acres; and

WHEREAS, the Community Development Director has reviewed the Final Plat in correspondence to the Preliminary Plat approved on April 20, 2021 by Ordinance No. 3616; and

WHEREAS, the Community Development Director finds that the Final Plat meets the requirements of Oxford Codified Ordinance Section 1101.203 and further finds the Final Plat substantially corresponds to the approved Preliminary Plat; and

WHEREAS, the City Manager and the Community Development Director recommend Council approve the Final Subdivision Application and Plat attached hereto as Exhibit "A" for South Forest Edge Section 2 with the following conditions:

1. The Final Subdivision shall be valid for one year from the City Council Ordinance date. All recordings shall be completed and construction of the infrastructure improvements started within this one year time-period.
2. As necessary, the applicant shall update and/or re-file construction drawings along with any necessary cost estimates for approval by applicable City departments.
3. The applicant shall file with the City a suitable form of financial security in order to guarantee the construction of the public improvements. The Record Plat shall not be released to the sub-divider for recording until such financial security is accepted by the City.

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

SECTION 1: Council hereby accepts the recommendation of the City Manager and the Community Development Director and further approves the Final Subdivision application and plat for South Forest Edge Section 2 consisting of 17.870 acres with the conditions set forth above.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)

February 14, 2022

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

Re: Case No. PC-2021-36
South Forest Edge Section Two
Final Subdivision

Zachary,

The Final Subdivision application for the above noted project has been revised based on your comment letter dated November 15, 2021. In addition to the revised plans, we offer the following comment responses:

1. Condition #3 of the Preliminary Subdivision approval (Ord No. 3616) specified that documentation related to storm water management to ensure the funding of future maintenance/upkeep by all residents of the subdivision, including but not limited to easements, covenants, and/or deed restrictions, shall be reviewed and approved by the Service Department and Law Director prior to being recorded on or with the Record Plat. Easement language provided on the submitted plat indicates that there will be a Homeowners Association for this development. Please clarify whether this will be the same HOA as South Forest Edge Section 1, or a separate HOA. In any case, please be aware that finalized HOA documents for both South Forest Edge developments will need to be reviewed and approved prior to signing/recording of either plat.

The plat has been revised to clarify that an HOA titled Arbor Edge Neighborhood Owners' Association will be created for South Forest Edge Section 2 to provide shared maintenance of the stormwater basins by all residents. This HOA will be separate from the HOA created for South Forest Edge Section 1. Documents detailing maintenance responsibilities will be provided separately for staff review.

2. Condition #11 of Preliminary Subdivision approval required a note alerting builders to high water tables in the area to be included on the Record Plat. Please add.

A note alerting builders to high water tables has been added to sheet 1.

3. Please re-add the 20-foot Multi-Use Path Easement between Lots 4036 and 4037 as had been shown on the Construction Drawings. Also please provide language on the plat describing the terms of this Easement. Such language may be similar in construction to the "Pedestrian Access Note" as previously included on the plat for South Forest Edge Section 1, though instead describing its purpose for a potential future multi-use path connection.

The plat has been revised accordingly.

4. Please change the labeling of "H.O.A. Utility & Drainage Easement" to "Utility & H.O.A. Drainage Easement." This simple change better clarifies the dual purpose of these easements. Also please add a segment of 15-foot Utility Easement on Lot 4050 within the 7.5-foot side setback area, adjacent to Arbor Edge Trail. We request your review and approval of the attached. Should you have any questions, or need any additional information, please do not hesitate to contact us.

The plans have been revised accordingly.

We ask that this item be placed on the March 1 City Council meeting agenda. Should you have any questions, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink that reads 'John Bayer'.

John Bayer
Civil Engineer
Bayer Becker
513.466.8084
johnbayer@bayerbecker.com

cc: 4 Leaf Development LLC

Plot time: Feb 10, 2022 - 10:11am
Drawing name: J:\2020-02-04\SV\DWG\20-0204 RP SF TITLE.dwg - Layout Tab: TITLE

DEDICATION STATEMENT:

THE UNDERSIGNED, BEING THE OWNERS OF PART OF LOT #3716 OF THE CITY OF OXFORD AS RECORDED IN OFFICIAL RECORD _____, PAGE _____ OF THE BUTLER COUNTY, OHIO RECORDER'S OFFICE AND BEING LOCATED IN THE CONGRESS LANDS WEST OF THE MIAMI RIVER, SECTION 36, TOWN 5, RANGE 1, IN THE CITY OF OXFORD, BUTLER COUNTY, OHIO, DO HEREBY ASSENT TO AND ADOPT THE ACCOMPANYING PLAT OF SUBDIVISION TO BE KNOWN AS SOUTH FOREST EDGE, SECTION 2 AND DO HEREBY DEDICATE TO THE PUBLIC FOREVER, IN ACCORDANCE WITH THE LAWS IN SUCH CASES MADE AND PROVIDED, THE STREETS AND ROADWAYS AS SHOWN ON SAID PLAT, AND DECLARE THE SAME TO BE FREE AND UNENCUMBERED.

THE TITLE WAS ACQUIRED BY: OFFICIAL RECORD _____, PAGE _____

OWNER: ARBOR EDGE NEIGHBORHOOD, LLC

SIGNATURE: _____

PRINTED NAME & TITLE: _____

THIS IS AN ACKNOWLEDGEMENT CERTIFICATE; NO OATH OR AFFIRMATION WAS ADMINISTERED TO THE SIGNER WITH REGARD TO THIS NOTARIAL ACT.

STATE OF: _____

COUNTY OF: _____

BE REMEMBERED THAT ON THIS _____ DAY OF _____, 2022, BEFORE THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY CAME ARBOR EDGE NEIGHBORHOOD, LLC, AS REPRESENTED BY _____ ITS _____

WHO ACKNOWLEDGED THE SIGNING AND EXECUTION OF THE FOREGOING INSTRUMENT TO BE HIS VOLUNTARY ACT AND DEED. IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL ON THE DAY AND YEAR LAST AFORESAID.

NOTARY PUBLIC: _____

MY COMMISSION EXPIRES: _____

UTILITY EASEMENTS:

EASEMENTS ON SAID PLAT, DESIGNATED AS UTILITY EASEMENTS, ARE PROVIDED FOR THE CONSTRUCTION, MAINTENANCE, AND OPERATION OF POLES, WIRES AND CONDUITS, AND THE NECESSARY ATTACHMENTS IN CONNECTION THEREWITH, FOR THE TRANSMISSION OF ELECTRIC, TELEPHONE, CABLE TELEVISION, AND OTHER PURPOSES; FOR THE CONSTRUCTION AND MAINTENANCE OF SERVICE AND UNDERGROUND STORM WATER DRAINS, PIPELINES FOR SUPPLYING GAS, WATER, HEAT, AND OTHER PUBLIC OR QUASI-PUBLIC UTILITY FUNCTIONS TOGETHER WITH THE NECESSARY LATERAL CONNECTIONS; THE RIGHT OF INGRESS TO AND EGRESS FROM SAID EASEMENTS; AND TO CUT, TRIM, OR REMOVE TREES AND UNDERGROWTH OR OVERHANGING BRANCHES WITHIN SAID EASEMENT OR IMMEDIATELY ADJACENT THERETO. NO BUILDINGS OR OTHER STRUCTURES MAY BE BUILT WITHIN SAID EASEMENTS, NOR MAY THE EASEMENT AREA BE PHYSICALLY ALTERED SO AS TO 1) REDUCE THE CLEARANCE OF EITHER OVERHEAD OR UNDERGROUND FACILITIES; 2) IMPAIR THE LAND SUPPORT OF SAID FACILITIES; 3) IMPAIR THE ABILITY TO MAINTAIN THE FACILITY OR 4) CREATE A HAZARD.

THE ABOVE PUBLIC UTILITY EASEMENTS ARE FOR THE BENEFIT OF ALL PUBLIC UTILITY PROVIDERS INCLUDING, BUT NOT LIMITED TO DUKE ENERGY, CINCINNATI BELL, FRONTIER COMMUNICATIONS, CHARTER COMMUNICATIONS, AND THE CITY OF OXFORD.

THE ABOVE EASEMENTS ARE ALSO PROVIDED FOR OTHER USES AS DESIGNATED AND SHALL BE USED FOR THE CONSTRUCTION OF STORM WATER DRAINS, OPEN CHANNELS, PUBLIC AND PRIVATE SEWERS, PIPELINES FOR THE SUPPLYING OF WATER, CABLE TELEVISION AND FOR ANY OTHER PUBLIC OR QUASI PUBLIC UTILITY OR FUNCTION, CONDUCTED, MAINTAINED OR PERFORMED BY ORDINARY METHODS BENEATH OR ABOVE THE SURFACE OF THE GROUND TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER AND ACROSS LOTS TO AND FROM SAID EASEMENTS.

DUKE GRANT OF UTILITY EASEMENT:

FOR VALUABLE CONSIDERATION, WE, THE UNDERSIGNED ("GRANTOR") DO HEREBY PERMANENTLY GRANT TO DUKE ENERGY OHIO/KENTUCKY, INC. AND THEIR PARENT ENTITY (OR ENTITY CONTROLLING BOTH ENTITIES), THEIR RESPECTIVE SUBSIDIARIES OR AFFILIATE ENTITIES, AND ANY OTHER PROVIDER OF UTILITY SERVICES ("GRANTEE") THEIR SUCCESSORS AND ASSIGNS, FOREVER, NON-EXCLUSIVE EASEMENTS, AS SHOWN ON THE WITHIN PLAT AND DESIGNATED AS DESIGNED "UTILITY EASEMENTS" FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, OR REPLACEMENT OF ANY AND ALL NECESSARY FIXTURES FOR THE OVERHEAD OR UNDERGROUND DISTRIBUTION OF GAS, ELECTRIC, TELEPHONE, TELECOMMUNICATIONS OR OTHER UTILITIES ("GRANTEE FACILITIES" OR "FACILITIES"). THE GRANTEE SHALL HAVE THE RIGHT OF INGRESS AND EGRESS AND ALSO THE RIGHT TO CUT, TRIM OR REMOVE ANY TREES, UNDERGROWTH OR OVERHANGING BRANCHES WITHIN THE UTILITY EASEMENTS OR IMMEDIATELY ADJACENT THERETO. NO BUILDINGS OR OTHER STRUCTURES MAY BE BUILT WITHIN THE UTILITY EASEMENTS AREA, NOR MAY THE UTILITY EASEMENTS AREA BE PHYSICALLY ALTERED TO (1) REDUCE THE CLEARANCES OF EITHER OVERHEAD OR UNDERGROUND FACILITIES; (2) IMPAIR THE LAND SUPPORT OF GRANTEE FACILITIES; (3) IMPAIR THE ABILITY TO MAINTAIN THE FACILITIES OR; (4) CREATE A HAZARD. TO HAVE AND TO HOLD THE EASEMENT FOREVER, WE ACKNOWLEDGE HAVING THE FULL POWER TO CONVEY THIS UTILITY EASEMENT AND WILL DEFEND THE SAME AGAINST ALL CLAIMS.

ALSO HEREBY GRANTED TO DUKE ENERGY OHIO/KENTUCKY, INC. AND ITS SUBSIDIARIES, SUCCESSORS, AND ASSIGNS IS THE RIGHT TO LATERALLY EXTEND, REPAIR, AND MAINTAIN NATURAL GAS SERVICES TO SERVE INDIVIDUAL LOTS AS CONSTRUCTED BY THE ORIGINAL BUILDER ALLOWING DISTURBANCE ONLY OVER EXISTING SERVICE LINES NECESSARY FOR THE REPAIR ONLY ON THE LOT ON WHICH THE SERVICE IS LOCATED. RECONSTRUCTION OR RELOCATION IS PERMISSIBLE ONLY WITH THE WRITTEN PERMISSION OF THE PARCEL OWNER AND SAID UTILITY PROVIDER TO A MUTUALLY AGREEABLE LOCATION. NO PART OF THE UTILITY EASEMENTS SHALL ENCUMBER EXISTING BUILDINGS OR ADJOINING LOTS.

CITY OF OXFORD:

IT IS UNDERSTOOD THAT THE CITY OF OXFORD WILL NOT BE ABLE TO ISSUE ANY CONNECTION PERMITS OR BUILDING PERMITS UNTIL THE OHIO ENVIRONMENTAL PROTECTION AGENCY (EPA) HAS APPROVED THE PLANS FOR THE PROPOSED EXTENSIONS OF THE PUBLIC WATER AND SEWER SYSTEMS WITHIN THIS SUBDIVISION, UNLESS ON-SITE SYSTEMS ARE PROPOSED AND APPROVED.

ALL BUILDINGS TO BE SERVED BY THE PUBLIC SEWER SYSTEM SHALL BE CONSTRUCTED SO AS TO PROVIDE A MINIMUM OF FOUR (4) FEET OF VERTICAL SEPARATION BETWEEN THE PUBLIC SANITARY SEWER, AT THE POINT OF CONNECTION, AND THE LOWEST BUILDING LEVEL SERVED BY A GRAVITY SEWER CONNECTION. IN ADDITION, SAID BUILDING LEVEL SHALL BE AT LEAST ONE FOOT (1') ABOVE THE LOWEST POINT OF FREE-OVERFLOW (NON-SEALED MANHOLE COVER) UPSTREAM OF ANY TREATMENT FACILITY OR WASTEWATER PUMPING FACILITY THAT RECEIVES THE DISCHARGE FROM SAID BUILDING. SAID BUILDING SERVICE LEVELS SHALL BE RECORDED ON THE "AS-BUILT" PLANS FOR THE DEVELOPMENT WHICH WILL BE KEPT ON FILE IN THE OFFICE OF THE CITY ENGINEER.

PRIVATE DRIVEWAYS, PARKING LOTS AND OTHER PAVED AREAS, EARTHEN BERMS, OR STRUCTURES SHOULD NOT BE CONSTRUCTED OVER PRIVATE WATER OR SEWER SERVICE LINES WITHIN THE PUBLIC ROAD RIGHT-OF-WAY OR WITHIN EASEMENT AREAS FOR THE PUBLIC UTILITIES. SHOULD THIS OCCUR, THE PROPERTY OWNER SHALL BE HELD RESPONSIBLE FOR THE PROTECTION AND REPAIR OF AND FOR PROVIDING ACCESS TO ANY CURB STOPS, METER PITS, MANHOLES, CLEANOUTS, ETC., INSTALLED IN CONJUNCTION WITH THESE PRIVATE SERVICE LINES AND FOR ANY DAMAGE OR RESTORATION OF THE PAVED SURFACES OR STRUCTURES THAT MAY RESULT FROM THE FUTURE OPERATION, MAINTENANCE, REPAIR OR REPLACEMENT OF SAID SERVICE LINES AND APPURTENANCES.

EASEMENTS ON SAID PLAT, DESIGNATED AS "SANITARY SEWER EASEMENTS" OR "WATER MAIN EASEMENTS" ARE PROVIDED FOR THE RIGHT TO CONSTRUCT, USE, MAINTAIN AND KEEP IN REPAIR THEREON A SANITARY SEWER PIPELINE AND/OR WATER MAINS AND APPURTENANCES THERETO NECESSARY TO THE OPERATION THEREOF AND ARE PERPETUALLY DEDICATED TO THE CITY OF OXFORD.

THE CITY ENGINEER DOES NOT ACCEPT ANY RESPONSIBILITY FOR THE RELOCATION, REPAIR OR REPLACEMENT OF ANY OTHER UTILITY INSTALLED WITHIN FIVE (5) FEET OF THE CENTERLINE OF ANY SANITARY MAIN SEWER OR WATER MAIN.

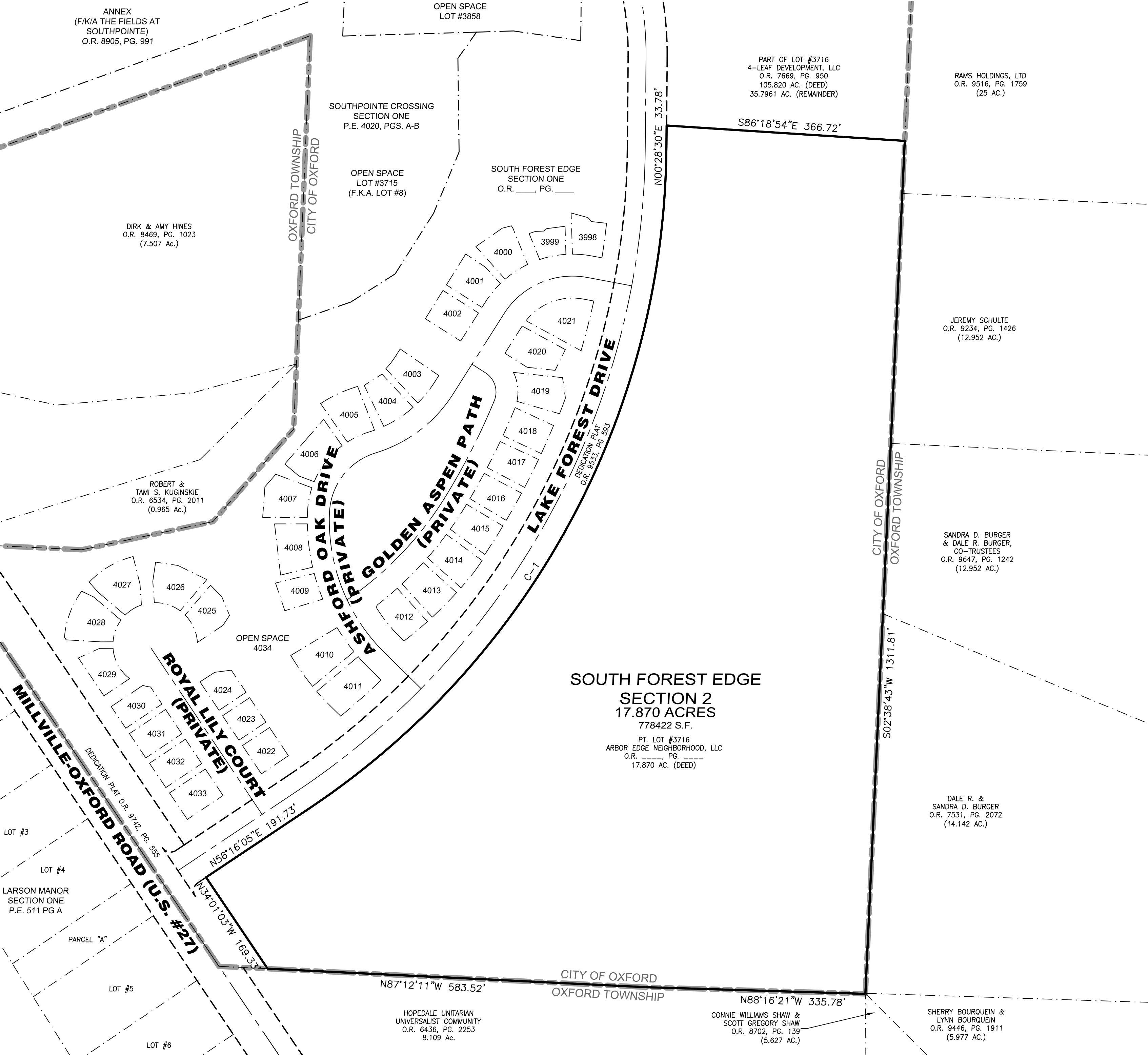
SANITARY SEWER LATERALS, WHICH SHALL INCLUDE ALL PIPE AND APPURTENANCES FROM THE BUILDING TO THE PUBLIC SEWER MAIN, AND THE CONNECTION TO THE PUBLIC SEWER MAIN SHALL BE CONSIDERED PRIVATE AND THE RESPONSIBILITY OF THE PROPERTY OWNER TO MAINTAIN. THE CONNECTION TO THE SEWER WOULD BE ANY PIPING THAT EXTENDS OUT FROM THE MAIN BARREL OF THE SEWER MAIN.

ALL LOTS SHOWN HEREON SHALL BE SERVED BY PUBLIC SANITARY SEWERS AND WATER.

ALL BUILDINGS TO BE SERVED BY THE PUBLIC SEWER SYSTEM SHALL BE CONSTRUCTED AS TO PROVIDE GRAVITY FLOW TO THE SANITARY SEWER MAIN.

ROOF DRAINS, FOUNDATION DRAINS, AND OTHER CLEAN WATER CONNECTIONS TO THE SANITARY SEWER SYSTEM ARE PROHIBITED.

HIGH WATER TABLES ARE APPARENT IN THIS AREA. IF BASEMENTS ARE CONSTRUCTED, IT IS THE RESPONSIBILITY OF THE BUILDER TO TAKE SPECIAL PRECAUTIONS TO ENSURE THE BASEMENT STAYS DRY.



PARCEL NUMBER H

DEED REFERENCE: OFFICIAL RECORD _____, PAGE _____

ORIGINAL ACRES (PT. LOT #3716): 17.870 ACRES

SOUTH FOREST EDGE, SECTION 2: 17.870 ACRES
REMAINING ACRES: 0.000 ACRES

MINIMUM OPENING ELEVATIONS

ON ANY LOTS WITH AN IDENTIFIED MINIMUM OPENING ELEVATION (M.O.E.), NO DOOR, WINDOW, VENT, OR OTHER OPENING THROUGH THE WALL OF ANY STRUCTURE MAY BE LOCATED BELOW THE MINIMUM ELEVATION NOTED ON THE AFFECTED LOT(S). IF THE BASEMENT FLOOR IS BELOW THE NOTED ELEVATION, IT IS THE RESPONSIBILITY OF THE BUILDER TO PROVIDE A SUMP WELL AND SUMP PUMP, WHICH SHALL DISCHARGE ON THE LOT AT OR ABOVE THE NOTED ELEVATION.

PLAT ALTERATIONS:

ANY CHANGE TO OR ALTERATION OF THIS PLAT, INCLUDING THE SPLITTING OF ANY LOT TO CREATE A NEW BUILDING SITE, SHALL REQUIRE PLANNING COMMISSION APPROVAL AS A REPLAT.

SOUTH FOREST EDGE
SECTION 2

PART OF LOT #3716
CONGRESS LANDS WEST OF THE MIAMI RIVER
SECTION 36, TOWN 5, RANGE 1
CITY OF OXFORD, BUTLER COUNTY, OHIO

PART OF LOT #3716
4-LEAF DEVELOPMENT, LLC
O.R. 7669, PG. 950
105.820 AC. (DEED)
35.7961 AC. (REMAINDER)

RAMS HOLDINGS, LTD
O.R. 9516, PG. 1759
(25 AC.)

JEREMY SCHULTE
O.R. 9234, PG. 1426
(12.952 AC.)

SANDRA D. BURGER
& DALE R. BURGER,
CO-TRUSTEES
O.R. 9647, PG. 1242
(12.952 AC.)

DALE R. &
SANDRA D. BURGER
O.R. 7531, PG. 2072
(14.142 AC.)

CONNIE WILLIAMS SHAW &
SCOTT GREGORY SHAW
O.R. 8702, PG. 139
(5.627 AC.)

SHERRY BOURQUEIN &
LYNN BOURQUEIN
O.R. 9446, PG. 1911
(5.977 AC.)

HOMEOWNERS ASSOCIATION
DRAINAGE EASEMENTS:

THE CITY OF OXFORD DOES NOT ACCEPT ANY H.O.A. (HOMEOWNERS ASSOCIATION) UTILITY & DRAINAGE EASEMENTS SHOWN ON THIS PLAT. THE CITY OF OXFORD IS NOT OBLIGATED TO MAINTAIN OR REPAIR ANY CHANNELS OR INSTALLATIONS IN SAID EASEMENTS. THE EASEMENT AREA OF EACH LOT AND ALL IMPROVEMENTS IN IT SHALL BE MAINTAINED CONTINUOUSLY BY THE H.O.A. MAINTENANCE OF ALL IMPROVEMENTS WITHIN H.O.A. UTILITY & DRAINAGE EASEMENTS SHALL BE THE RESPONSIBILITY OF THE ARBOR EDGE NEIGHBORHOOD OWNERS' ASSOCIATION AS PROVIDED FOR IN THE DECLARATION AND IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE CITY ENGINEER. WITHIN THE EASEMENT AREA, NO STRUCTURE, PLANTING, OR OTHER MATERIAL SHALL BE PLACED OR PERMITTED TO REMAIN WHICH MAY OBSTRUCT, RETARD, OR CHANGE THE DIRECTION OF THE WATER FLOW.

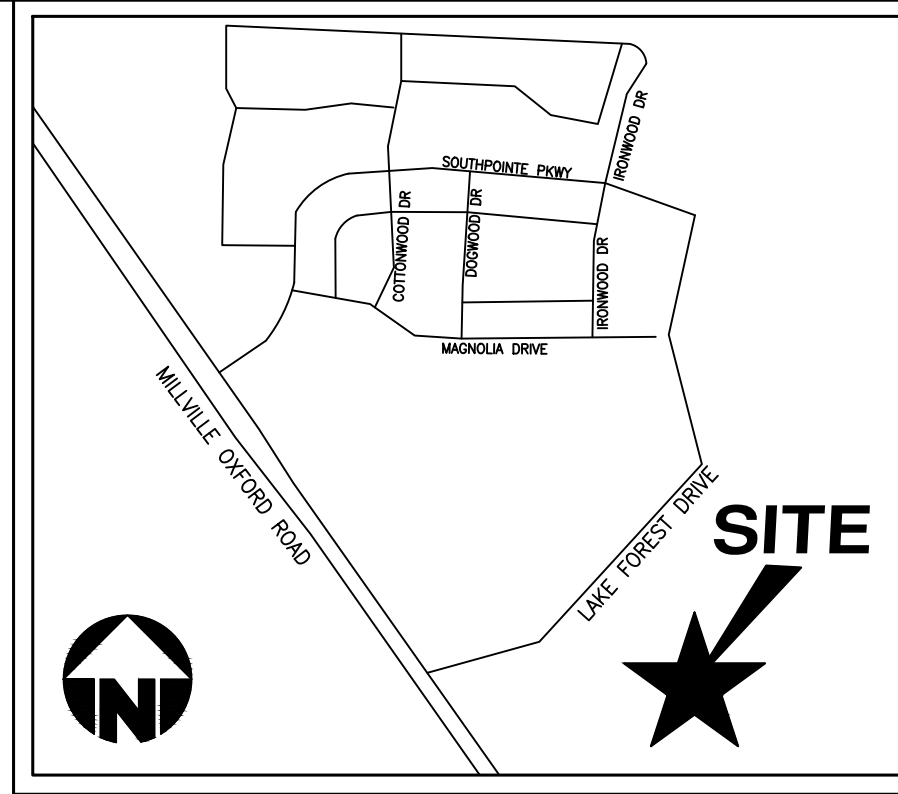
CITY OF OXFORD NOTES:

THE CITY OF OXFORD DOES NOT ACCEPT ANY PRIVATE DRAINAGE EASEMENTS SHOWN ON THIS PLAT AND IS NOT OBLIGATED TO MAINTAIN OR REPAIR ANY CHANNELS OR INSTALLATIONS IN SAID EASEMENTS. THE EASEMENT AREA OF EACH LOT AND ALL IMPROVEMENTS IN IT SHALL BE MAINTAINED CONTINUOUSLY BY THE OWNER OF THE LOT. IN ACCORDANCE WITH THE STANDARD AND SPECIFICATIONS OF THE CITY ENGINEER. WITHIN THE EASEMENT AREA, NO STRUCTURE, PLANTING OR OTHER MATERIAL SHALL BE PLACED OR PERMITTED TO REMAIN WHICH MAY OBSTRUCT, RETARD, OR CHANGE THE DIRECTION OF THE WATER FLOW. THE MAINTENANCE OF THE DETENTION AREAS IS THE RESPONSIBILITY OF THE OWNER OF THE LAND ON WHICH THEY ARE LOCATED.

THE CITY OF OXFORD ALSO WILL NOT BE RESPONSIBLE FOR ADJUSTING MANHOLES, VALVES, FIRE HYDRANTS, METER PITS, ETC., AS A RESULT OF GRADE CHANGES. THE GRANTOR SHALL BE RESPONSIBLE FOR THE PROPER ADJUSTMENT OF MANHOLES, VALVES, FIRE HYDRANTS, METER PITS, ETC., TO THE SATISFACTION OF THE CITY OF OXFORD, DUE TO GRADE CHANGES, PAVING, REPAVING, ETC. INITIATED BY THE GRANTOR.

ALL EASEMENTS SHALL BE KEPT CLEAR OF DECKS, POOLS, PLANTING AND OTHER OBSTRUCTIONS TO THE OPERATION AND MAINTENANCE OF THE UTILITIES. EAVES MAY ENCROACH NO MORE THAN 18" INTO ANY EASEMENT.

ALL STREETS IN SAID SUBDIVISION SHALL BE CONSTRUCTED IN ACCORDANCE WITH APPROVED PLANS ON FILE IN THE OFFICE OF THE CITY ENGINEER. STREET NAME SIGNS ERRECTED, AND DRAINAGE STRUCTURES CONSTRUCTED AS PER APPROVED PLANS ON FILE IN THE CITY ENGINEER'S OFFICE. ALL STREETS SHALL BE CONSTRUCTED WITHIN ONE YEAR FROM THE DATE THE PLAT IS APPROVED BY THE CITY COUNCIL, AND SHALL BE MAINTAINED AND KEPT IN REPAIR FOR A PERIOD OF ONE YEAR FROM THE DATE THE CONSTRUCTED STREETS ARE APPROVED AND ACCEPTED BY THE CITY ENGINEER.



VICINITY MAP
(NOT TO SCALE)

OWNER
ARBOR EDGE NEIGHBORHOOD, LLC
OXFORD, OH 45056

ENGINEER / SURVEYOR
BAYER BECKER
110 SOUTH COLLEGE AVENUE, SUITE 101
OXFORD, OH 45056
(513) 523-4270

BENCHMARK
FOUND MAG NAIL AT THE
INTERSECTION OF LAKE FOREST
DRIVE AND MILLVILLE-OXFORD ROAD
ELEVATION = _____

CURVE TABLE				
Curve	Delta	Radius	Length	Chord
C-1	55°47'35"	1232.50'	1200.17'	N28°22'18"E 1153.31'

CITY OF OXFORD

CLERK OF COUNCIL _____ DATE _____

MAYOR _____ DATE _____

COMMUNITY DEVELOPMENT DIRECTOR _____ DATE _____

CITY ENGINEER _____ DATE _____

BUTLER COUNTY AUDITOR

ENTERED FOR TRANSFER _____ A.D., 2022.

TRANSFERRED _____ A.D., 2022.

AUDITOR, BUTLER COUNTY, OHIO _____ BY: _____
DEPUTY

BUTLER COUNTY RECORDER

FILED FOR RECORD _____ AT _____

RECORDED _____ PAGES _____

OFFICIAL RECORD _____ PAGES _____

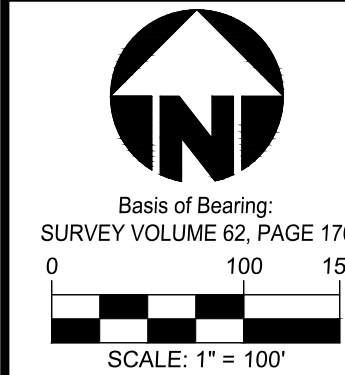
RECORDER, BUTLER COUNTY, OHIO _____ BY: _____
DEPUTY

FILE _____ FEE _____

SURVEYORS CERTIFICATION

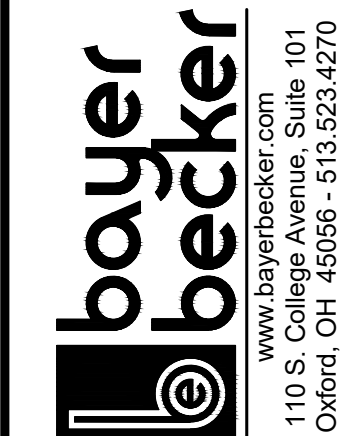
I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THAT THE ACCOMPANYING PLAT IS THE CORRECT RETURN OF A SURVEY MADE UNDER MY DIRECTION FOR "SOUTH FOREST EDGE, SECTION 2, CONGRESS LANDS WEST OF THE MIAMI RIVER, SECTION 36, TOWN 5, RANGE 1, CITY OF OXFORD, BUTLER COUNTY, OHIO". I HAVE REVIEWED THE PLAT AND THAT THE CITY OF OXFORD SUBDIVISION REGULATIONS HAVE BEEN COMPLIED WITH TO THE BEST OF MY KNOWLEDGE.

JEFFREY O. LAMBERT _____ DATE _____
PROFESSIONAL SURVEYOR #7568
IN THE STATE OF OHIO



Item	Revision	Description	Date	Chk:
1		REVISIONS PER STAFF & CITY COMMENTS	01-24-22	PAH

**SOUTH FOREST EDGE
SECTION 2**
PART OF LOT #3716
CONGRESS LANDS WEST OF THE MIAMI RIVER
SECTION 36, TOWN 5, RANGE 1
CITY OF OXFORD, BUTLER COUNTY, OHIO
RECORD PLAT



Drawing:	20-0204 RP SF TITLE
Drawn by:	PAH
Checked by:	JOL
Issue Date:	08-20-21
Sheet:	





Internal Use Only:

Case No.

PC-2021-36

Date Filed

11/6/2021

Final Subdivision Application

Applicant Information

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

Name * South Forest Edge Section 2

Mailing Address * 125 West Spring Street

City, State & Zip Code * Oxford, Ohio 45056

Telephone Number(s) * 513-524-9500

Email Address pam@hoteldevelopment.net

Engineer/Surveyor Information

Name * Bayer Becker

Mailing Address * 110 S. College Avenue, Suite 101

City, State & Zip Code * Oxford, Ohio 45056

Telephone Number(s) * 513-532-4270

Email Address johnbayer@bayerbecker.com

Location and Lot Information

Name of Subdivision * South Forest Edge Section 2

Location of Property * 1983 Lake Forest Drive

Legal Description * Part of Lot 3716

Date of Planning Commission Preliminary Approval * 4/20/2021

Number of Lots * 21

Zoning District * R2-A

Total Area * 17.87 Acres

Requirements and Documentation

Plat

Fifteen (15) copies of the plat on bond. Drawing size must be at least 18x24" and should never exceed 24x36." The plat must be prepared in accordance with Chapter 1101, Subdivision Regulations and Chapters 1121-1137, Zoning Code of the City of Oxford¹. Scale should not exceed 1" = 100.' Plats containing less than three lots are exempted from the provisions of this section. The following information must appear on the plat:

- A. Boundary lines of the area being subdivided with accurate distances and bearings. Each section which is presented for final plat approval must have all of the required improvements extended to the property lines where necessary in order that future final plat sections may connect with them to maintain the continuity of the approved preliminary plan.
- B. A statement dedicating all proposed streets and alleys with their widths and names.

- C. The accurate outline of any portions of the property to be dedicated or granted for public use.
- D. The lines of adjoining streets and alleys with their widths and names.
- E. All lot lines together with an identification system for all lots and blocks. Lot numbers shall be secured from the County Auditor.
- F. The locations of all building lines and easements provided for public use, services or utilities.
- G. All dimensions, both linear and angular, necessary for locating the boundaries of the subdivision, lots, streets, alleys, easements and any other areas for public or private use. Linear dimensions are to be given to the nearest one hundredth of a foot.
- H. The radii, arcs, lengths, points of tangency and central angles for all curvilinear streets and the radii and lengths for rounded corners.
- I. The location of all survey monuments and benchmarks together with their descriptions. There shall be a minimum of four permanent markers in each subdivision section located at or near the outer corner.
- J. The name of the subdivision, the scale of the plat, points of the compass and name of owner or owners and subdivider if other than the owner and name of the surveyor and engineer preparing the plat.
- K. The certificate of the surveyor attesting to the accuracy of the survey and to the correct locations of all monuments shown.
- L. Any private restrictions and trusteeships and their duration. Should these restrictions or trusteeships be of such length as to make their lettering on the plat impracticable, thus necessitating the preparation of a separate instrument, reference to such instrument shall be made on the plat.
- M. Acknowledgement by the owner or owners of the plat restrictions.
- N. One tracing cloth or comparable material of the approved final plat, for the City records.
- O. The names and record owners of all adjoining subdivisions and the names of recorded owners of adjoining parcels of un-subdivided land.
- P. A receipt showing that all legally due taxes have been paid.
- Q. North arrow, scale and date.
- R. The location of all present property lines, streets, alleys, rights-of-way, buildings, easements, lakes, watercourses, and drainage ways.
- S. Any existing water mains, culverts, water or sewer lines, easements, buildings and streets, within the tract or immediately adjacent thereto.
- T. Size of the tract in acres and lots in square feet and the boundary lines along with the linear measurement thereof.
- U. The proposed location and width of streets, alleys lots and easements.
- V. The seal, registry number and signature of the public surveyor who prepared the plat.
- W. Any portion of the floodplain as delineated by the Butler County Flood Insurance Rate Maps (FIRM), effective December 17, 2010, must be clearly illustrated and labeled on the plat.

Surrounding Property Owners

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

Fees & Receipt

The required fee for final plan is \$570.00 plus \$10.00 per lot, plus \$10.00 postage charge.

Sign and Date

Applicant Signature *



Date *

4/4/2024

Submit Application, Plans and Documentation, and Fees

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

Send or drop off this application with required copies of the plat containing all required information as attachments and a check for fees and postage charge made payable to **City of Oxford**, to Community Development Director, 15 South College Avenue, Oxford, OH 45056.

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

Notes

- You must adhere to notification and publication requirements.
- Submit materials 14 days prior to the Planning Commission meeting on which the action is requested.
- City Staff will place a public hearing sign on the subject property. **The Applicant is responsible for removing the signage at the completion of the hearing(s).**
- Per Planning and Zoning Code 1101.203(H)¹, after final recording at the Butler County Recorder's Office, the applicant shall furnish a proof of such recording for filing to the Community Development Department prior to the issuance of any construction permits for site preparation.

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

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

Date: June 11, 2021
Description: Part of Lot #3716
17.870 Acres
Location: City of Oxford
Butler County, Ohio



Situated in the State of Ohio, Congress Lands West of the Miami River, Section 36, Town 5, Range 1, City of Oxford, Butler County and being 17.870 Acres of land in part of Lot #3716 of the designated list of lots in the City of Oxford and being in part of the lands of 4-Leaf Development, LLC as recorded in Official Record 7669, Page 950 of the Butler County, Ohio Recorder's Office and being further described as follows:

Commencing at a found 5/8" Iron Pin (Capped "Bayer Becker") at the southwest corner of Open Space Lot #3715 (F.K.A. Lot #8 of Southpointe Crossing, Section One as recorded in Plat Envelope 4020, Pages A-B) and being on the westerly boundary of said part of Lot #3716 and being on the easterly boundary of the lands of Dirk and Amy Hines (7.507 Ac.) as recorded in Official Record 8469, Page 1023 of the Butler County, Ohio Recorder's Office; thence, leaving said Open Space Lot #3715 (F.K.A. Lot #8) and with the westerly boundary of said part of Lot #3716 and with the easterly boundary extended of said lands of Dirk & Amy Hines (7.507 Ac.), South 02° 23' 54" West, 167.37 feet to a found 1/2" Iron Pin and being the southeast corner of the lands of Robert & Tami S. Kuginskie (0.965 Ac.) as recorded in Official Record 6534, Page 2011 of the Butler County, Ohio Recorder's Office; thence, with the southerly boundary of said lands of Robert & Tami S. Kuginskie (0.965 Ac.) and with the northerly boundary of said part of Lot #3716 for the following three courses: 1.) South 41° 06' 02" West, 188.80 feet to a found 1/2" Iron Pin; 2.) South 77° 52' 38" West, 206.18 feet to a found 1/2" Iron Pin; 3.) North 87° 14' 56" West, 153.88 feet to a found 5/8" Iron Pin (Capped "Bayer Becker") and being on the easterly right of way of Millville-Oxford Road (U.S. #27) as dedicated in Official Record _____, Page _____ of the Butler County, Ohio Recorder's Office; thence, leaving the southerly boundary of said lands of Robert & Tami S. Kuginskie (0.965 Ac.) and with the easterly right of way of said Millville-Oxford Road (U.S. #27) and with the westerly boundary of said part of Lot #3716, South 34° 01' 03" East, 556.04 feet to a found 5/8" Iron Pin (Capped "Bayer Becker") and being on the westerly right of way of Lake Forest Drive as dedicated in Official Record 9533, Page 593 of the Butler County, Ohio Recorder's Office; thence with the easterly right of way of said Millville-Oxford Road (U.S. #27) and with the westerly right of way of said Lake Forest Drive for the following five courses: 1.) South 56° 16' 05" West, 15.07 feet to a found 5/8" Iron Pin (Capped "Bayer Becker"); 2.) with a curve to the right, having a central angle of 89° 42' 52", a radius of 15.00 feet, an arc length of 23.49 feet and a chord bearing and distance of North 78° 52' 29" West, 21.16 feet to a found 5/8" Iron Pin (Capped "Bayer Becker"); 3.) South 34° 01' 03" East, 167.13 feet to a found 5/8" Iron Pin (Capped "Bayer Becker"); 4.) with a curve to the right, having a central angle of 90° 17' 08", a radius of 15.00 feet, an arc length of 23.64 feet, and a chord bearing and distance of North 11° 07' 31" East, 21.27 feet to a found 5/8" Iron Pin (Capped "Bayer Becker"); 5.) North 56° 16' 05" East, 14.93 feet to a found 5/8" Iron Pin (Capped "Bayer Becker") and being on the easterly right of way of said Millville-Oxford Road (U.S. #27) and being on the easterly right of way of said Lake Forest Drive and being the **True Point of Beginning**;

thence, leaving the easterly right of way of said Millville-Oxford Road (U.S. #27) and with the easterly right of way of said Lake Forest Drive for the following three courses:

- 1.) North 56° 16' 05" East, 191.73 feet to a found 5/8" Iron Pin (Capped "Bayer Becker");

6900 Tylersville Road, Suite A 110 South College Ave, Suite 101 1404 Race Street, Suite 204
Mason, OH 45040 Oxford, OH 45056 Cincinnati, OH 45202
513-336-6600 513-523-4270 513-834-6151

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

<http://www.bayerbecker.com>

- 2.) with a curve to the left, having a central angle of 55° 47' 35", a radius of 1232.50 feet; an arc length of 1200.17 feet and a chord bearing and distance of North 28° 22' 18" East, 1153.31 feet to a found 5/8" Iron Pin (Capped "Bayer Becker");

- 3.) North 00° 28' 30" East, 33.78 feet to a Set 5/8" Iron Pin;

thence, leaving the easterly right of way of said Lake Forest Drive and with a new division line through said part of Lot #3716, South 86° 18' 54" East, 366.72 feet to a Set 5/8" Iron Pin on the westerly boundary of the lands of Rams Holdings, LTD (25 Ac.) as recorded in Official Record 9516, Page 1759 of the Butler County, Ohio Recorder's Office and being on the easterly boundary of said part of Lot #3716;

thence, leaving the new division line through said part of Lot #3716 and with the westerly boundary extended of said Rams Holdings, LTD (25 Ac.), South 02° 38' 43" West, (passing a found 5/8" Iron Pin (Capped "Brosey") at 465.65 feet and passing a found 1/2" Iron Pin at 680.29 feet and passing a found 1/2" Iron Pin at 728.80 feet) 1311.81 feet to the southeast corner of said part of Lot #3716 and being the southwest corner of the lands of Dale R. & Sandra D. Burger (14.142 Ac.) as recorded in Official Record 7531, Page 2072 of the Butler County, Ohio Recorder's and being the northwest of the lands of Sherry Bourquein and Lynn Bourquein (5.977 Ac.) as recorded in Official Record 9446, Page 1911 of the Butler County, Ohio Recorder's Office and being the northwest corner of the lands of Connie Williams Shaw & Scott Gregory Shaw (5.627 Ac.) as recorded in Official Record 8702, Page 139 of the Butler County, Ohio Recorder's Office and being the northeast corner of the lands of Hopedale Unitarian Universalist Community (8.109 Ac.) as recorded in Official Record 6436, Page 2253 of the Butler County, Ohio Recorder's Office and being witnessed by a found 1/2" Iron Pin (Capped "Balph") at South 02° 38' 41" West, 2.17 feet;

thence, leaving said lands of Dale R. & Sandra D. Burger (14.142 Ac.) and leaving said lands of Sherry Bourquein and Lynn Bourquein (5.977 Ac.) and leaving said lands of Connie Williams Shaw & Scott Gregory Shaw (5.627 Ac.) and with the northerly boundary of said lands of Hopedale Unitarian Universalist Community (8.109 Ac.) and with the southerly boundary of said part of Lot #3716 for the following two courses:

- 1.) North 88° 16' 21" West, 335.78 feet to a found 1 1/2" Pipe;
- 2.) North 87° 12' 11" West, 583.52 feet to a found 5/8" Iron Pin (Capped "Bayer Becker") being on the easterly right of way of said Millville-Oxford Road (U.S. #27) as dedicated in Official Record ____, Page ____;

thence, leaving said lands of Hopedale Unitarian Universalist Community (8.109 Ac.) and with the easterly right of way of said Millville-Oxford Road (U.S. #27) and with the westerly boundary of said part of Lot #3716, North 34° 01' 03" West, 169.33 feet to the **True Point of Beginning** containing 778,422 square feet or 17.870 Acres of land, more or less and being subject to all easements, legal highways, restrictions and agreements of record.

