



Agenda

Oxford City Council

Court House

TUESDAY, MARCH 3, 2009

EXECUTIVE SESSION

None

1. Roll Call. Prudence Z. Dana, Mayor; Ken Bogard, Vice-Mayor; Doug Ross; Kate Currie; Alysia Fischer; Richard Keebler; Greig Rutherford

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. Proclamation - 'The Big Read Month'.



Proclamation

B. Proclamation - 'Karen Murray Day'



Proclamation

C. Notice to Legislative Authority - New Permit for Chipotle Mexican Grill of Colorado LLC DBA Chipotle 2 South Main Street Oxford, Ohio 45056.



Documents

D. 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 17, 2009 City Council Work Session. (Mary Ann Eaton, Deputy Clerk of Council)



WS Minutes

B. Minutes of the February 17, 2009 City Council Meeting. (Mary Ann Eaton, Deputy Clerk of Council)



Minutes

C. Report regarding the February 10, 2009 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)



Report

D. Report regarding the February 18, 2009 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)



Report

E. Report regarding the February 19, 2009 Recreation Board Meeting. (Gail Brahier, Parks and Recreation Director)



Report

- F. A Resolution authorizing the City Manager to enter into a contract with Statewide Ford Lincoln Mercury, Inc., Van Wert, Ohio for the purchase of four new 2009 Crown Victoria Police vehicles at state contract pricing at a cost not to exceed \$89,120.00. (Steve Schwein, Police Chief)



Staff Report/Resolution

- G. A Resolution authorizing the City Manager to enter into a contract with Charlie's Dodge, Inc., Maumee, Ohio for the purchase of a new 2009 Dodge Dakota FlexFuel Compact Pickup Truck at state contract pricing for a cost not to exceed \$24,298.00. (Steve Schwein, Police Chief)



Staff Report/Resolution

- H. A Resolution authorizing a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, on Friday, April 3, 2009 starting at 6:00 p.m. to Saturday, April 4, 2009 at 3:00 a.m. at Cook Field on Miami's campus for the American Cancer Society's Relay for Life. (Doug Elliott, City Manager)



Staff Report/Resolution

- I. A Resolution authorizing a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, on Thursday, April 30, 2009 from 8:00 p.m. to 10:30 p.m. on the lawn at Millett Hall for an After Dark concert. (Doug Elliott, City Manager)



Staff Report/Resolution

- J. A Resolution authorizing a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, on Friday, May 8, 2009 from 9:00 p.m. to 2:30 a.m. in the Uptown Parks for a Campus Activities Council sponsored musical event. (Doug Elliott, City Manager).



Staff Report/Resolution

- K. A Resolution accepting the proposal and authorizing the City Manager to enter into a three-year contract with Cincinnati Bell to provide internet access and local and long distance telephone service to the City Building and seven remote sites. (Kim Newton, Assistant to the City Manager)



Staff Report/Resolution

5. Resolutions.

- A. None.

6. 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.

- A. First Reading.

1. An Ordinance Approving The Planning Commission's Recommendation For Preliminary Approval Of The Myers Subdivision On 32.12 Acres Of Land With Conditions. (Jung-Han Chen, Community Development Director).



Staff Report/Ordinance/Documentation

2. An Ordinance Approving The Planning Commission's Recommendation For Preliminary Plan Approval Of The Villas Of Oxford Planned Unit Development On 22.46 Acres Of Land Between Contreras And Fairfield Roads To Allow A Development For Residential Use With Conditions. (Jung-Han Chen, Community Development Director).



Staff Report/Ordinance/Documentation

B. Second Reading.

1. An Ordinance Repealing Current Section 503.02, Classification Of Civil Offenses, And Adopting New Section 503.02, Classification Of Civil Offenses. (Jung-Han Chen, Community Development Director).



Staff Report/Ordinance

7. Announcements and Communications. The comments expressed by individual members of Council or City staff during the 'Announcements' 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.

A. Announcements.

1. Remarks from City Council and City staff.

B. Future Meetings (Note: Meetings will be held at the Court House unless otherwise indicated.)

WED - Mar 4 Historic and Architectural Preservation Commission Work Session

TUES - Mar 10 Planning Commission Meeting 7:30 p.m.

THUR - Mar 12 Police Advisory Board Meeting 7:00 p.m. Senior Citizens Center

MON - Mar 16 Housing Advisory Board Meeting 7:00 p.m. Municipal Building 2nd Floor Conference Room

TUES - Mar 17 City Council Meeting 7:30 p.m.

WED - Mar 18 Board of Zoning Appeals Meeting 7:30 p.m.