The above description was prepared from a field survey made by Brian R. Johnson, Professional Surveyor #8484 in the State of Ohio, June 11, 2021. The plat of which is recorded in Volume 62, Page 170, of the Butler County, Ohio Engineer's Record of Land Surveys.

Basis of Bearings: Official Record 9533, Page 593.

Prior Deed Reference: Official Record 7669, Page 950.

All iron pins set are 5/8" diameter rebar 30" long with plastic cap stamped "Bayer Becker".



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	Community Development
PREPARED BY:	Zachary Moore
DATE PREPARED:	February 16, 2022
COUNCIL MEETING DATE:	March 1, 2022
AGENDA TITLE:	PC-2021-41, 6711 Ringwood Road, FINAL PLANNED DEVELOPMENT , Business Park Phase 1, self-storage facility and business incubator, Mark Rosenberger, Applicant/Agent
CITY MANAGER/DEPT HEAD APPROVAL:	DRE 2/23/2022

Proposal Summary:

The applicant is requesting approval of a Final Planned Development (PD) in order to construct a new self-storage facility and business incubator building on the same site as the existing MayDay Gun Range. The gun range is located on a large 11 acre parcel, but only occupies about 10 percent of the site while the remaining acreage is undeveloped. This application serves as a follow-up to the Preliminary PD that was approved by City Council in August 2021. The applicant is only doing a portion of their overall Preliminary Plan (roughly another 30 percent of the site), to consist of the new storage and incubator uses. The rest (Phase(s) 2+) consisting of up to 5 additional land uses/sites would be developed at a later, as of yet undetermined, point in time. Future phase(s) would also require separate Final PD approval(s) by Planning Commission and City Council. The Phase 1 uses currently under consideration would be accessed by extending the south end of the existing parking drive/aisle serving the gun range. The existing single entrance off Ringwood Road is intended to serve the entirety of the planned business park, unless a collector road were to be built immediately to the south of the property per the City's Thoroughfare Plan.

The self-storage facility is to be fenced and gated, and include an indoor air-conditioned building as well as exterior entry units on either side as well as in a separate outbuilding. Another outbuilding which was previously shown on the Preliminary Plan is now proposed to be replaced with an outdoor long-term RV parking/storage area. The business incubator will be located between the storage facility and gun range and provide space for up to 7 tenants. Most characteristics proposed for the Phase 1 Final PD remain substantially similar to the approved Preliminary PD.



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Background:

The gun range use was authorized by Council via the Conditional Use process in March 2016. Original plans for the gun range did not anticipate additional uses or development on the rest of the site, and thus it did not go through the Planned Development process. The Preliminary PD currently in effect incorporates the entire site inclusive of the gun range and was approved on August 17, 2021 by Ord No. 3630, subject to 9 conditions. Two of the conditions were waivers to Zoning Code requirements. Another notable condition required a pedestrian/bicycle pathway connection be built between the development and existing public sidewalk along US 27, though exact timing of its construction was deferred to the Final PD stage. Apart from the pedestrian pathway item, staff reported to the Planning Commission that all other Preliminary PD conditions were otherwise satisfied in relation to the submitted site design and building plans.

Planning Commission Discussion:

The staff report for the February 8 Planning Commission meeting recommended approval of the application, subject to 5 conditions. **Condition #5** pertained to timing of the pathway and recommended the path **not be constructed as part of Phase 1**, but rather a future Phase. Alternate wording was also included in the report (**Condition #5A**) which would have required the applicant to **build the path as part of Phase 1**. Other than the applicant, no other members of the public attended the meeting or provided comments to staff ahead of the meeting.

Following the presentation and questions period, the Planning Commission discussed the proposal. After some discussion, there was unanimous agreement that the Final PD substantially corresponded to the Preliminary PD, despite the minor change of swapping out one storage outbuilding for RV parking in the rear of the site. The main subject of the evening was the timing and financing of the pathway connection. As plan details had revealed, additional cost would be incurred to build a roughly 700-foot long path linking Phase 1 to existing public sidewalk along US 27, and would also necessitate a bridge feature due to substantial grade change near the corridor. There was discussion about the proportionality of non-vehicular infrastructure to the currently proposed development, as well as other potential routes/methods of linking the development to the City's sidewalk network (particularly by way of improving Ringwood Road, which currently lack sidewalks). The Commission asked the applicant whether they would be open to contributing financially toward construction of a new public sidewalk along Ringwood Road. The applicant indicated his client would likely be flexible in terms of which pathway route (along existing driveway north to Ringwood Road or east straight to US 27) was chosen.



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Planning Commission Recommendation

At its meeting on February 8, the Oxford Planning Commission recommended approval of the Final PD application subject to the first four of staff's conditions plus a brand new condition (#5) highlighted in **bold** below:

1. All Preliminary Planned Development conditions per Ordinance 3630 shall remain valid to the extent which they may still be applicable and/or are not overridden by new design details received as part of the Final Planned Development or new conditions as listed below.
2. All utilities, including water, shall be appropriately sized and connected to existing infrastructure systems to the satisfaction of the City Engineer and the Service Department.
3. A waiver to Section 1151.05(a)(4) is hereby granted to allow for more than 1 wall or freestanding sign for the overall business park site. The maximum number and dimensions of such signs shall be regulated as documented in the record, and all signs shall otherwise comply with all other applicable standards of the Oxford Zoning Code.
4. The Final PD shall be valid for one (1) year from the date of approval per the Zoning Code. If the project fails to obtain Building Permit approval within the one year timeframe, the Planning Commission may consider an extension.
5. **Prior to the first final inspection of Phase 1, the sidewalk connection to Ringwood Road shall be established, and the Developer shall contribute proportionally to the construction of a sidewalk along Ringwood Road providing a connection to the existing sidewalk along US 27.**

Having now gained a better understanding of the Planning Commission's sentiments on the routing, timing and financing of the pathway link to US 27, City staff has given additional thought and consideration to the wording of Condition #5 and now recommends the following language be substituted to ensure greater clarity moving forward:

5. **A five-foot wide paved walkway connection along the existing north-south access drive connecting the development to Ringwood Road shall be established as part of Phase 1, and must be completed at the time of final inspection for either use (business incubator or storage facility). The developer/applicant shall also contribute funds proportional to the impact generated by the new development for the purpose of the City organization later making a complete connection to the public sidewalk network (which is within or in proximity to public right-of-way), which may include but is not necessarily limited to,**



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connecting to existing sidewalk along the west side of US 27. This condition does not preclude the possibility of the City requiring strict compliance with the Oxford Zoning Code's pedestrian connectivity requirements [Section 1149.07(e)(7)] as part of a future Phase of the business park development by way of constructing an additional walkway and/or bridge in the northeastern corner of the site to connect to the US 27 sidewalk, or by some other alternative route found feasible at the time of review.

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE RECOMMENDATION OF THE PLANNING COMMISSION AND APPROVING THE FINAL PLANNED DEVELOPMENT APPLICATION TO ALLOW FOR FURTHER COMMERCIAL DEVELOPMENT OF AN 11.28 ACRE SITE INCORPORATING THE MAYDAY GUN RANGE TO CONTAIN A NEW BUSINESS INCUBATOR AND STORAGE FACILITY WITH CONDITIONS.

WHEREAS, Council hereby finds the Planning Commission held a public hearing on February 8, 2022 in accordance with Chapter 1145 of the Codified Ordinances of the City of Oxford, on the application of Bayer Becker c/o Mark Rosenberger, for a Final Planned Development for further commercial development of the 11.28-acre MayDay Gun Range site to include a new business incubator and storage facility, together constituting Phase 1 of a planned private business park;

WHEREAS, the Planning Commission, after due deliberation found the application satisfied the basic code requirements in Chapter 1145 of the Codified Ordinances of the City of Oxford, and recommended approval of the Final Planned Development application for further development of the 11.28-acre MayDay Gun Range site (Phase 1) with conditions.

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

SECTION 1: Council hereby accepts the recommendation of the Planning Commission and further approves the Final Planned Development application for further development of the 11.28-acre MayDay Gun Range site (Phase 1) with the following conditions:

1. All Preliminary Planned Development conditions per Ordinance 3630 shall remain valid to the extent which they may still be applicable and/or are not overridden by new design details received as part of the Final Planned Development or new conditions as listed below.
2. All utilities, including water, shall be appropriately sized and connected to existing infrastructure systems to the satisfaction of the City Engineer and the Service Department.
3. A waiver to Section 1151.05(a)(4) is hereby granted to allow for more than 1 wall or freestanding sign for the overall business park site. The maximum number and dimensions of such signs shall be regulated as documented in the record, and all signs shall otherwise comply with all other applicable standards of the Oxford Zoning Code.
4. The Final PD shall be valid for one (1) year from the date of approval per the Zoning Code. If the project fails to obtain Building Permit approval within the one year timeframe, the Planning Commission may consider an extension.
5. A five-foot wide paved walkway connection along the existing north-south access drive connecting the development to Ringwood Road shall be established as part of Phase 1, and must be completed at the time of final inspection for either use (business incubator or storage facility). The developer/applicant shall also contribute funds proportional to the impact generated by the new development for the purpose of the City organization later making a complete connection to the public sidewalk network (which is within or in proximity to public right-of-way), which may include but is not necessarily limited to, connecting to existing sidewalk along the west side of US 27. This condition does not preclude the possibility of the City requiring strict compliance with the Oxford Zoning Code's pedestrian connectivity requirements [Section 1149.07(e)(7)] as part of a future

Phase of the business park development by way of constructing an additional walkway and/or bridge in the northeastern corner of the site to connect to the US 27 sidewalk, or by some other alternative route found feasible at the time of review.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLIAM SNAVELY/JASON BRACKEN

PREPARED BY: LAW (STAFF)

STAFF REPORT

Community Development | Planning Commission

APPLICATION DETAILS

Applicant	Bayer Becker, c/o Mark Rosenberger
Location	6711 Ringwood Road – Parcel ID H4000028000015
Action Request	Final Planned Development (PD) – Phase 1 only
Owner	MayDay Handgun Training LLC, c/o Jeff Day
Architect	Scott Webb Architect
Current Use	Commercial (Gun Range) & vacant ground
Current Zoning	LI Light Industrial District
Site Area	Entire Site: 11.28 acres Phase 1 Area: roughly 3.6 acres
Site Frontage	50 feet fronting on Ringwood Road; 38.53 feet fronting on US 27
Surrounding Land Uses	Institutional (First Baptist Church), Commercial/Warehouse (Capitol Varsity), Industrial (IMI Concrete & Schneider Electric)
Staff Recommendation	Approval , subject to recommended conditions

PROPOSAL SUMMARY

The applicant is requesting approval of a Final Planned Development in order to construct a self-storage facility and business incubator building on the same site as the existing MayDay Gun Range. The gun range is located on a large 11 acre parcel, but only occupies roughly 10 percent of this acreage with the remaining 90 percent currently undeveloped. This application serves as a follow-up to the August 2021 Preliminary PD approval and proposes to develop another 30 percent of the site immediately south of the gun range for the two planned uses. These two uses (storage and incubator) effectively constitute **Phase 1** of an otherwise much larger business park. One or more future phases to the project would require additional Final Planned Development approvals. The overall Preliminary Plan had allocated space for up to 5 additional uses on the remaining 60 percent of the site, though these uses are currently undefined and not proposed to be developed at this time.

The self-storage facility is to be gated off and include an indoor air-conditioned building as well as exterior entry units on either side of the main building and also in a separate outbuilding. Another outbuilding which

was previously shown on the Preliminary Plan is now proposed to be replaced with an outdoor long-term RV parking/storage area. In addition, only one detention basin is now proposed as opposed to two, and that basin is considerably larger. Most other characteristics proposed for Phase 1 remain substantially similar to the Preliminary PD Plan.

PUBLIC COMMENTS

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

DEPARTMENT COMMENTS

Below are comments from City departments:

Department	Respondent	Response
Economic Development	Seth Copenbaker, Assistant to the City Manager	Returned with Comments
<i>The proposed development at 6711 Ringwood Rd. would be a welcomed addition to the City of Oxford with potential for significant economic diversification and growth.</i> <i>The development of a light industrial incubator/work space could serve as an attractor for new business and new employers to the City of Oxford, with a total potential of nearly 350,000 ft. sq. of leasable LI space.</i> <i>A future where all spaces are developed and occupied would have considerable benefits to the economic health of Oxford, supporting existing businesses and increasing City revenues through increased income tax.</i> <i>The Ringwood development could also serve as a complimentary site supporting the College@Elm project, the potential of both sites could be maximized through the resources provided at each.</i> <i>This development could spark increased activity and development of under-utilized commercial properties along College Corner Pike.</i> <i>Presently there are no concerns regarding this development. However, while the traffic study indicates no need for changes to traffic control or flow at this time, the potential exists to revisit access to this site as tenants occupy the building and usage is established.</i>		
Engineering	Scott Otto, City Engineer	Returned with Comments
<i>The proposed 6" water main will need to be revised to 8" minimum. The proposed connection to the existing 6" water main is not permitted due to the existing line being a private fire line. Further review of future detailed construction plan submittals may result in additional revision requests.</i> <i>Sheet A-3 Landscape Plan: The Cleveland Pear is not an allowable tree species. [Note: The Landscape Plan has since been revised to swap out Cleveland Pears for Saucer Magnolias, which are a species permitted on the City's Tree List.]</i> <i>Plans show a future sidewalk connection to the existing sidewalk at US 27. If the sidewalk is not constructed during this proposed phase, the new destinations will not have pedestrian facilities connected to the public sidewalk. City of Oxford Zoning Code and Complete Streets Policy support connectivity for alternative forms of transportation, including pedestrians. Also the proposed grading and outlet design of the detention basin does not account for a pedestrian facility in this area.</i>		

Department	Respondent	Response
Fire	John Detherage, Fire Chief	Returned without Comments
Police	John Jones, Police Chief	Returned without Comments

CASE HISTORY

The subject site and surrounding area has been involved in numerous past applications and approvals by the City of Oxford since the early 1980s. Only a couple of these cases are directly relevant to the Final Planned Development proposal at hand. To review a more complete summary of case history pertaining to this site, see the original staff report for the Preliminary Planned Development (PC-2021-07) corresponding to the July 13, 2021 Planning Commission meeting. Below are past cases most applicable to the Final PD:

Case No.	Application	Decision
PC-2016-02	Conditional Use	Council approved March 15, 2016 by Ord No 3348
City Council approved a request for a shooting and training facility on a portion of the 11.28 acre site. At the time, the use had been determined by staff to fit into the Conditional Use category under the LI zoning district. The building itself was proposed to be around 12,000 square feet in area. Loading space, pedestrian safety, and bicycle parking requirements were waived as part of the approval. Given the change in the City's policy stance on non-vehicular modes of travel since 2016, and also the original gun range's inclusion in the overall Planned Development now envisioned for this site, staff is now recommending bicycle parking be provided for the gun range use in addition to the two other uses anticipated for Phase 1. The applicant has accepted this request and revised the Final PD plan accordingly.		
PC-2021-07	Preliminary PD	Council approved August 17, 2021 by Ord No 3630
The approved Preliminary Planned Development applies to the entire site (11.28 acres), and provides for the placement of up to 7 total land uses/tenants not including the existing gun range use. The plan went through an evolution of changes before it was eventually brought before the Planning Commission and Council, mainly in regard to vehicular circulation/access to best provide more than one possible way in and out for emergency vehicles. The main topics of discussion for the Planning Commission were the provision of an adequate number of tree plantings, relationship/connectivity to a possible future major collector road to the south, and fulfillment of the Zoning Code's pedestrian connectivity requirement by providing a five-foot wide paved pathway connection to existing sidewalk along US 27.		

COMMENTARY

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

- Architectural Materials:** Detailed building elevation sheets were submitted as part of the Final PD application. Split-face concrete block material is to be utilized on the exterior of the business incubator building, the self-storage outbuilding, and the exterior-entry storage units on two sides of the main self-storage building. The main building is proposed to consist of vertical metal siding. All new structures are also proposed to have metal roof panels. A canvas awning is to be installed above the main entrance to the storage facility.
- Building Areas and Uses:** Below is an updated table reflecting the proposed status of each of the 8 Development Areas originally planned as part of the Preliminary Planned Development. It should be noted that the proposed Final Development Plan uses the term “Leasing Area” as opposed to “Development Area” to describe each use. “Buildable Areas” are those areas where a structure could theoretically be situated, accounting for setbacks defined at the Preliminary stage as well as the latest open space and easement boundaries now defined at the Final stage. There are a couple instances where building footprints are actually shown *outside* of defined setbacks and buildable areas – regardless, it should be noted that staff intends on enforcing a 40-foot setback between structures throughout the lifetime of the development, regardless of where the conceptual footprints may be currently depicted for the five remaining undefined Development Areas.

Development Area	Existing Use	Planned Use	Buildable Area	Building Footprint
Development Area 1	Vacant	Undefined	Prelim PD: 40,905 sq ft Final PD: 39,378 sq ft ↓	Prelim PD: est. 13,650 sq ft Final PD: same
Development Area 2	Gun Range	Gun Range	Prelim PD: 30,292 sq ft Final PD: 28,940 sq ft ↓	Prelim PD: 11,371 sq ft Final PD: same
Development Area 3	Vacant	Business Incubator	Prelim PD: 18,032 sq ft Final PD: 16,520 sq ft ↓	Prelim PD: 8,219 sq ft Final PD: same
Development Area 4	Vacant	Self-Storage Facility	Prelim PD: 46,468 sq ft Final PD: 45,982 sq ft ↓	Prelim PD: 20,716 sq ft Final PD: 18,451 sq ft ↓
Development Area 5	Vacant	Undefined	Prelim PD: 10,993 sq ft Final PD: 9,070 sq ft ↓	Prelim PD: est. 5,083 sq ft Final PD: est. 5,076 sq ft ↓
Development Area 6	Vacant	Undefined	Prelim PD: 13,903 sq ft Final PD: 10,232 sq ft ↓	Prelim PD: est. 8,005 sq ft Final PD: est. 8,088 sq ft ↑
Development Area 7	Vacant	Undefined	Prelim PD: 11,558 sq ft Final PD: 9,010 sq ft ↓	Prelim PD: est. 6,964 sq ft Final PD: est. 6,238 sq ft ↓
Development Area 8	Vacant	Undefined	Prelim PD: 12,456 sq ft Final PD: 15,518 sq ft ↑	Prelim PD: est. 4,902 sq ft Final PD: est. 5,372 sq ft ↑

- Landscaping and Tree Preservation:** The project is subject to the standards of Chapter 1148 Landscaping and Tree Preservation, which includes both tree planting and tree preservation requirements. It should be noted however that the Commission has the ability to waive or modify such standards, or impose more stringent requirements, inherent to a more discretionary review process involved with a Planned Development. Summaries by subject are provided below:

- **Tree Planting:** The staff report composed for the Preliminary Planned Development had recommended a total of 117 trees be planted on the overall site, based on the “pseudo” frontage observed along private drive aisles to be created. Staff recommended relying on this type of calculation as opposed to the literal Code language, which when applied literally would have only required 5 trees for the overall site based on a frontage of 50 feet (the normal minimum standard is 1 tree per 10 feet of linear frontage). As a way of better documenting progress on the number of tree plantings on the overall site throughout the lifetime of the MayDay development, the table below documents specific linear measurements of pseudo-frontage per Development Area, along with a calculated amount of required trees in conjunction with the actual amount of trees existing or proposed for each use as part of Phase 1. Because uses have yet to be defined for Development Areas 1 and 5-8, compliance for these uses would be checked during the corresponding Final Planned Development submittal(s).

Development Area	Planned Use	Pseudo-Frontage	Required Trees	Phase 1 Trees
Development Area 1	Undefined	86 ft	8 minimum	None yet
Development Area 2	Gun Range	182 ft	18 minimum	8 existing
Development Area 3	Business Incubator	167 ft	16 minimum	21 proposed
Development Area 4	Self-Storage Facility	249 ft	24 minimum	24 proposed
Development Area 5	Undefined	112 ft	11 minimum	None yet
Development Area 6	Undefined	79 ft	7 minimum	None yet
Development Area 7	Undefined	74 ft	7 minimum	None yet
Development Area 8	Undefined	333 ft	33 minimum	None yet
TOTALS		1,282 ft	124 minimum	53 total

- **Tree Preservation:** Since development activity is unlikely to disturb existing mature vegetation on the site, which is primarily confined to the border along the railroad, the Code’s Tree Survey requirement had been waived at the Preliminary stage.
- **Parking Area Trees:** The Parking Chapter of the Zoning Code specifies tree planting requirements based on the number of parking spaces provided. The standard, per ***Section 1149.07(e)(6)(B)***, is a minimum of 2 trees per facility plus 1 tree for every 5 parking spaces. The Preliminary PD proposed a total of 159 vehicular parking spaces. The Final PD now proposes 151 vehicular spaces, including 27 existing spaces associated with the gun range, 47 new spaces associated with Phase 1, and 77 spaces reserved for future uses. These numbers also do not include the latest addition of 13 long-term RV parking spaces, thus resulting in a grand total of 164 spaces. Thus, when considering the overall site as 1 “facility,” the required amount of parking area trees is 35. This standard is easily met for the proposed Phase 1, and should be more than feasible to meet for future phases.
- **Lighting:** The applicant proposes a series of post-mounted light fixtures to illuminate vehicle and pedestrian circulation areas. Wall pack lights are also proposed on the faces of the business incubator and self-storage buildings. All lights are to be shielded and LED. Compliance with Zoning Code lighting requirements will need to be verified at the time of Building Permit submission.

- **Lot Coverage:** The LI District provides a generous maximum lot coverage of 70%. The Preliminary PD represented a total coverage of 43%. The Final PD remains closely true to the initial figure, rendering a total estimated coverage of 42.5% for the entire site, which of course is well below the 70% maximum. The total overall coverage percentage should be monitored over time as the remaining five building sites are developed.
- **Non-Vehicular Mobility:** Relevant topics are discussed below:
 - **Pedestrian Facilities:** A network of 5-foot wide walkways is proposed throughout the extent of Phase 1, including concrete crosswalks across asphalt drive aisles. Condition #5 of the Preliminary PD Ordinance specified that *a five-foot wide paved pathway shall be provided between the walkway system (...) and the existing public sidewalk along US 27. The timing of this connection shall be reviewed at the Final Planned Development stage.* This condition was imposed to ensure the fulfillment of a recently adopted Zoning Code standard requiring connectivity to the public walkway system, and also to affirm the City's commitment to Complete Streets.

Per staff's request, the applicant has depicted the possible future route this walkway could take through the rest of the planned business park, running alongside the proposed detention basin and eventually connecting to the existing sidewalk just north of the Todd Road intersection with US 27.

It is the applicant's desire not to construct this walkway with Phase 1 of the project, the end result being its eventual construction during a future Phase. Given the exceedingly long length to link the edge of Phase 1 with US 27 (a straight-line distance of 521 feet) as well as the possibility for another shorter point of connection if a Collector Road should ever be built to the south, staff agrees with the applicant in this particular scenario and recommends delaying the required connection until the next Phase of the project occurs.

If however the Planning Commission and Council are inclined to require the connection be built with Phase 1, staff has recommended alternate language for the corresponding condition. Due to the topographic conditions and intended stormwater management functions in proximity to US 27, the pedestrian connection will necessitate a bridge feature be built in this area. Per staff's request, the applicant has provided conceptual plans and details to demonstrate the method/type of bridge construction anticipated when the time comes to make the connection. According to the applicant, the construction of a bridge in this area should not necessitate other substantial changes to grading/slopes or other engineered features associated with the stormwater detention basin; in other words, the area should not need to be "re-worked" in a substantial manner in order to accommodate the bridge at a future point in time.

- **Bicycle Parking:** The amount of bicycle parking required for Phase 1 is 7 total spaces, based on the amount of vehicular parking provided (74 spaces, bicycle parking at a rate of 1 per every 10 spaces). The latest plan revisions received from the applicant depicts a total of 14 spaces – 4 for the gun range (2 racks); 6 for the business incubator (3 racks); and 4 for the self-storage facility (2 racks).
- **Open Space:** There is normally a 20% minimum open space requirement for Planned Developments per **Section 1145.12(f)(1)**. The Preliminary PD Ordinance authorized a reduction in this requirement to 11.4%, given the more industrial scale and nature of the proposal. The applicant has made some

slight adjustments to the open space boundaries, with a slight increase in the overall calculation to 11.5%.

- **Signage:** A summary of the requested signage schedule is provided below. The proposal remains consistent with what was presented at the Preliminary stage.

Sign Type	Location	Restrictions
Freestanding Signs	• Ringwood Road entrance • Business Incubator entrance • Self-Storage Facility entrance	• Max sign structure height – 6 ft • Max sign structure width – 12 ft • Max sign area – 48 sq ft
Wall Signs	• Business Incubator (façade parallel to US 27) • Self-Storage Facility main building (façade parallel to US 27)	• Max sign height – 3 ft
Tenant Signs	• Business Incubator (north façade); 7 total, one for each tenant space	• Max 1 sign per tenant space, located to the right of each doorway/entrance • Max sign area – 16 sq ft

- **Stormwater Management:** The Preliminary PD had depicted two stormwater detention basins, with one immediately north of the gun range and another tucked into the eastern corner of the site near US 27. The former has since been removed from the Final PD plan, while the latter has been enlarged in order to accommodate runoff generated by the business park in its entirety. Since the development will be one contiguous site designed in a comprehensive manner (as opposed to a subdivision with divided ownership), all maintenance responsibilities for the stormwater facility will rest with the property owner. It would be up to the owner to ensure that any lease agreement with future tenants account for funding ongoing maintenance of the basin and conveyance systems.
- **Traffic Circulation:** Details regarding vehicular accessibility and off-street parking shown on the proposed Phase 1 Final PD substantially conform to that which was shown on the Preliminary PD. In addition, a traffic study was performed and submitted as part of the Final PD. The study accounts for the existing gun range use, two planned uses for Phase 1, and remaining usage estimated as “General Light Industrial” per the ITE Trip Generation Manual. The study concludes that the proposed development, on its own, will not significantly impact operations on the adjacent roadway network. Staff has advised the applicant that the traffic study may need to be updated in the future once land use(s) for the remaining undeveloped areas of the site becomes more defined.
- **Utilities:** Comments on individual utility services are provided below.
 - **Sanitary Sewer:** The gun range is currently connected to the City’s sewer system via an existing 6 inch service line running across the site and connecting to the main utility line near US 27. This line is proposed to be removed and replaced with a new 8 inch sanitary line serving all three uses and following a different path across the site to reach US 27.
 - **Water:** An existing 6-inch water main and private fire line running from Ringwood Road currently services the gun range building. The applicant proposes keeping this main in place, extending it along the drive aisle to service the business incubator and storage facility, and then continuing it eastward to connect back to the City’s water utility along US 27. This proposal in essence would form a loop of water service encompassing US 27, Ringwood Road, and the private drives in the development. The City Engineer has

commented that the minimum size for a new water line is 8 inches, thus an extension of the existing 6 inch main is not possible. At the very least, a separate 8 inch main will need to be installed to service the two new uses, with the gun range service remaining in place as is. A condition of approval has been recommended to ensure the resulting utility connections are satisfactory to the City Engineer and the Service Department.

- **Garbage & Recycling Collection:** In order to accommodate development expansion on the site, the existing refuse enclosure at the tail end of the gun range parking area will need to be relocated. In addition, two other refuse enclosure areas are proposed, resulting in a total of three enclosures planned. The sizing, accessibility, and architectural materials for these facilities will need to be reviewed at the time of Building Permit submission.

DECISION CRITERIA

All Planned Developments shall satisfy the General Decision Standards provided in *Section 1145.06(b)*. Additional Decision Standards also apply to Final Planned Developments, per *Section 1145.06(c)*. The standards found within these sections are below with staff analysis provided for each:

General Decision Standards

1. **The proposed planned development is in fact permitted in the zoning districts in which it is proposed.**
A mini-warehouse and business incubator are Conditional Uses in the LI District. These uses have already been pre-approved as part of the Preliminary Planned Development. Per a condition of the Preliminary approval, additional land uses contemplated at a future point in time will require either a Preliminary and/or Final PD approval prior to being established as part of the overall plan for the business park.
2. **If the application is for the same site where a planned development application has been denied within one year, the plan is substantially different from the application so denied.**
This criterion is not applicable. The Preliminary PD was approved by City Council on August 17, 2021, with a 2-year time horizon. The applicant's submission of a Final PD is well within the timeline restrictions per Code. A condition (#4) has been recommended which clarifies the time horizon for the Final PD in accordance with the Zoning Code.
3. **The uses and site plan will satisfy the general intent of this Zoning Code.**
Section 1143.14(a) describes the purpose of the LI District is to provide for those analytical and associated fabrication activities associated with research and development, as well as for office and industrial uses having minimum impact upon the surrounding environment in areas that are suitable for industrial development by reason of location and availability of adequate utility and transportation systems. The uses that are known at this time fit the general intent of the LI District.
4. **The uses and site plan will be compatible with the general intent of the Comprehensive Plan.**
The Comprehensive Plan designates the site as a "Corridor" developable character area, where the City should work to promote and attract new commercial uses, and enhance connectivity and the design of existing uses through public and private investment. Industrial and commercial uses are found to be permissible in this area. Staff believes the proposed site development helps to fulfill the vision expressed by the Comprehensive Plan, and also fulfill a community need for storage space plus incubator space so that area trade professionals/contractors will have a "base" from which to interface with customers and store supplies. At the Final PD stage, the emphasis is less on compatibility with the Comprehensive Plan's vision, and more about ensuring detailed plans are compatible with, and supported by, the previous Preliminary PD approval and conditions.

5. **The size and shape of the site are sufficient for the proposed planned development.**
The size and shape were found to be sufficient at the Preliminary PD stage. These aspects can however be taken into account with regard to the timing of the pedestrian connection tied to the Preliminary PD approval, given the distance between the area currently considered for development and public infrastructure along US 27.
6. **The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.**
The subject site is located far from residential uses, making it ideal for many of the uses prescribed by the LI District as well as the types of uses proposed. The site borders industrial, commercial, and institutional uses. Staff does not believe the proposed modification to replace one of the storage outbuildings with an RV parking area constitutes a more hazardous or disturbing use in relationship to adjoining land uses.
7. **The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.**
A traffic study has been performed and concludes that the proposed development will not significantly impact operations on the existing roadway network. It was projected that a 100-foot northbound turn lane from US 27 to Ringwood Road would be warranted by 2031; however, this projection excludes the proposed development. Based on the land uses known at this time, it is not believed that noise, smoke, fumes, glare, odors, vibration or other external effects of this nature will become a concern.
8. **Accessory uses will be directly related to the operation of the principal uses and will not be operated independent of the principal uses.**
One accessory outbuilding associated with the self-storage facility use is proposed and will be accessed via the gated/secured grounds of the site. Staff believes the storage/parking of RVs now included in the proposal is a logical accessory use ancillary to the overall self-storage facility use, especially in this circumstance given the design, character, and location of the facility away from residential uses.
9. **The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.**
Construction drawings will need to be reviewed by the Service Department at the time of Building Permit submission to determine a feasible solution for connecting to existing utility systems. All vehicular drive aisles and drainage structures interior to the site are to be privately held and managed/maintained. The Service Department will likely require bonding of these private infrastructure improvements to ensure their completion. Emergency access through the First Baptist Church parking lot, which was discussed at the Preliminary PD stage, is not relevant to Phase 1 since the loop road portion is not being constructed.
10. **Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.**
All utility connections being made will be the financial responsibility of the applicant. While the proposed plan has been designed with the possible future construction of a collector roadway in mind, new public streets or roadways are not directly necessitated by the proposal.
11. **The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures**

to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.

Based on the plans and renderings provided, staff believes the intended character will be harmonious in appearance with the general character of the surrounding area.

12. **The site is designed so that on-site traffic and traffic accessing the site will not adversely impact the movement or safety of all modes of traffic on adjacent public streets.**
All vehicular traffic accessing the site will utilize a single curb cut off Ringwood Road, which is currently a rural roadway lacking pedestrian or bikeway infrastructure. Non-vehicular mobility is to be achieved via a dedicated route linking to existing infrastructure along US 27 – though again, the exact timing is still to be determined.
13. **Proposed construction will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.**
Remaining portions of the site surrounding the gun range development are presently undeveloped. It is not believed that a feature of such significance will be lost as a result of further development.
14. **Proposed construction will not result in the complete elimination of existing mature tree canopy. Effort shall be made to direct disturbance and construction around or away from existing mature tree canopy without completely taking away use of the site or connectivity to existing infrastructure.**
Much of the subject site is presently field, or has been cleared of previously existing vegetation. The existing tree lines along the perimeter of the site are to be retained as much as possible. The Tree Survey requirement was waived during the Preliminary stage.

Additional Final Plan Decision Standards

1. **The final planned development shall substantially conform to the preliminary plan.**
Yes, there is substantial conformance to the Preliminary PD.
2. **Any substantial changes from the preliminary plan improve the plan or were requested by Planning Commission or Council as part of the preliminary plan approval process.**
Staff does not believe changes of this magnitude are being requested with the Final PD. In other words, staff does not believe the modification of detention basins, or the swapping of a storage outbuilding for outdoor RV parking, constitute changes substantial enough to dictate that the Preliminary PD plan be amended first.
3. **If the final plan seeks approval of only a portion of the approved preliminary plan, the elements of the proposed phase are sufficient to stand alone if the remainder of the planned development is abandoned.**
From a vehicular accessibility and utility standpoint, the Phase 1 portion of the project could certainly stand on its own if the rest of the project did not continue within the time horizon allowed per Code. The Planning Commission may want to consider whether the risk of additional Phases not being developed dictates that appropriate non-vehicular connectivity be achieved with Phase 1.

STAFF RECOMMENDATION

Based upon a review of the relevant Decision Standards, staff recommends **approval** of the Final Planned Development subject to the following three conditions:

1. All Preliminary Planned Development conditions per Ordinance 3630 shall remain valid to the extent which they may still be applicable and/or are not overridden by new design details received as part of the Final Planned Development or new conditions as listed below.

2. All utilities, including water, shall be appropriately sized and connected to existing infrastructure systems to the satisfaction of the City Engineer and Service Department.
3. A waiver to **Section 1151.05(a)(4)** is hereby granted to allow for more than 1 wall or freestanding sign for the overall business park site. The maximum number and dimensions of such signs shall be regulated as documented in the record, and all signs shall otherwise comply with all other applicable standards of the Oxford Zoning Code.
4. The Final PD shall be valid for one (1) year from the date of approval per the Zoning Code. If the project fails to obtain Building Permit approval within the one year timeframe, the Planning Commission may consider an extension.
5. Construction of the pathway connection between the Phase 1 uses and the public sidewalk along US 27 shall be reexamined at the time when any other area of the business park site is considered for additional development. The pathway will not be required to be installed as part of the Building Permits for the business incubator and storage facility.

If the Commission is inclined to require the connection be constructed as part of Phase 1, staff recommends the following **alternate language** for Condition #4:

- 5A. Construction of the pathway connection between the Phase 1 development area and the public sidewalk along US 27 shall occur as part of Phase 1. Detailed plans for the pathway and bridge must be provided at the Building Permit stage, and the connection must be in place in order for the Phase 1 development to pass a final zoning inspection.

SUBMITTED BY:



Zachary Moore, AICP
Planner

DATE: January 27, 2022

APPENDIX A

RELEVANT ZONING CODE PROVISIONS

Within the Oxford Zoning Code, *Section 1143.14* provides the base zoning standards for the LI zoning district and *Chapter 1145* governs Planned Development applications.

1143.14 – LI Light Industrial District.

(a) Purpose.

This district is intended to provide for those analytical and associated fabrication activities associated with research and development, as well as for office and industrial uses having minimum impact upon the surrounding environment in areas that are suitable for industrial development by reason of location and the availability of adequate utility and transportation systems. Permitted uses are those that can be operated in a clean and quiet manner, subject only to those regulations and performance standards necessary to prohibit congestion and for the protection of adjacent residential and business activities.

(b) Uses.

(1) Permitted uses.

- A. Any use whose principal function is basic research, design and/or pilot or experimental product development or technical training.
- B. Office buildings of an executive or of an administrative nature or incidental to those uses previously listed.
- C. Sales offices related to the principal manufacturer on the same site provided that any retail trade with the general public shall be of a limited nature and that no stock of goods is maintained for sale to the general public.
- D. Sales offices related to the principal manufacturer on the same site provided that any retail trade with the general public shall be of a limited nature.
- E. Business and industrial service facilities.
- F. Laboratories including experimental, film, testing, research, or engineering.
- G. Printing, publishing, binding, and typesetting plants.
- H. The manufacture, compounding, processing, packaging, or treatment of such products as, but not limited to bakery goods, business machinery, candy, clocks and toys, cosmetics, electrical and electronics products, components and equipment, food products, hardware and cutlery, tools, and pharmaceuticals.
- I. The manufacture, compounding, assembling, or treatment of articles or merchandise from previously prepared materials such as, but not limited to, bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals or stone, sheet metal (excluding large stampings, such as automobile fenders or bodies) shell, textiles, tobacco, wax, wire, wood, (excluding saw and planing mills), and yarns.
- J. Medical, dental, optical manufacturing.
- K. The manufacture of pottery and figurines or other similar ceramic products using only previously pulverized clay, and kilns fired only by electricity or gas.
- L. The manufacture and repair of electric and neon signs.
- M. Motion picture production.
- N. Adult Entertainment Facilities.
- O. Accessory buildings and uses incidental to the principal use.

(2) Conditional uses.

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

- A. Any permitted use over 100,000 square feet of gross floor area

- B. Electroplating
- C. Graphic products manufacturer
- D. Light sheet metal products, including heating and ventilating equipment, cornices or eaves
- E. Cold storage plants
- F. Tool and die shops, wrought iron shops, machine shops, excluding drop hammers
- G. Banks, including drive-in facilities
- H. Restaurants, including fast food and drive-ins
- I. Taverns
- J. Wholesale facilities
- K. Other manufacturing, processing, or storage uses determined by the Planning Commission to be of the same general character as the permitted uses previously listed and found not to be a nuisance or offensive by reason the potential emission or transmission of noise, vibration, smoke, dust, glare, heat, water or air pollution. In this regard, the Planning Commission may seek expert advice on what conditions should be imposed on a particular operation to carry out the purposes of this zone: the cost of such expert assistance shall be borne by the applicant.
- L. Mini-Warehouse (Self-Storage Units)
- M. Business Incubator

(c) Site Development Regulations.

(1) Lot requirements.

- A. Minimum lot frontage and width: 100 feet
- B. No minimum lot size is specified, however, the lot size shall be adequate to provide for parking, access drive spacing, yard space and screening requirements.

(2) Yard requirements.

- A. Minimum front yard depth: 50 feet
- B. Minimum rear yard depth and side yard width
 - 1. If side or rear yard abuts onto a Residential District, yard shall have a minimum 50 feet for Permitted Use and minimum 100 feet for Conditional Use, and landscaped screening provided.
 - 2. Each side and rear yard shall be equal to the height of the principal building.
 - 3. Opaque fence may be substituted for plantings if approved by the Zoning Board of Appeals.

(3) Structural requirements.

- A. Maximum height 45 feet
- B. Maximum Lot coverage 70 percent

(d) Supplementary Regulations.

(1) Site plan approval required.

A site plan shall be submitted that shows graphically the location and dimensions of vehicular entrances, exits, internal circulation pattern, off-street parking and loading facilities, building location and dimensions, storage facilities, landscaping and screening facilities.

(2) Impact statement.

Prior to being issued a zoning certificate in the Office/Industrial District, the applicant must obtain approval of a descriptive text indicating the nature of the proposed activity, expected levels of noise, odor, dust, smoke, light, water and air pollution, glare and/or vibration from normal operations and a plan for addressing these impacts. The expected number of employees per shift, at the outset and at full expansion, shall be indicated. Other information, as required, shall be submitted either in text or plans.

(3) Storage of material.

Storage of material and equipment shall be within an enclosed building, unless located behind the principal structure and visually screened from the street and adjacent properties

by a landscaped screen, fence or wall. Such screening of open storage and trash containers must meet the requirements of Sections 1141.01 and 1141.04.

1145.06 Planning Commission and Council review.

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

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

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

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

(a) **Burden of Proof.**

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

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

(b) **General Decision Standards.**

All planned developments shall satisfy these general decision standards:

- (1) The proposed planned development is in fact permitted in the zoning districts in which it is proposed
- (2) If the application is for the same site where a planned development application has been denied within one year, the plan is substantially different from the application so denied.
- (3) The uses and site plan will satisfy the general intent of this Zoning Code.
- (4) The uses and site plan will be compatible with the general intent of the Comprehensive Plan.
- (5) The size and shape of the site are sufficient for the proposed planned development.
- (6) The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.
- (7) The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.
- (8) Accessory uses will be directly related to the operation of the principal uses and will not be operated independent of the principal uses.

- (9) The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.
- (10) Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
- (11) The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.
- (12) The site is designed so that on-site traffic and traffic accessing the site will not adversely impact the movement or safety of all modes of traffic on adjacent public streets.
- (13) Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
- (14) Proposed construction will not result in the complete elimination of existing mature tree canopy. Effort shall be made to direct disturbance and construction around or away from existing mature tree canopy without completely taking away use of the site or connectivity to existing infrastructure.

1145.07 Action by Planning Commission

- (a) The Planning Commission shall recommend to Council approval, approval with conditions, or denial of an application as presented and shall clearly state the findings upon which its recommendation is based.
- (b) The Planning Commission shall base its recommendation and Council its decision upon how well the application satisfies the Decision Standards. Planning Commission, in its recommendation, and Council in its decision may waive or modify dimensional regulations of the Zoning Code, or impose more strict regulations and any additional conditions, guarantees, and safeguards it deems necessary to satisfy the purposes of this Zoning Code. Dwelling unit density cannot be waived.
- (c) Council may require the developer to file performance bonds with the City to guarantee completion of any public utilities associated with the planned development and any elements of the plan that are necessary to its success, if abandoned by the developer.

1145.12 Design.

- (a) Arrangement.
The physical arrangement of a planned development is not subject to the specific dimensional regulations that apply in the underlying zoning district, except as specifically noted in this Chapter. Land uses may be distributed throughout the site and throughout individual buildings in whatever manner is best suited to a particular planned development. Structures, vehicle management areas, open spaces, landscaping, and other elements may be distributed throughout the site in whatever manner is best suited to a particular planned development and the surrounding area.
- (b) Land Area.
A planned development shall be a minimum of 1 (one) contiguous acre or more.
- (c) Land Use.
 - (1) The following land uses are permitted in proportion to those portions of a planned development that overlay an existing residential zoning district:

- A. Any land use permitted in any residential zoning district in this Code, except Mobile Homes.
 - B. Institutional, public, and semi-public land uses that serve the planned development or the general public.
 - C. Commercial land uses, if the total land area of the planned development is greater than 10 acres and if the commercial land use is intended to serve the planned development only. Such commercial land uses shall be limited as follows:
 - 1. No signs that are visible from outside of the development.
 - 2. No direct vehicular access to a public thoroughfare.
 - 3. No less than 95 percent of the total land area shall be devoted to residential land uses.
 - 4. No separate structure intended to be used, in whole or part, for commercial land uses shall be constructed prior to the construction of not less than 50 percent of the dwelling units.
- (2) The following land uses are permitted in proportion to those portions of a planned development that overlay an existing commercial zoning district:
 - A. Any land use permitted in the underlying zoning district.
 - B. Any land use permitted in any residential zoning district in this Code, except Mobile Homes.
- (3) The following land uses are permitted only in the portions of a planned development that overlay an existing industrial zoning district:
 - A. Any land use permitted in the underlying zoning district.
- (4) The land uses permitted in a planned development may be distributed as follows:
 - A. If a single planned development overlays more than one zoning district, then the land uses permitted according to this Section may be distributed throughout the entire planned development site.
 - B. If a planned development includes land uses permitted only in an industrial zoning district, then those land uses may only be located in that portion of the planned development that overlays the industrially zoned land.
- (d) Residential Density.
 Residential density shall not exceed 110 percent of the density permitted in the underlying zoning district. Residential land uses in a planned development that overlays a commercial zoning district shall not exceed the density of the R1B Single-Family Medium-Density Residential Zoning District. Area devoted entirely to non-residential land uses, including buildings, vehicle management areas, and other associated land use elements shall be excluded from the area used to calculate residential density.
- (e) Dimensional Regulations.
 - (1) Building Heights shall be limited as in the underlying zoning district, regardless of land use.
 - (2) Front setbacks shall be limited as in the underlying zoning district.
 - (3) All buildings and vehicle management areas shall be setback from the perimeter of a planned development no less than:
 - A. Residential zoning district - 25 feet.
 - B. Commercial zoning district - 25 feet.
 - C. Industrial zoning district - 50 feet.
- (f) Open Space.
 - (1) No planned development shall have less than 20 percent open space, which includes any area not less than 50 by 50 feet, not including the required setbacks, and includes nothing other than natural area.
 - (2) Lot coverage shall be regulated according to the underlying zoning district, except that lot coverage for the residential portion of any planned development shall not exceed 40 percent.
- (g) Sensitive Development Area.

- A. A Sensitive Development Area is defined as any land(s) or soil(s) proposed to be developed that, if subjected to improper use or management, is otherwise determined to be incapable or unsuitable of urban use. Sensitive Development Areas can also be considered those lands that pose special hazards to development or the environment, consisting of lands or soils of such sensitive character that they may require special use, design and engineering restrictions.
- B. For the Preliminary Planned Development, the applicant must create an inventory of sensitive environmental area identified in subsection (g)D.(1) to (8) from publicly available resources such as Butler County Soil and Conservation District, OKI, OEPA, ODNR, HAPC, FEMA, USFWS, OHPO and other public entities. This information shall be provided with the preliminary application. Design of the site shall be based on site information obtained from those public entities. An existing landscape plan shall be submitted with each application. The landscape plan shall identify existing trees, natural features and other landscaping elements.
- C. After the approval of the Preliminary Planned Development, the applicant must develop a detailed site analysis of sensitive environmental areas on the site, conducted by firm(s) specialized in the areas, at a minimum: Ecological Survey, and Environmental Site Assessment. Other documentation may be required based on the site and the discretion of the Planning Commission, including, but not limited to: Stream and Wetland Mitigation, Water Way Permits, Archaeological Inventory, Historic Architecture Inventory. The applicant must also provide reports of the analyses following current professional norms for the discipline. It will be the Planning Commission's role to review information submitted by the applicant on each discipline to make the recommendations to City Council.
- D. Design of the proposed Planned Development site shall be based on the site information obtained from those public entities. To the maximum extent practicable, development shall be located to preserve the natural features of the site, to avoid areas of environmental sensitivity, and to minimize negative impacts and alterations of natural features. The following specific areas shall be preserved as undeveloped open space, and in accordance with the U.S. and Ohio Constitutions and state or federal regulations:
 - (1) Unique and/or fragile areas, including wetlands, as may be defined in Section 404, Federal Clean Water Act, as amended; and in Ohio Environmental Protection Agency standards.
 - (2) Land in the floodway as identified and mapped using the Federal Emergency Management Agency's Flood Hazard Boundary Maps. Federal Emergency Management Agency in scientific and engineering reports entitled 'Flood Insurance Study for Butler County, Ohio and Incorporated Areas' effective 12/17/2010, with accompanying Flood Insurance Rate Maps for Butler County, Ohio and Incorporated Areas effective 12/17/2010 and any revisions thereto are hereby adopted by reference and declared to be part of this chapter.
 - a. 100 foot natural buffer shall be maintained adjacent to all permanent and natural surface waters, springs, and wetlands. Development of this area is regulated as follows:
 - 1. Natural vegetation shall be maintained.
 - 2. No structures shall be built or improvements made, except as follows:
 - (a). Walking paths, bicycling paths, and the like, including infrastructure necessary to facilitate their development are permitted anywhere within the buffer.
 - (b). Roads and associated infrastructure are permitted in the buffer to facilitate crossing such water elements.
 - (c). Any improvements approved in a final plan.

- (d). Any public safety or public utility improvements not associated with the planned development, but deemed necessary by the Service Director, Police Chief or Fire Chief.
 - (3) Steep slopes fifteen (15%) percent or more, unless appropriate engineering measures concerning slope stability, erosion, and resident safety are taken into account.
 - (4) Habitats of endangered wildlife, as identified on federal and state lists.
 - (5) Historically and culturally significant structures and sites, as listed on, but not limited to, the National Register of Historical Places or on the local inventory of historic places maintained by the City of Oxford's Historic Architectural Preservation Commission.
 - (6) Aquifers and tributary drainage systems.
 - (7) Tree growth areas or urban forested areas as defined in Chapter 935, of the Codified Ordinances of Oxford.
 - (8) Any area as identified on Map 3.3 of the Comprehensive Plan.
- E. The development shall be laid out to avoid adversely affecting groundwater and aquifer recharge; to reduce excavation and embankment; to avoid unnecessary impervious cover; to prevent flooding; to provide adequate access to lots and sites; and, to mitigate adverse effects of noise, odor, traffic, drainage, and utilities on neighboring properties. The placement of buildings shall take into consideration topography, building height, orientation and drainage. Storm water Best Management Practices in Low Impact Development Designs are desirable and encouraged. City guidelines for these practices and designs can be found in the City of Oxford Storm Water Management Design Manual
- F. If the Planning Commission, or its designated representative, may require the applicant to submit a statement in order to demonstrate that satisfactory efforts have been made to mitigate any special hazards posed to the site if these sensitive lands are subjected to improper use or management. The statement, if required, shall be submitted in one or more of the following forms:
 - (1) The statement shall describe in detail the extent of encroachment on any Sensitive Development Area, the extent and nature of the proposed alteration, the environmental impacts resulting from the proposed alteration, and the proposed methods of mitigation.
 - (2) A Geotechnical Report and/or a Wetlands Assessment/Delineation, prepared by a professional engineer, licensed in the State of Ohio, or by a specialist in Streams and Wetland. This report can be in lieu of a development narrative.
- (h) Landscaping and Screening.
 - (1) A planned development shall satisfy all landscaping elements required by other sections of this Code.
 - (2) The required perimeter setback area shall be retained in natural woods or suitably landscaped with grass, ground cover, shrubs, trees, or earthen mound.
 - (3) A planned development that overlays a commercial or industrial zoning district that is adjacent to a residential zoning district shall be screened from the residential zoning district by a dense evergreen hedge a minimum of 8 feet tall and 10 feet wide at planting and that will maintain at least 90 percent opacity over time.
- (i) Access and Mobility.
 - (1) At residential densities greater than would be permitted in the R-1A District, have direct and principal access from a collector or arterial road.
 - (2) Bicycle rack spaces shall be provided at all planned developments that overlay a commercial zoning district at a rate of 3 per acre.
 - (3) Adequate pedestrian connectivity shall be provided to and through a planned development.
- (j) Utilities and Infrastructure.

Electric and telephone facilities, street light wiring, and other wiring conduits and similar facilities shall be located underground.

(k) Plan-Specific.

Any other design elements deemed necessary by Planning Commission and Council to ensure that a planned development satisfies the decision criteria of this Chapter.

APPENDIX B

COMPLETE STREETS POLICY

Below is an excerpt from the **Policies** section of the Complete Streets Policy, adopted by the Oxford City Council by Resolution 7098 on August 20, 2019. Specific attention should be directed to the exemptions outlined in subsections (a.) thru (f.).

Policies

The City of Oxford surface transportation network shall balance the need for all current and future users. Project identification, planning, scoping, and design for new construction, reconstruction, resurfacing, rehabilitation within the public right-of-way shall adhere, where applicable to the following:

- 1) There is no one design standard that achieves the complete streets outcome. Design of particular projects will be context-sensitive, consideration of adjacent land uses and local needs and incorporating the most up-to-date, widely-accepted design standards for the particular setting, traffic volume and speed, and current and projected demand. Each project must be considered both separately and as a part of a connected network to determine the level and type of treatment necessary for the street to be complete. Additional principles, policies and guidelines may be found under the Best Practice Design.
- 2) Exemptions to the Resolution may be made under one (1) or more of the following conditions as determined by City Council in consultation with the City Manager, upon recommendation of the Oxford Parking and Transportation Advisory Board.
 - a. Where bicyclists and pedestrians are prohibited by law from using the roadway; or
 - b. Where the cost of providing such accommodations would be disproportionate given the need or probability of use; or
 - c. Where severe topographic or natural resource constraints prohibit such accommodations, or
 - d. Where conditions or restrictions outside the purview of the City of Oxford prohibit such actions.
 - e. Where the project consists primarily of the installation of traffic control or safety devices.
 - f. Where roadway safety standards or bicycle and pedestrian safety standards cannot be met.
- 3) Where accommodations for all users cannot be made, reasonable efforts shall be made to identify adjacent alternative routes and/or methods of travel to provide a safe, reliable, integrated, and interconnected surface transportation network.
- 4) Roadways, sidewalks, shared-use paths, street crossings, pedestrian signals, signs, street furniture, transit stops and facilities, and all connecting pathways shall be designed, constructed, operated, and maintained so that all users of the surface transportation network can travel safely, reliably, and independently.
- 5) The implementation of this policy shall reflect the context and character of the surrounding built and natural environment, and enhance the appearance of such.
- 6) The design and development of surface transportation infrastructure shall be in accordance with all City of Oxford ordinances, codes, plans, policies, and guidelines where appropriate.
- 7) A system of performance measurements shall be established to gauge the success of this Policy with regards to the stated Goals above.

APPENDIX C

PRELIMINARY PLANNED DEVELOPMENT CONDITIONS

Below is an excerpt from **Ordinance 3630** listing the 9 approval conditions for the MayDay Preliminary PD:

- 1) The existing gun range, and proposed business incubator and self-storage facility uses shall be the only land uses approved at this stage. Additional future land uses may be considered on a case-by-case basis as part of either a Final Planned Development application or an amended Preliminary Planned Development application, in accordance with the provisions prescribed for the LI District. In all instances, Adult Entertainment Facilities shall be prohibited.
- 2) A new Traffic Impact Study shall be completed for the latest site design to verify whether public off-site improvements are necessary to support anticipated uses. The study shall be completed prior to the submission of a Final Planned Development application; staff may require the study to be amended at a future date depending upon the anticipated traffic impacts when additional land uses are more clearly defined.
- 3) Bicycle parking shall be provided in accordance with the Oxford Zoning Code and reviewed at the Final Planned Development stage.
- 4) A five-foot wide sidewalk shall be provided along the Ringwood Road frontage.
- 5) A five-foot wide paved pathway shall be provided between the walkway system shown on the Plan and the existing sidewalk along US 27. The timing of this connection shall be reviewed at the Final Planned Development stage.
- 6) Additional landscaping shall be provided along the backside of the larger self-storage outbuilding facing the future collector road right-of-way, to help soften the viewscape along the future corridor. Exact details shall be reviewed at the Final Planned Development stage.
- 7) A portion of the loop extending out from the 4-way intersection (located between the business incubator and storage facility) shall be paved to City staff's satisfaction to allow for emergency vehicle turnaround. Such feature shall be reviewed at the Final Planned Development stage.
- 8) A waiver to Oxford Codified Ordinance Section 1145.06(f)(1) is hereby granted to reduce the amount of required open space from 20% to 11.4%.
- 9) A waiver to Oxford Codified Ordinance Section 1148.05(b)(2)(A) is hereby granted to relieve the developer from the Tree Survey requirements, on condition the wooded areas noted to remain are not disturbed during construction and the landscaping plan as presented is fulfilled.



Memo

Service Department
Engineering Division
513/524-5208

TO: Community Development Department

FROM: Scott Otto, P.E.
City Engineer

RE: Application #PPC-2021-41
6711 Ringwood Road – May Day Business Park

DATE: January 13, 2022

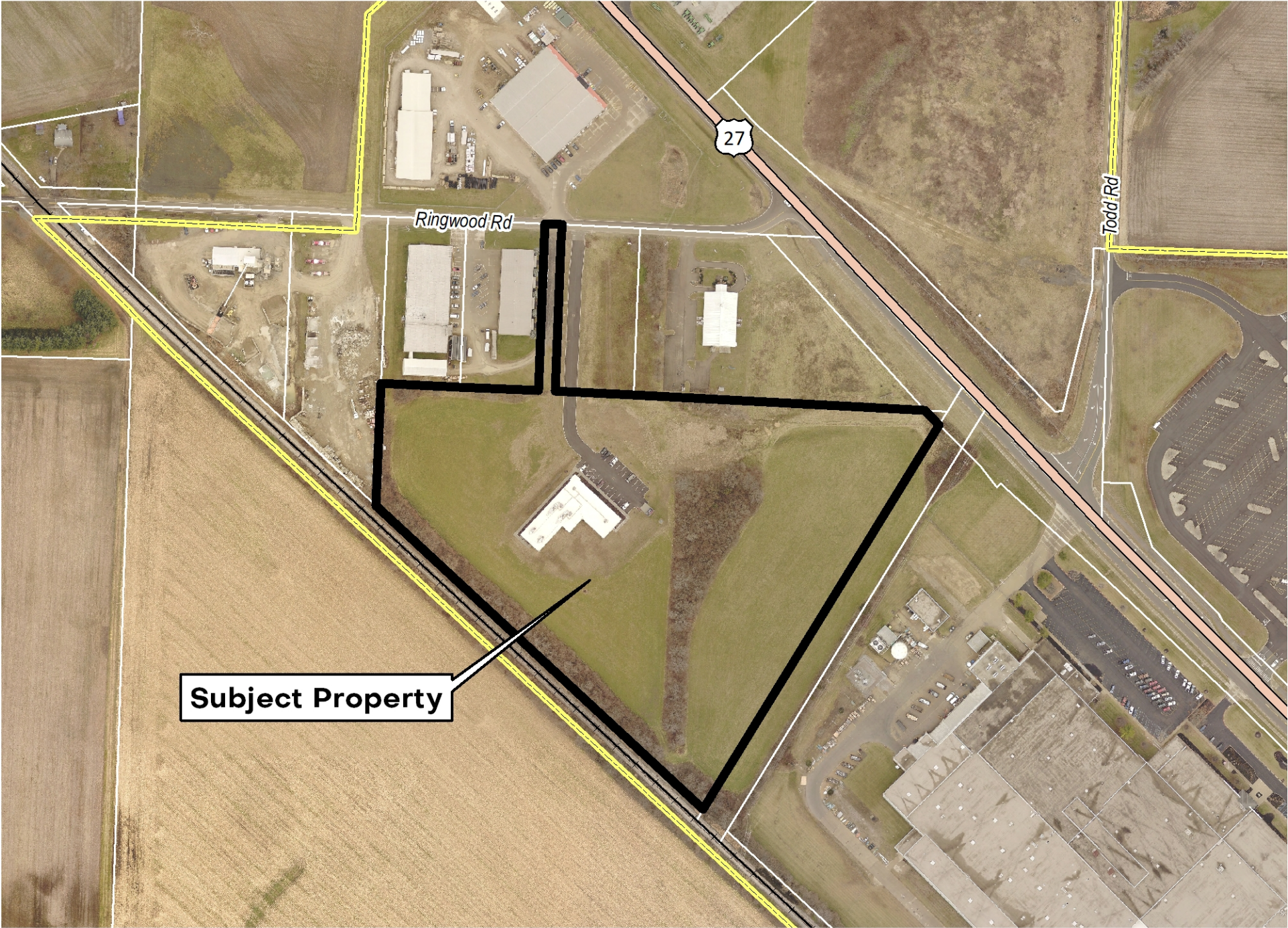
The Engineering Division offers the following comments:

- The proposed 6" water main will need to be revised to 8" minimum. The proposed connection to the existing 6" water main is not permitted due to the existing line being a private fire line. Further review of future detailed construction plan submittals may result in additional revision requests.
- Sheet A-3 Landscape Plan: The Cleveland Pear is not an allowable tree species.
- Plans show a future sidewalk connection to the existing sidewalk at US 27. If the sidewalk is not constructed during this proposed phase, the new destinations will not have pedestrian facilities connected to the public sidewalk. City of Oxford Zoning Code and Complete Streets Policy support connectivity for alternative forms of transportation, including pedestrians. Also the proposed grading and outlet design of the detention basin does not account for a pedestrian facility in this area.

Location Map

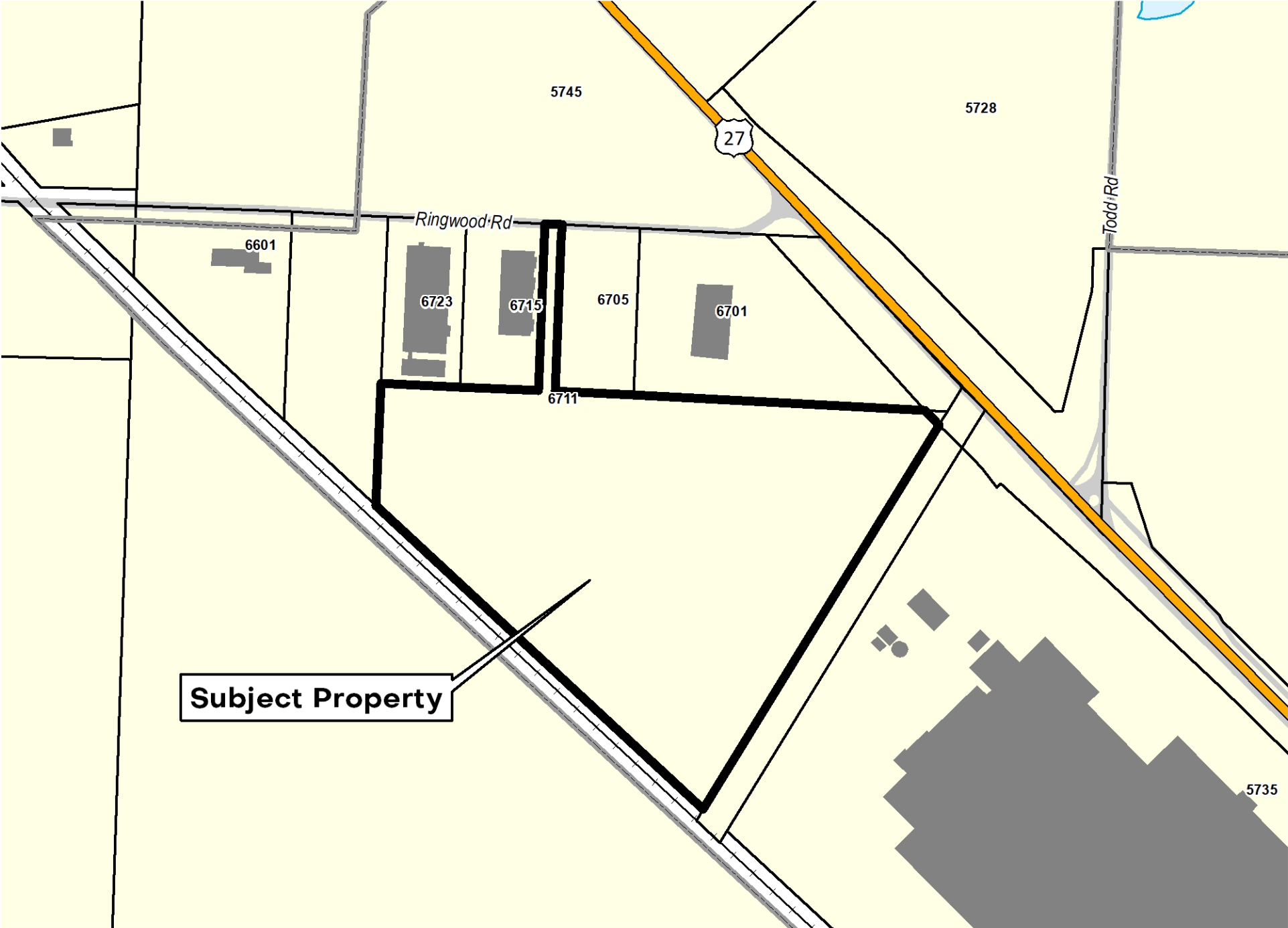
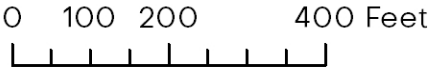
 Site Parcel(s)

0 100 200 400 Feet



Location Map

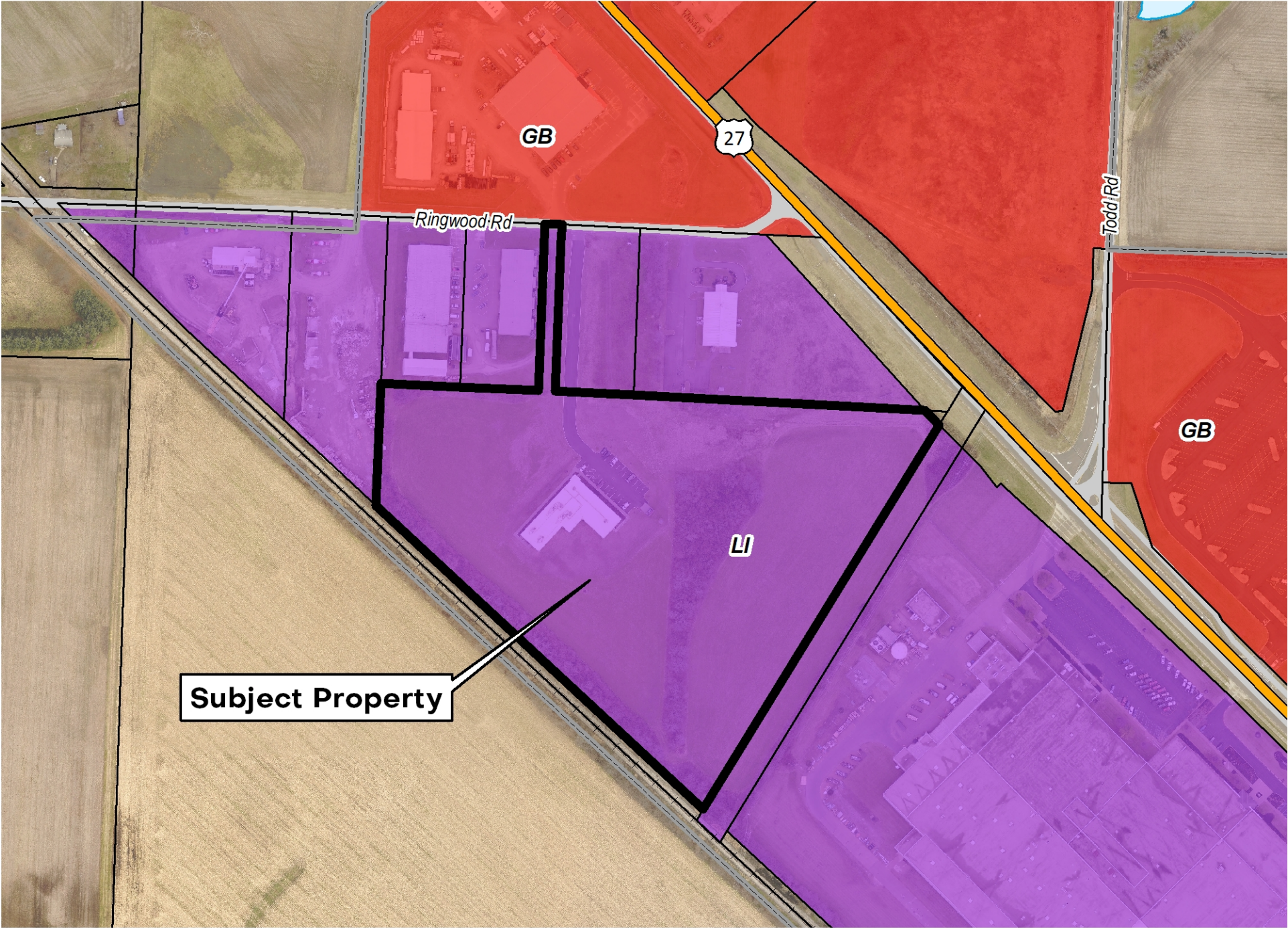
 Site Parcel(s)



Location Map

 Site Parcel(s)

0 100 200 400 Feet





PC-2021-41

**Surrounding
Property Owners
Notifications Map**

Legend

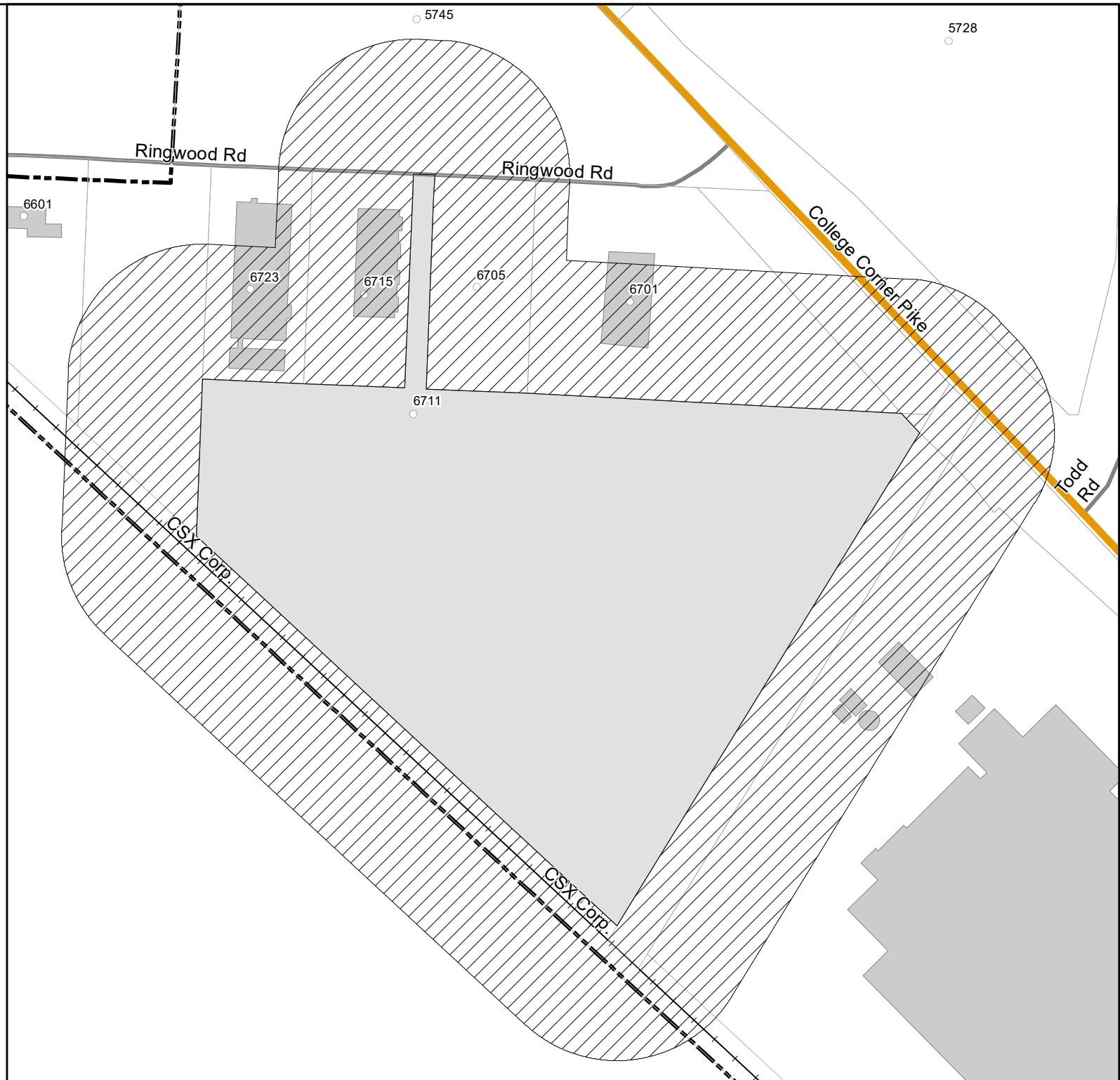
-  Subject Area
-  200 Ft. Buffer
-  Oxford Corp. Limit
-  Address Point
-  16.5' Vacated ROW
-  Building Footprint



1 inch = 200 feet

Prepared on Monday, January 03, 2022

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





Internal Use Only:

Case No.

PC-2021-41

Date Filed

12/27/2021

Planned Development Application

Application Type

Choose One

☐

Preliminary

☒

Final

☐

Preliminary & Final

Applicant Information

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

Name * Mark A. Rosenberger, Bayer Becker

Mailing Address * 110 South College Avenue, Suite 101

City, State & Zip Code * Oxford, Ohio 45056

Telephone Number * 513-523-4270 Email Address markrosenberger@bayerbecker.com

Owner Information

Name * MayDay Handgun Training, LLC

Mailing Address * 6711 Ringwood Road

City, State & Zip Code * Oxford, Ohio 45056

Telephone Number * 513-200-8121 Email Address maydays44@gmail.com

Engineer/Surveyor Information

Name * Bayer Becker

Mailing Address * 110 South College Avenue

City, State & Zip Code * Oxford, Ohio 45056

Telephone Number * 513-523-4270 Email Address markrosenberger@bayerbecker.com

Location and Lot Information

Name of Subdivision *

Location of Property * 6711 Ringwood Road

Legal Description * Legal Description of Property Provided

Zoning District * LI Total Area * 11.374 Acres

Submission Requirements and Documentation

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

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

the type of materials included. **The applicant shall contact the Zoning Administrator prior to submitting an application to discuss the submission requirement.**

(a) Preliminary Plan.

- (1) Application fee.
- (2) The name, mailing address, and telephone number of the applicant and all property owners.
- (3) If the applicant is not the owner, or if there are multiple owners within the proposed area, a statement from all owners that the applicant is entitled to apply on their behalf, and that they agree to be legally bound to any decision reached according to this Chapter.
- (4) The name, mailing address, and telephone number of any planner, engineer, surveyor, or other design professional who assisted with preparation of the plans.
- (5) Description of use and site. A written, detailed description shall include the following information. A separate response is required for each subsection.
 - A. A legal description of the site, including all separate lots.
 - B. A description of the existing uses of the site.
 - C. The zoning districts in which the site is located.
 - D. A description of the proposed planned development.
 1. The number of housing units by size and type proposed within each phase.
 2. A description of any nonresidential operations, including type of goods sold, services performed, and expected number of customer, clientele, delivery, and service vehicles.
 3. The hours of operation of any nonresidential use.
 4. A phased development schedule, if applicable, that indicates the location and timing of phases and demonstrates that each completed phase would form a reasonably independent unit if succeeding phases were abandoned.
 - E. A narrative statement that evaluates the compatibility of the proposed planned development with the general vicinity and adjacent properties.
 1. How the proposed uses are similar to or different from existing area uses and if there will be any interaction between the proposed site and adjacent sites.
 2. How any existing structures, proposed structures, and the site design relate to adjacent structures and sites.
 3. If the proposed uses will involve any operations that create potential nuisances such as excessive noise, lighting, odor, fumes, vibration, or emissions.
 4. How any potential negative effects on adjacent land will be mitigated.
 - F. A statement about why the location proposed is appropriate for the planned development.
 - G. A statement of the necessity or desirability of the proposed planned development to the neighborhood or community.
 - H. How the proposed mix of dwelling types and/or commercial uses advances community goals of diversity, affordability and market changes (e.g. adaptability of flats versus townhomes)
 - I. Proposals for the provision of public utilities and services, if insufficient or not available for the planned development, or for the provision of suitable private utilities and services.
 - J. A general analysis of expected traffic impact, including vehicular and pedestrian safety, resulting from the proposed development.
 - K. The substance of proposed covenants, easements, and other restrictions on the land and structures.
 - L. A list of the names and mailing addresses of all landowners within 200 feet of the site.
 - M. Such other information regarding the proposed uses, site design, or surrounding area as may be pertinent to the application or required by Planning Commission or Council.
- (6) Site plan. A scaled site plan shall include the following information in detail. The required information may be submitted on multiple site plans if inclusion of all information on a single plan makes it illegible or difficult to understand.
 - A. North arrow.
 - B. Scale.
 - C. Vicinity map.
 - D. All existing and proposed lot lines within the site.
 - E. Dimensions of all lots and of the entire site and any adjacent rights-of-way.
 - F. The location and intended purpose of all open spaces
 - G. Approximate location, height, dimensions, and use of all proposed and existing structures.
 - H. Approximate location and number of different uses (i.e. dwelling types and/or commercial uses).
 - I. Approximate location and design of all proposed vehicle and pedestrian routes and nonresidential vehicle management areas.
 - J. Approximate location and size of all existing and proposed utilities that will serve the planned development.
 - K. Approximate location, size, and type of all proposed signs.
 - L. Approximate location, height, and type of all proposed screening and landscaping.

- M. Distances to residential zoning districts if within 1,000 feet.
 - N. The use of land and location of structures on adjacent property and across adjacent rights-of-way.
 - O. The location of any nearby schools and commercial facilities.
 - P. Other information as required by the Planning Commission or Council.
- (7) Landscape plan.
- A. The plan shall demonstrate compliance with the requirements of Chapter 1148.
- (8) Elevations. Elevations of proposed structures or typical elevations if structures are not yet designed.
- (9) Other. Photographs of the existing site and its surroundings.
- (10) Digital Submittal. Adobe PDF version of all information submitted to also be submitted on a current digital format.
- (b) Final Plan.
- (1) The same items and information as required for the preliminary plan, except that the approximations shall be refined to specific locations, dimensions, and descriptions.
 - (2) A detailed traffic impact analysis, including all modes of transportation, prepared by a qualified professional engineer
 - (3) Any additional description or information requested by the Planning Commission or Council during the preliminary plan approval process.
 - (4) Detailed agreements, contracts, deed restrictions, and sureties that will be used to guarantee performance of the development during and after construction.

Surrounding Property Owners

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

Decision Process

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

Fees & Receipt

The fees for a Preliminary, Final, or combined Preliminary and Final Planned Development application are \$570.00 plus \$100.00 per acre, plus \$10.00 postage charge.

Sign and Date

Applicant Signature *

Mark A. Rosenberger

Date *

12/16/2021

Submit Application, Submission Requirements and Documentation, and Fees

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

Send or drop off this application with required plans containing all required information as attachments and a check for fees and postage charge made payable to **City of Oxford**, to Community Development Director, 15 South College Avenue, Oxford, OH 45056.

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

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

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

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

Letter of Agency

To whom it may concern:

Please be advised that Bayer Becker and Scott Webb Architect has permission to represent our interest with the City of Oxford's Planning Commission and City council regarding the Final PUD application for the MayDay Industrial Development.

Thank You,

Signed: _____
Jeff Day, MayDay Handgun Training LLC

Date: 12-17-21

Date: December 7, 2021

Description: Part of Lot #1943 &
Part of Lot #5, Oxford Township
PUD Area

Location: City of Oxford
Butler County, Ohio



Situated in the State of Ohio, Section 16, Town 5, Range 1, City of Oxford, Butler County and being in part of Lot #5 of Oxford Township and in part of Lot #1943 of the designated list of lots of the City of Oxford and being all of the lands of May Day Handgun Training, LLC as recorded in Official Record 8889, Page 592 of the Butler County, Ohio Recorder's Office and being further described as follows:

Beginning at the northwest corner of said Lot #5 and being the northwest corner of said Lot #1943 and being on the westerly line of said Section 16 and being in Ringwood Road; thence, leaving said Ringwood Road and with the westerly boundary of said Inlot #5 and with the westerly boundary of said Lot #1943 and with the westerly boundary of said Section 16, South 02°30'27" West, 108.71 feet to the easterly right of way of CSX Railroad; thence, leaving the westerly boundary of said Section 16 and the easterly right of way of said CSX Railroad, and with the westerly boundary of said Lot #1943, South 47°04'03" East, 690.22 feet to the southeast corner of the lands of Irving Materials, Inc. as recorded in Deed Book 1741, Page 373 of the Butler County, Ohio Recorder's Office and being the **True Point of Beginning**;

thence, leaving the easterly right of way of said CSX Railroad and with the easterly boundary of said lands of Irving Materials, Inc. (2 Acres), North 02° 30' 54" East, 234.45 feet to the southwest corner of Part of Lot #1943 and being the lands of RINGWOOD PROPERTIES, LTD. (1.02 Acres) as recorded in Official Record 8191, Page 1665 of the Butler County, Ohio Recorder's Office;

thence, leaving the easterly boundary of said lands of Irving Materials, Inc. (2 Acres) and with the southerly boundary extended of said lands of RINGWOOD PROPERTIES, LTD (1.02 Acres) and RINGWOOD PROPERTIES, LTD (1.102 Acres) as recorded in Official Record 7278, Page 1348 of the Butler County, Ohio Recorder's Office, South 87° 17' 33" East, 300.00 feet to the southeast corner of said lands of RINGWOOD PROPERTIES, LTD (1.102 Acres);

thence, leaving the southeast corner of said lands of RINGWOOD PROPERTIES, LTD (1.102 Acres) and with the easterly boundary of said lands of RINGWOOD PROPERTIES, LTD (1.102 Acres), North 02° 30' 27" East, 320.00 feet to Ringwood Road;

thence, leaving the easterly boundary of said lands of RINGWOOD PROPERTIES, LTD (1.102 Acres) South 87° 17' 33" East, 50.00 feet to the northwest corner of the lands of Cars Family Auto Group, LLC (1.033 Acres) as recorded in Official Record 9167, Page 1183 of the Butler County, Ohio Recorder's Office;

thence, leaving said Ringwood Road and with the westerly boundary of said lands of Cars Family Auto Group, LLC (1.033 Acres), South 02° 30' 27" West, 320.00 feet to the southwest corner of said lands of Cars Family Auto Group, LLC (1.033 Acres);

6900 Tylersville Road, Suite A 110 South College Ave, Suite 101 1404 Race Street, Suite 204
Mason, OH 45040 Oxford, OH 45056 Cincinnati, OH 45202
513-336-6600 513-523-4270 513-834-6151

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

<http://www.bayerbecker.com>

thence, leaving the southwest corner of said lands of Cars Family Auto Group, LLC (1.033 Acres) and with the southerly boundary extended of said lands of Cars Family Auto Group, LLC (1.033 Acres) and the southerly boundary of the lands of First Baptist Church of Oxford (2.6272 Acres) as recorded in Official Record 6971, Page 1245 of the Butler County, Ohio Recorder's Office, South 87° 17' 33" East, 664.04 feet to the westerly right of way of (College Corner Pike (U.S. #27);

thence, leaving the southerly boundary of said lands of First Baptist Church of Oxford (2.6272 Acres) and with the westerly right of way of said College Corner pike (U.S. #27), South 43° 42' 40" East, 38.53 feet to the northerly boundary of Dudley Farms, LLC (1.169 Acres) as recorded in Official Record 9259, Page 1912 of the Butler County, Ohio Recorder's Office;

thence, leaving the westerly right of way of said College Corner Pike (U.S. #27) and with the northerly boundary of said lands of Dudley Farms, LLC (1.169 Acres), South 31° 35' 22" West, 847.66 feet to the easterly right of way of said CSX Railroad;

thence, leaving the northerly boundary of said lands of Dudley Farms, LLC (1.169 Acres) and with the easterly right of way of said CSX Railroad, North 47° 04' 03" West, 827.41 feet to the **True Point of Beginning** containing 495,431 square feet or 11.374 acres of land, more or less, of which there is 0.023 Acres are located in said Lot #5 and 11.351 Acres are located in said part of Lot #1943 and being subject to all easements, legal highways, restrictions and rights-of-way of record.

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

December 27th, 2021

Final Planned Development
MayDay Business Park
6711 Ringwood Road & College Corner Pike (US 27)

Dear Zach,

Please accept this letter as a formal request for a Final Planned Development review by the City of Oxford Planning Commission for a new Industrial Planned Development incorporating the existing MayDay Gun Range and an incubator business facility along with a storage facility on Ringwood Road.

The submitted documents has been prepared for and with the assistance of the following:

Property Owner:

MayDay Handgun Training LLC
6711 Ringwood Road
Oxford, Ohio 45056

Civil Engineer and Surveyor:

Bayer Becker Inc.
110 South College Avenue
Oxford, Ohio 45056
(513) 523-4270

Architect:

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

The following are the written and detailed descriptions of the proposal as required on the Planned Development Application:

(5) Description of Use and Site.

- A. Legal Description of the Property is included.
- B. The 11.374 Acre site currently contains the MayDay Gun Range, previously approved as a Conditional Use.
- C. The property is currently zoned LI - Light Industrial District with a Planned Unit

Development overlay.

D. Description of the Proposed Planned Development.

1. *No housing units are proposed.*
2. *The proposed Planned Development is intended to allow further development of this 11.374 Acre site for various LI & Commercial Uses including self-storage, and a business incubator space in the first phase with additional future LI development areas.*
3. *The expectation is that these uses would operate as typical LI uses, maintaining typical business hours.*
4. *The overall site infrastructure (utilities, etc.) would be completed in the first phase as shown on the development drawings. The proposed loop road would be completed in Phase 2 as the development sites are purchased or leased. Phase 2 area will require additional fill material to be brought on site.*

E. Narrative statement evaluating the compatibility of the proposed Planned Development with the general vicinity and adjacent properties.