FRI - Mar 20 Community Improvement Corporation Meeting 12:00 p.m. LCNB 2nd Floor Meeting Room

FRI - Mar 20 Student Community Relations Commission Meeting 2:00 p.m. LCNB 2nd Floor Community Room

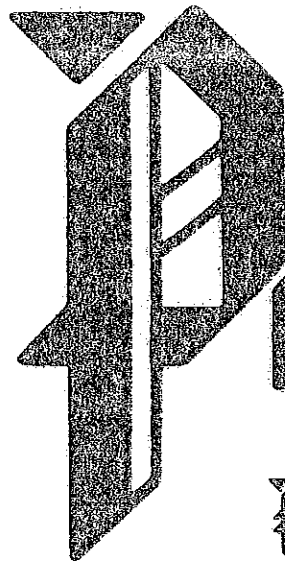
WED - Mar 25 Environmental Commission Meeting 7:00 p.m. Municipal Building 2nd Floor Conference Room

WED - Mar 25 Civil Service Commission Meeting 7:00 p.m.

THUR - Mar 26 Recreation Board Meeting 12:00 p.m. Senior Citizens Center

THUR - Mar 26 Finance Commission Meeting 5:30 p.m. Municipal Building 2nd

8. Adjourn



Office of the Mayor

Proclamation

Whereas:

in 2005, the National Endowment for the Arts launched The Big Read in an effort to stem the documented decline in reading for pleasure among American adults; and

WHEREAS, the intent of the Big Read is to provide citizens with the opportunity to read and discuss a single book within their communities; and

WHEREAS, by June 2009, more than 500 Big Read programs will have occurred in all 50 states; and

WHEREAS, Oxford residents have the opportunity to participate in this nationwide effort to restore literary reading to the heart of American culture; and

WHEREAS, Jack London's *The Call of the Wild* is the focus of Oxford's Big Read, which will also serve surrounding communities in Southwest Ohio and Southeast Indiana; and

WHEREAS, literature has the power to transform, not merely inform. Literary reading engages the reader in a way that no other medium can; it broadens the reader's viewpoint, stretching the boundaries of his or her world. Works of literature tackle the 'big questions' that force us to examine our world and ourselves. That is why a novel published in 1903 remains relevant over a century later.

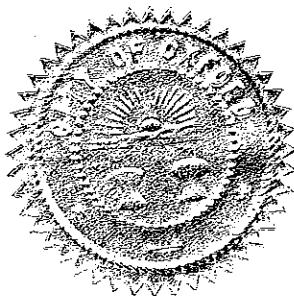
NOW, THEREFORE, I, Prudence Z. Dana, Mayor of the City of Oxford, Ohio, do hereby proclaim the month of March as:

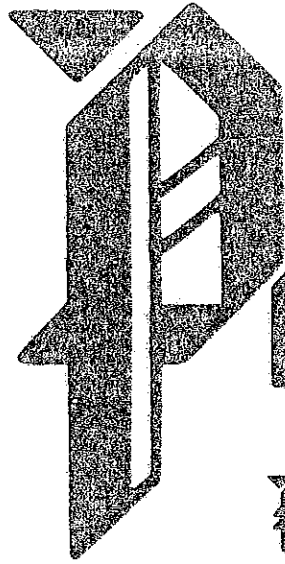
'The Big Read Month in Oxford, Ohio'

and hope you will join in reading *The Call of the Wild* and take part in many of the Big Read special events scheduled over the next four weeks.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 27th day of February, 2009.

PRUDENCE Z. DANA, MAYOR





Office of the Mayor

Proclamation

Whereas:

Karen Murray has served the Oxford community and Miami University for 10 years as the Director of Health Education; and

WHEREAS, Karen Murray was the Co-founder of the Coalition for a Healthy Community-Oxford, providing alcohol and drug prevention programs for the campus and community; and

WHEREAS, Karen Murray has served on the Coalition Leadership Team since it was formed in 1998 as a member and their Chair; and

WHEREAS, Karen has given of her time and talent to provide leadership to other community boards, committees, and service agencies creating innovative prevention programs for the community; and

WHEREAS, Karen Murray has played a major role in the creation and funding of a comprehensive prevention, intervention, and treatment program for the Talawanda School District; and

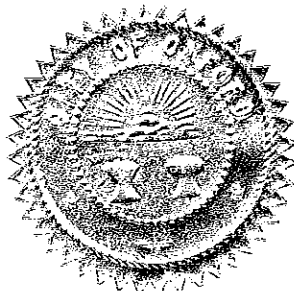
WHEREAS, Karen Murray will be leaving Miami University and Oxford after 20 years of service.