1. *The proposed use(s) are similar to the existing land uses in the area. (Schneider Electric, IMI Concrete, Capital Varsity, Gillman's, etc.)*
 2. *The proposal contained herein is intended to incorporate the MayDay Gun Range into a larger development similar to the adjacent properties and uses.*
 3. *The proposed and anticipated uses do not involve any operations that create potential nuisances such as excessive noise, lighting, odor, fumes, vibration, or emissions.*
 4. *Negative effects on adjacent land are not expected.*
- F. The Planned Development in this location serves the goals of the planned development purpose statement, as it intends to permit and encourage creative and flexible land development not permitted by right.
- G. The Planned Development is necessary and desirable in this location as this represents one of the few undeveloped LI parcels in the city. The Planned Development process allows for the further development of this lot using the existing entrance as a shared drive.
- H. The project shall meet the community goals by providing economic growth and phase the site to address possible future market changes.
- I. All public utilities are available for the proposed development. Their extension through the development is shown on the drawings. Public water and sanitary sewer are available to the property and will be extended into the property as needed to provide service. Stormwater detention will be provided as shown. Water quality treatment practice will be provided to meet the requirements of the OEPA National Pollutant Discharge Elimination System (NPDES) Permit.
- J. A traffic Evaluation has been provided and included in this submittal. No improvements are required for phase 1.
- K. No special covenants or restrictions are included. The site will require access and private/public utility easements to be recorded.

L. A list of the adjacent landowners and mailing address within 200 feet is included in this submittal.

M. No other special considerations are included for this application.

In closing, the enclosed Final Planned Development conforms to all conditions of City of Oxford Ordinance 3630 pertaining to the Preliminary Planned Development submittal.

Please place this item on the February 8th, 2022, Planning Commission Meeting agenda.

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

Sincerely,

Mark A. Rosenberger

Mark A. Rosenberger
Project Manager

Cc: MayDay Handgun Training
Scott Webb Architect
File

MayDay Planned Development

12/22/2021

Existing Total Land Area: 491,357 s.f.
11.28 Acres

Lot Coverage	Development Area	Building Area	Private Street Street Parking	Off-Street Parking	Sidewalks	Service Loading Area	Totals
Existing Gun Range	#2	11,547 s.f.	19,974 s.f.		3,237 s.f.		34,758 s.f.
1/2 Shared Parking & Sidewalks				5,333 s.f.	1,073 s.f.		6,406 s.f.

Phase 1 Road Extension			11,234 s.f.				11,234 s.f.
------------------------	--	--	-------------	--	--	--	-------------

Proposed Business Incubator	#3	8,400 s.f.		1,144 s.f.	1,663 s.f.		11,207 s.f.
1/2 Shared Parking Area				5,333 s.f.	1,109 s.f.		6,442 s.f.
Proposed Self Storage	#4						0 s.f.
Main Building		15,400 s.f.		1,468 s.f.	846 s.f.	24,897 s.f.	42,611 s.f.
RV Surface Parking - SW		2,544 s.f.					2,544 s.f.
Unconditioned perimeter -SE		3,191 s.f.					3,191 s.f.

Future Phase 2 Loop Road			12,762 s.f.				12,762 s.f.
--------------------------	--	--	-------------	--	--	--	-------------

Future Development Site	#1	14,000 s.f.		11,739 s.f.	4,312 s.f.	3,613 s.f.	33,664 s.f.
Future Development Site	#5	5000 s.f.	1,183 s.f.		1,309 s.f.	3,000 s.f.	10,492 s.f.
Future Development Site	#6	8,000 s.f.	848 s.f.		512 s.f.		9,360 s.f.
Future Development Site	#7	7,000 s.f.	1,067 s.f.		419 s.f.	5,291 s.f.	5,291 s.f.
Future Development Site	#8	5,000 s.f.	(SW) 1,792 s.f. (SE) 854 s.f.		1,170 s.f.	2,335 s.f.	10,297 s.f. 854 s.f.

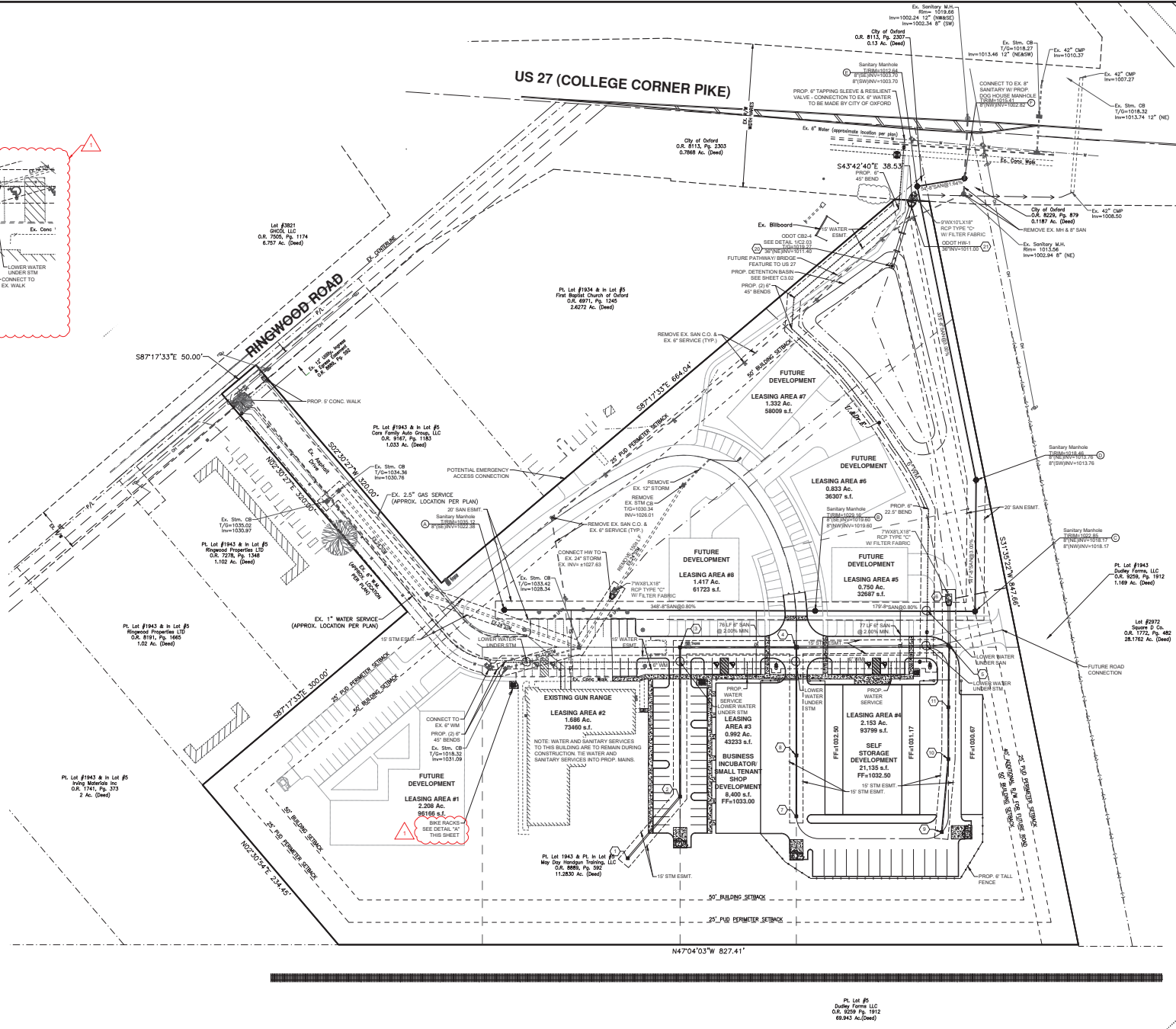
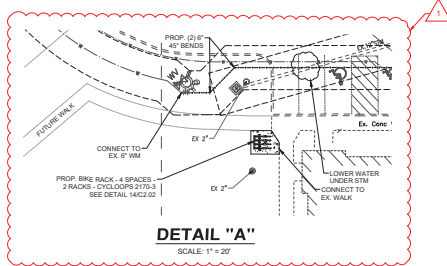
Planned Development Totals		80,082 s.f.	49,714 s.f.	25,017 s.f.	15,650 s.f.	39,136 s.f.	209,599 s.f. 42.66%
----------------------------	--	-------------	-------------	-------------	-------------	-------------	------------------------

Open Space

Area #1	25,642 s.f.
Area #2	15,578 s.f.
Area #3 - Retention	10,768 s.f.
Area #4 - South Corner	4,278
	56,266 s.f.
	11.45%

NOTES:

1. UTILITIES SERVING THE EXISTING GUN RANGE ARE SHOWN PER PLAN AND SHALL BE FIELD VERIFIED PRIOR TO CONSTRUCTION.
2. SEE SHEET C2.03 FOR STORM PLAN AND C2.03 FOR STORM PROFILES.
3. SEE SHEET C2.04 FOR SANITARY PROFILE.
4. BACK FLOW PREVENTERS FOR DOMESTIC WATER LINE TO BE ASSE 1013.



State of Ohio
State Plane NAD83 (2011)

0 50 100
FEET
SCALE: 1" = 50'

12-27-21

Rev	By	Date	Description
1	JLE	12-27-21	PRELIMINARY JOURNAL REVIEW

**MAY DAY BUSINESS PARK
PLANNED UNIT DEVELOPMENT**

SECTION 16, TOWN 5, RANGE 1
CITY OF OXFORD
BUTLER COUNTY, OHIO

OVERALL LAYOUT & UTILITY PLAN

110 South College Ave., Suite 101
Oxford, OH 45050 • 513.225.4276

Drawing: 16-0100-CD

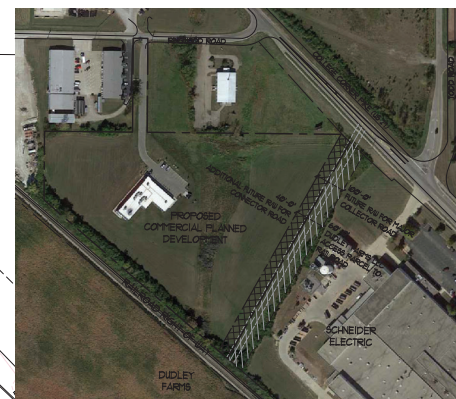
Drawn by: JLE

Checked by: MAR

Issue Date: 12-27-21

Sheet:

C2.00



18 = 2000-0

PROPOSED PLAINED DEVELOPMENT INCLUDES A 40'-0" OPEN SPACE ALONG THE SOUTHWEST SIDE FOR THE POSSIBILITY OF A FUTURE 'MAJOR COLLECTOR' ROAD PROJECTED IN THIS LOCATION BY THE TRANSPORTATION PLANNING MAP. SETTING ASIDE THIS 40'-0" AREA ADJACENT TO AN EXISTING 60' ACCESS PARCEL MAY PROVIDE THE CITY OF OXFORD WITH THE 100'-0" RIGHT-OF-WAY REQUIRED FOR A FUTURE 'MAJOR COLLECTOR' ROAD

UNDERLYING LI ZONING DISTRICT

TOTAL LAND AREA (NO MIN LOT SIZE)		49,356.6 s.f. = 1.28 Acres
SETBACK REQUIREMENTS:		
FRONT YARD: (MIN. 30'-0")	ALTERNATE SETBACKS PROVIDED ON PRIVATE STREETS	
REAR YARD: (NONE SPECIFIED UNLESS ADJUTING RESIDENTIAL)	NOT APPLICABLE	
SIDE YARD: (MIN. EQUALS HALF OF PROPOSED BUILDING)	20'-0" SHOWN	
MAX. BUILDING HEIGHT: (MAX. 45'-0")	40'-0" SHOWN	
MAX. LOT COVERAGE: (70%)	43.64% SHOWN	

LAND AREA (1 ACRE MINIMUM)	128 ACRES
PERMITTED USES	ANY LAND USE PERMITTED IN UNDERLYING ZONING DISTRICT
MAX. BUILDING HEIGHT: (45'-0" MAX. - UNDERLYING ZONING DISTRICT)	45'-0" DISTRICT
SETBACK REQUIREMENTS (UNDERLYING ZONING DISTRICT)	ALTERNATE SETBACKS PROVIDED ON PRIVATE STRAINS
PERIMETER SETBACK REQUIREMENTS: (MIN. 50')	50'-0" PERIMETER PROVIDED
REQUIRED OPEN SPACE: (MIN. 20%)	24.6% SHOWN
LOT COVERAGE: (MAX. 10% - UNDERLYING ZONING DISTRICT)	4.03% SHOWN

PARKING FOR GUEST & EMPLOYEES PROVIDED ALONG PRIVATE STREETS
SHIPPING & RECEIVING LOADING SPACES, ETC. PROPOSED IN REAR OF EACH DEVELOPMENT AREA

 $\Gamma = 50^\circ\text{C}$

PRELIMINARY PLAN PROVIDES FOR THE FURTHER DEVELOPMENT OF THE REMAINING PROPERTY SURROUNDING THE MAY DAY GUN RANGE AS A PLANNED DEVELOPMENT INCLUDING THE CONSTRUCTION OF INTERNAL PRIVATE SHARED ACCESS ROADS/DRIVES & THE CREATION OF (7) ADDITIONAL DEVELOPMENT AREAS



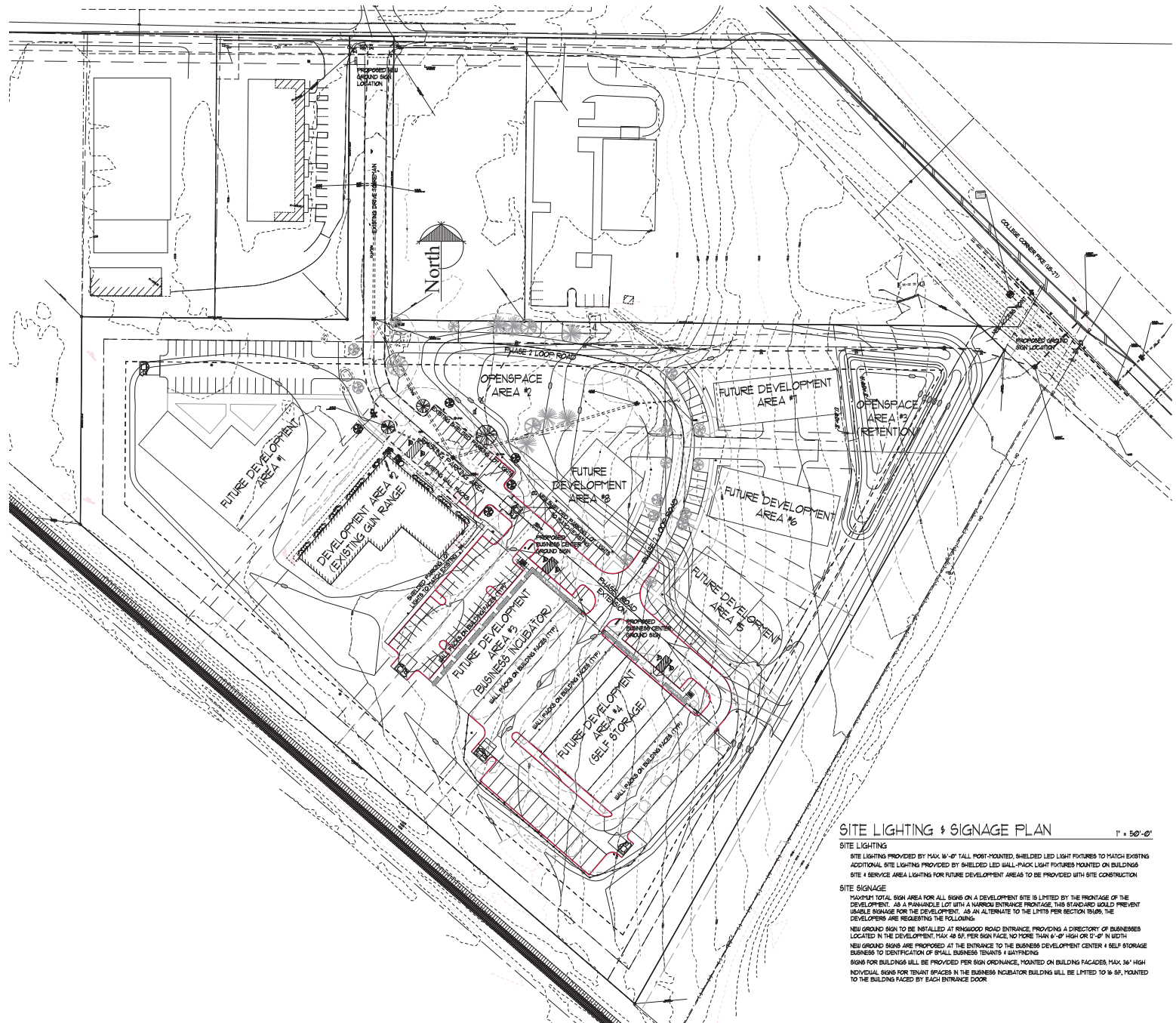
	REVISIONS

PROPOSED BUSINESS PLANNED DEVELOPMENT

MayDay Business Park
RINGWOOD ROAD
OXFORD OHIO 45056

December 22, 2021

$$\underline{A} = \begin{pmatrix} 1 \\ 1 \end{pmatrix}$$



SITE LIGHTING & SIGNAGE PLAN

1" = 50'-0"

SITE LIGHTING

SITE LIGHTING PROVIDED BY MAX 16'-0" TALL POST-MOUNTED, SHIELDED LED LIGHT FIXTURES TO MATCH EXISTING
ADDITIONAL SITE LIGHTING PROVIDED BY SHIELDED LED WALL-PACK LIGHT FIXTURES MOUNTED ON BUILDINGS EXISTING
SITE 4 SERVICE AREA LIGHTING FOR FUTURE DEVELOPMENT AREAS TO BE PROVIDED WITH SITE CONSTRUCTION

SITE SIGNAGE

MAXIMUM TOTAL SIGN AREA FOR ALL SIGNS ON A DEVELOPMENT SITE IS LIMITED BY THE FRONTAGE OF THE DEVELOPMENT, AS A MANEUVERABLE LOT WITH A NARROW ENTRANCE FRONTAGE, THIS STANDARD WOULD PREVENT USABLE SIGNAGE FOR THE DEVELOPMENT. AS AN ALTERNATE TO THE LIMIT PER SECTION SIGN, THE DEVELOPERS ARE REQUESTING THE FOLLOWING:

NEW GROUND SIGN TO BE INSTALLED AT KINGWOOD ROAD ENTRANCE, PROVIDING A DIRECTORY OF BUSINESSES LOCATED IN THE DEVELOPMENT, MAX 48 SF PER SIGN FACE, NO MORE THAN 6'-0" HIGH OR 12'-0" IN WIDTH
NEW GROUND SIGN TO BE INSTALLED AT THE ENTRANCE TO THE BUSINESS DEVELOPMENT CENTER 4 SELF STORAGE BUSINESS TO IDENTIFICATION OF SMALL BUSINESS TENANTS 4 WAYFINDING
SIGN FOR BUILDINGS WILL BE PROVIDED PER SIGN ORNANCE, MOUNTED ON BUILDING FACADES, MAX 36" HIGH
INDIVIDUAL SIGNS FOR TENANT SPACES IN THE BUSINESS INCUBATOR BUILDING WILL BE LIMITED TO 16 SF, MOUNTED TO THE BUILDING FACED BY EACH ENTRANCE DOOR



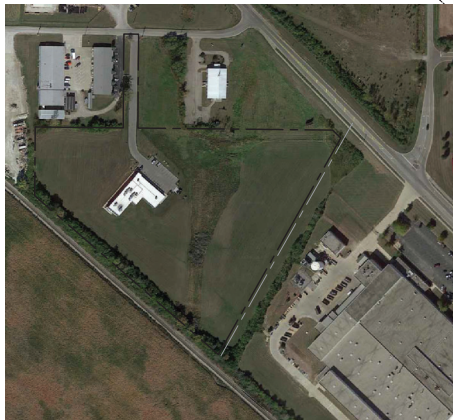
SCOTT WEBB
ARCHITECT
103 West Walnut Street
Oxford, Ohio 45056
(513) 323-3838
www.scottwebbarchitect.com

REVISIONS

PROPOSED BUSINESS PLANNED DEVELOPMENT
MayDay Business Park
RINGWOOD ROAD
OXFORD, OHIO 45056

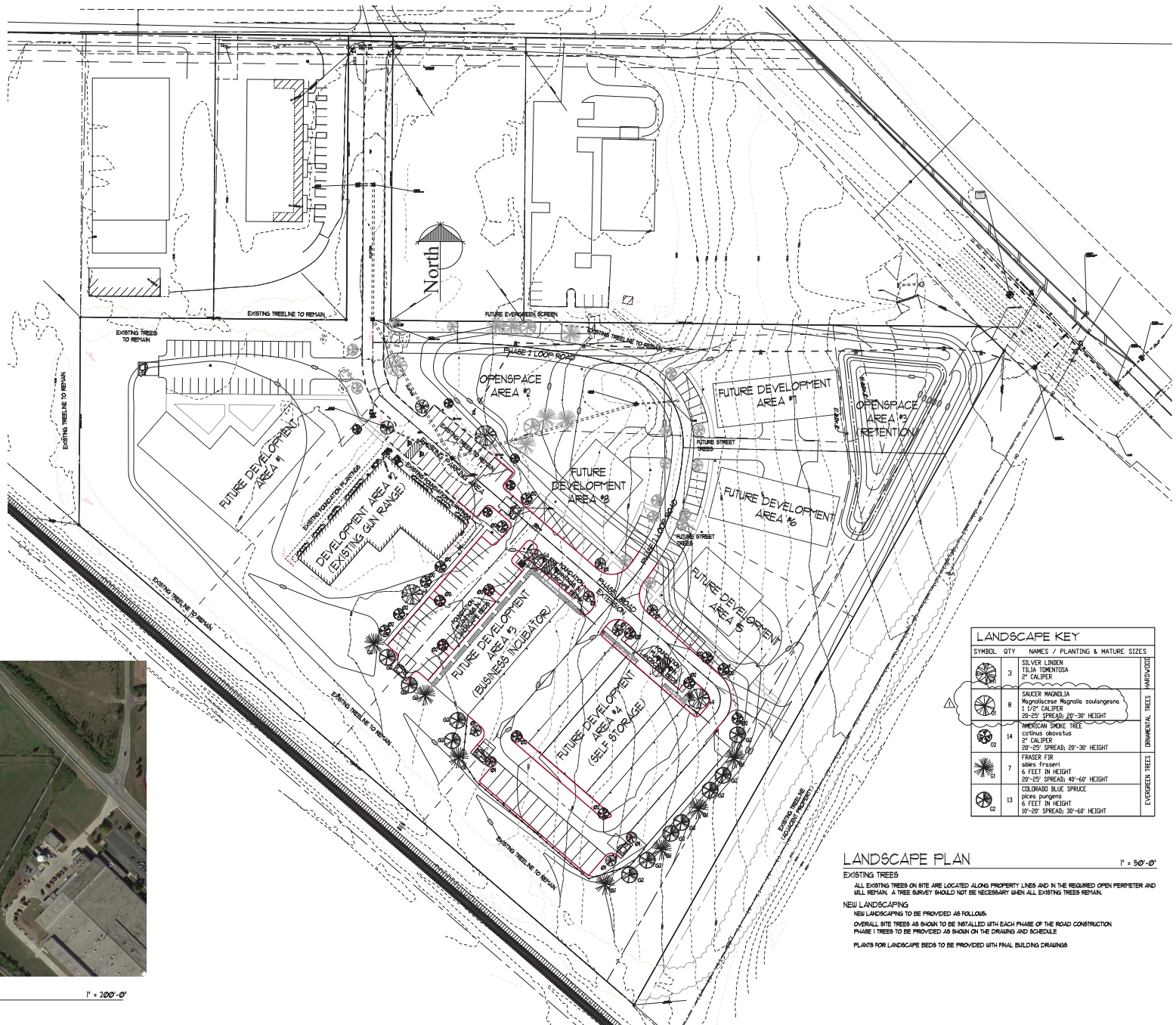
December 22, 2021

A-2



AERIAL VIEW
SHOWING EXISTING PERIMETER TREES TO REMAIN

1" = 100'-0"



LANDSCAPE KEY				
SYMBOL	QTY	NAMES / PLANTING & MATURE SIZES		
	3	SILVER LINDEN TILIA TORENTINA 8" CALIPER		
	8	SMALLER MAGNOLIA Magnoliaceae Magnolia soulangeana 1 1/2" CALIPER 20'-25' SPREAD, 25'-30' HEIGHT		
	14	AMERICAN SMOKE TREE COTINUS ALBOVITIS 2" CALIPER 20'-25' SPREAD, 20'-30' HEIGHT		
	7	FRASER FIR Abies Fraseri 6 FEET IN HEIGHT 20'-25' SPREAD, 40'-60' HEIGHT		
	13	COLORADO BLUE SPRUCE Picea pungens 6 FEET IN HEIGHT 15'-20' SPREAD, 30'-60' HEIGHT		
			EMERALD TREES	HARDY TREES

LANDSCAPE PLAN 1" = 50'-0"

EXISTING TREES
ALL EXISTING TREES ON SITE ARE LOCATED ALONG PROPERTY LINES AND IN THE REQUIRED OPEN PERIMETER AND WILL REMAIN. A TREE SURVEY SHOULD NOT BE NECESSARY WHEN ALL EXISTING TREES REMAIN.

NEW LANDSCAPING
NEW LANDSCAPING TO BE PROVIDED AS FOLLOWS:
OVERALL SITE TREES AS SHOWN TO BE INSTALLED WITH EACH PHASE OF THE ROAD CONSTRUCTION
PHASE 1 TREES TO BE PROVIDED AS SHOWN ON THE DRAWING AND SCHEDULE
PLANTS FOR LANDSCAPE BEDS TO BE PROVIDED WITH FINAL BUILDING DRAWINGS



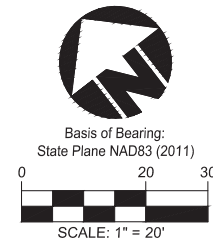
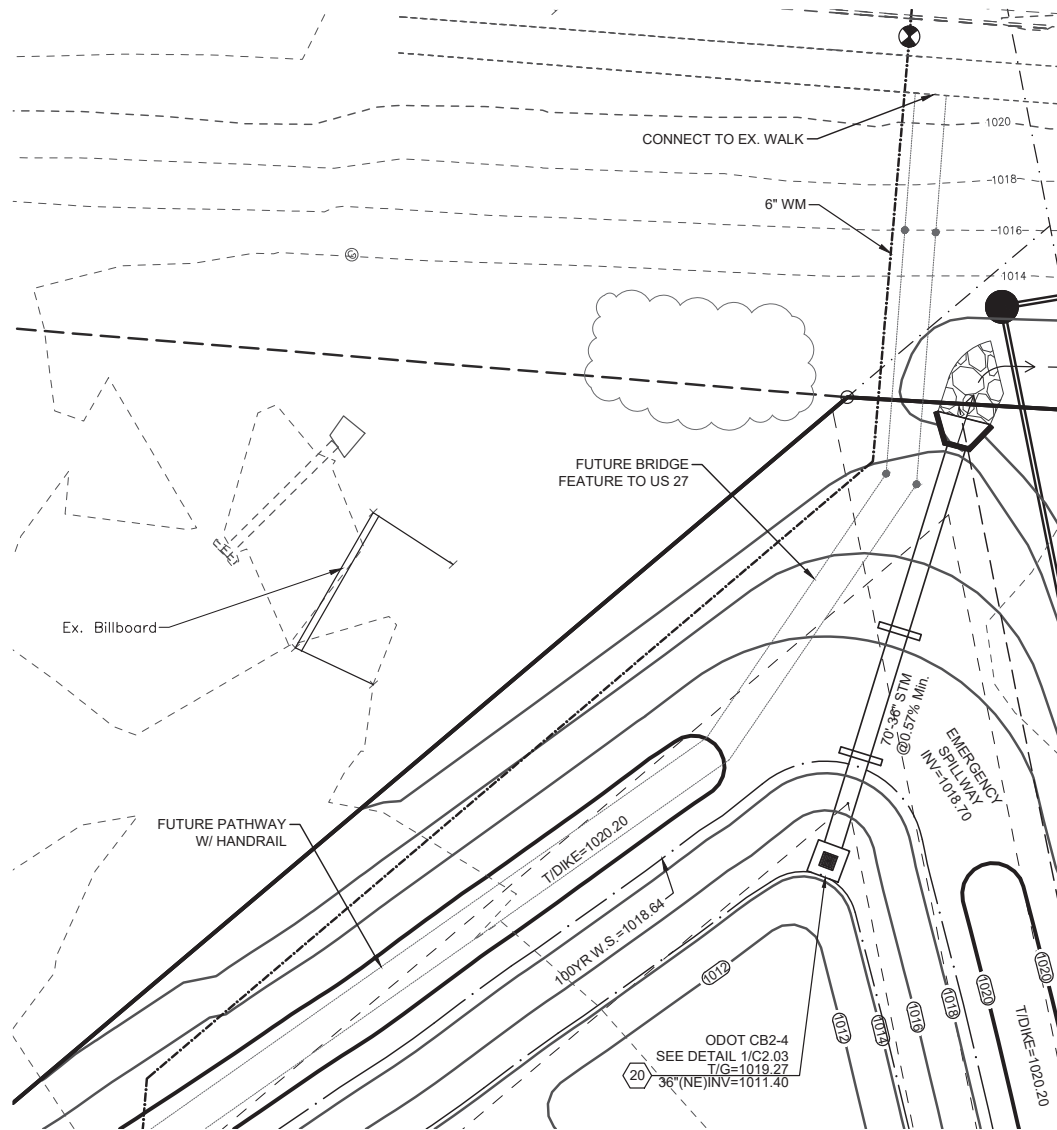
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REVISIONS	
Δ	JANUARY 1, 2021 - TREE RELOCATION

PROPOSED BUSINESS PLANNED DEVELOPMENT
MayDay Business Park
RINGWOOD ROAD
OXFORD, OHIO 45056

December 22, 2021

A-3



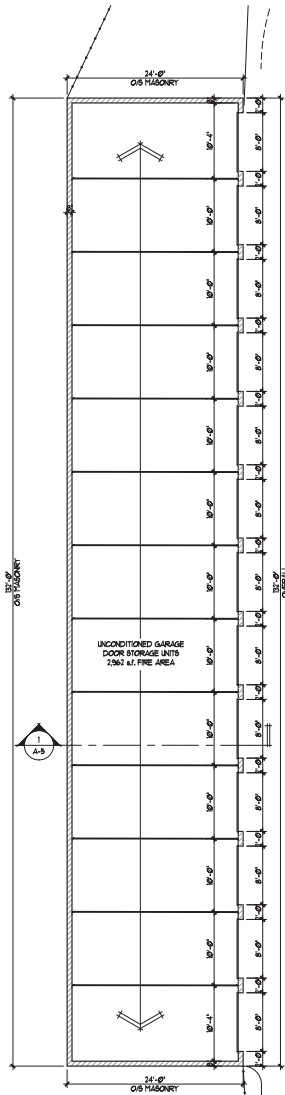
bayer becker
www.bayerbecker.com
110 S. College Avenue, Suite 101
Oxford, OH 45056 - 513.523.4270

**MAYDAY BUSINESS PARK
PLANNED UNIT DEVELOPMENT**
6711 RINGWOOD ROAD
CITY OF OXFORD
BUTLER COUNTY, OHIO

FUTURE BRIDGE EXHIBIT

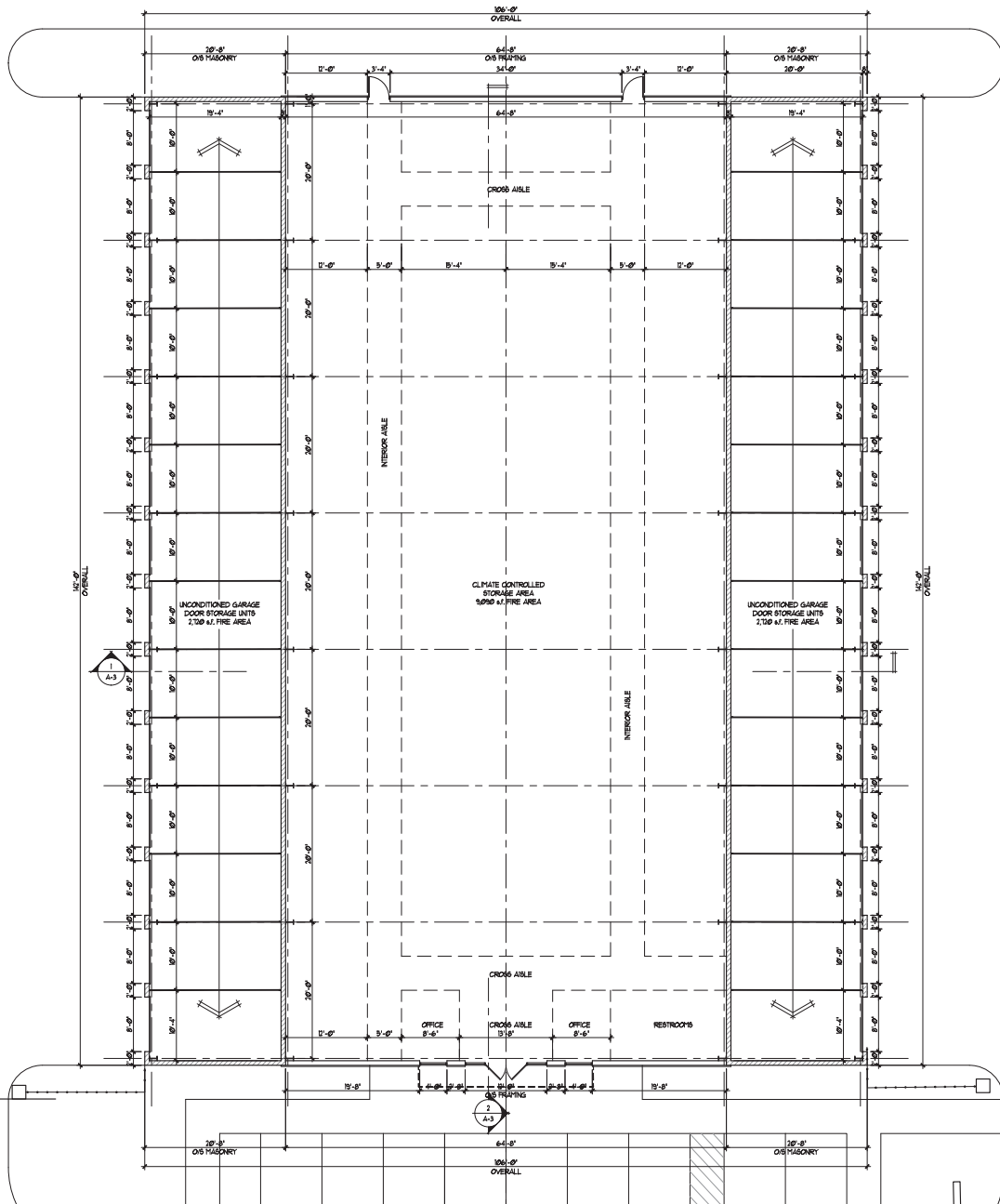
Drawing:	16-0100 CD BR
Scale	1" = 20'
Drawn by:	JLE
Checked By:	MAR
Issue Date:	01-18-22

NOTE: EXHIBIT SHOWN IS FOR PLANNING PURPOSES ONLY. DESIGN TO BE DETERMINED IN THE FUTURE PHASE.



PRELIMINARY FLOOR PLAN
MAIN STORAGE BUILDING / DETACHED BUILDING

1/8" = 1'-0"



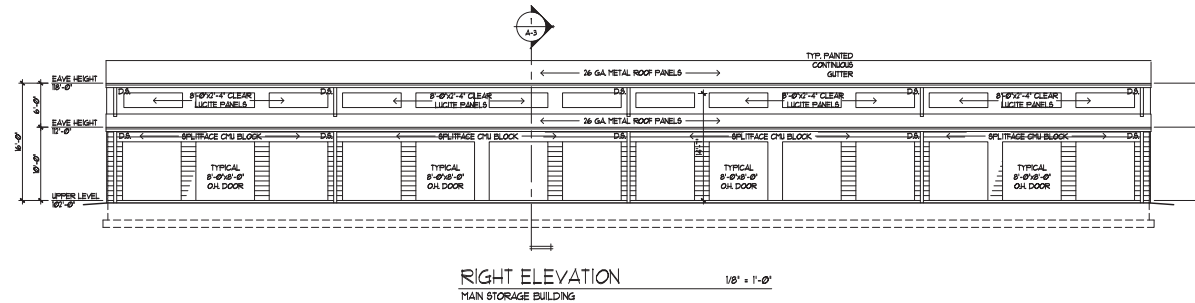
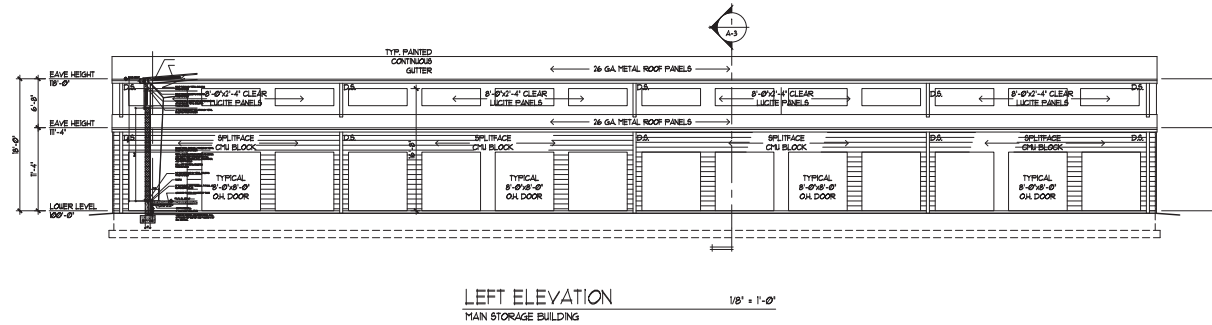
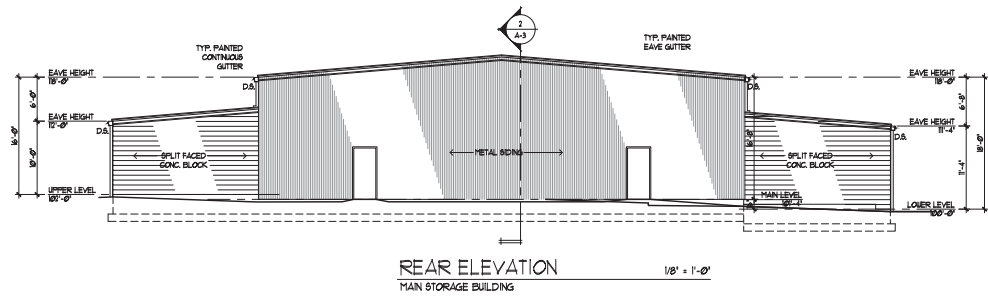
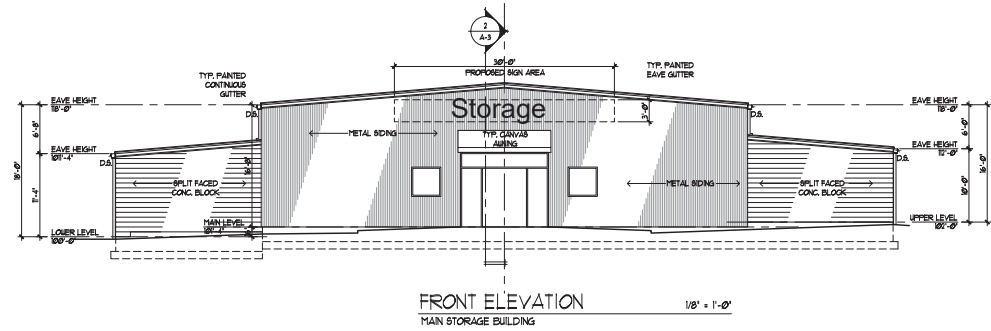
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REVISIONS

PROPOSED CONDITIONED & UNCONDITIONED
Self Storage Facility
May Day Business Park
RINGWOOD ROAD
OXFORD, OHIO 45056

December 21, 2021

A=1



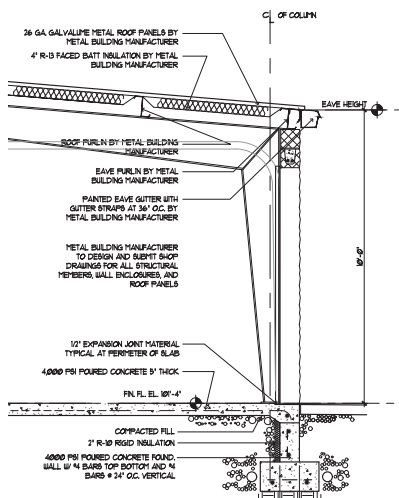
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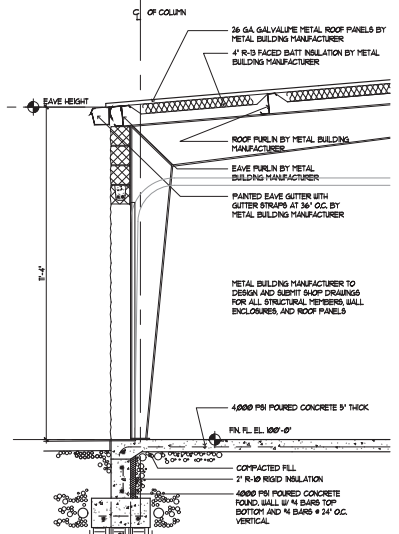
PROPOSED CONDITIONED & UNCONDITIONED
Self Storage Facility
May Day Business Park
RINGWOOD ROAD
OXFORD, OHIO 45056

December 21, 2021

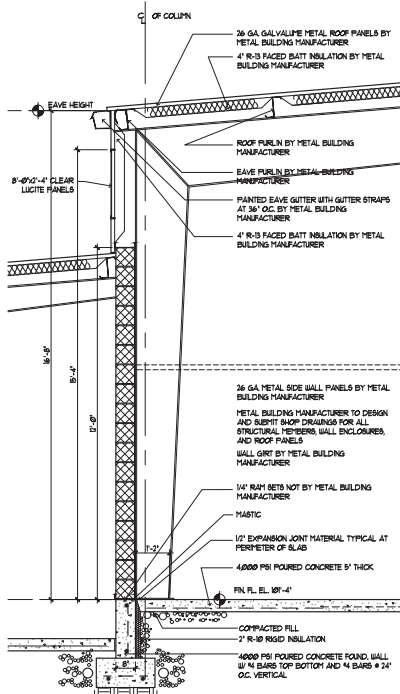
A-2



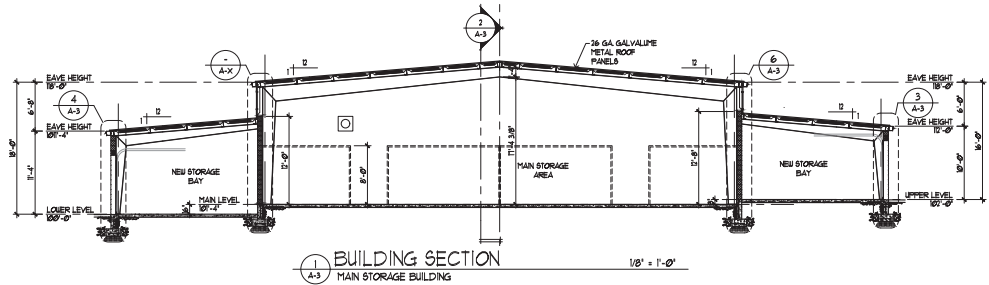
3 WALL SECTION
A-3 MAIN STORAGE BUILDING