NOW, THEREFORE, I, Prudence Z. Dana, Mayor of the City of Oxford, Ohio, do hereby proclaim Monday, March 2, 2009 to be:

'Karen Murray Day'

in the City of Oxford and ask that all citizens of the Oxford Community congratulate Karen on her special day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 27th day of February 2009.



PRUDENCE Z. DANA, MAYOR

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6806 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-6968

TO

14374150705		NEW		RECEIVED 23 City of Oxford
PERMIT NUMBER		TYPE		
ISSUE DATE		CHIPOTLE MEXICAN GRILL OF		
02 17 2009		COLORADO LLC		
FILING DATE		DBA CHIPOTLE		
D3		2 SOUTH MAIN ST		
PERMIT CLASSES		OXFORD OH 45056		
09	088	A	Y59229	
TAX DISTRICT		RECEIPT NO.		

FROM 02/19/2009

PERMIT NUMBER		TYPE	
ISSUE DATE			
FILING DATE			
PERMIT CLASSES			
TAX DISTRICT		RECEIPT NO.	



MAILED 02/19/2009

RESPONSES MUST BE POSTMARKED NO LATER THAN. 03/23/2009

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES **A NEW 1437415-0705**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title) -- ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF OXFORD MUNICIPAL COUNCIL
101 E HIGH ST
OXFORD OHIO 45056

SECTION 3

LLC, GENERAL PARTNERS DATA VERIFICATION

CHIPOTLE MEXICAN GRILL OF COLORADO LLC

PERMIT # 1437415-0005

RENEWAL YEAR 2008-2009

PARTNERS OF A PARTNERSHIP, MANAGING MEMBERS, PERSONS HOLDING 5% OR GREATER MEMBERSHIP OR VOTING INTEREST IN A LLC.	SOCIAL SECURITY #	INTEREST	TITLE
M STEVEN ELLS MONTGOMERY F MORAN CHIPOTLE MEXICAN GRILL INC		MANAGE-MBR MANAGE-MBR MAN-MBR5%M	

IF INFORMATION LISTED ABOVE IS NOT ACCURATE, PLEASE INDICATE CHANGES BELOW.

NAME	SOCIAL SECURITY #	TITLE	BIRTHDATE

COMPLETE THE CURRENT LIST OF YOUR TOP FOUR(4) OFFICERS.

IF NO ONE HOLDS THAT OFFICE, INDICATE 'NONE'. PLEASE PRINT OR TYPE.

CEO/PRESIDENT _____

SOCIAL SECURITY# _____

VICE-PRESIDENT _____

SOCIAL SECURITY# _____

TREASURER _____

SOCIAL SECURITY# _____

SECRETARY _____

SOCIAL SECURITY# _____

EOE/ADA SERVICE PROVIDER
FOR TTY USERS, DIAL ORS 1-800-750-0750

09 BUTLER		088 OXFORD		POPULATION	22,210
CLASS	RATIO	PERMIT QUOTA	PERMITS ISSUED	PERMITS AVAILABLE	APPLICATIONS ON FILE
C1	1,000	23	17	6	0
C2	1,000	23	19	4	0
D1	2,000	12	12	0	1
D2	2,000	12	12	0	2
D3	2,000	12	11	1	2
D3A	0	0	8	6	0
D4	2,000	12	1	11	0
D5	2,000	12	12	0	4

Ohio Division of Liquor Control February 23, 2009

Commerce Division of Liquor Control**TYPES OF PERMITS**

Manufacturer

Permit Class	Permit Fee	Description
A1	\$3,906	<u>ORC 4303.02</u> Manufacturer of beer, ale, stout and other malt liquors.
A1A	\$3,906	<u>ORC 4303.021</u> Beer, and any intoxicating liquor by the glass or container on A-1 or A-2 permit premises only until 2:30am.
A2	\$76	<u>ORC 4303.03</u> Manufacturer of wine.
A3	\$3,906	<u>ORC 4303.04</u> Manufacture, import and sell alcohol and spirituous liquor
A3A	\$3,906	<u>ORC 4303.041</u> Manufacturer of less than 10,000 gallons of spirituous liquor and sale to a personal consumer.
A4	\$3,906	<u>ORC 4303.05</u> Manufacture and sell certain prepared and bottled drinks, import for blended purposes
B2A	\$25	<u>ORC 4303.07</u> Sale of wine to retail permit holder.
S	\$25	<u>ORC 4303.232</u> Sale of wine to personal consumer via mail order.
W	\$1,563	<u>ORC 4303.231</u> To operate a warehouse for the storage of beer or intoxicating liquor within the state and to sell such products from the warehouse to a B permit holder with Consent to Import on file or to other customers outside this state.