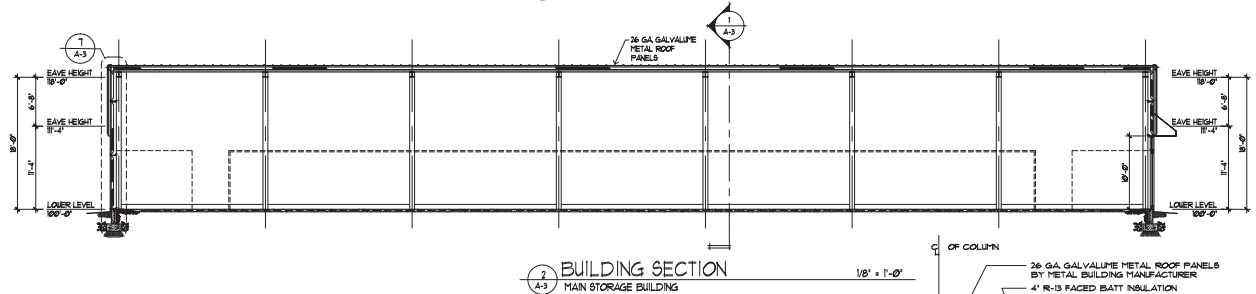
4 WALL SECTION
A-3 MAIN STORAGE BUILDING



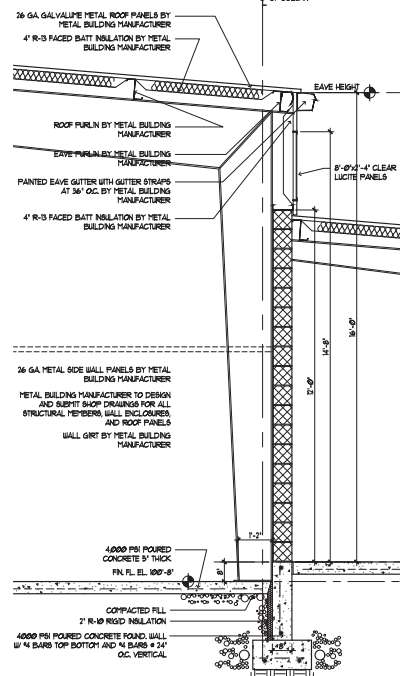
5 WALL SECTION
A-3 MAIN STORAGE BUILDING



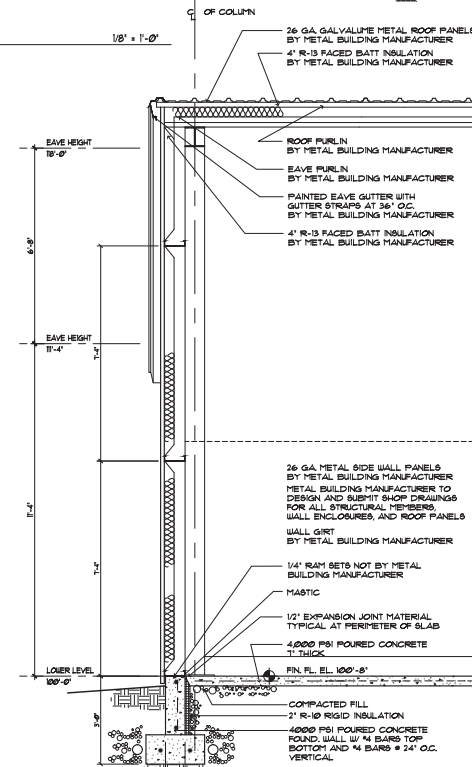
1 BUILDING SECTION
A-3 MAIN STORAGE BUILDING



2 BUILDING SECTION
A-3 MAIN STORAGE BUILDING



6 WALL SECTION
A-3 MAIN STORAGE BUILDING



7 WALL SECTION
A-3 MAIN STORAGE BUILDING



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REVISIONS

PROPOSED CONDITIONED & UNCONDITIONED
Self Storage Facility
May Day Business Park
RINGWOOD ROAD
OXFORD, OHIO 45056

December 21, 2021

A-3

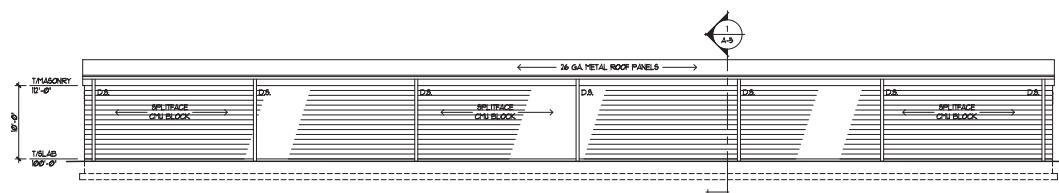


REVISIONS	

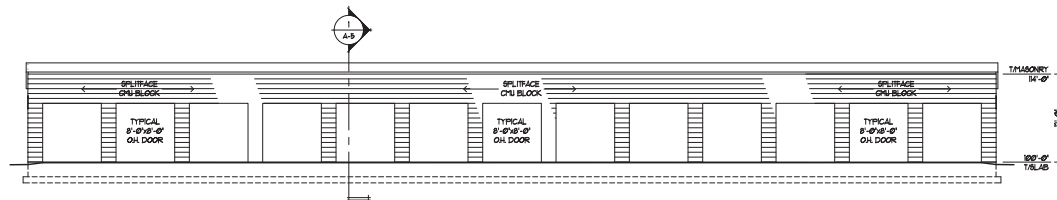
PROPOSED CONDITIONED & UNCONDITIONED
Self Storage Facility
May Day Business Park
RINGWOOD ROAD
OXFORD, OHIO 45056

December 21, 2021

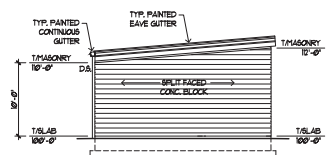
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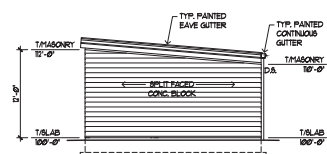
LEFT ELEVATION
DETACHED BUILDING
1/8" = 1'-0"



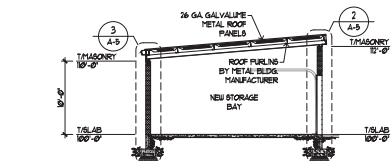
RIGHT ELEVATION
DETACHED BUILDING
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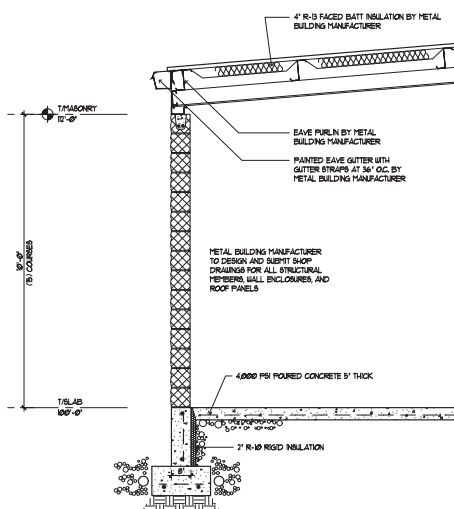
FRONT ELEVATION
DETACHED BUILDING
1/8" = 1'-0"



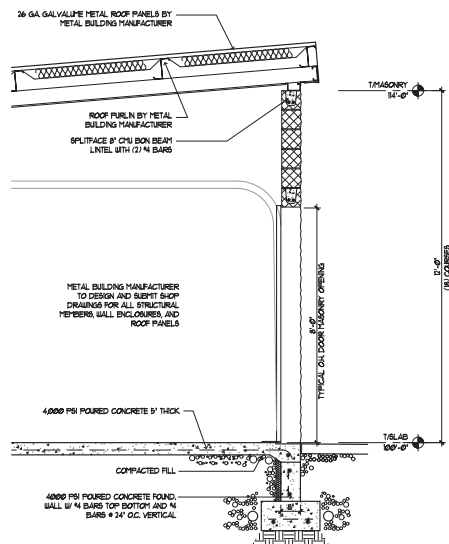
REAR ELEVATION
DETACHED BUILDING
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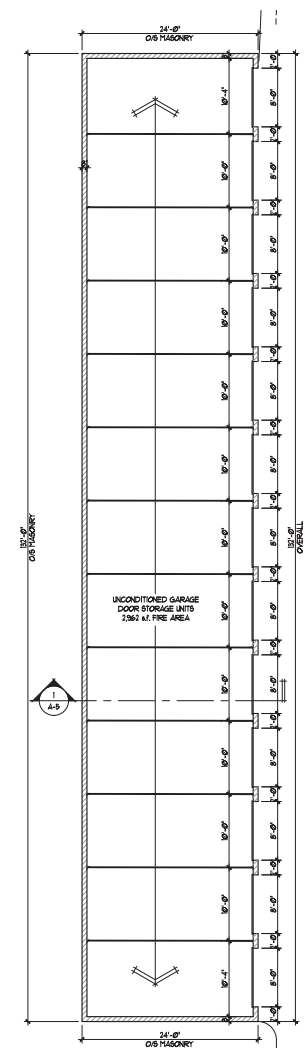
BUILDING SECTION
DETACHED BUILDING
1/8" = 1'-0"



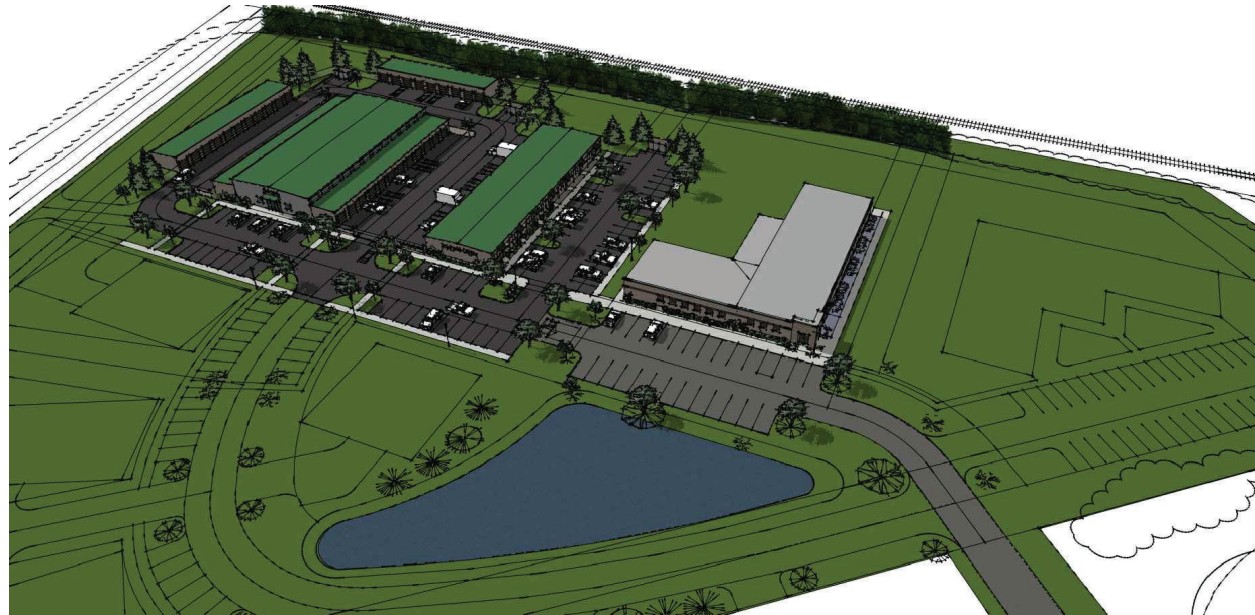
BUILDING SECTION
DETACHED BUILDING
1/2" = 1'-0"



BUILDING SECTION
DETACHED BUILDING
1/2" = 1'-0"



PRELIMINARY FLOOR PLAN
DETACHED BUILDING
1/8" = 1'-0"



SITE FROM ABOVE



DATE	
May 21, 2021	
REVISIONS	





PHASE 1 BUSINESS CENTER (BUSINESS INCUBATOR)



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PROPOSED BUSINESS PLANNED DEVELOPMENT
MayDay Business Park
RINGWOOD ROAD
OXFORD, OHIO 45056

DATE
May 21, 2021
REVISIONS

A-2



PHASE I SELF STORAGE

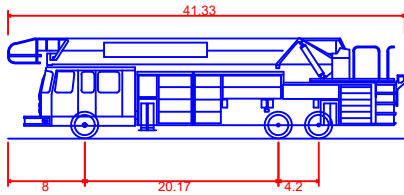


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PROPOSED BUSINESS PLANNED DEVELOPMENT
MayDay Business Park
RINGWOOD ROAD
OXFORD, OHIO 45056

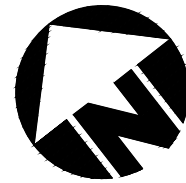
DATE	May 21, 2021
REVISIONS	

A-3



City of Oxford Firetruck
 Overall Length
 Overall Width
 Overall Body Height
 Min Body Ground Clearance
 Track Width
 Lock-to-lock time
 Max Steering Angle (Virtual)

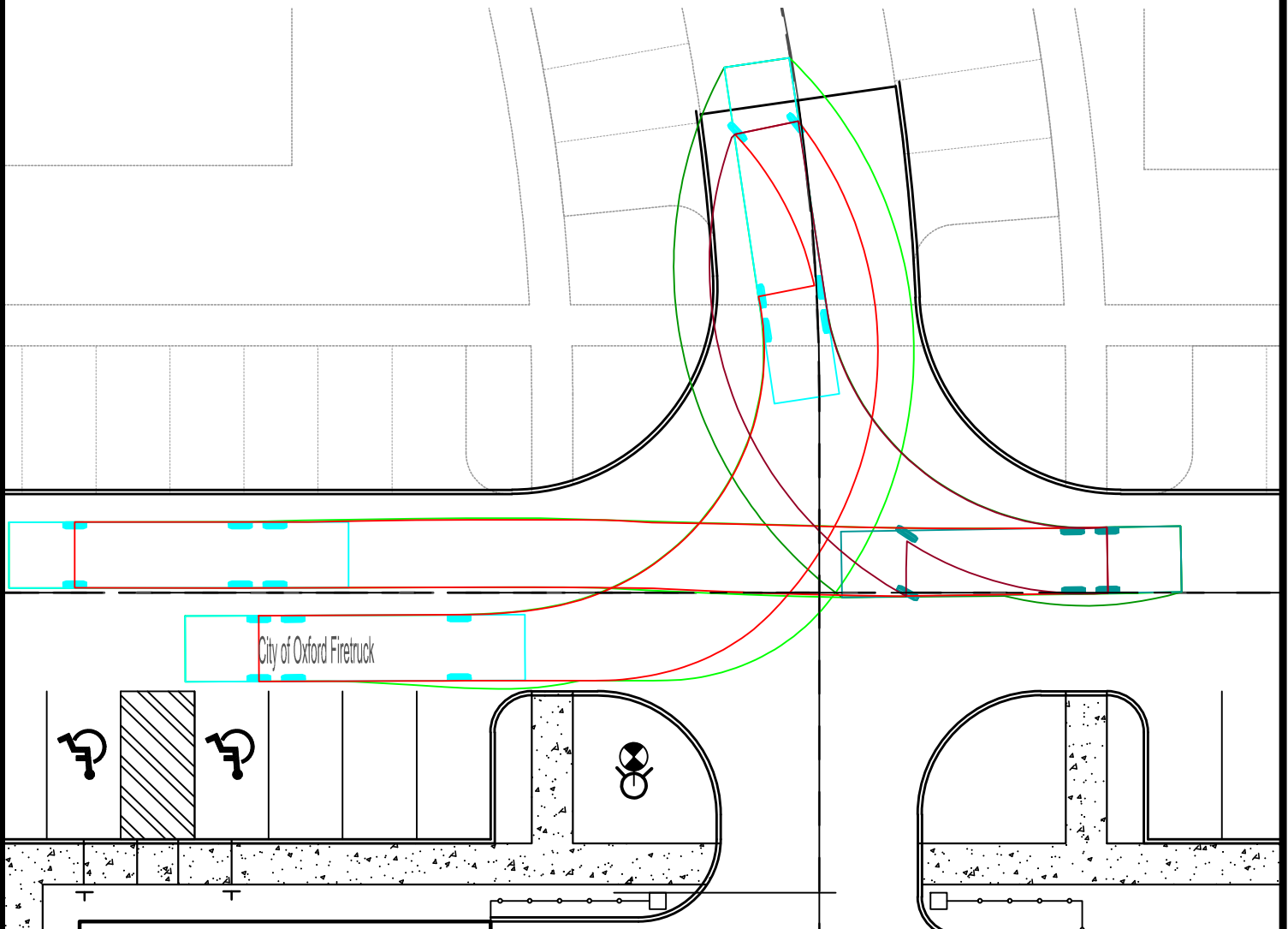
41.330ft
 8.000ft
 10.432ft
 0.862ft
 8.000ft
 6.00s
 32.10°



Basis of Bearing:
 State Plane NAD83 (2011)



SCALE: 1" = 20'



Drawing:	16-0100 FDP
Scale	1" = 20'
Drawn by:	JLE
Checked By:	EMR
Issue Date:	12-27-21

MAY DAY BUSINESS PARK SECTION 16, TOWN 5, RANGE 1 CITY OF OXFORD BUTLER COUNTY, OHIO

EMERGENCY TURNAROUND EXHIBIT



www.bayerbecker.com
 110 S. College Avenue, Suite 101
 Oxford, OH 45056 - 513.523.4270

December 17, 2021

Scott Otto, P.E.
City of Oxford
15 S. College Ave.
Oxford, OH 45056

Re: May Day Planned Development
City of Oxford, Butler County, Ohio
Traffic Evaluation

Scott,

The purpose of this traffic evaluation is to determine the traffic impact of the proposed May Day Planned Development, to be located on Ringwood Road at the existing site access approximately 210 feet west of College Corner Pike (U.S. 27) in the City of Oxford, Butler County, Ohio.

To determine the traffic impact of the proposed development, Bayer Becker studied the following intersections:

- College Corner Pike (U.S. 27) and Ringwood Road
- Existing Site Drive and Ringwood Road

Existing Conditions

College Corner Pike (U.S. 27), within the study area, is a two-lane north-south roadway with a posted speed limit of 35 mph. Ringwood Road, within the study area, is a two-lane east-west roadway with a posted speed limit of 45 mph. There are no existing turn lanes at the two intersections studied.

Bayer Becker performed turning movement counts at the intersection of College Corner Pike (U.S. 27) and Ringwood Road on Tuesday, August 31, 2021, from 7:00 am to 9:00 am and from 4:00 pm to 6:00 pm. The peak hours were determined to be 7:15 am to 8:15 am and 4:30 pm to 5:30 pm. 2021 Traffic Count Volumes are presented in attached Figure 1.

Proposed Site Development

The existing May Day Planned Development site access drive is located on Ringwood Road approximately 210 feet west of College Corner Pike (U.S. 27). Based on the attached preliminary site plan, the proposed development will consist approximately of the following new land uses:

- 21,135 SF self-storage facility
- 47,400 SF general light industrial

The proposed development will also include the following existing land use:

- 11,547 SF gun range

Site trips generated by each new land use during the weekday AM and PM peak hour (of adjacent street traffic) are presented in Table 1. The procedures outlined in the Institute of Transportation

Engineers (ITE) *Trip Generation Manual, 11th Edition*, were used to estimate trip generation rates for each of the specific land uses.

Table 1 – Trip Generation (New Site Trips)

Land Use	ITE Code	Size	Unit	AM Peak Hour			PM Peak Hour		
				Enter	Exit	Total	Enter	Exit	Total
Mini-Warehouse	151	21.135	TSF	1	1	2	1	2	3
General Light Industrial	110	47.400	TSF	32	4	36	3	21	24
Total New Site Trips				33	5	38	4	23	27

Based on existing traffic patterns and knowledge of the study area, it was estimated that 70% of site trips would be to and from the south on College Corner Pike (U.S. 27), 25% would be to and from the north on College Corner Pike (U.S. 27), and 5% would be to and from the west on Ringwood Road. The estimated site trip distribution is presented in Figure 2, and the new site trips expected to be generated by the proposed development are presented in Figure 3.

Background Conditions

Site trips generated by the existing gun range during the weekday AM and PM peak hour (of adjacent street traffic) are presented below in Table 2. The procedures outlined in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 11th Edition*, were used to estimate trip generation rates for the specific land use. ITE land use 492-Health/Fitness Club was used to calculate trips generated by the gun range. Although a gun range is not mentioned in its description, this land use was chosen as the most appropriate alternative. Trip generation rate calculations are attached.

Table 2 – Trip Generation (Existing Site Trips)

Land Use	ITE Code	Size	Unit	AM Peak Hour			PM Peak Hour		
				Enter	Exit	Total	Enter	Exit	Total
Health/Fitness Club	492	11.547	TSF	8	7	15	34	25	59
Total Existing Site Trips				8	7	15	34	25	59

Since the 11,547 SF gun range is currently operating, peak-hour trips generated by this land use were captured in the August 31, 2021, traffic count at the intersection of College Corner Pike (U.S. 27) and Ringwood Road and therefore were not added to the volumes at that intersection. These trips were, however, added to volumes at the Existing Site Drive since no traffic count was performed there.

Based on data obtained from the ODOT Traffic Information Mapping System (TIMS) for College Corner Pike (U.S. 27) within the study area, the estimated growth rate was estimated to be 1.0%, compounded annually. The resulting **2031 No-Build Traffic Volumes** are presented in Figure 4, and the **2031 Total Traffic Volumes**, including those generated by the proposed development, are presented in Figure 5.

Turn Lane Warrant Analysis

A turn lane warrant analysis using graphs in the *ODOT State Highway Access Management Manual*, January 2020 revision, was performed for uncontrolled approaches to the study-area intersections for **2031 No-Build Traffic Volumes** and **2031 Total Traffic Volumes**, and storage lengths were calculated using the procedure in the *ODOT Location and Design Manual, Volume 1*.

The following turn lane is warranted for **2031 No-Build Traffic Volumes** (without the proposed development):

- 100' northbound left turn lane on College Corner Pike (U.S. 27) at Ringwood Road (includes 50' diverging taper)

No additional turn lanes are warranted at study area intersections for **2031 Total Traffic Volumes** (with the proposed development).

Recommendation

Based on engineering judgement and the analysis contained in this report, the proposed May Day Planned Development will not significantly impact operations on the adjacent roadway network.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Chris Tritch'.

Chris Tritch, P.E.

Enclosures

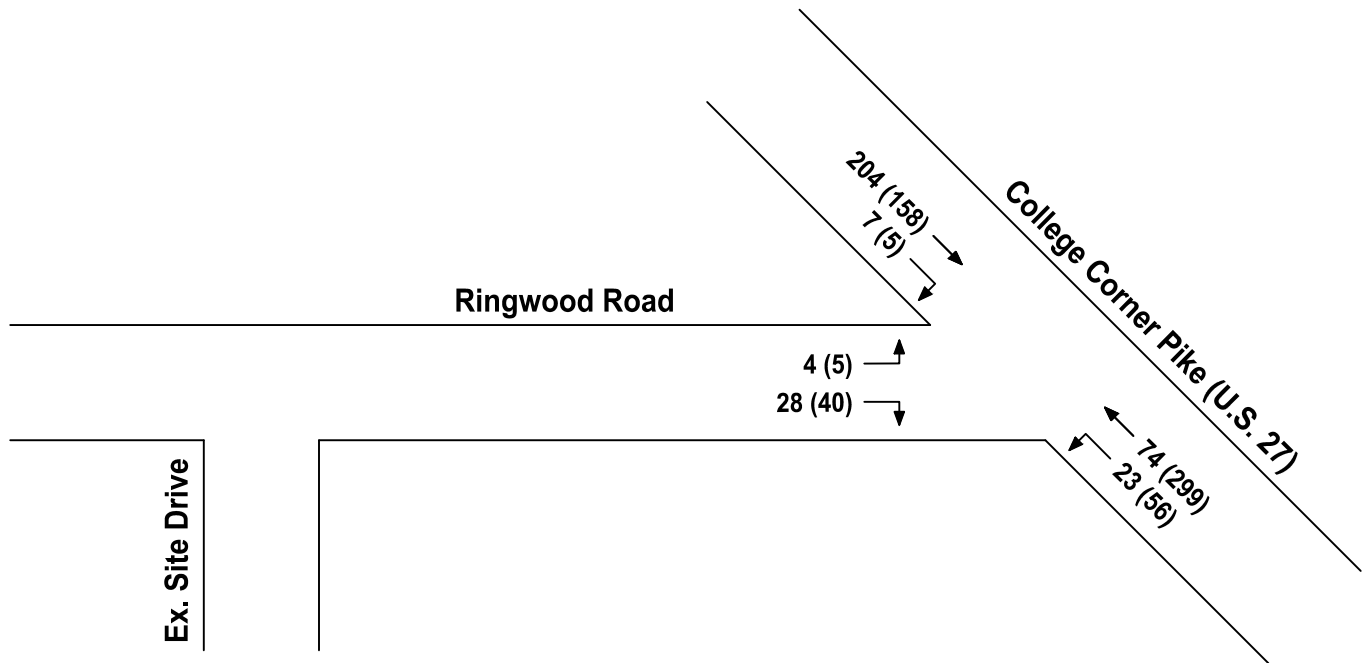
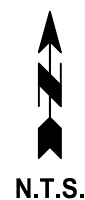


Figure 1

**May Day Planned Development
City of Oxford, Butler County, Ohio**

2021 Traffic Count Volumes

**xx - AM Peak Hour
(xx) - PM Peak Hour**



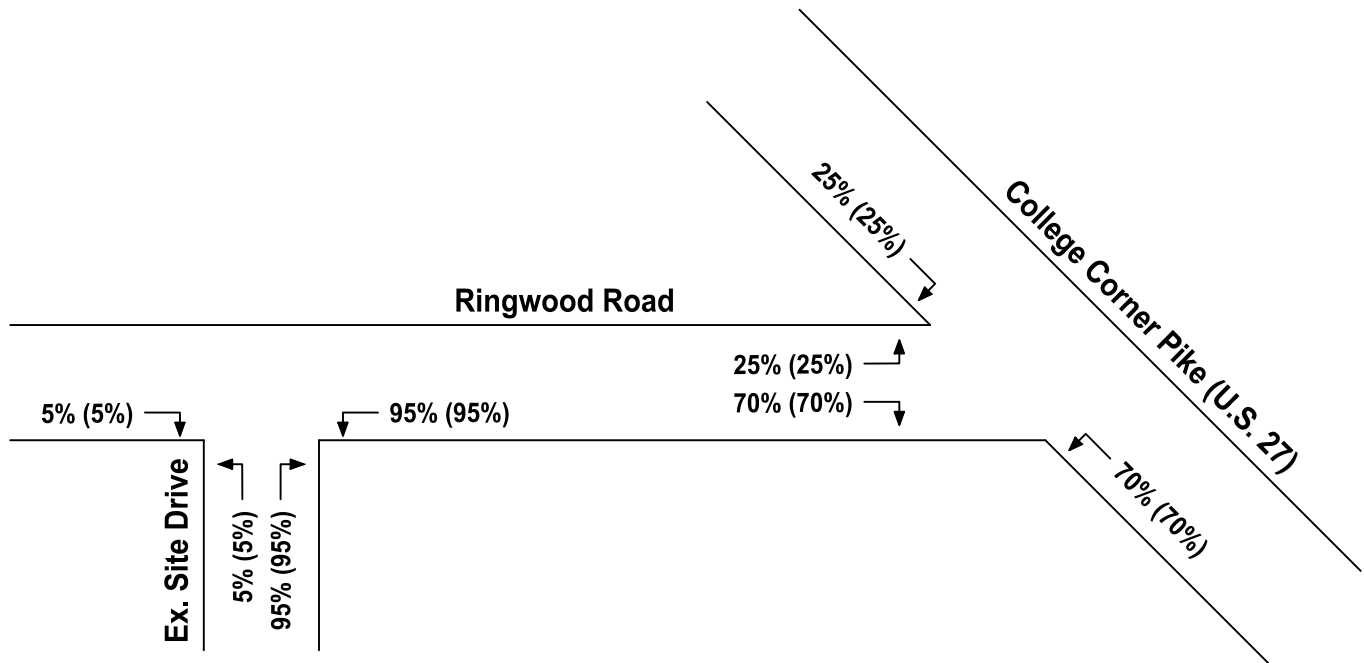
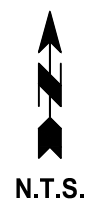


Figure 2

**May Day Planned Development
City of Oxford, Butler County, Ohio**

Site Trip Distribution

**xx - AM Peak Hour
(xx) - PM Peak Hour**



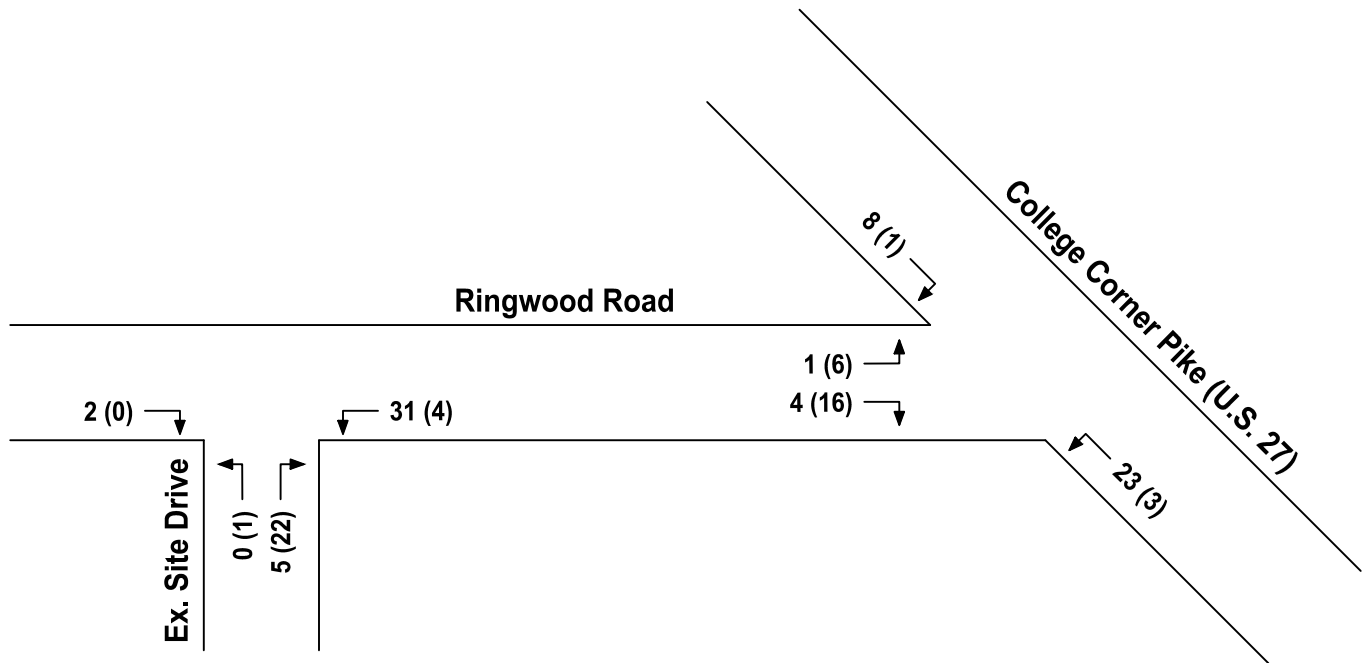
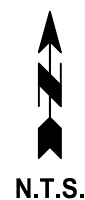


Figure 3

**May Day Planned Development
City of Oxford, Butler County, Ohio**

New Site Trip Volumes

**xx - AM Peak Hour
(xx) - PM Peak Hour**



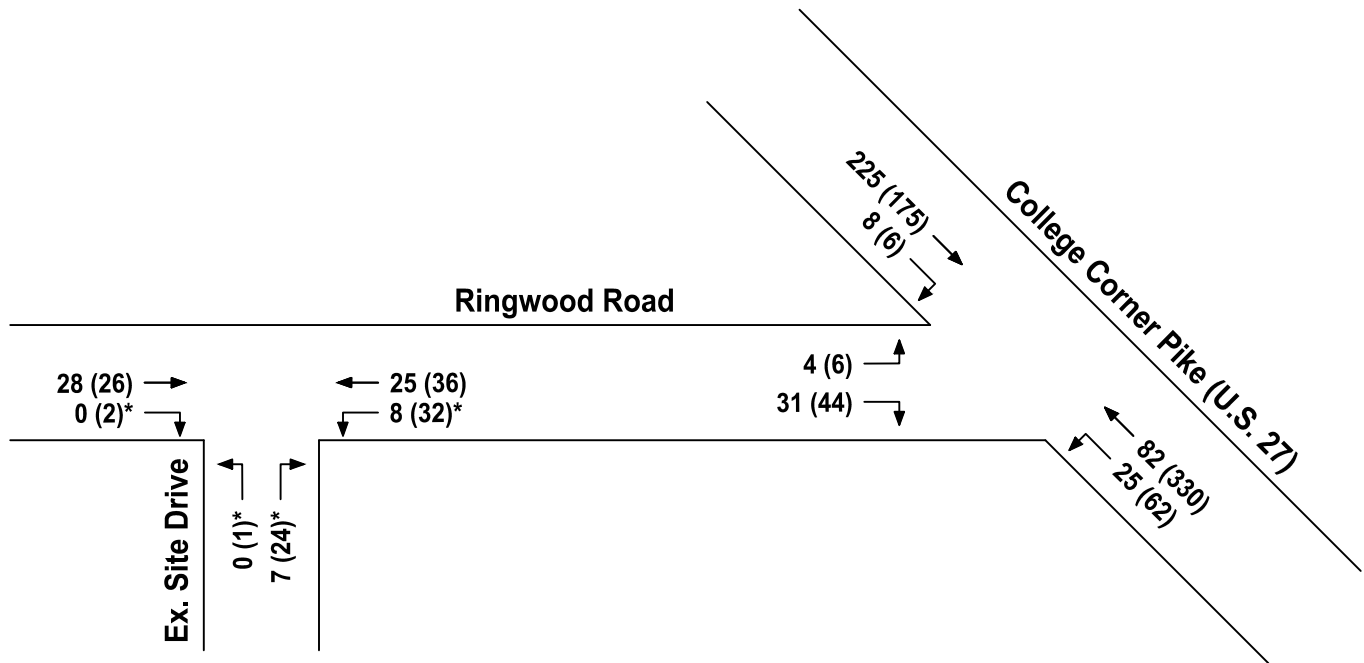


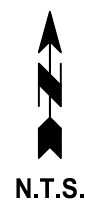
Figure 4

**May Day Planned Development
City of Oxford, Butler County, Ohio**

2031 No-Build Traffic Volumes

*** Estimated existing site trips for gun range**

**xx - AM Peak Hour
(xx) - PM Peak Hour**



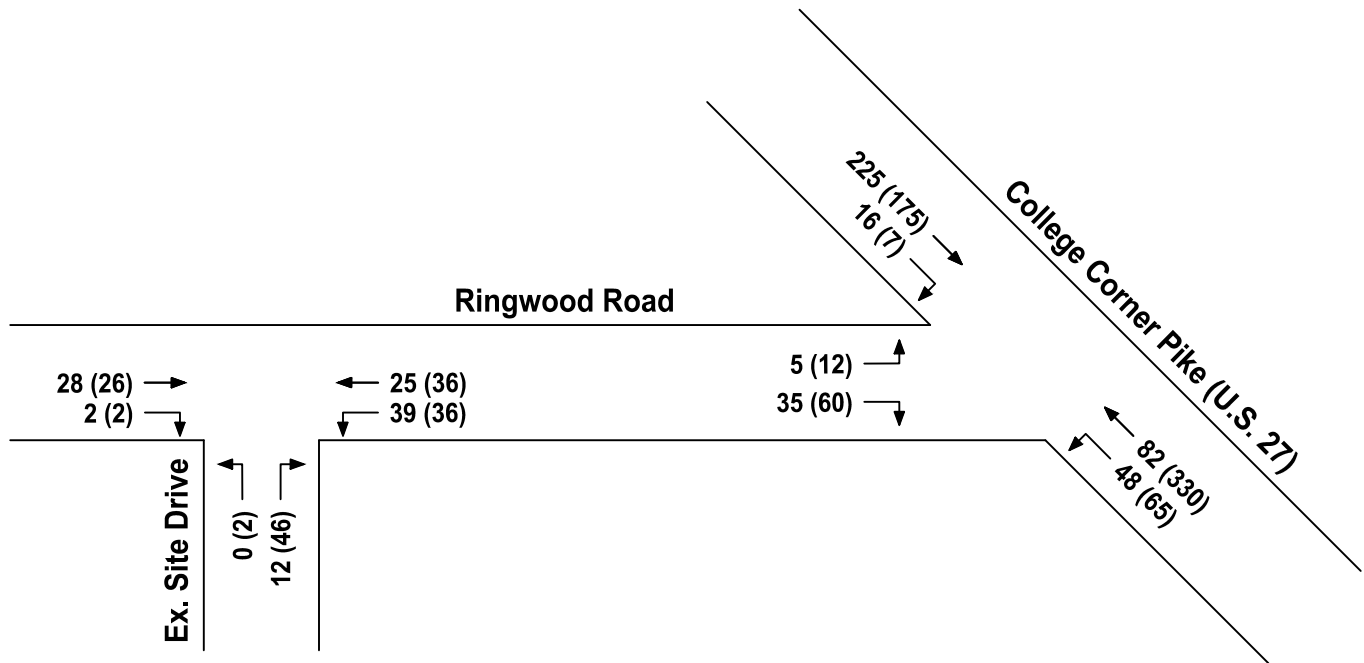
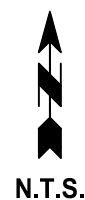


Figure 5

May Day Planned Development
City of Oxford, Butler County, Ohio

2031 Total Traffic Volumes

xx - AM Peak Hour
(xx) - PM Peak Hour



General Light Industrial (110)

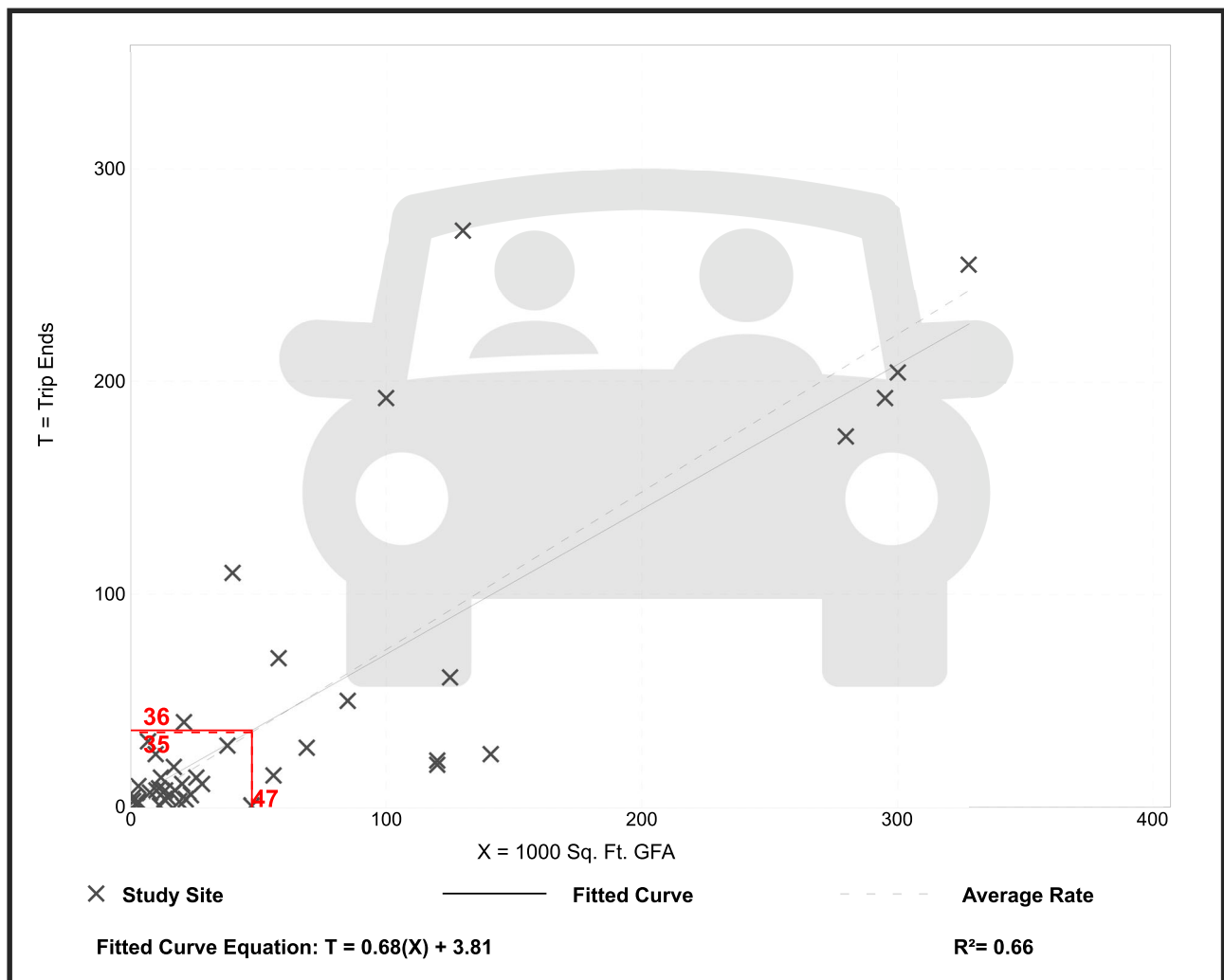
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
 On a: Weekday,
 Peak Hour of Adjacent Street Traffic,
 One Hour Between 7 and 9 a.m.
 Setting/Location: General Urban/Suburban
 Number of Studies: 41
 Avg. 1000 Sq. Ft. GFA: 65
 Directional Distribution: 88% entering, 12% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
0.74	0.02 - 4.46	0.61

Data Plot and Equation

47,400 SF



$$\begin{aligned} \text{ENTER} &= 36(0.88) = 32 \\ \text{EXIT} &= 36(0.12) = 4 \end{aligned}$$

General Light Industrial (110)

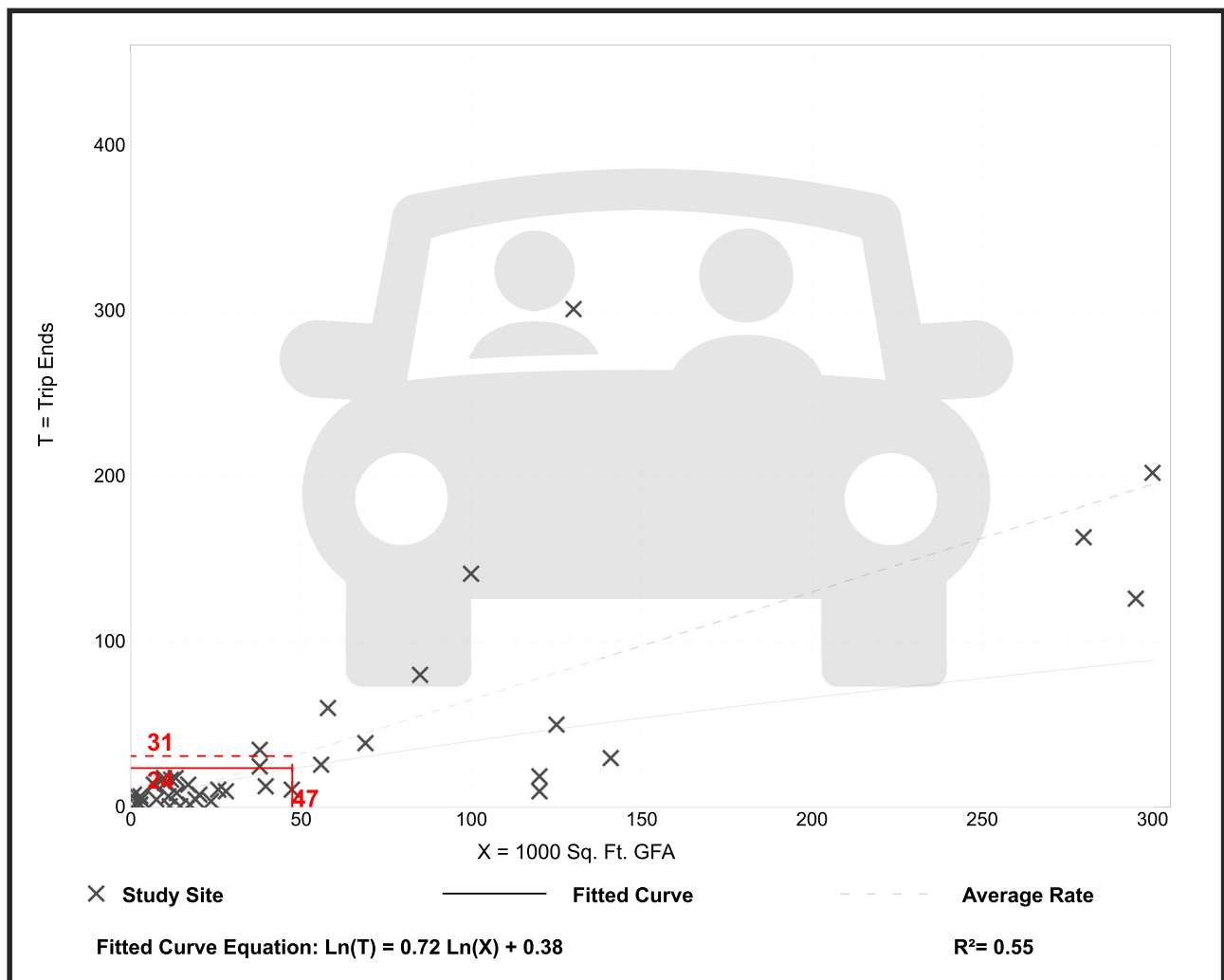
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
 On a: Weekday,
 Peak Hour of Adjacent Street Traffic,
 One Hour Between 4 and 6 p.m.
 Setting/Location: General Urban/Suburban
 Number of Studies: 40
 Avg. 1000 Sq. Ft. GFA: 58
 Directional Distribution: 14% entering, 86% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
0.65	0.07 - 7.02	0.56

Data Plot and Equation

47,400 SF



Trip Gen Manual, 11th Edition

• Institute of Transportation Engineers

$$\ln(T) = 0.72 \ln(47.4) + 0.38$$

$$T = 24$$

$$\text{ENTER} = 24(0.14) = 3$$

$$\text{EXIT} = 24(0.86) = 21$$

Mini-Warehouse (151)

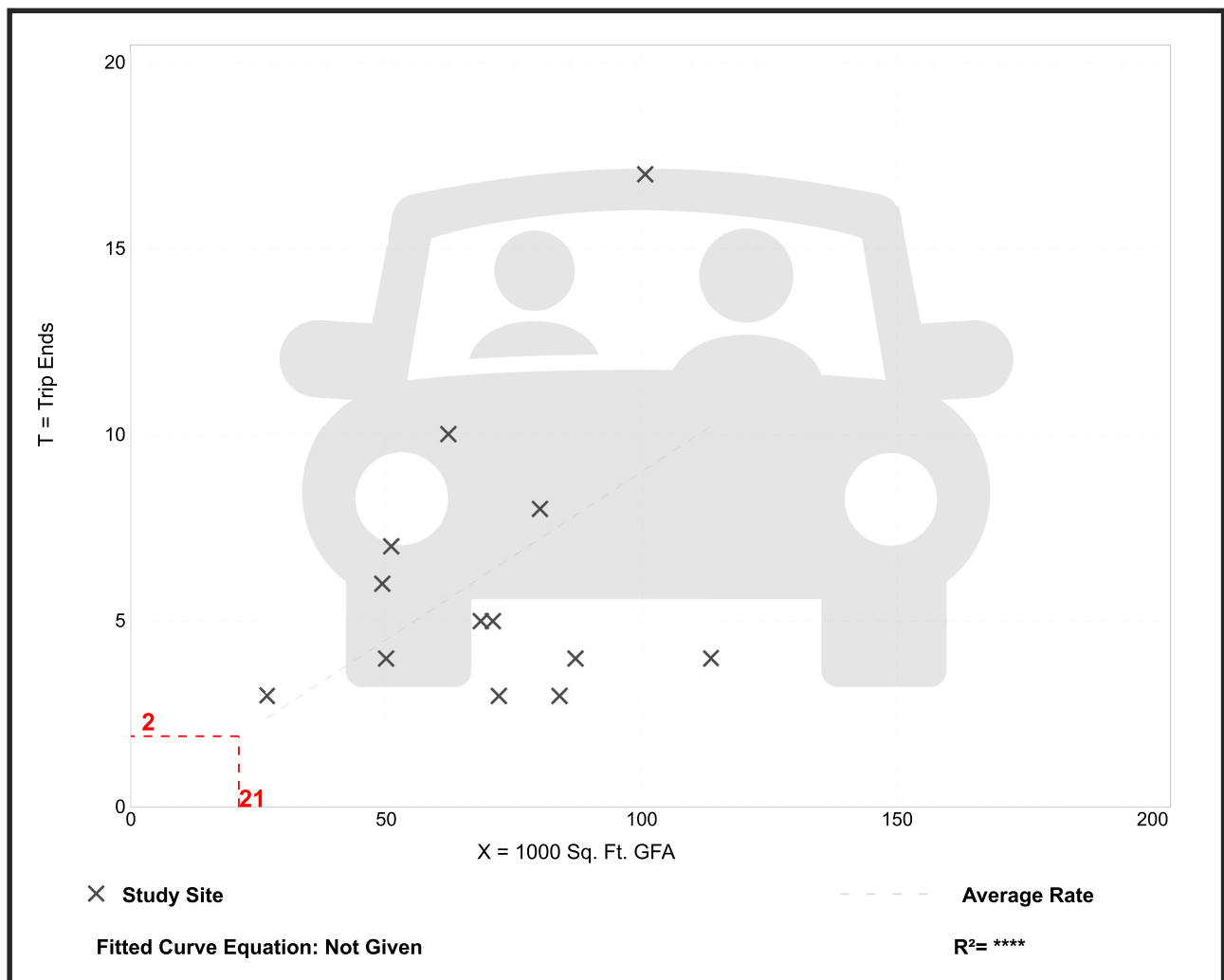
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.
Setting/Location: General Urban/Suburban
Number of Studies: 13
Avg. 1000 Sq. Ft. GFA: 70
Directional Distribution: 59% entering, 41% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
0.09	0.04 - 0.17	0.05

Data Plot and Equation

21,135 SF



Trip Gen Manual, 11th Edition

Institute of Transportation Engineers

$$T = 21.135(0.09) = 2$$

$$\begin{aligned} \text{ENTER} &= 2(0.59) = 1 \\ \text{EXIT} &= 2(0.41) = 1 \end{aligned}$$

Mini-Warehouse (151)

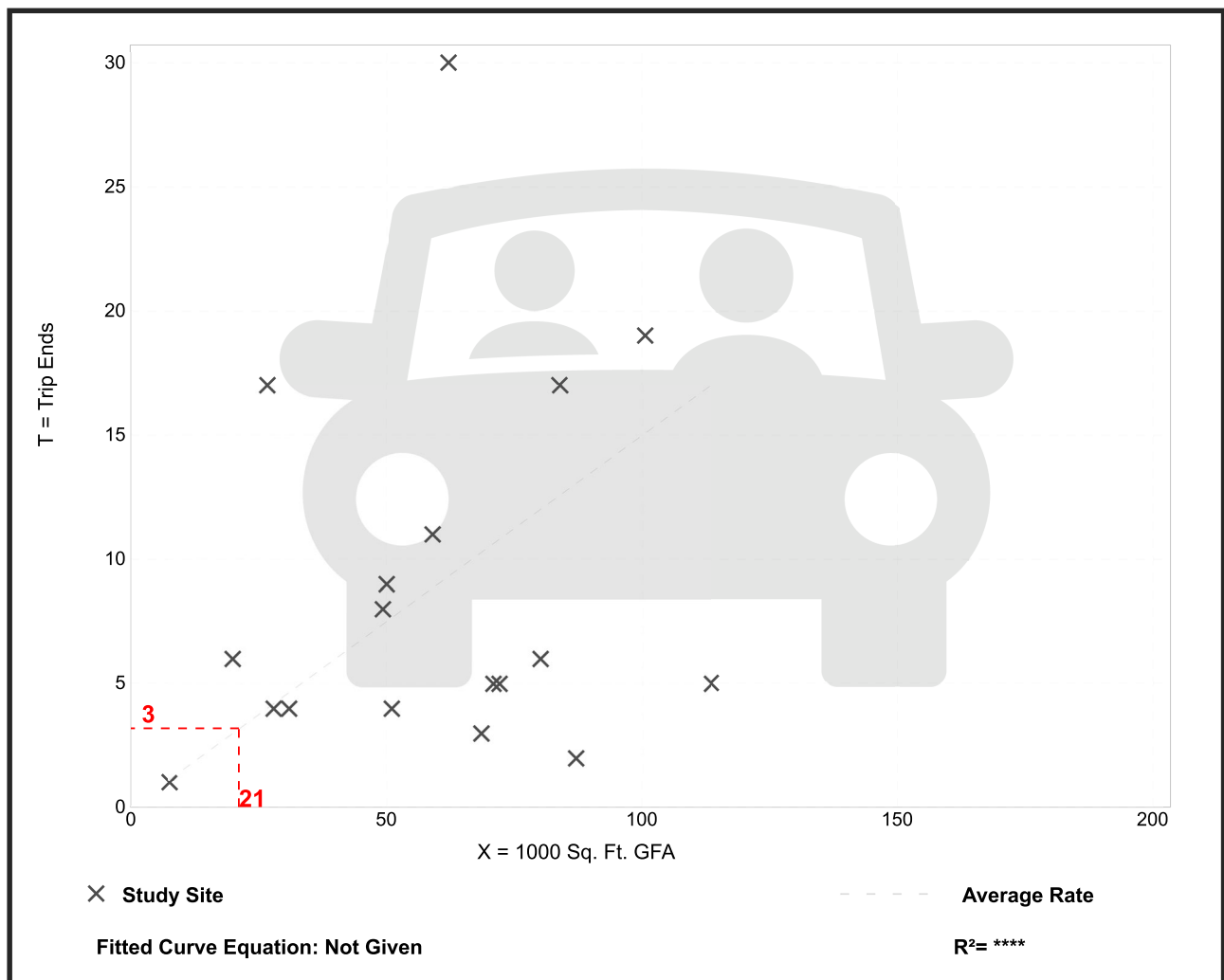
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
 On a: Weekday,
 Peak Hour of Adjacent Street Traffic,
 One Hour Between 4 and 6 p.m.
 Setting/Location: General Urban/Suburban
 Number of Studies: 18
 Avg. 1000 Sq. Ft. GFA: 59
 Directional Distribution: 47% entering, 53% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
0.15	0.02 - 0.64	0.14

Data Plot and Equation

21.135 SF



Trip Gen Manual, 11th Edition

Institute of Transportation Engineers

$$T = 21.135(0.15) = 3$$

$$\begin{aligned} \text{ENTER} &= 3(0.47) = 1 \\ \text{EXIT} &= 3(0.53) = 2 \end{aligned}$$

Health/Fitness Club (492)

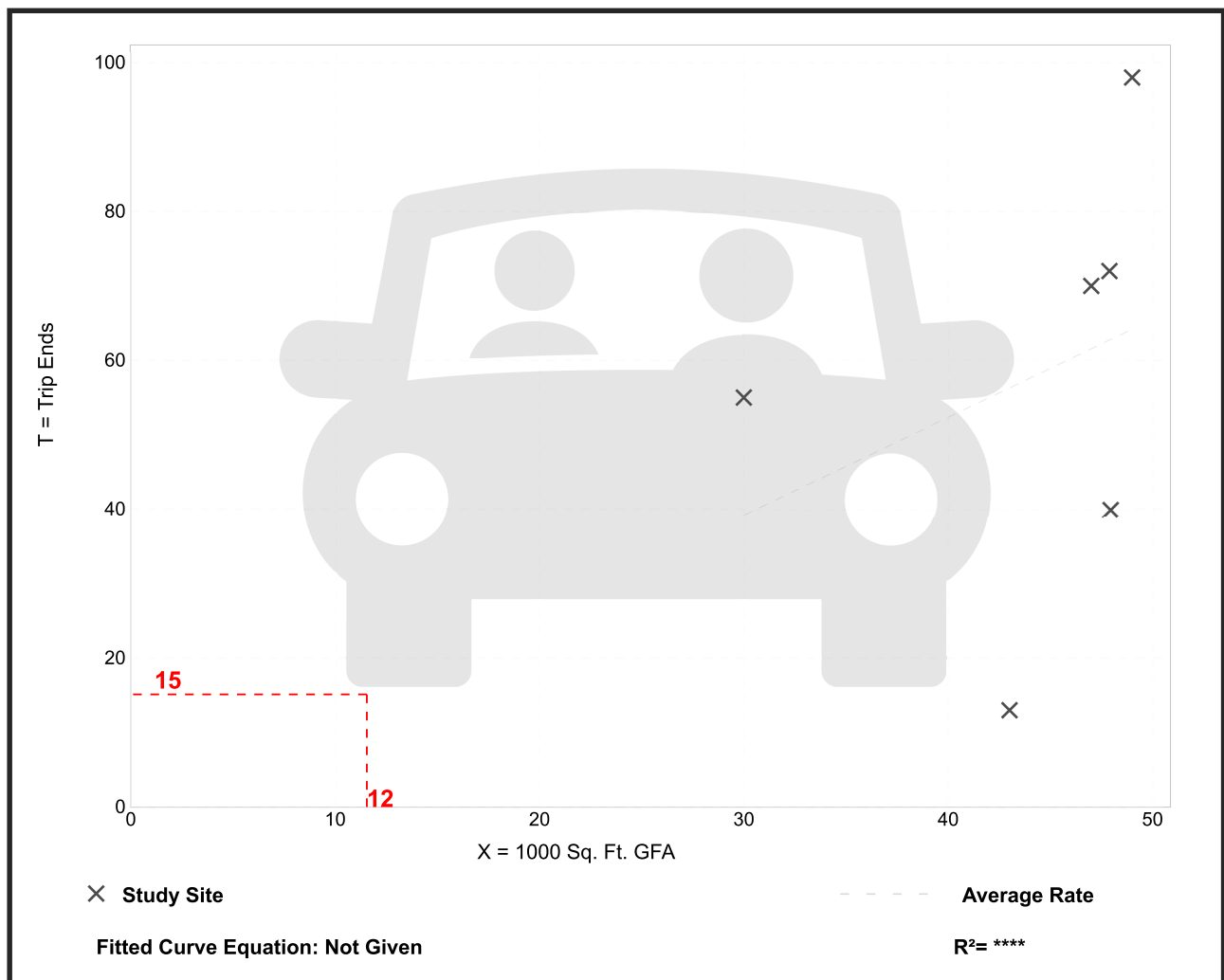
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.
Setting/Location: General Urban/Suburban
Number of Studies: 6
Avg. 1000 Sq. Ft. GFA: 44
Directional Distribution: 51% entering, 49% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
1.31	0.30 - 2.00	0.64

Data Plot and Equation

11,547 SF



Trip Gen Manual, 11th Edition

● Institute of Transportation Engineers

$$T = 11.547(1.31) = 15$$

$$\begin{aligned} \text{ENTER} &= 15(0.51) = 8 \\ \text{EXIT} &= 15(0.49) = 7 \end{aligned}$$

Health/Fitness Club (492)

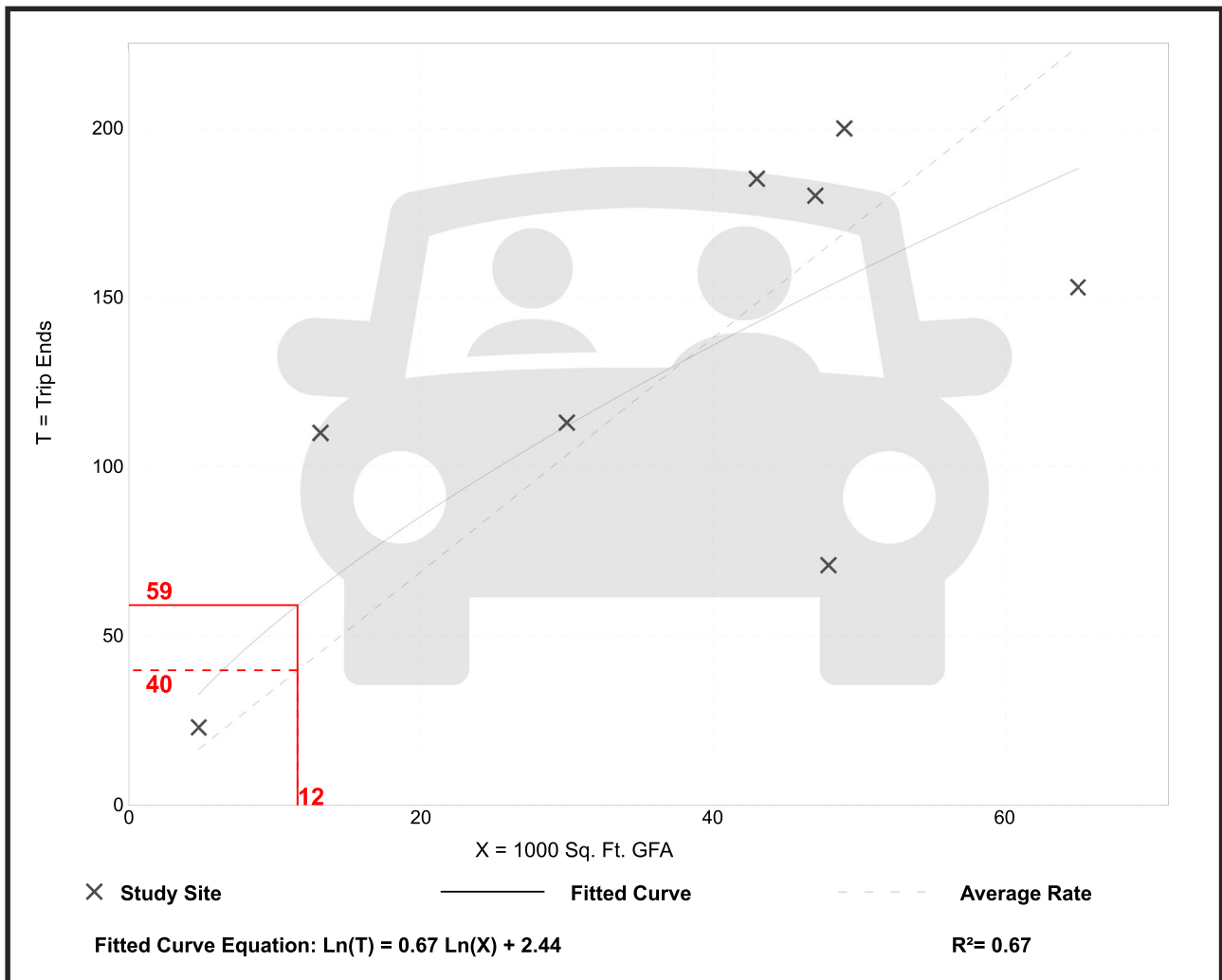
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
 On a: Weekday,
 Peak Hour of Adjacent Street Traffic,
 One Hour Between 4 and 6 p.m.
 Setting/Location: General Urban/Suburban
 Number of Studies: 8
 Avg. 1000 Sq. Ft. GFA: 37
 Directional Distribution: 57% entering, 43% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
3.45	1.48 - 8.37	1.57

Data Plot and Equation

11,547 SF



Trip Gen Manual, 11th Edition

• Institute of Transportation Engineers

$$\ln(T) = 0.67 \ln(11.547) + 2.44$$

$$T = 59$$

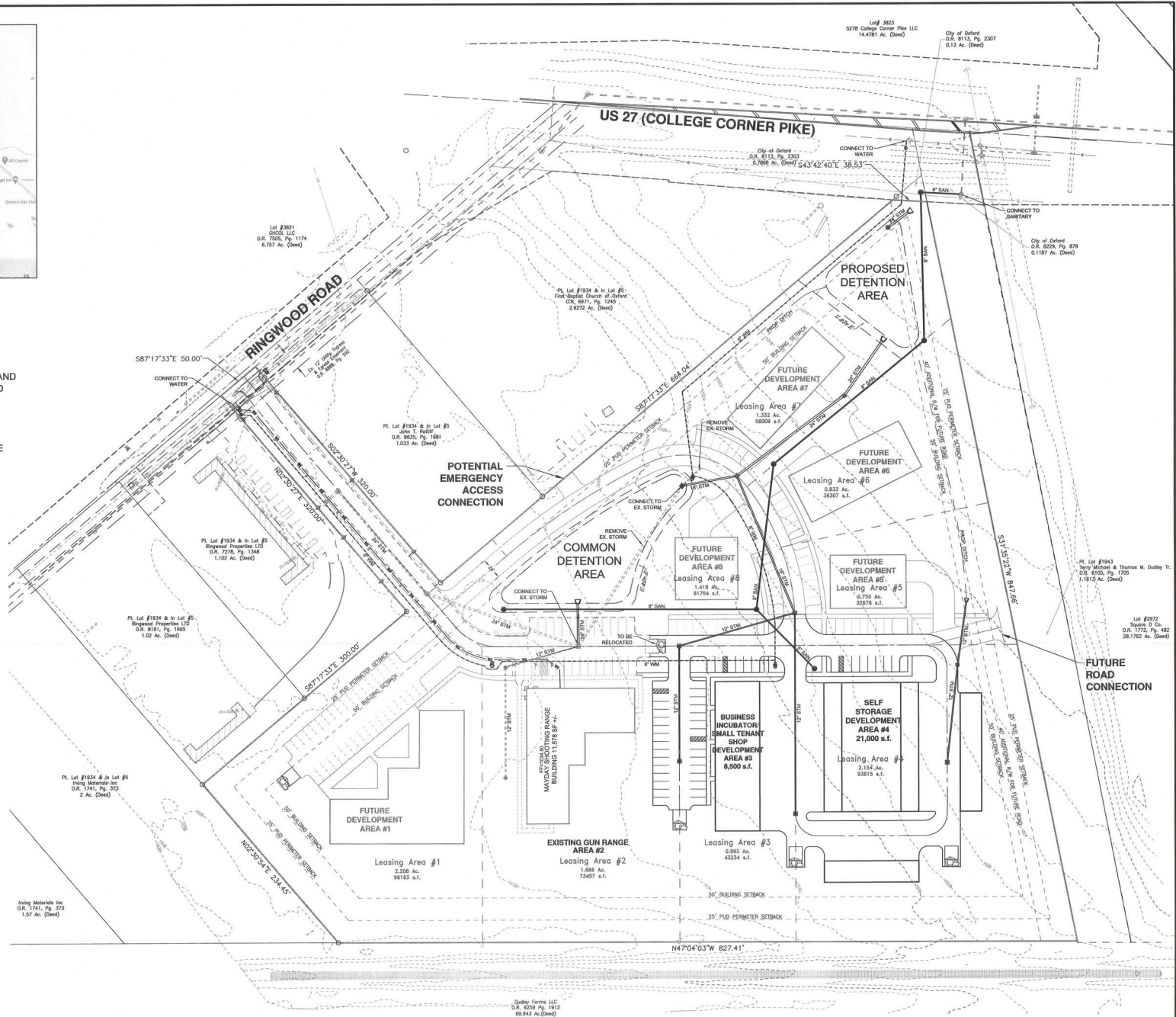
$$\text{ENTER} = 59(0.57) = 34$$

$$\text{EXIT} = 59(0.43) = 25$$



1. SANITARY SEWER, STORM SEWER AND WATER MAIN SHALL BE CONNECTED TO EXISTING CITY OF OXFORD SYSTEMS AND CONSTRUCTED PER CITY OF OXFORD STANDARDS AND SPECIFICATIONS.
2. ELECTRIC TO BE SUPPLIED BY DUKE ENERGY.

MAY DAY HANDGUN TRAINING LLC
5145 COLLEGE CORNER PIKE
OXFORD, OH 45056 1103



Plot time: May 24, 2021 - 11:48am
Drawing name: J:\2016\16-0100\PLDWG\16-0100 PL 210511.dwg - Layout Tab: Prelim Site Layout

Dudley Farms LLC
O.R. 9259 Pg. 1912
69.943 Ac.(Deed)



Item	Revision Description	Date	Drawn	Ck'd
PRELIMINARY				

**MAY DAY SHOOTING RANGE
PLANNED UNIT DEVELOPMENT**
SECTION 16, TOWN 5, RANGE 1
CITY OF OXFORD
BUTLER COUNTY, OHIO



Drawing: 16-0100 PL 21
Drawn by:
Checked By:
Issue Date: 02-2

PRE

Day Planned Development

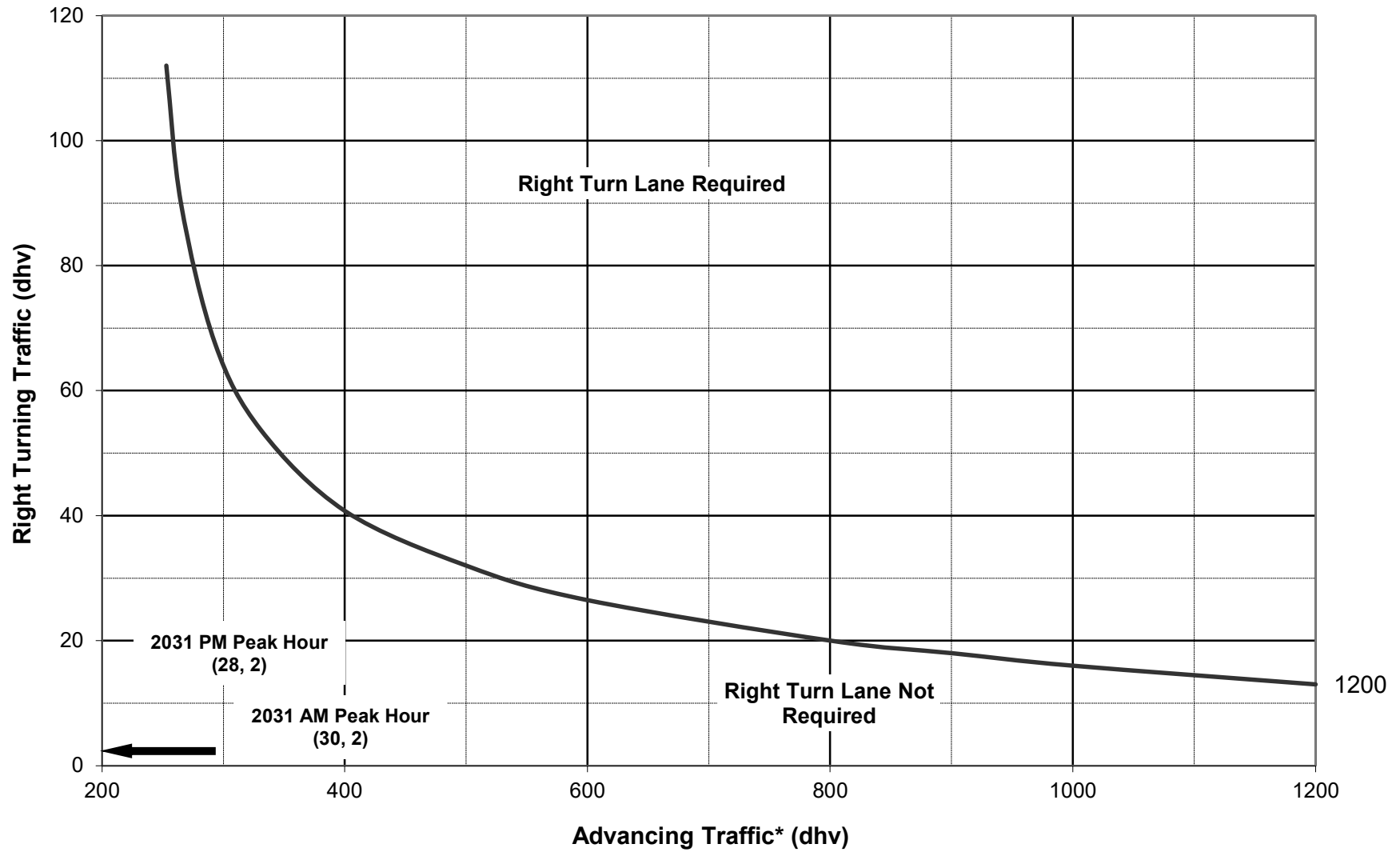
Existing Total Land Area: 491,357 s.f.
11.28 Acres

Lot Coverage	Development Area	Building Area	Private Street Street Parking	Off-Street Parking	Sidewalks	Service Loading Area	Totals
Existing Gun Range 1/2 Shared Parking & Sidewalks	#2	11,547 s.f.	19,974 s.f.	5,333 s.f.	3,237 s.f. 1,073 s.f.		34,758 s.f. 6,406 s.f.
Proposed Business Incubator 1/2 Shared Parking Area	#3	8,400 s.f.	13,048 s.f.	5,333 s.f.	1,663 s.f. 1,109 s.f.	26,594 s.f.	10,063 s.f. 6,442 s.f.
Proposed Self Storage	#4						13,048 s.f.
Main Building		15,400 s.f.			846 s.f.		42,840 s.f.
Unconditioned perimeter -SW		2,544 s.f.					2,544 s.f.
Unconditioned perimeter -SE		3,191 s.f.					3,191 s.f.
Phase 2 Loop Road			13,379 s.f.				13,379 s.f.
Future Development Site	#1	14,000 s.f.	1,183 s.f. 848 s.f. 1,067 s.f. (SW) 1,792 s.f. (SE) 854 s.f.	11,739 s.f.	4,312 s.f.	3,613 s.f.	33,664 s.f.
Future Development Site	#5	5000 s.f.			1,309 s.f.	3,028 s.f.	10,520 s.f.
Future Development Site	#6	8,000 s.f.			512 s.f.	5,831 s.f.	9,360 s.f.
Future Development Site	#7	7,000 s.f.			419 s.f.		5,831 s.f.
Future Development Site	#8	5,000 s.f.			1,170 s.f.	1,975 s.f.	8,486 s.f.
							9,937 s.f. 854 s.f.
Planned Development Totals		80,082 s.f.	52,145 s.f.	22,405 s.f.	15,650 s.f.	41,041 s.f.	211,323 s.f. 43.01%

Open Space

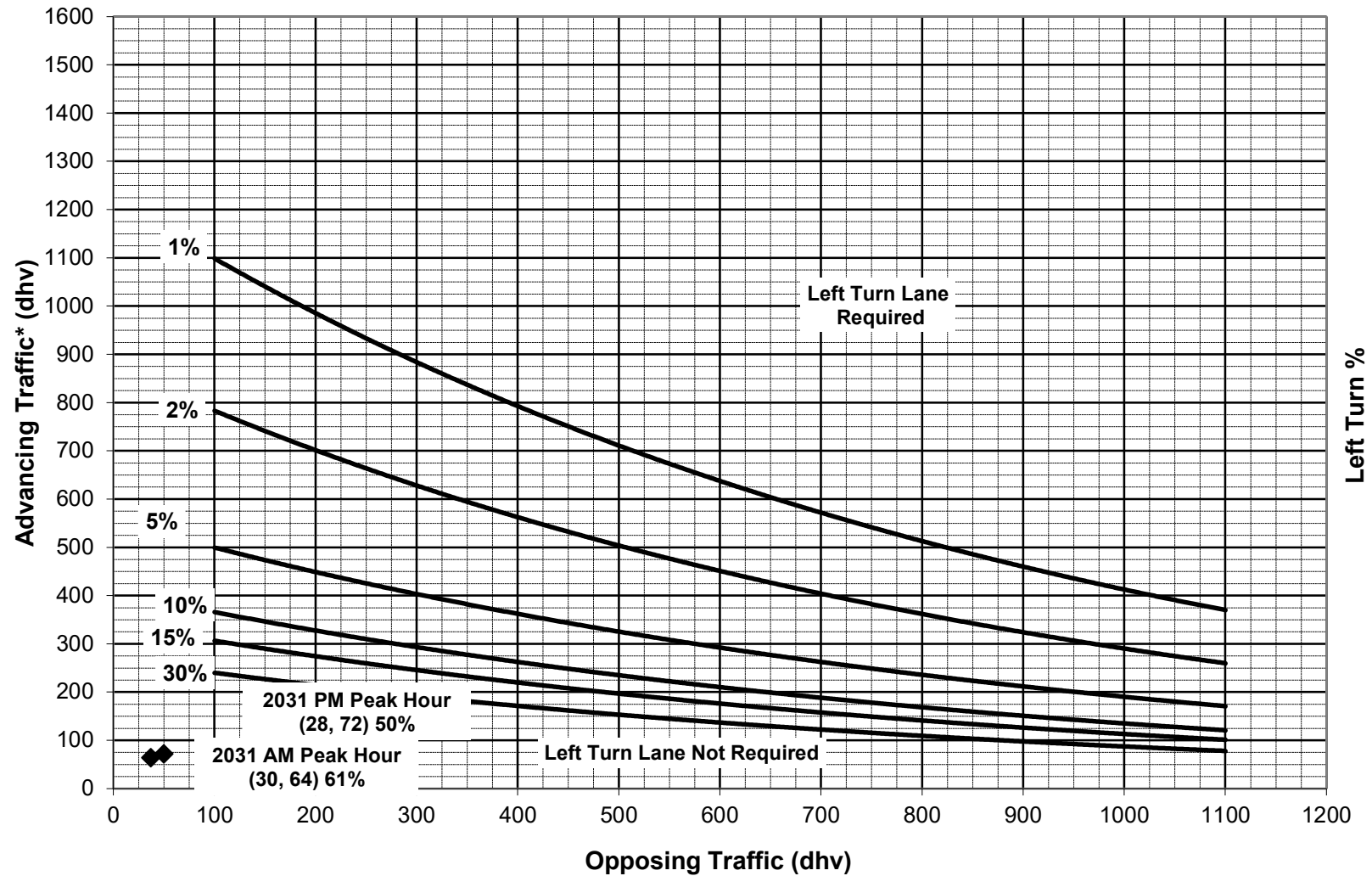
Area #1	33,176 s.f.
Area #2 -Retention-1	17,849 s.f.
Area #3 - Retention-2	13,131 s.f.
Area #4 - South Corner	6,537
	70,693 s.f.
	14.39%

Eastbound Ringwood Road @ Existing Site Drive - 2031 Total Conditions
2-Lane Highway Right Turn Lane Warrant
(> 40 mph or 70 kph Posted Speed)



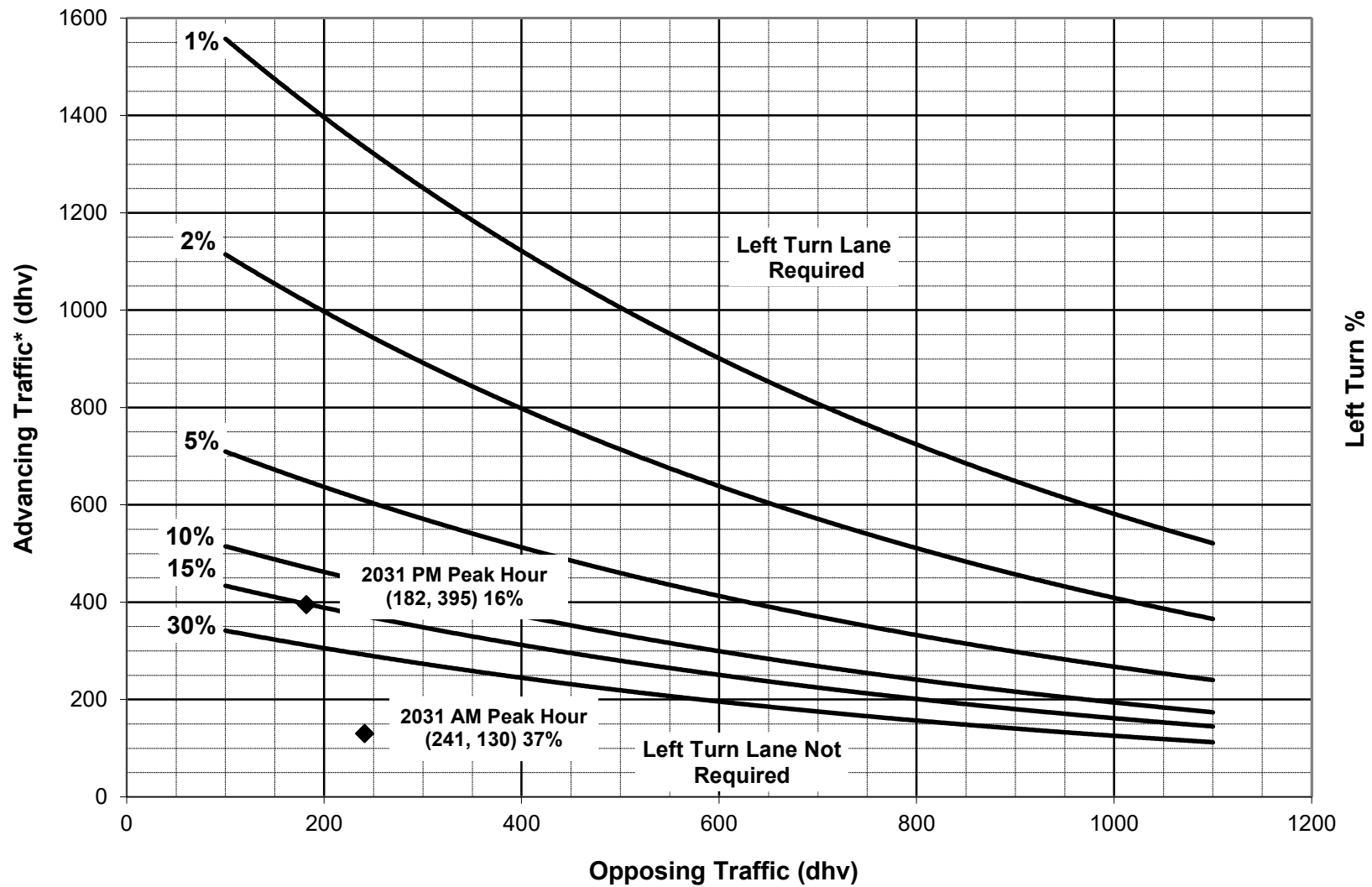
*** Includes Left Turns**

Westbound Ringwood Road @ Existing Site Drive - 2031 Total Conditions
2-Lane Highway Left Turn Lane Warrant
 (> 40 mph or 70 kph Posted Speed)



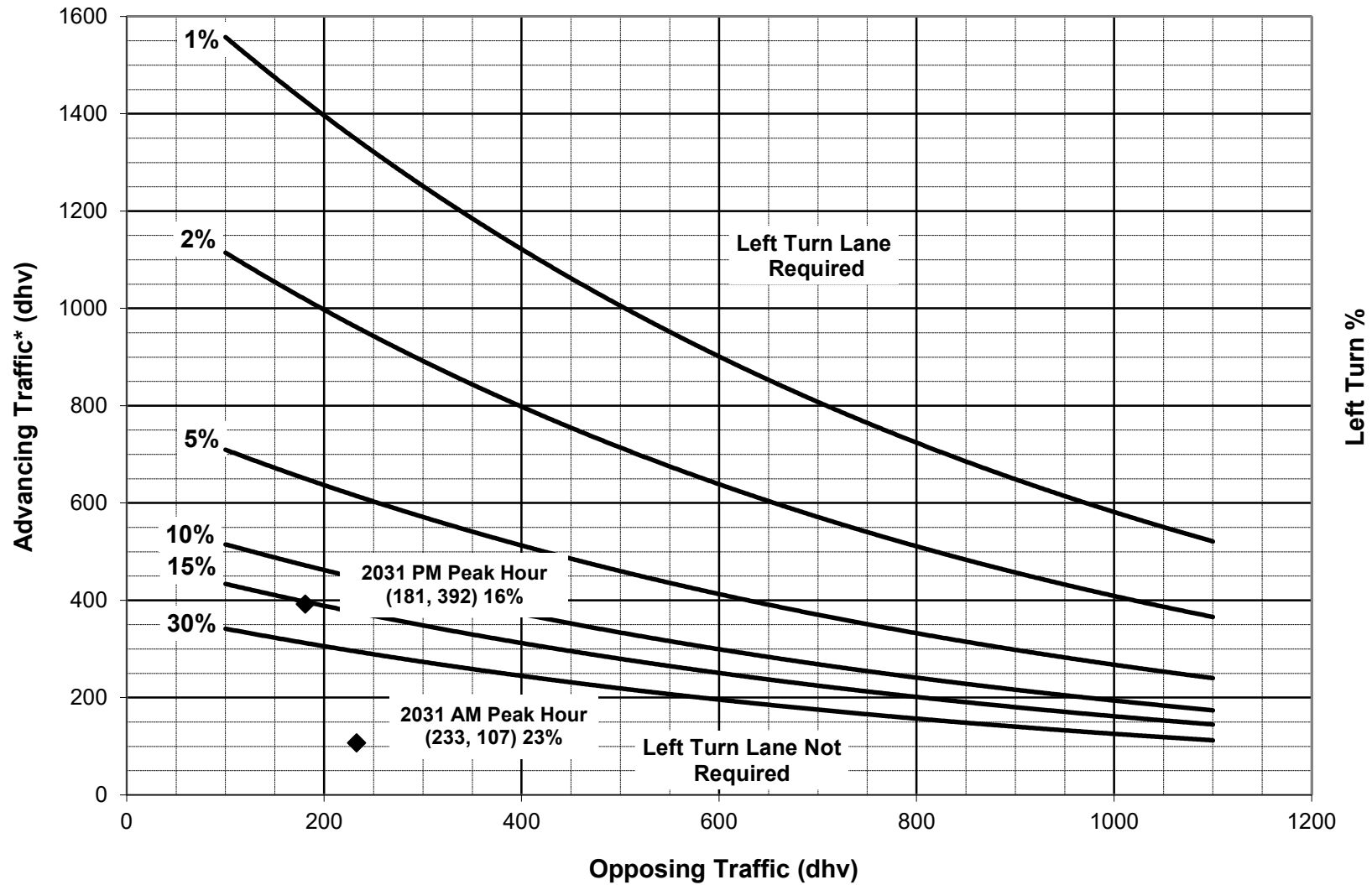
* Includes Left Turns

Northbound College Corner Pike (U.S. 27) @ Ringwood Road - 2031 Total Conditions
2-Lane Highway Left Turn Lane Warrant
(= < 40 mph or 70 kph Posted Speed)



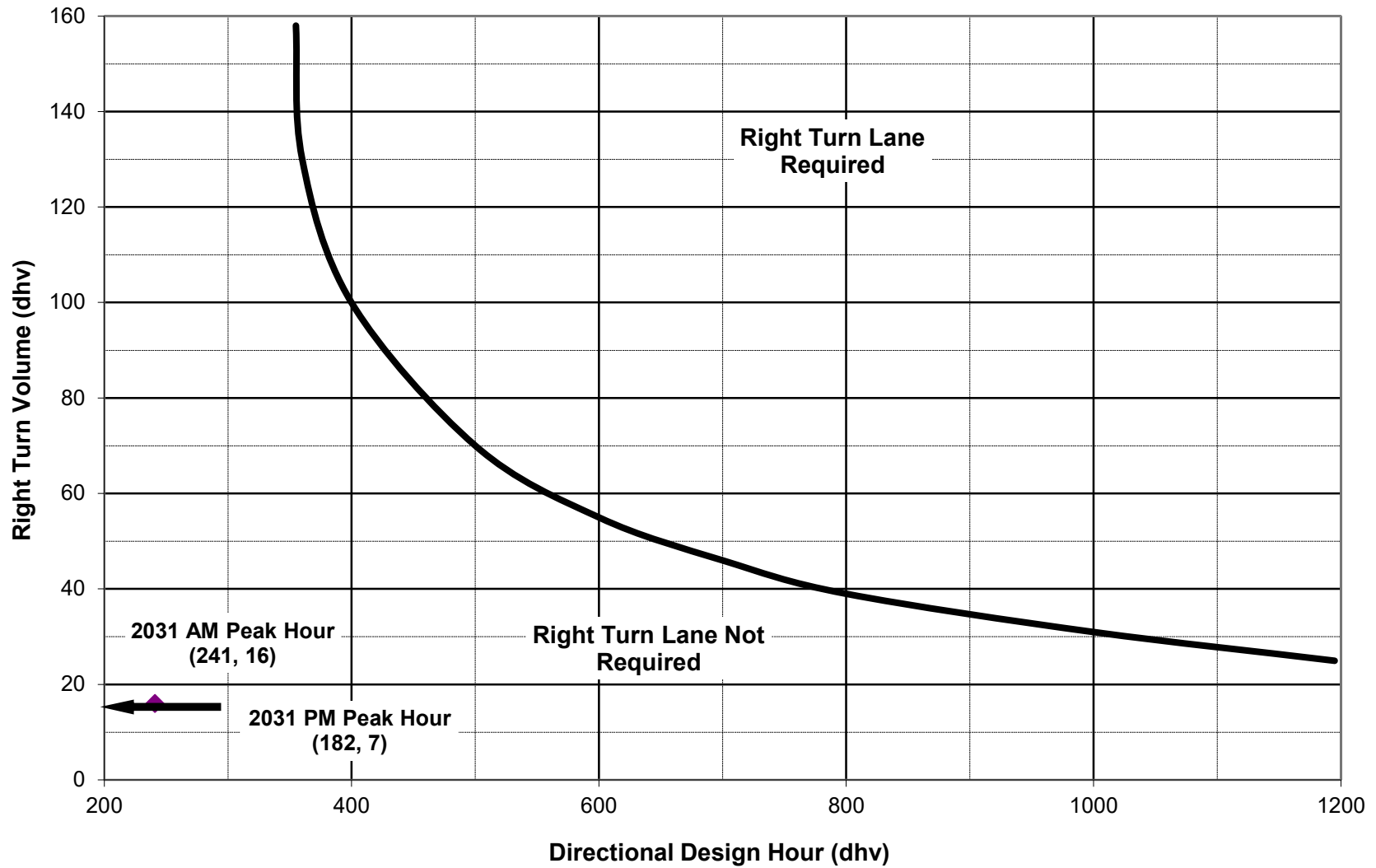
* Includes Left Turns

Northbound College Corner Pike (U.S. 27) @ Ringwood Road - 2031 No-Build Conditions
2-Lane Highway Left Turn Lane Warrant
(≤ 40 mph or 70 kph Posted Speed)

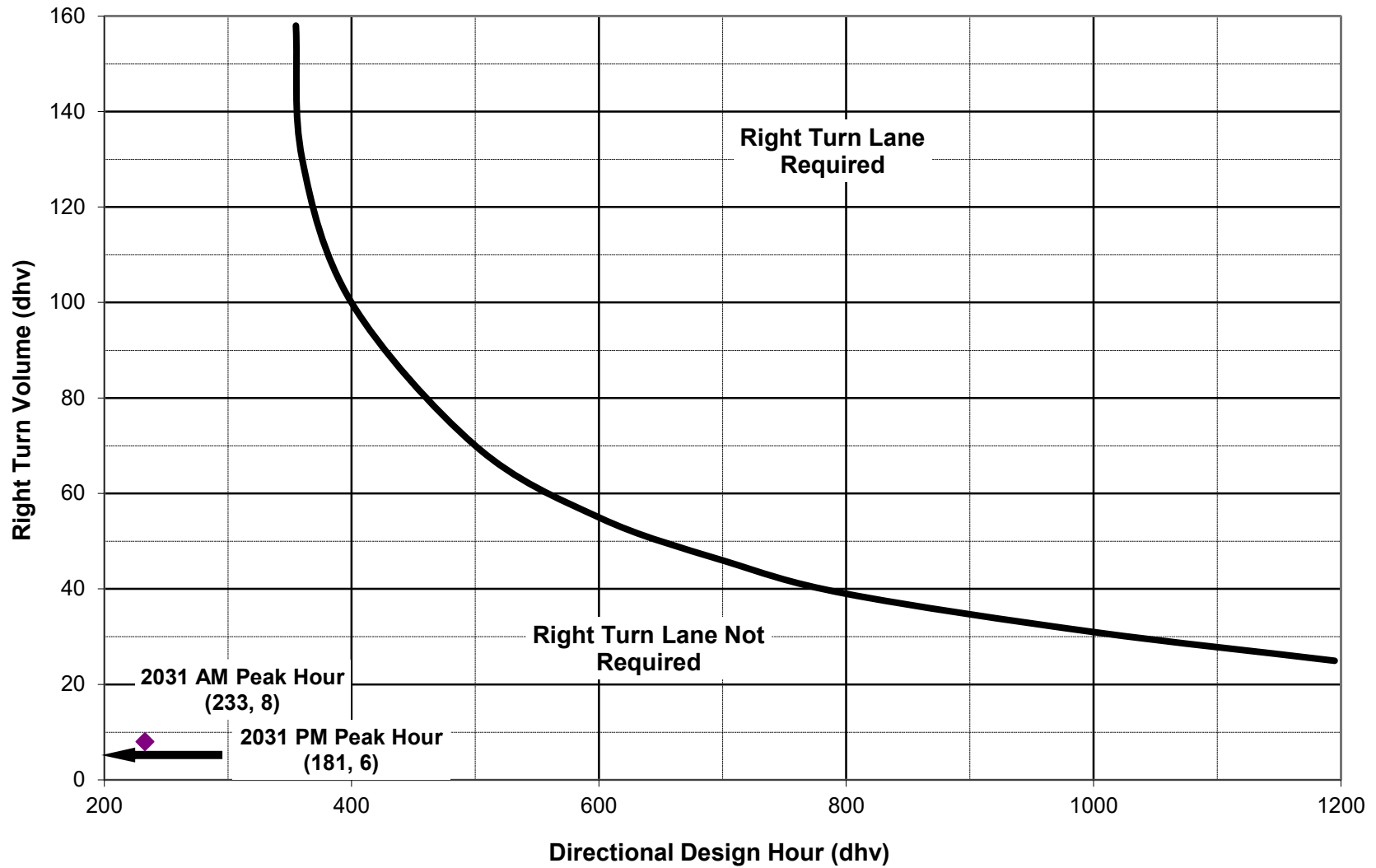


* Includes Left Turns

Southbound College Corner Pike (U.S. 27) @ Ringwood Road - 2031 Total Conditions
2-Lane Highway Right Turn Lane Warrant
(≤ 40 mph or 70 kph Posted Speed)



Southbound College Corner Pike (U.S. 27) @ Ringwood Road - 2031 No-Build Conditions
2-Lane Highway Right Turn Lane Warrant
(=< 40 mph or 70 kph Posted Speed)



Storage Length Calculations

COLLEGE CORNER PIKE (U.S. 27) @ RINGWOOD ROAD 2031 TOTAL TRAFFIC VOLUMES

Northbound Left Turn Lane - Storage required:

Data Required:

- Speed Limit = 35 mph
- Unsignalized (Cycle Length = 60 Seconds)
- Volume of Turns
 - AM Peak Hour = 48 Vehicles/Hour
 - PM Peak Hour = 65 Vehicles/Hour

1. Determine the cycles per hour.

Per ODOT's L&D Manual, Figure 401-10 we assume 60 Cycles/Hour for an unsignalized intersection.

2. Determine Average Vehicles Per Cycle Requiring Storage.

$$\text{VPC} = \frac{65 \text{ Vehicles/Hour}}{60 \text{ Cycles/Hour}} = 1 \text{ Vehicle/Cycle}$$

3. According to the ODOT L&D Manual, Figure 401-9, for an unsignalized through road with a design speed of 35 mph and high turn volume, condition A applies.

Condition A:

According to the ODOT L&D Manual, Figure 401-9, turn lane length = 50 feet diverging taper + storage length (Figure 401-10).

According to the ODOT L&D Manual, Figure 401-10, the storage length for 1 vehicle is 50 feet.

Therefore,

- Northbound left turn lane should be 100 feet (including 50-foot diverging taper).

Storage Length Calculations

COLLEGE CORNER PIKE (U.S. 27) @ RINGWOOD ROAD 2031 NO-BUILD TRAFFIC VOLUMES

Northbound Left Turn Lane - Storage required:

Data Required:

- Speed Limit = 35 mph
- Unsignalized (Cycle Length = 60 Seconds)
- Volume of Turns
 - AM Peak Hour = 25 Vehicles/Hour
 - PM Peak Hour = 62 Vehicles/Hour

1. Determine the cycles per hour.

Per ODOT's L&D Manual, Figure 401-10 we assume 60 Cycles/Hour for an unsignalized intersection.

2. Determine Average Vehicles Per Cycle Requiring Storage.

$$\text{VPC} = \frac{62 \text{ Vehicles/Hour}}{60 \text{ Cycles/Hour}} = 1 \text{ Vehicle/Cycle}$$

3. According to the ODOT L&D Manual, Figure 401-9, for an unsignalized through road with a design speed of 35 mph and high turn volume, condition A applies.

Condition A:

According to the ODOT L&D Manual, Figure 401-9, turn lane length = 50 feet diverging taper + storage length (Figure 401-10).

According to the ODOT L&D Manual, Figure 401-10, the storage length for 1 vehicle is 50 feet.

Therefore,

- Northbound left turn lane should be 100 feet (including 50-foot diverging taper).



Transportation Data Management System

List View

All DIRs

Record	Previous First Next Last	1 of 1	Goto Record	go
Location ID	3809		MPO ID	
Type	SPOT		HPMS ID	000027018730
On NHS	Yes		On HPMS	Yes
LRS ID	SBUTUS00027**C		LRS Loc Pt.	18.238
SF Group	URBAN_OTHER_PRINCIPAL_ARTERIAL		Route Type	US
AF Group	URBAN_OTHER_PRINCIPAL_ARTERIAL		Route	00027
GF Group	URBAN_OTHER_PRINCIPAL_ARTERIAL		Active	Yes
Class Dist Grp			Category	State Program
Seas Clss Grp	URBAN_OTHER_PRINCIPAL_ARTERIAL			
WIM Group				
QC Group	Default			
Funct'l Class	Other Principal Arterial		Milepost	
Located On	COLLEGE CORNER PIKE			
Loc On Alias				
	US27 OXFORD-COLLEGE NW OF HESTER, IN OXFORD			
More Detail Next				
STATION DATA				

 Directions:
AADT

Year	AADT	DHV-30	K %	D %	PA	BC	Src
2020	8,283	897	11	50	8,043 (97%)	240 (3%)	
2019	9,208 ³		9	54	8,561 (93%)	647 (7%)	Grown from 2018
2018	9,117 ³		9	54	8,476 (93%)	641 (7%)	Grown from 2017
2017	9,117	841	9	54	8,476 (93%)	641 (7%)	
2016	6,716 ³		8	54	6,320 (94%)	395 (6%)	Grown from 2015

 1-5 of 15

Travel Demand Model

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

VOLUME COUNT

Date	Int	Total
Tue 8/11/2020	15	9,214
Thu 4/6/2017	15	10,021
Wed 4/5/2017	15	9,767
Tue 12/2/2014	60	5,590
Mon 12/1/2014	60	5,455
Tue 4/3/2012	60	9,141
Mon 4/2/2012	60	9,027

VOLUME TREND

Year	Annual Growth
2020	-10%
2019	1%
2018	0%
2017	36%
2016	2%
2015	2%
2014	33%
2013	0%
2011	-12%
2007	2%

CLASSIFICATION

	Date	Int	Total
	Tue 8/11/2020	15	9,214
	Thu 4/6/2017	15	10,021
	Wed 4/5/2017	15	9,767
	Tue 12/2/2014	60	5,590
	Mon 12/1/2014	60	5,455
	Tue 4/3/2012	60	9,141
	Mon 4/2/2012	60	9,027



	1	2	3	4	5	6	7	8	9	10
1	1	2	3	4	5	6	7	8	9	10
2	2	4	6	8	10	12	14	16	18	20
3	3	6	9	12	15	18	21	24	27	30
4	4	8	12	16	20	24	28	32	36	40
5	5	10	15	20	25	30	35	40	45	50
6	6	12	18	24	30	36	42	48	54	60
7	7	14	21	28	35	42	49	56	63	70
8	8	16	24	32	40	48	56	64	72	80
9	9	18	27	36	45	54	63	72	81	90
10	20	30	40	50	60	70	80	90	100	

PER VEHICLE				
	Date	Axles	85th	Total
No Data				

PER VEHICLE				
	Date	Axles	85th	Total
No Data				

Date	Int	24-Hr Total
------	-----	-------------

NOTES/FILES			
	Note	Date	
	<u>3809_08_12_2020.xls</u>	8/20/2020 eggmanengineering	
	<u>3809 SD_08_12_2020.jpg</u>	8/20/2020 eggmanengineering	
	<u>3809 RT_08_12_2020.jpg</u>	8/20/2020 eggmanengineering	
	<u>3809 PD_08_12_2020.jpg</u>	8/20/2020 eggmanengineering	
	<u>3809.xlsx</u>	4/28/2017 tec.engineering	
	<u>3809 SD.JPG</u>	4/28/2017 tec.engineering	
	<u>3809 RT.JPG</u>	4/28/2017 tec.engineering	
	<u>3809_pd.JPG</u>	4/28/2017 tec.engineering	



Bayer Becker
6900 Tylersville Road
Suite A
Mason, Ohio, United States 45040
513-336-6600

Count Name: US 27 & Ringwood
Site Code:
Start Date: 08/31/2021
Page No: 1

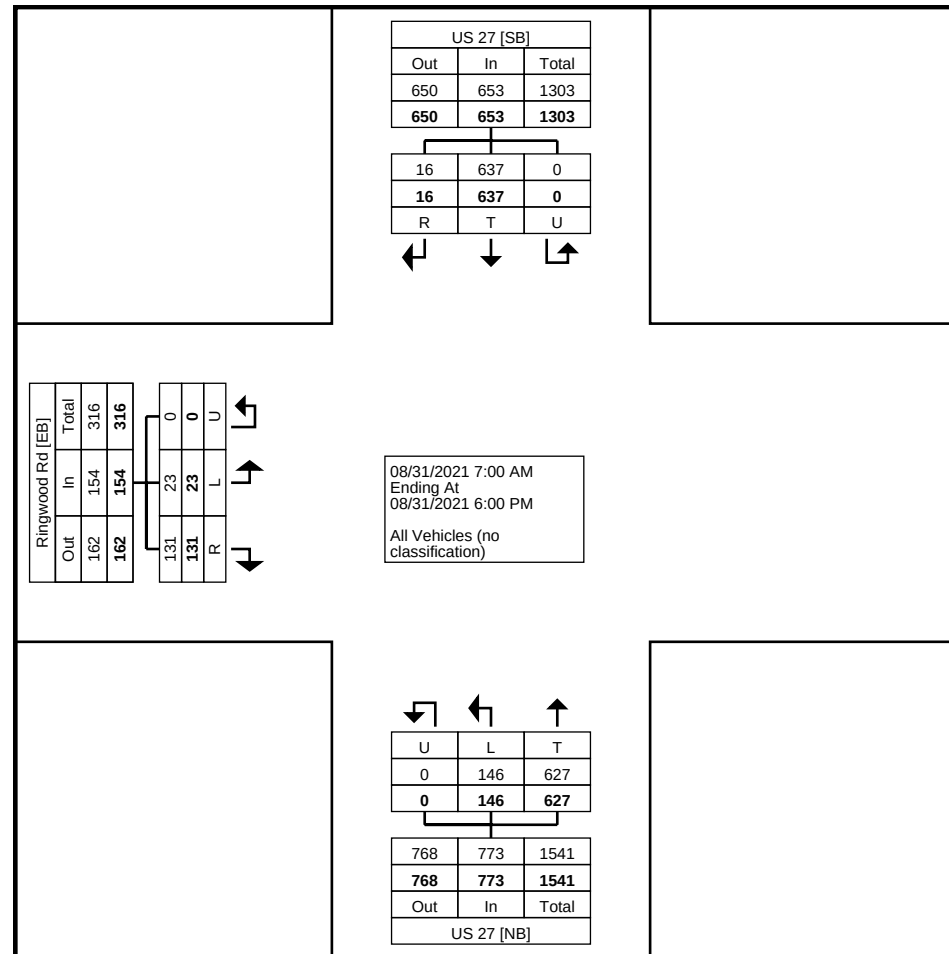
Turning Movement Data

Start Time	US 27 Southbound				US 27 Northbound				Ringwood Rd Eastbound				Int. Total
	Right	Thru	U-Turn	App. Total	Thru	Left	U-Turn	App. Total	Right	Left	U-Turn	App. Total	
7:00 AM	0	33	0	33	15	3	0	18	4	1	0	5	56
7:15 AM	0	56	0	56	16	9	0	25	11	1	0	12	93
7:30 AM	1	40	0	41	20	4	0	24	3	1	0	4	69
7:45 AM	0	65	0	65	19	5	0	24	7	0	0	7	96
Hourly Total	1	194	0	195	70	21	0	91	25	3	0	28	314
8:00 AM	6	43	0	49	19	5	0	24	7	2	0	9	82
8:15 AM	1	35	0	36	18	4	0	22	8	3	0	11	69
8:30 AM	0	42	0	42	19	9	0	28	5	1	0	6	76
8:45 AM	0	33	0	33	17	9	0	26	10	0	0	10	69
Hourly Total	7	153	0	160	73	27	0	100	30	6	0	36	296
*** BREAK ***	-	-	-	-	-	-	-	-	-	-	-	-	-
4:00 PM	1	34	0	35	54	11	0	65	14	2	0	16	116
4:15 PM	1	39	0	40	49	13	0	62	10	4	0	14	116
4:30 PM	0	28	0	28	102	19	0	121	13	3	0	16	165
4:45 PM	0	52	0	52	61	14	0	75	11	0	0	11	138
Hourly Total	2	153	0	155	266	57	0	323	48	9	0	57	535
5:00 PM	3	35	0	38	71	13	0	84	9	0	0	9	131
5:15 PM	2	43	0	45	65	10	0	75	7	2	0	9	129
5:30 PM	0	29	0	29	39	9	0	48	4	3	0	7	84
5:45 PM	1	30	0	31	43	9	0	52	8	0	0	8	91
Hourly Total	6	137	0	143	218	41	0	259	28	5	0	33	435
Grand Total	16	637	0	653	627	146	0	773	131	23	0	154	1580
Approach %	2.5	97.5	0.0	-	81.1	18.9	0.0	-	85.1	14.9	0.0	-	-
Total %	1.0	40.3	0.0	41.3	39.7	9.2	0.0	48.9	8.3	1.5	0.0	9.7	-
All Vehicles (no classification)	16	637	0	653	627	146	0	773	131	23	0	154	1580
% All Vehicles (no classification)	100.0	100.0	-	100.0	100.0	100.0	-	100.0	100.0	100.0	-	100.0	100.0



Bayer Becker
6900 Tylersville Road
Suite A
Mason, Ohio, United States 45040
513-336-6600

Count Name: US 27 & Ringwood
Site Code:
Start Date: 08/31/2021
Page No: 2



Turning Movement Data Plot



Bayer Becker
6900 Tylersville Road
Suite A
Mason, Ohio, United States 45040
513-336-6600

Count Name: US 27 & Ringwood
Site Code:
Start Date: 08/31/2021
Page No: 3

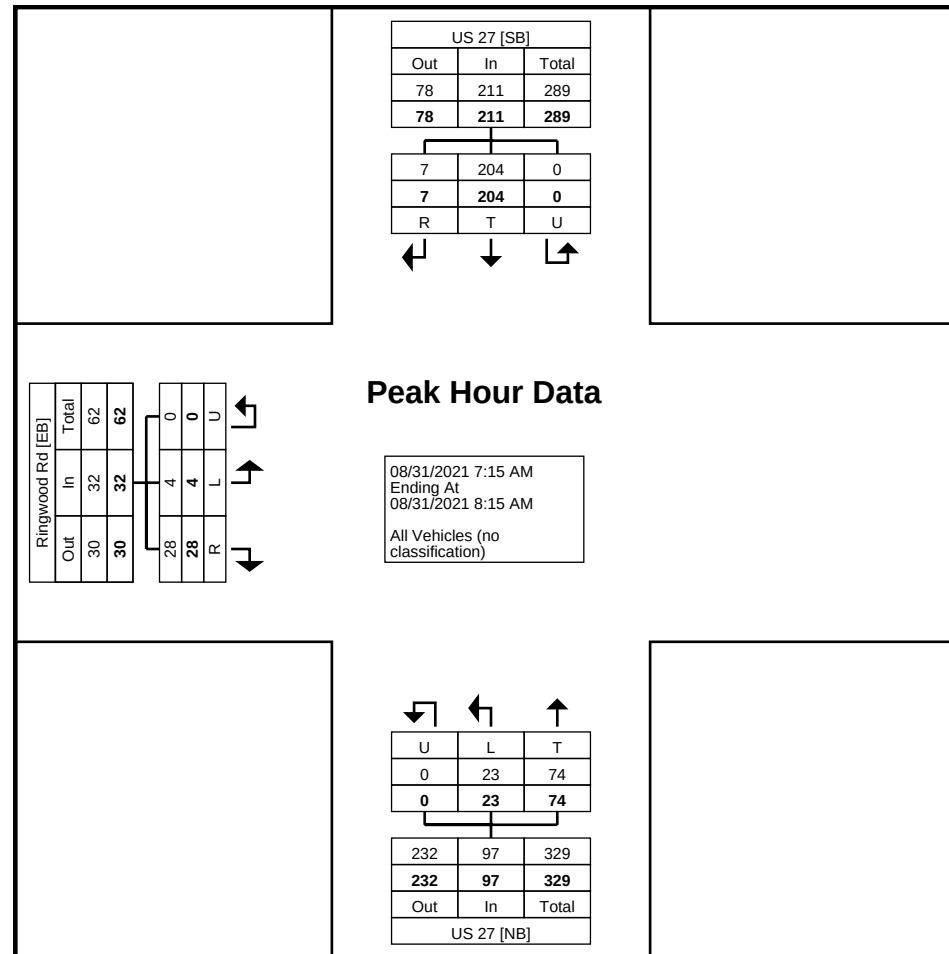
Turning Movement Peak Hour Data (7:15 AM)

Start Time	US 27 Southbound				US 27 Northbound				Ringwood Rd Eastbound				Int. Total
	Right	Thru	U-Turn	App. Total	Thru	Left	U-Turn	App. Total	Right	Left	U-Turn	App. Total	
7:15 AM	0	56	0	56	16	9	0	25	11	1	0	12	93
7:30 AM	1	40	0	41	20	4	0	24	3	1	0	4	69
7:45 AM	0	65	0	65	19	5	0	24	7	0	0	7	96
8:00 AM	6	43	0	49	19	5	0	24	7	2	0	9	82
Total	7	204	0	211	74	23	0	97	28	4	0	32	340
Approach %	3.3	96.7	0.0	-	76.3	23.7	0.0	-	87.5	12.5	0.0	-	-
Total %	2.1	60.0	0.0	62.1	21.8	6.8	0.0	28.5	8.2	1.2	0.0	9.4	-
PHF	0.292	0.785	0.000	0.812	0.925	0.639	0.000	0.970	0.636	0.500	0.000	0.667	0.885
All Vehicles (no classification)	7	204	0	211	74	23	0	97	28	4	0	32	340
% All Vehicles (no classification)	100.0	100.0	-	100.0	100.0	100.0	-	100.0	100.0	100.0	-	100.0	100.0



Bayer Becker
6900 Tylersville Road
Suite A
Mason, Ohio, United States 45040
513-336-6600

Count Name: US 27 & Ringwood
Site Code:
Start Date: 08/31/2021
Page No: 4



Turning Movement Peak Hour Data Plot (7:15 AM)



Bayer Becker
6900 Tylersville Road
Suite A
Mason, Ohio, United States 45040
513-336-6600

Count Name: US 27 & Ringwood
Site Code:
Start Date: 08/31/2021
Page No: 5

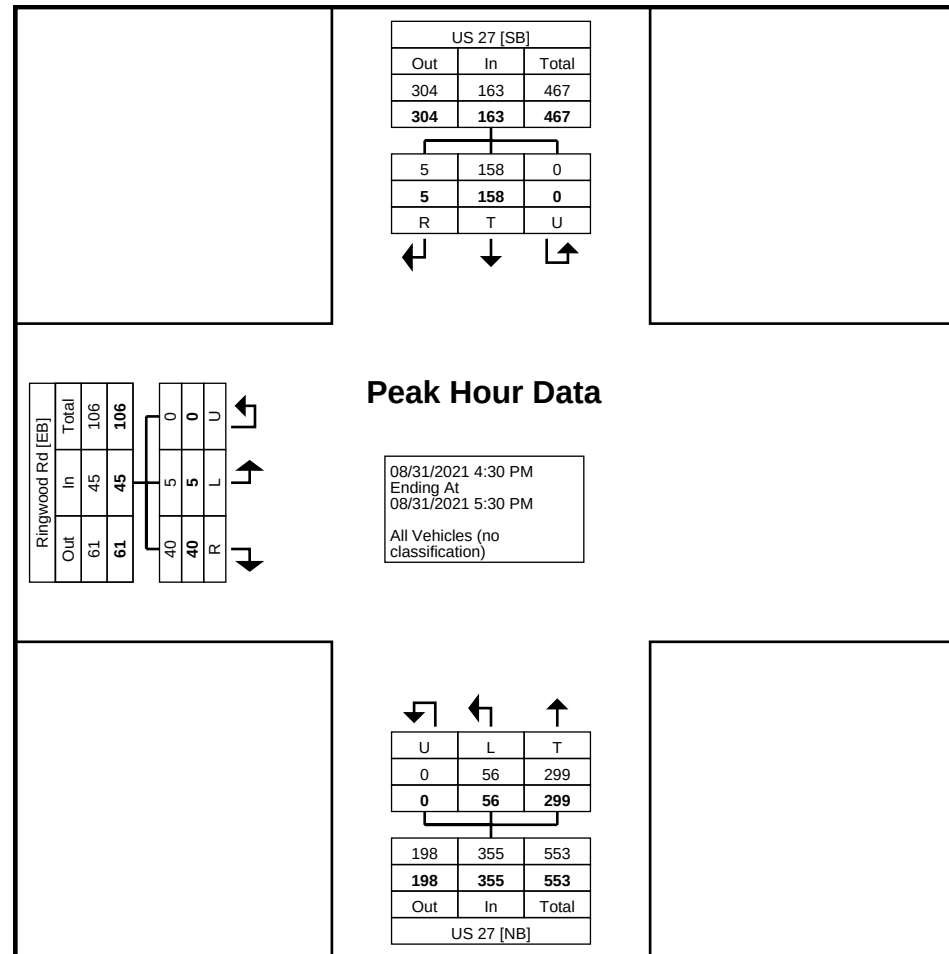
Turning Movement Peak Hour Data (4:30 PM)

Start Time	US 27 Southbound				US 27 Northbound				Ringwood Rd Eastbound				Int. Total
	Right	Thru	U-Turn	App. Total	Thru	Left	U-Turn	App. Total	Right	Left	U-Turn	App. Total	
4:30 PM	0	28	0	28	102	19	0	121	13	3	0	16	165
4:45 PM	0	52	0	52	61	14	0	75	11	0	0	11	138
5:00 PM	3	35	0	38	71	13	0	84	9	0	0	9	131
5:15 PM	2	43	0	45	65	10	0	75	7	2	0	9	129
Total	5	158	0	163	299	56	0	355	40	5	0	45	563
Approach %	3.1	96.9	0.0	-	84.2	15.8	0.0	-	88.9	11.1	0.0	-	-
Total %	0.9	28.1	0.0	29.0	53.1	9.9	0.0	63.1	7.1	0.9	0.0	8.0	-
PHF	0.417	0.760	0.000	0.784	0.733	0.737	0.000	0.733	0.769	0.417	0.000	0.703	0.853
All Vehicles (no classification)	5	158	0	163	299	56	0	355	40	5	0	45	563
% All Vehicles (no classification)	100.0	100.0	-	100.0	100.0	100.0	-	100.0	100.0	100.0	-	100.0	100.0



Bayer Becker
6900 Tylersville Road
Suite A
Mason, Ohio, United States 45040
513-336-6600

Count Name: US 27 & Ringwood
Site Code:
Start Date: 08/31/2021
Page No: 6



Turning Movement Peak Hour Data Plot (4:30 PM)



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	Service Department
PREPARED BY:	Michael Dreisbach
DATE PREPARED:	February 23, 2022
COUNCIL MEETING DATE:	March 1 and March 15, 2022
AGENDA TITLE:	Ordinance Accepting an Easement Necessary for the Construction of Phase IV of the Oxford Area Trail System.
BUDGETED AMOUNT:	\$ N/A
ACCOUNT CODE:	N/A
RECOMMENDATION:	Approve
CITY MANAGER/DEPT HEAD APPROVAL:	DRE 2/25/22 MBD 2/23/22

In preparation for construction of Phase IV of the Oxford Area Trail System (OATS), an easement will be required (as described by Exhibit A) to be obtained and certified. ODOT requires this easement be obtained no later than March 25, 2022; once this requirement is met, final design work will be completed and sent to ODOT for final review and comments prior to bidding.

The easement needed is along Brookville Road, in the area of the recently approved development known as Owl's Landing. The developer will need to install infrastructure within the proposed easement area. It is in the mutual interest of the City and the developer of this property to work together in designing the development's utilities, access points, etc... with the construction of this phase of the OATS trail in mind.

It is Staff's recommendation that the City Council authorize acceptance of the easement as described in Exhibit A and further authorize the recording of such with the Butler County Recorder's Office.

ORDINANCE NO.

AN EMERGENCY ORDINANCE ACCEPTING EASEMENTS NECESSARY FOR THE CONSTRUCTION OF PHASE IV OF THE OXFORD AREA TRAIL SYSTEM.

WHEREAS, in preparation for construction of Phase IV of the Oxford Area Trail System (OATS), two easements will be required for the OATS trail; and

WHEREAS, ODOT requires that the easements must be obtained no later than March 25, 2022 or previously approved grant funding could be lost; and

WHEREAS, the City Manager and the Service Director recommend City Council accept the easements needed for the construction of Phase IV of the Oxford Area Trail System.

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

SECTION 1: City Council accepts the recommendation of the City Manager and the Service Director and hereby accepts the two (2) easements attached hereto as Exhibit A and Exhibit B needed for the construction of Phase IV of the Oxford Area Trail System.

SECTION 2: The City Manager shall take all steps necessary to record the Easements in the same or similar form.

SECTION 3: This Ordinance shall take effect immediately upon approval.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)

TRAIL EASEMENT
1
EXHIBIT A

OXFORD AREA TRAIL SYSTEM EASEMENT

THIS OXFORD AREA TRAIL SYSTEM EASEMENT ("Easement") is hereby made this ____ day of _____, 2022 by _____ ("Grantor(s)"), whose mailing address is _____, and **THE CITY OF OXFORD, OHIO** ("Grantee"), whose mailing address is **15 SOUTH COLLEGE AVENUE, OXFORD, OH 45056**, under the following circumstances:

RECITALS

WHEREAS, Grantor(s) is the owner of certain real property situated in Butler County, Ohio pursuant to a deed recorded at Official Record _____ of the Butler County, Ohio deed records, with such property being more particularly described on Exhibit A attached hereto ("Grantor's Property"); and

WHEREAS, Grantor(s) are the true and lawful owner(s) in fee simple, and have the right and power to convey the property and that the property is free and clear from all liens and encumbrances, except: (a) easements, restrictions, conditions, and covenants of record; (b) all legal highways; (c) zoning and building laws, ordinances, rules, and regulations; and (d) any and all taxes and assessments not yet due and payable; and that Grantor(s) will warrant and defend the property against all other claims; and

WHEREAS, Grantor(s) desire to provide an exclusive easement to Grantee upon and across the Grantor(s)' Property for the purpose of creating and maintaining a public trail for recreational use and transportation as a part of the Oxford Area Trail System ("OATS Trail"); and

WHEREAS, the property conveyed is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public trail for recreational use and transportation as a part of the OATS Trail; and

WHEREAS, Grantee has provided Grantor with consideration in the sum of \$5,786.00.

WHEREAS, the foregoing recitals form an integral part of the Easement and are hereby incorporated into the body of the Easement.

NOW, THEREFORE, in consideration of the Recitals set forth above and the terms and conditions set forth below, the parties hereby agree as follows:

1. Grant of Trail Easement. Subject to the terms and conditions contained herein, Grantor hereby grants to Grantee, a permanent, exclusive easement for access, ingress and egress over and upon the area currently located on Grantor's Property as depicted on Exhibit B attached hereto and incorporated herein by reference (the "Trail Easement Area"). The Easement granted herein shall include a grant of rights to

Grantee for vehicular and pedestrian access to the Trail Easement Area. Grantor further grants to Grantee rights of access as reasonably necessary for the purpose of maintaining and repairing the trail, mowing and brush clearing, and clearing away litter and debris in the Trail Easement Area. The repair, maintenance or other activity undertaken by or at the direction of the Grantee on or to the Trail Easement Area shall be conducted in a manner that reasonably minimizes the impact on the Grantor's Property. Grantee shall undertake all actions reasonably necessary to restore the affected areas to the same condition as existed prior to such activities.

The Grantee shall be responsible for maintaining and repairing the trail, mowing and brush clearing, and clearing away litter and debris in the Trail Easement Area.

As the intended use of the Trail Easement Area is for public's recreational and transportation use as a connected portion of the OATS Trail, any recreational use may be subject to the provisions of R.C. 1533.181.

2. Use. The Grantee shall not permit the Easement Areas to be used for purposes inconsistent with those permitted in this Easement i.e. recreational use of the OATS Trail by the public at large.

3. Covenants Run with the Land. All covenants, agreements and conditions contained in this Easement shall be considered as running with the land and shall be a permanent benefit to Grantee and a permanent burden to Grantor's Property. This Easement shall be binding on all Grantee's successors and assigns.

4. Assignment. Grantee shall have the right to assign all the rights and benefits granted by this Easement.

5. Notices. Whenever it shall be required or permitted that notice or demand be given or served by either party to or on the other, such notice or demand shall be deemed to have been duly given or served when in writing and either personally delivered or placed in the custody of the United States Postal Service and forwarded by certified mail, return receipt requested, postage prepaid, and addressed to the Grantor or Grantee at the address provided above, or such other address as designated in writing.

6. Severability. If any provision of this Easement shall to any extent be held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of this Easement shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

7. No Waiver. No waiver of any condition or covenant of this Easement to be satisfied or performed by either party shall be deemed to imply or constitute a further waiver of the same or any like condition or covenant, and nothing contained in this Easement nor any act of either party, except a written waiver signed by a party, shall be construed to be a waiver of any condition or covenant to be performed by the other party.

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, the parties have executed this Easement on the day and date first written above.

"Grantor"

By: _____

Name: _____

Title: _____

By: _____

Name: _____

Title: _____

STATE OF OHIO, COUNTY OF _____, SS:

The foregoing instrument was acknowledged before me this _____ day of _____, 2022, by _____, the _____ of the City of Oxford, an Ohio municipality, on behalf of said municipality.

Notary Public

"Grantee"
CITY OF OXFORD, OHIO
an Ohio municipality

By: _____
Name: _____
Title: _____

STATE OF OHIO, COUNTY OF _____, SS:

The foregoing instrument was acknowledged before me this _____ day of _____,
2022, by _____, the _____ of the City of Oxford, an Ohio municipality,
on behalf of said municipality.

Notary Public

This Instrument Prepared By:

Coolidge Wall Co., L.P.A.
33 West First Street, Suite 600
Dayton, Ohio 45402

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Exhibit A
Easement for Trail purposes
PID H4100141000006

CORPORATE
450 Grant Street / Akron, OH 44311
P 330.375.1390 / F 330.375.1590
TF 800.835.1390

Situated in the State of Ohio, County of Butler, Township of Oxford (T5N, R1E) and known as being part of Oxford Township Section 28 Lot 5 and further being part of land described in deed to Gregory B & Rebecca A Smith as recorded in book 8155 page 1895 of Butler County records and being more fully described as Follows:

CLEVELAND OFFICE
2800 Euclid Avenue, Suite 620
Cleveland, Ohio 44115

COLUMBUS OFFICE
88 East Broad Street, Suite 880
Columbus, Ohio 43215

envdesigngroup.com

Beginning on the centerline of Brookville Rd at the Grantors Southwest Corner;

Thence N 02° 27' 24" E along the Grantors West line, 33.31 feet to the North line of said Brookville Rd and the True Place of Beginning for the easement intended to be described herein;

Thence N 2° 27' 24" E along the Grantors West line, 40.32 feet;

Thence N 84° 36' 24" E parallel with the centerline of said Brookville Rd. and 40 feet Northerly, by perpendicular measurement, 89.61 feet;

Thence N 85° 23' 24" E parallel with the centerline of said Brookville Rd. and 40 feet Northerly, by perpendicular measurement, 535.19 feet; to the Grantor's east line;

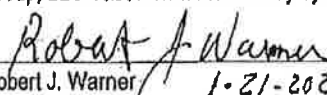
Thence S 2° 27' 24" W along the Grantors East line, 40.32 feet to the North line of said Brookville Road.

Thence S 85° 23' 24" W along the North line of said Brookville Rd, 534.92 feet;

Thence S 84° 36' 24" W along the North line of said Brookville Rd, 94.86 feet to the True Place of Beginning and containing 0.5783 acres of land.

Bearings are based on grid north in the Ohio State Plane Coordinate System South Zone NAD 83 (2011)

This description was prepared and reviewed by Robert J. Warner P.S. 6931 for Environmental Design Group, LLC based on a field survey by G. J. Berding Surveying, Inc. in June 2020.


Robert J. Warner
P.S. 6931



The community impact people.

CIVIL ENGINEERING / LANDSCAPE ARCHITECTURE / PLANNING / SURVEYING / ENVIRONMENTAL SERVICES / CONSTRUCTION MANAGEMENT

TRAIL EASEMENT
#2
EXHIBIT B

OXFORD AREA TRAIL SYSTEM EASEMENT

THIS OXFORD AREA TRAIL SYSTEM EASEMENT ("Easement") is hereby made this _____ day of _____, 2022 by _____ ("Grantor(s)"), whose mailing address is _____, and **THE CITY OF OXFORD, OHIO** ("Grantee"), whose mailing address is **15 SOUTH COLLEGE AVENUE, OXFORD, OH 45056**, under the following circumstances:

RECITALS

WHEREAS, Grantor(s) is the owner of certain real property situated in Butler County, Ohio pursuant to a deed recorded at Official Record _____ of the Butler County, Ohio deed records, with such property being more particularly described on Exhibit A attached hereto ("Grantor's Property"); and

WHEREAS, Grantor(s) are the true and lawful owner(s) in fee simple, and have the right and power to convey the property and that the property is free and clear from all liens and encumbrances, except: (a) easements, restrictions, conditions, and covenants of record; (b) all legal highways; (c) zoning and building laws, ordinances, rules, and regulations; and (d) any and all taxes and assessments not yet due and payable; and that Grantor(s) will warrant and defend the property against all other claims; and

WHEREAS, Grantor(s) desire to provide an exclusive easement to Grantee upon and across the Grantor(s)' Property for the purpose of creating and maintaining a public trail for recreational use and transportation as a part of the Oxford Area Trail System ("OATS Trail"); and

WHEREAS, the property conveyed is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public trail for recreational use and transportation as a part of the OATS Trail; and

WHEREAS, Grantee has provided Grantor with consideration in the sum of \$6,612.00.

WHEREAS, the foregoing recitals form an integral part of the Easement and are hereby incorporated into the body of the Easement.

NOW, THEREFORE, in consideration of the Recitals set forth above and the terms and conditions set forth below, the parties hereby agree as follows:

1. Grant of Trail Easement. Subject to the terms and conditions contained herein, Grantor hereby grants to Grantee, a permanent, exclusive easement for access, ingress and egress over and upon the area currently located on Grantor's Property as depicted on Exhibit B attached hereto and incorporated herein by reference (the "Trail Easement Area"). The Easement granted herein shall include a grant of rights to

Grantee for vehicular and pedestrian access to the Trail Easement Area. Grantor further grants to Grantee rights of access as reasonably necessary for the purpose of maintaining and repairing the trail, mowing and brush clearing, and clearing away litter and debris in the Trail Easement Area. The repair, maintenance or other activity undertaken by or at the direction of the Grantee on or to the Trail Easement Area shall be conducted in a manner that reasonably minimizes the impact on the Grantor's Property. Grantee shall undertake all actions reasonably necessary to restore the affected areas to the same condition as existed prior to such activities.

The Grantee shall be responsible for maintaining and repairing the trail, mowing and brush clearing, and clearing away litter and debris in the Trail Easement Area.

As the intended use of the Trail Easement Area is for public's recreational and transportation use as a connected portion of the OATS Trail, any recreational use may be subject to the provisions of R.C. 1533.181.

2. Use. The Grantee shall not permit the Easement Areas to be used for purposes inconsistent with those permitted in this Easement i.e. recreational use of the OATS Trail by the public at large.

3. Covenants Run with the Land. All covenants, agreements and conditions contained in this Easement shall be considered as running with the land and shall be a permanent benefit to Grantee and a permanent burden to Grantor's Property. This Easement shall be binding on all Grantee's successors and assigns.

4. Assignment. Grantee shall have the right to assign all the rights and benefits granted by this Easement.

5. Notices. Whenever it shall be required or permitted that notice or demand be given or served by either party to or on the other, such notice or demand shall be deemed to have been duly given or served when in writing and either personally delivered or placed in the custody of the United States Postal Service and forwarded by certified mail, return receipt requested, postage prepaid, and addressed to the Grantor or Grantee at the address provided above, or such other address as designated in writing.

6. Severability. If any provision of this Easement shall to any extent be held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of this Easement shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

7. No Waiver. No waiver of any condition or covenant of this Easement to be satisfied or performed by either party shall be deemed to imply or constitute a further waiver of the same or any like condition or covenant, and nothing contained in this Easement nor any act of either party, except a written waiver signed by a party, shall be construed to be a waiver of any condition or covenant to be performed by the other party.

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, the parties have executed this Easement on the day and date first written above.

“Grantor”

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

STATE OF OHIO, COUNTY OF _____, SS:

The foregoing instrument was acknowledged before me this _____ day of _____, 2022, by _____, the _____ of the City of Oxford, an Ohio municipality, on behalf of said municipality.

Notary Public

"Grantee"
CITY OF OXFORD, OHIO
an Ohio municipality

By: _____
Name: _____
Title: _____

STATE OF OHIO, COUNTY OF _____, SS:

The foregoing instrument was acknowledged before me this _____ day of _____,
2022, by _____, the _____ of the City of Oxford, an Ohio municipality,
on behalf of said municipality.

Notary Public

This Instrument Prepared By:

Coolidge Wall Co., L.P.A.
33 West First Street, Suite 600
Dayton, Ohio 45402

w:\wdox\client\012081\00000\01272516.docx



Exhibit A
Easement for Trail Purposes
PID H4100141000007

Situated in the State of Ohio, County of Butler, Township of Oxford (T5N, R1E) and known as being part of Oxford Township Section 28 Lot 5 and further being part of land described in deed to Rebecca A Smith & Cassandra K McCartney as recorded in book 8325 page 282 Tract I of Butler County records and being more fully described as Follows:

Beginning on the centerline of Brookville Rd at the Grantors Southwest Corner;

Thence N 2° 27' 24" E along the Grantors West line, 33.25 feet to the North line of said Brookville Rd and the True Place of Beginning for the easement intended to be described herein;

Thence N 2° 27' 24" E along the Grantors west line, 40.32 feet;

Thence N 85° 23' 24" E parallel with the centerline of said Brookville Rd. and 40 feet Northerly, by perpendicular measurement, 137.50 feet;

Thence S 04° 36' 36" E, 12.00 feet;

Thence N 85° 23' 24" E parallel with the centerline of said Brookville Rd. and 28 feet Northerly, by perpendicular measurement, 60.00 feet;

Thence N 04° 36' 36" W, 12.00 feet;

Thence N 85° 23' 24" E parallel with the centerline of said Brookville Rd. and 40 feet Northerly, by perpendicular measurement, 93.19 feet;

Thence N 82° 47' 24" E parallel with the centerline of said Brookville Rd. and 40 feet Northerly, by perpendicular measurement, 111.15 feet to the Grantor's east line;

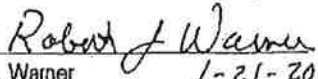
Thence S 2° 01' 10" W along the Grantors East line, 40.52 feet to the North line of said Brookville Road.

Thence S 82° 47' 24" W along the North line of said Brookville Rd, 105.55 feet;

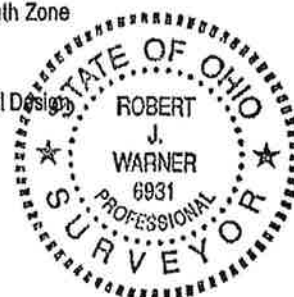
Thence S 85° 23' 24" W along the North line of said Brookville Rd, 296.55 feet to the True Place of Beginning and containing 0.3526 acres of land.

Bearings are based on grid north in the Ohio State Plane Coordinate System South Zone NAD 83 (2011)

This description was prepared and reviewed by Robert J. Warner P.S. 6931 for Environmental Design Group, LLC based on a field survey by G. J. Berding Surveying, Inc. in June 2020.


Robert J. Warner
P.S. 6931

1-21-2022



The community impact people.

CIVIL ENGINEERING / LANDSCAPE ARCHITECTURE / PLANNING / SURVEYING / ENVIRONMENTAL SERVICES / CONSTRUCTION MANAGEMENT

CORPORATE
450 Grant Street / Akron, OH 44311
P 330.375.1390 / F 330.375.1590
TF 800.835.1390

CLEVELAND OFFICE
2800 Euclid Avenue, Suite 620
Cleveland, Ohio 44115

COLUMBUS OFFICE
88 East Broad Street, Suite 880
Columbus, Ohio 43215

envdesigngroup.com



Exhibit A
Easement for Trail Purposes
PID H4100141000008

CORPORATE
450 Grant Street / Akron, OH 44311
P 330.375.1390 / F 330.375.1590
TF 800.835.1390

CLEVELAND OFFICE
2800 Euclid Avenue, Suite 620
Cleveland, Ohio 44115

COLUMBUS OFFICE
88 East Broad Street, Suite 880
Columbus, Ohio 43215

envdesigngroup.com

Situated in the State of Ohio, County of Butler, Township of Oxford (T5N, R1E) and known as being part of Oxford Township Section 28 Lot 5 and further being part of land described in deed to Rebecca A Smith & Cassandra K McCartney as recorded in book 8325 page 282 Tract II of Butler County records and being more fully described as Follows:

Beginning on the centerline of Brookville Rd at the Grantors Southwest Corner;

Thence N 2° 27' 24" E along the Grantors West line, 33.25 feet to the North line of said Brookville Rd and the True Place of Beginning for the easement intended to be described herein;

Thence N 2° 27' 24" E along the Grantors west line, 40.32 feet;

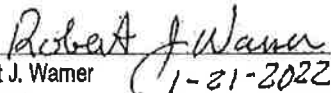
Thence N 85° 23' 31" E parallel with the centerline of said Brookville Rd. and 40 feet Northerly, by perpendicular measurement, 302.30 feet to the Grantors East line;

Thence S 2° 27' 24" W along the Grantors East line, 40.32 feet to the North line of said Brookville Road.

Thence S 85° 23' 24" W along the North line of said Brookville Rd, 302.30 feet to the True Place of Beginning and containing 0.2776 acres of land.

Bearings are based on grid north in the Ohio State Plane Coordinate System South Zone NAD 83 (2011)

This description was prepared and reviewed by Robert J. Warner P.S. 6931 for Environmental Design Group, LLC based on a field survey by G. J. Berding Surveying, Inc. in June 2020.


Robert J. Warner
P.S. 6931



The community impact people.

CIVIL ENGINEERING / LANDSCAPE ARCHITECTURE / PLANNING / SURVEYING / ENVIRONMENTAL SERVICES / CONSTRUCTION MANAGEMENT



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	Service Department
PREPARED BY:	Michael Dreisbach
DATE PREPARED:	February 23, 2022
COUNCIL MEETING DATE:	March 1 and March 15, 2022
AGENDA TITLE:	Ordinance Accepting an Easement Necessary for the Construction of Phase IV of the Oxford Area Trail System.
BUDGETED AMOUNT:	\$ N/A
ACCOUNT CODE:	N/A
RECOMMENDATION:	Approve
CITY MANAGER/DEPT HEAD APPROVAL:	DRE 2/25/22 MBD 2/23/22

In preparation for construction of Phase IV of the Oxford Area Trail System (OATS), an easement will be required (as described by Exhibit A) to be obtained and certified. ODOT requires this easement be obtained no later than March 25, 2022; once this requirement is met, final design work will be completed and sent to ODOT for final review and comments prior to bidding.

The easement needed is along Brookville Road, in the area of the recently approved development known as Owl's Landing. The developer will need to install infrastructure within the proposed easement area. It is in the mutual interest of the City and the developer of this property to work together in designing the development's utilities, access points, etc... with the construction of this phase of the OATS trail in mind.

It is Staff's recommendation that the City Council authorize acceptance of the easement as described in Exhibit A and further authorize the recording of such with the Butler County Recorder's Office.

ORDINANCE NO.

AN EMERGENCY ORDINANCE ACCEPTING EASEMENTS NECESSARY FOR THE CONSTRUCTION OF PHASE IV OF THE OXFORD AREA TRAIL SYSTEM.

WHEREAS, in preparation for construction of Phase IV of the Oxford Area Trail System (OATS), two easements will be required for the OATS trail; and

WHEREAS, ODOT requires that the easements must be obtained no later than March 25, 2022 or previously approved grant funding could be lost; and

WHEREAS, the City Manager and the Service Director recommend City Council accept the easements needed for the construction of Phase IV of the Oxford Area Trail System.

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

SECTION 1: City Council accepts the recommendation of the City Manager and the Service Director and hereby accepts the two (2) easements attached hereto as Exhibit A and Exhibit B needed for the construction of Phase IV of the Oxford Area Trail System.

SECTION 2: The City Manager shall take all steps necessary to record the Easements in the same or similar form.

SECTION 3: This Ordinance shall take effect immediately upon approval.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)

TRAIL EASEMENT
1
EXHIBIT A

OXFORD AREA TRAIL SYSTEM EASEMENT

THIS OXFORD AREA TRAIL SYSTEM EASEMENT ("Easement") is hereby made this ____ day of _____, 2022 by _____ ("Grantor(s)"), whose mailing address is _____, and **THE CITY OF OXFORD, OHIO** ("Grantee"), whose mailing address is **15 SOUTH COLLEGE AVENUE, OXFORD, OH 45056**, under the following circumstances:

RECITALS

WHEREAS, Grantor(s) is the owner of certain real property situated in Butler County, Ohio pursuant to a deed recorded at Official Record _____ of the Butler County, Ohio deed records, with such property being more particularly described on Exhibit A attached hereto ("Grantor's Property"); and

WHEREAS, Grantor(s) are the true and lawful owner(s) in fee simple, and have the right and power to convey the property and that the property is free and clear from all liens and encumbrances, except: (a) easements, restrictions, conditions, and covenants of record; (b) all legal highways; (c) zoning and building laws, ordinances, rules, and regulations; and (d) any and all taxes and assessments not yet due and payable; and that Grantor(s) will warrant and defend the property against all other claims; and

WHEREAS, Grantor(s) desire to provide an exclusive easement to Grantee upon and across the Grantor(s)' Property for the purpose of creating and maintaining a public trail for recreational use and transportation as a part of the Oxford Area Trail System ("OATS Trail"); and

WHEREAS, the property conveyed is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public trail for recreational use and transportation as a part of the OATS Trail; and

WHEREAS, Grantee has provided Grantor with consideration in the sum of \$5,786.00.

WHEREAS, the foregoing recitals form an integral part of the Easement and are hereby incorporated into the body of the Easement.

NOW, THEREFORE, in consideration of the Recitals set forth above and the terms and conditions set forth below, the parties hereby agree as follows:

1. Grant of Trail Easement. Subject to the terms and conditions contained herein, Grantor hereby grants to Grantee, a permanent, exclusive easement for access, ingress and egress over and upon the area currently located on Grantor's Property as depicted on Exhibit B attached hereto and incorporated herein by reference (the "Trail Easement Area"). The Easement granted herein shall include a grant of rights to

Grantee for vehicular and pedestrian access to the Trail Easement Area. Grantor further grants to Grantee rights of access as reasonably necessary for the purpose of maintaining and repairing the trail, mowing and brush clearing, and clearing away litter and debris in the Trail Easement Area. The repair, maintenance or other activity undertaken by or at the direction of the Grantee on or to the Trail Easement Area shall be conducted in a manner that reasonably minimizes the impact on the Grantor's Property. Grantee shall undertake all actions reasonably necessary to restore the affected areas to the same condition as existed prior to such activities.

The Grantee shall be responsible for maintaining and repairing the trail, mowing and brush clearing, and clearing away litter and debris in the Trail Easement Area.

As the intended use of the Trail Easement Area is for public's recreational and transportation use as a connected portion of the OATS Trail, any recreational use may be subject to the provisions of R.C. 1533.181.

2. Use. The Grantee shall not permit the Easement Areas to be used for purposes inconsistent with those permitted in this Easement i.e. recreational use of the OATS Trail by the public at large.

3. Covenants Run with the Land. All covenants, agreements and conditions contained in this Easement shall be considered as running with the land and shall be a permanent benefit to Grantee and a permanent burden to Grantor's Property. This Easement shall be binding on all Grantee's successors and assigns.

4. Assignment. Grantee shall have the right to assign all the rights and benefits granted by this Easement.

5. Notices. Whenever it shall be required or permitted that notice or demand be given or served by either party to or on the other, such notice or demand shall be deemed to have been duly given or served when in writing and either personally delivered or placed in the custody of the United States Postal Service and forwarded by certified mail, return receipt requested, postage prepaid, and addressed to the Grantor or Grantee at the address provided above, or such other address as designated in writing.

6. Severability. If any provision of this Easement shall to any extent be held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of this Easement shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

7. No Waiver. No waiver of any condition or covenant of this Easement to be satisfied or performed by either party shall be deemed to imply or constitute a further waiver of the same or any like condition or covenant, and nothing contained in this Easement nor any act of either party, except a written waiver signed by a party, shall be construed to be a waiver of any condition or covenant to be performed by the other party.

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, the parties have executed this Easement on the day and date first written above.

"Grantor"

By: _____

Name: _____

Title: _____

By: _____

Name: _____

Title: _____

STATE OF OHIO, COUNTY OF _____, SS:

The foregoing instrument was acknowledged before me this _____ day of _____, 2022, by _____, the _____ of the City of Oxford, an Ohio municipality, on behalf of said municipality.

Notary Public

"Grantee"
CITY OF OXFORD, OHIO
an Ohio municipality

By: _____
Name: _____
Title: _____

STATE OF OHIO, COUNTY OF _____, SS:

The foregoing instrument was acknowledged before me this _____ day of _____,
2022, by _____, the _____ of the City of Oxford, an Ohio municipality,
on behalf of said municipality.

Notary Public

This Instrument Prepared By:

Coolidge Wall Co., L.P.A.
33 West First Street, Suite 600
Dayton, Ohio 45402

w:\wdox\client\012081\00000\01272516.docx



Exhibit A
Easement for Trail purposes
PID H4100141000005

CORPORATE
450 Grant Street / Akron, OH 44311
P 330.375.1390 / F 330.375.1590
TF 800.835.1390

Situated in the State of Ohio, County of Butler, Township of Oxford (T5N, R1E) and known as being part of Oxford Township Section 28 Lot 5 and further being part of land described in deed to Gregory B & Rebecca A Smith as recorded in book 8155 page 1895 of Butler County records and being more fully described as Follows:

CLEVELAND OFFICE
2800 Euclid Avenue, Suite 620
Cleveland, Ohio 44115

COLUMBUS OFFICE
88 East Broad Street, Suite 880
Columbus, Ohio 43215

envdesigngroup.com

Beginning on the centerline of Brookville Rd at the Grantors Southwest Corner;

Thence N 02° 27' 24" E along the Grantors West line, 33.31 feet to the North line of said Brookville Rd and the True Place of Beginning for the easement intended to be described herein;

Thence N 2° 27' 24" E along the Grantors West line, 40.32 feet;

Thence N 84° 36' 24" E parallel with the centerline of said Brookville Rd. and 40 feet Northerly, by perpendicular measurement, 89.61 feet;

Thence N 85° 23' 24" E parallel with the centerline of said Brookville Rd. and 40 feet Northerly, by perpendicular measurement, 535.19 feet; to the Grantor's east line;

Thence S 2° 27' 24" W along the Grantors East line, 40.32 feet to the North line of said Brookville Road.

Thence S 85° 23' 24" W along the North line of said Brookville Rd, 534.92 feet;

Thence S 84° 36' 24" W along the North line of said Brookville Rd, 94.86 feet to the True Place of Beginning and containing 0.5783 acres of land.

Bearings are based on grid north in the Ohio State Plane Coordinate System South Zone NAD 83 (2011)

This description was prepared and reviewed by Robert J. Warner P.S. 6931 for Environmental Design Group, LLC based on a field survey by G. J. Berding Surveying, Inc. in June 2020.


Robert J. Warner
P.S. 6931



The community impact people.

CIVIL ENGINEERING / LANDSCAPE ARCHITECTURE / PLANNING / SURVEYING / ENVIRONMENTAL SERVICES / CONSTRUCTION MANAGEMENT

TRAIL EASEMENT
#2
EXHIBIT B

OXFORD AREA TRAIL SYSTEM EASEMENT

THIS OXFORD AREA TRAIL SYSTEM EASEMENT ("Easement") is hereby made this _____ day of _____, 2022 by _____ ("Grantor(s)"), whose mailing address is _____, and **THE CITY OF OXFORD, OHIO** ("Grantee"), whose mailing address is **15 SOUTH COLLEGE AVENUE, OXFORD, OH 45056**, under the following circumstances:

RECITALS

WHEREAS, Grantor(s) is the owner of certain real property situated in Butler County, Ohio pursuant to a deed recorded at Official Record _____ of the Butler County, Ohio deed records, with such property being more particularly described on Exhibit A attached hereto ("Grantor's Property"); and

WHEREAS, Grantor(s) are the true and lawful owner(s) in fee simple, and have the right and power to convey the property and that the property is free and clear from all liens and encumbrances, except: (a) easements, restrictions, conditions, and covenants of record; (b) all legal highways; (c) zoning and building laws, ordinances, rules, and regulations; and (d) any and all taxes and assessments not yet due and payable; and that Grantor(s) will warrant and defend the property against all other claims; and

WHEREAS, Grantor(s) desire to provide an exclusive easement to Grantee upon and across the Grantor(s)' Property for the purpose of creating and maintaining a public trail for recreational use and transportation as a part of the Oxford Area Trail System ("OATS Trail"); and

WHEREAS, the property conveyed is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public trail for recreational use and transportation as a part of the OATS Trail; and

WHEREAS, Grantee has provided Grantor with consideration in the sum of \$6,612.00.

WHEREAS, the foregoing recitals form an integral part of the Easement and are hereby incorporated into the body of the Easement.

NOW, THEREFORE, in consideration of the Recitals set forth above and the terms and conditions set forth below, the parties hereby agree as follows:

1. Grant of Trail Easement. Subject to the terms and conditions contained herein, Grantor hereby grants to Grantee, a permanent, exclusive easement for access, ingress and egress over and upon the area currently located on Grantor's Property as depicted on Exhibit B attached hereto and incorporated herein by reference (the "Trail Easement Area"). The Easement granted herein shall include a grant of rights to

Grantee for vehicular and pedestrian access to the Trail Easement Area. Grantor further grants to Grantee rights of access as reasonably necessary for the purpose of maintaining and repairing the trail, mowing and brush clearing, and clearing away litter and debris in the Trail Easement Area. The repair, maintenance or other activity undertaken by or at the direction of the Grantee on or to the Trail Easement Area shall be conducted in a manner that reasonably minimizes the impact on the Grantor's Property. Grantee shall undertake all actions reasonably necessary to restore the affected areas to the same condition as existed prior to such activities.

The Grantee shall be responsible for maintaining and repairing the trail, mowing and brush clearing, and clearing away litter and debris in the Trail Easement Area.

As the intended use of the Trail Easement Area is for public's recreational and transportation use as a connected portion of the OATS Trail, any recreational use may be subject to the provisions of R.C. 1533.181.

2. Use. The Grantee shall not permit the Easement Areas to be used for purposes inconsistent with those permitted in this Easement i.e. recreational use of the OATS Trail by the public at large.

3. Covenants Run with the Land. All covenants, agreements and conditions contained in this Easement shall be considered as running with the land and shall be a permanent benefit to Grantee and a permanent burden to Grantor's Property. This Easement shall be binding on all Grantee's successors and assigns.

4. Assignment. Grantee shall have the right to assign all the rights and benefits granted by this Easement.

5. Notices. Whenever it shall be required or permitted that notice or demand be given or served by either party to or on the other, such notice or demand shall be deemed to have been duly given or served when in writing and either personally delivered or placed in the custody of the United States Postal Service and forwarded by certified mail, return receipt requested, postage prepaid, and addressed to the Grantor or Grantee at the address provided above, or such other address as designated in writing.

6. Severability. If any provision of this Easement shall to any extent be held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of this Easement shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

7. No Waiver. No waiver of any condition or covenant of this Easement to be satisfied or performed by either party shall be deemed to imply or constitute a further waiver of the same or any like condition or covenant, and nothing contained in this Easement nor any act of either party, except a written waiver signed by a party, shall be construed to be a waiver of any condition or covenant to be performed by the other party.

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, the parties have executed this Easement on the day and date first written above.

“Grantor”

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

STATE OF OHIO, COUNTY OF _____, SS:

The foregoing instrument was acknowledged before me this _____ day of _____, 2022, by _____, the _____ of the City of Oxford, an Ohio municipality, on behalf of said municipality.

Notary Public

"Grantee"
CITY OF OXFORD, OHIO
an Ohio municipality

By: _____
Name: _____
Title: _____

STATE OF OHIO, COUNTY OF _____, SS:

The foregoing instrument was acknowledged before me this _____ day of _____,
2022, by _____, the _____ of the City of Oxford, an Ohio municipality,
on behalf of said municipality.

Notary Public

This Instrument Prepared By:

Coolidge Wall Co., L.P.A.
33 West First Street, Suite 600
Dayton, Ohio 45402

w:\wdox\client\012081\00000\01272516.docx



Exhibit A
Easement for Trail Purposes
PID H4100141000007

Situated in the State of Ohio, County of Butler, Township of Oxford (T5N, R1E) and known as being part of Oxford Township Section 28 Lot 5 and further being part of land described in deed to Rebecca A Smith & Cassandra K McCartney as recorded in book 8325 page 282 Tract I of Butler County records and being more fully described as Follows:

Beginning on the centerline of Brookville Rd at the Grantors Southwest Corner;

Thence N 2° 27' 24" E along the Grantors West line, 33.25 feet to the North line of said Brookville Rd and the True Place of Beginning for the easement intended to be described herein;

Thence N 2° 27' 24" E along the Grantors west line, 40.32 feet;

Thence N 85° 23' 24" E parallel with the centerline of said Brookville Rd. and 40 feet Northerly, by perpendicular measurement, 137.50 feet;

Thence S 04° 36' 36" E, 12.00 feet;

Thence N 85° 23' 24" E parallel with the centerline of said Brookville Rd. and 28 feet Northerly, by perpendicular measurement, 60.00 feet;

Thence N 04° 36' 36" W, 12.00 feet;

Thence N 85° 23' 24" E parallel with the centerline of said Brookville Rd. and 40 feet Northerly, by perpendicular measurement, 93.19 feet;

Thence N 82° 47' 24" E parallel with the centerline of said Brookville Rd. and 40 feet Northerly, by perpendicular measurement, 111.15 feet to the Grantor's east line;

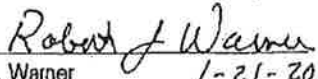
Thence S 2° 01' 10" W along the Grantors East line, 40.52 feet to the North line of said Brookville Road.

Thence S 82° 47' 24" W along the North line of said Brookville Rd, 105.55 feet;

Thence S 85° 23' 24" W along the North line of said Brookville Rd, 296.55 feet to the True Place of Beginning and containing 0.3526 acres of land.

Bearings are based on grid north in the Ohio State Plane Coordinate System South Zone NAD 83 (2011)

This description was prepared and reviewed by Robert J. Warner P.S. 6931 for Environmental Design Group, LLC based on a field survey by G. J. Berding Surveying, Inc. in June 2020.


Robert J. Warner
P.S. 6931

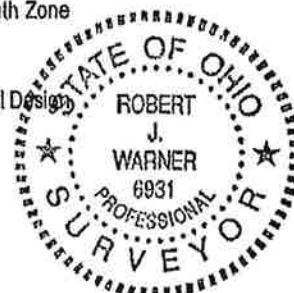
1-21-2022

CORPORATE
450 Grant Street / Akron, OH 44311
P 330.375.1390 / F 330.375.1590
TF 800.835.1390

CLEVELAND OFFICE
2800 Euclid Avenue, Suite 620
Cleveland, Ohio 44115

COLUMBUS OFFICE
88 East Broad Street, Suite 880
Columbus, Ohio 43215

envdesigngroup.com



The community impact people.

CIVIL ENGINEERING / LANDSCAPE ARCHITECTURE / PLANNING / SURVEYING / ENVIRONMENTAL SERVICES / CONSTRUCTION MANAGEMENT



Exhibit A
Easement for Trail Purposes
PID H4100141000008

Situated in the State of Ohio, County of Butler, Township of Oxford (T5N, R1E) and known as being part of Oxford Township Section 28 Lot 5 and further being part of land described in deed to Rebecca A Smith & Cassandra K McCartney as recorded in book 8325 page 282 Tract II of Butler County records and being more fully described as Follows:

Beginning on the centerline of Brookville Rd at the Grantors Southwest Corner;

Thence N 2° 27' 24" E along the Grantors West line, 33.25 feet to the North line of said Brookville Rd and the True Place of Beginning for the easement intended to be described herein;

Thence N 2° 27' 24" E along the Grantors west line, 40.32 feet;

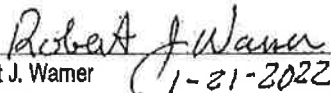
Thence N 85° 23' 31" E parallel with the centerline of said Brookville Rd. and 40 feet Northerly, by perpendicular measurement, 302.30 feet to the Grantors East line;

Thence S 2° 27' 24" W along the Grantors East line, 40.32 feet to the North line of said Brookville Road.

Thence S 85° 23' 24" W along the North line of said Brookville Rd, 302.30 feet to the True Place of Beginning and containing 0.2776 acres of land.

Bearings are based on grid north in the Ohio State Plane Coordinate System South Zone NAD 83 (2011)

This description was prepared and reviewed by Robert J. Warner P.S. 6931 for Environmental Design Group, LLC based on a field survey by G. J. Berding Surveying, Inc. in June 2020.


Robert J. Warner
P.S. 6931



CORPORATE
450 Grant Street / Akron, OH 44311
P 330.375.1390 / F 330.375.1590
TF 800.835.1390

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2800 Euclid Avenue, Suite 620
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COLUMBUS OFFICE
88 East Broad Street, Suite 880
Columbus, Ohio 43215

envdesigngroup.com

The community impact people.

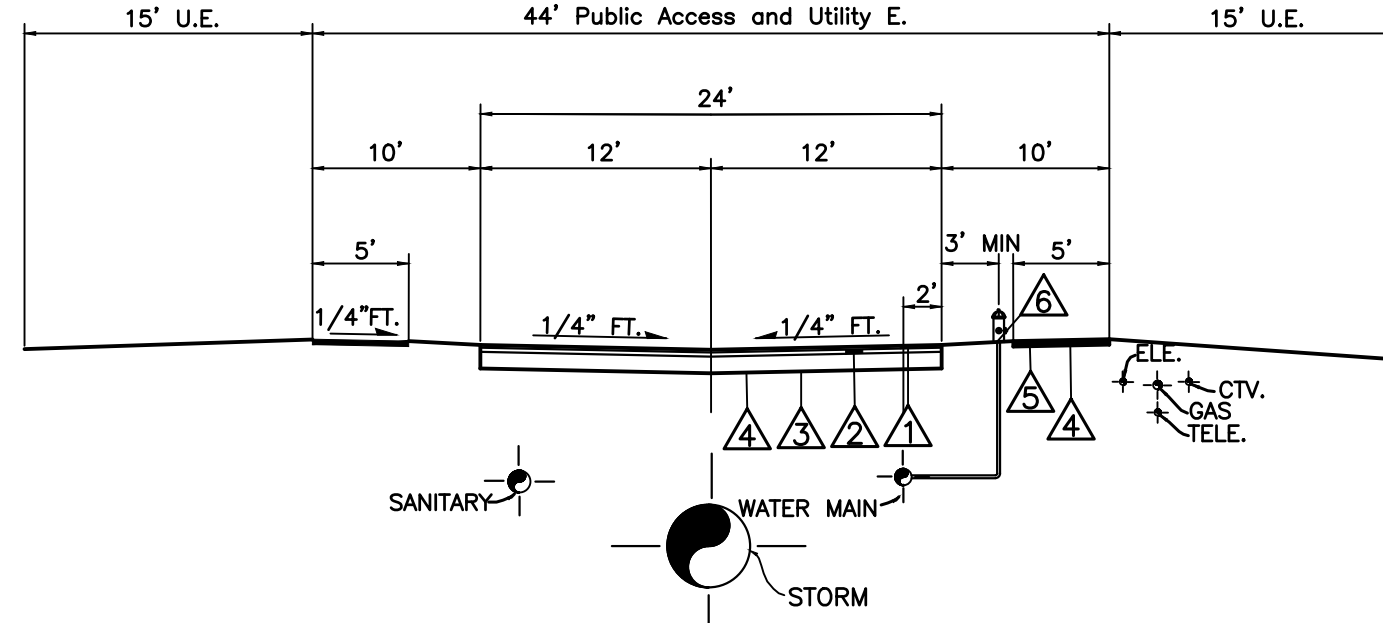
CIVIL ENGINEERING / LANDSCAPE ARCHITECTURE / PLANNING / SURVEYING / ENVIRONMENTAL SERVICES / CONSTRUCTION MANAGEMENT

Plot time: Sep 27, 2021 - 2:47pm
Drawing name: J:\2020\20-0233\CV\DWG\20-0233 Pre PUD.dwg - Layout Tab: PUD

BOWLING ESTATES LTD
PO BOX 330
BROOKVILLE RD
OXFORD, OH 45056-0330
H3510031000014

BOWLING ESTATES LTD
PO BOX 330
BROOKVILLE RD
OXFORD, OH 45056-0330
H3510031000017

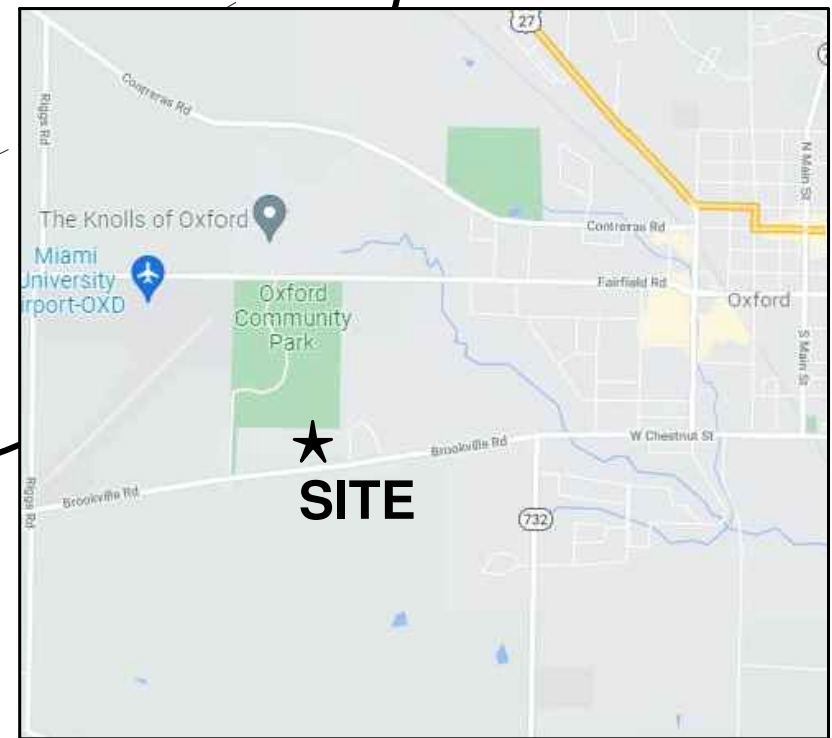
BOWLING ESTATES LTD
PO BOX 330
BROOKVILLE RD
OXFORD, OH 45056-0330
H3510031000013



- TYPICAL SECTION**
- 1-1/2" ASPHALT CONCRETE SURFACE COURSE - ITEM 441
 - 1-3/4" ASPHALT CONCRETE INTERMEDIATE LEVELING COURSE - ITEM 441
 - 10" BASE COURSE - ITEM 304 AGGREGATE BASE
 - COMPACTED SUBGRADE - ITEM 204
 - FOUR INCH THICK CLASS "C" CONCRETE SIDEWALK, FIVE FEET WIDE
ITEM 608 WALK TO BE 1/2" HIGHER THAN SOD.
 - SEEDING & MULCHING - ITEM 659 @ 1/2" PER FT. TYP

ITEM	DEPTH TOP OF PIPE
Underdrain	24" - 18"
Supplies	24" - 30"
Gas	24" - 30"
Water	48" - 54"
Electric	36" - 40"
Telephone	36" - 40"
Cable TV	36" - 40"

BOWLING ESTATES LTD
PO BOX 330
BROOKVILLE RD
OXFORD, OH 45056-0330
H3510031000004



Drawing: 20-0233 PRE PUD
Drawn by: AMB
Checked By: JAB
Issue Date: 9-24-21
Sheet: 1 of 1

PRELIMINARY PLAT

OWL'S LANDING

SECTION 28, TOWN 5, RANGE 1 EAST

CITY OF OXFORD

BUTLER COUNTY, OHIO

OWNERS

REBECCA & GREGORY SMITH
682 GOLFVIEW DRIVE
CHILLICOTHE, OH 45601

CASSANDRA McCARTNEY
2603 OXFORD TRENTON ROAD
OXFORD, OH 45056

APPLICANT

TODD HOMES LLC
7791 JOAN DRIVE
WEST CHESTER, OH 45069
513-887-1111

PROJECT SUMMARY:

EXISTING ZONING: R-1B	
PROPOSED ZONING: R-1B RESIDENTIAL PLANNED UNIT DEVELOPMENT	
TOTAL SITE AREA	22.01 ACRES
BROOKVILLE ROAD	
RIGHT-OF-WAY DEDICATION	1.22 ACRES
DEVELOPMENT AREA	20.79 ACRES
OPEN SPACE	3.41 ACRES (16%)
LOT COVERAGE:	
SINGLE FAMILY LOT:	0.07 ACRES (65%)
OPEN SPACE LOT:	3.12 ACRES (38%)
LOT COUNT:	
SINGLE FAMILY LOTS =	89 (4.28 D.U./ACRE)
OPEN SPACE LOTS =	1
TOTAL LOTS =	90

NOTES:

- ELECTRIC TO BE PROVIDED BY DUKE ENERGY.
- GAS TO BE PROVIDED BY GLENWOOD ENERGY.
- SANITARY SEWER, STORM SEWER AND WATER MAIN SHALL BE CONNECTED TO EXISTING CITY OF OXFORD SYSTEMS AND CONSTRUCTED PER CITY OF OXFORD STANDARDS AND SPECIFICATIONS.
- 2-FOOT INTERVAL CONTOURS PROVIDED BY BUTLER COUNTY GIS, DATED 2017, AND BASED ON NAD83 (HARN) GEOGRAPHIC COORDINATE SYSTEM.
- HOME SUMP DRAINS TO BE SPLASH BLOCKED TO SITE STORM DRAINAGE SYSTEM.
- STREET LIGHTING TO BE PROVIDED ALONG ALL STREETS.
- ON STREET PARKING SHALL BE RESTRICTED TO ONE SIDE OF ALL STREETS

MATTHEW MONTGOMERY & PAULA ANNE GREEN
125 LANTERN RIDGE RD
OXFORD, OH 45056-9491
H410014000005

JOSE BURDALO DOMINGUEZ & CRIVOTTO MARISOL DEL-TOSO
60 AUTUMN DRIVE
OXFORD, OH 45056-8755
H4100135000064

DEBORAH KAY KEMPTON
64 AUTUMN DRIVE
OXFORD, OH 45056-9021
H4100135000063

ABSHIRE BEVERLY JR OF THE BEVERLY ABSHIRE TRUST
186 AUTUMN DRIVE
OXFORD, OH 45056-9494
H4100135000062

HUGH M & JEANNE L CRADDOCK
72 AUTUMN DRIVE
OXFORD, OH 45056-8755
H4100135000061

TARA LYNN & RICHARD ALUM
76 AUTUMN DRIVE
OXFORD, OH 45056
H4100135000060

JOHN MANN & MARY CHERRY
88 AUTUMN DRIVE
OXFORD, OH 45056-8755
H4100135000059

EGON Q KRAAN
84 AUTUMN DRIVE
OXFORD, OH 45056-8755
H4100135000058

SINA ESTEKY & MASHHAD MAHYA RAHIMAN
88 AUTUMN DRIVE
OXFORD, OH 45056-8755
H4100135000057

PERRY M GORDON & KATHERINE P STROSS
92 AUTUMN DRIVE
OXFORD, OH 45056-8755
H4100135000056

KEVIN M & CHANDRA H ACKLEY
96 AUTUMN DRIVE
OXFORD, OH 45056-8755
H4100135000055

RICHARD C & JILL S PAGE
100 AUTUMN DRIVE
OXFORD, OH 45056
H4100135000054

KATHLEEN S FOX
65 AUTUMN DRIVE
OXFORD, OH 45056
H4100135000091

DENNIS S & ELAN G KEELER
77 AUTUMN DRIVE
OXFORD, OH 45056-8757
H4100135000092

GEORGE H DAY
81 AUTUMN DRIVE
OXFORD, OH 45056-8757
H4100135000093

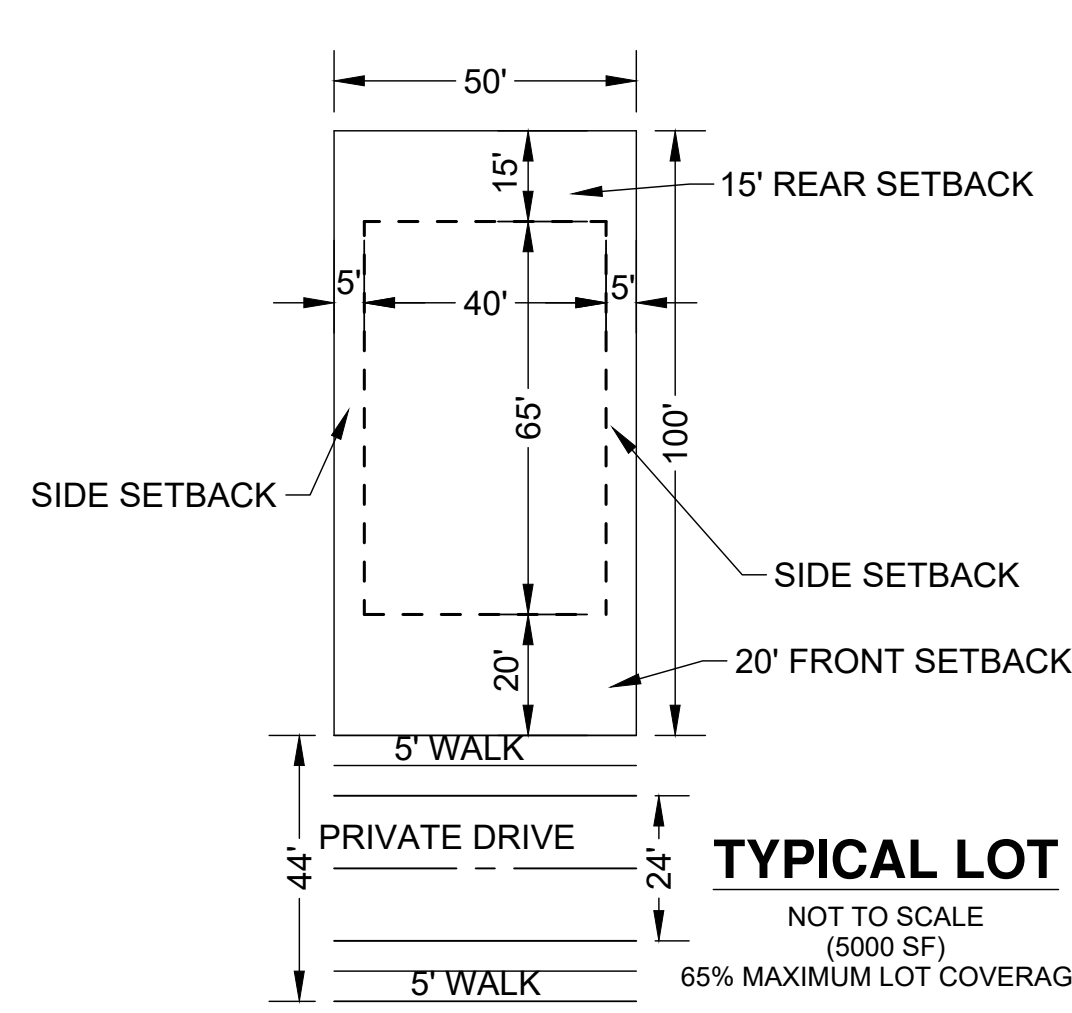
JAY B & KIMBERLY J HENSLEY
85 AUTUMN DRIVE
OXFORD, OH 45056
H4100135000094

MARGARET R WITMER
89 AUTUMN DRIVE
OXFORD, OH 45056-8757
H4100135000095

CARL SIGMON
91 AUTUMN DRIVE
OXFORD, OH 45056
H4100135000096

GREGG W & AMY E WENTZELL
95 AUTUMN DRIVE
OXFORD, OH 45056-3505
H4100135000097

MATTHEW W & JESSICA A WILLIAMSON
99 AUTUMN DRIVE
OXFORD, OH 45056
H4100135000098



OXFORD COMMUNITY PARK
CITY OF OXFORD
6801 FAIRFIELD RD
OXFORD, OH 45056
H4100140000001

ZONED: R1-A

S87°56'20"E 1318.50'

25' SETBACK

PROP. PATH

STM

8" SAN

STREET A (Private)

STM

8" SAN

STREET B (Private)

STM

8" SAN

STREET C (Private)

STM

8" SAN

PROPOSED CLUSTER MAILBOX

STM

8" SAN

PROPOSED CLUSTER MAILBOX

STM

8" SAN

PROPOSED CLUSTER MAILBOX

STM

8" SAN

PROPOSED CLUSTER MAILBOX

STM

8" SAN

PROPOSED CLUSTER MAILBOX

STM

8" SAN

PROPOSED CLUSTER MAILBOX

STM

8" SAN

PROPOSED CLUSTER MAILBOX

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The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	Finance
PREPARED BY:	Joe Newlin
DATE PREPARED:	2/23/2022
COUNCIL MEETING DATE:	3/1/2022
AGENDA TITLE:	Supplemental Budget Ordinance
BUDGETED AMOUNT:	
ACCOUNT CODE:	
RECOMMENDATION:	Approval
CITY MANAGER/DEPT HEAD APPROVAL:	
	JN 2-23-2021 DRE 2/23/2022

DISCUSSION:

Issue 1

To make adjustment to budgeted revenue and expenditures for grants from Oxford Community Foundation for \$12,000 for Community Foundation for \$12,000 for Athletic Field Renovations and from Oxford Rotary Club \$6,500, \$5,000 for Athletic Field Renovations and \$1,500 for operating expenditures for Mobile Camp Trailer Improvements from unencumbered balances

Action Needed:

Revenue Side

Capital Equipment Fund (140)	1,500.00
Capital Improvement Fund (141)	17,000.00



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Expense Side

Capital Equipment Fund (140)	1,500.00
Capital Improvement Fund (141)	17,000.00

Net Effect on Fund Balance/(s) Increase/(Decrease)	-
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Total Net Effect on Fund Balance/(s) Increase/(Decrease)	-
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Breakdown by Fund

Capital Equipment Fund (140)	-
Capital Improvement Fund (141)	-

Net Effect on Fund Balance/(s) Increase/(Decrease)	-
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ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3654 SUPPLEMENTAL BUDGET ORDINANCE NUMBER 3 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2022.

WHEREAS, additional appropriations are needed for the current fiscal year and monies are available for appropriation in those funds, and changes to estimated revenues.

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

SECTION 1: Additional appropriations are needed for the current fiscal year and monies are available for appropriation in those funds, and changes to estimated revenues;

SECTION 2: The following increase/(decrease) in revenues be made:

Capital Equipment Fund 140	1,500.00
Capital Improvement Fund 141	17,000.00

SECTION 3: The following increase/(decrease) in revenues be made:

Capital Equipment Fund 140	1,500.00
Capital Improvement Fund 141	17,000.00

SECTION 4: In all other respects, Ordinance No. 3654 shall remain in full force and effect.

SECTION 5: This ordinance shall take effect immediately upon its adoption.

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)