Distributor

Permit Class	Permit Fee	Description
B1	\$3,125	<u>ORC 4303.06</u> Distributor of beer, ale, stout, other malt liquor.
B2	\$500	<u>ORC 4303.07</u> Distributor of bottled wine.
B3	\$124	<u>ORC 4303.08</u> Distributor of sacramental wine.
B4	\$500	<u>ORC 4303.09</u> Distributor of mixed beverages.
B5	\$1,563	<u>ORC 4303.10</u> Distributor and importer and bottler of wine.

Retail Store Carryout

Permit Class	Permit Fee	Description
C1	\$252	<u>ORC 4303.11</u> Beer only in original sealed container for carry out only.
C2	\$376	<u>ORC 4303.12</u> Wine and certain prepackaged mixed drinks in sealed containers for carry out.
C2X	\$252	<u>ORC 4303.121</u> Beer in original sealed containers for carry out.

D8 \$500 ORC 4303.184 Sale of tasting samples of beer, wine, and mixed beverages, but not spirituous liquor, at retail, for consumption on premises.

Restaurant / Night Club

Permit Class	Permit Fee	Description
D1	\$376	<u>ORC 4303.13</u> Beer only for on premises consumption or in sealed containers for carry out.
D2	\$564	<u>ORC 4303.14</u> Wine and certain prepackaged drinks for on premises consumption or in sealed containers for carry out.
D2X	\$376	<u>ORC 4303.141</u> Beer only for on premises consumption or in sealed containers.
D3	\$750	<u>ORC 4303.15</u> Spirituous liquor for on premises consumption only until 1:00am.
D3X	\$300	<u>ORC 4303.151</u> Wine only for on premises consumption only until 1:00am.
D3A	\$938	<u>ORC 4303.16</u> Extend issued permit privileges until 2:30am.
D5	\$2,344	<u>ORC 4303.18</u> Spirituous liquor for on premises consumption only, beer and wine for on premises, or off premises in original sealed containers, until 2:30am.
D5I	\$2,344	<u>ORC 4303.181</u> Spirituous liquor for on premises consumption only, beer and wine for on premises, and off premises in original sealed containers, until 2:30 a.m. (restaurants meeting certain criteria)
D7	\$469	<u>ORC 4303.183</u> Beer and any intoxicating liquor by the glass or container for consumption on the premises only until 2:30am. (RESORT area ONLY).

Club

Permit Class	Permit Fee	Description
D4	\$469	<u>ORC 4303.17</u> Beer and any intoxicating liquor to members only, for on premises consumption only until 1:00am.
D4A	\$750	<u>ORC 4303.171</u> Airline club only - Beer and any intoxicating to members and guests until 2:00am.
D5C	\$1,563	<u>ORC 4303.181</u> (Same as D5.)
D5D	\$2,344	<u>ORC 4303.181</u> (Same as D5) located at airport.

Hotel And Motel

Permit Class	Permit Fee	Description
D5A	\$2,344	<u>ORC 4303.181</u> (Same as D5) for hotel or motel with 50 or more rooms for transient guests.

Enclosed Shopping Mall

Permit Class	Permit Fee
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Class	Fee	Description
D5B I	\$2,344	<u>ORC 4303.181</u> (Same as D5) for enclosed shopping mall.

River Boats

Permit Class	Permit Fee	Description
D5E	\$1,219	<u>ORC 4303.181</u> Beer and intoxicating liquor for on premises consumption only, until 2:30am.(historical river boat owned by charitable organization only)

Marinas

Permit Class	Permit Fee	Description
D5F	\$2,344	<u>ORC 4303.181</u> Beer and intoxicating liquor by the glass or container for on premises consumption only until 2:30am.(marina restaurant only)

Museums

Permit Class	Permit Fee	Description
D5G	\$1,875	<u>ORC 4303.181</u> Beer and intoxicating liquor by the glass or container for on premises consumption only until 1:00am.(national sports museum only)
D5H	\$1,875	<u>ORC 4303.181</u> Beer and intoxicating liquor by the glass or container for on premises consumption only until 1:00am.(fine arts museum only)

Community Entertainment District/Revitalization

Permit Class	Permit Fee	Description
D5J	\$2,344	<u>ORC 4303.181</u> Spirituous liquor for on premises consumption only, beer and wine for on premises and off premises in original sealed containers, until 2:30am. (for a community entertainment district)
D5L	\$2,344	<u>ORC 4303.181</u> Sale of beer and intoxicating liquor at retail by the glass or container for on premises consumption until 2:30 a.m. (retail food establishment or food service operation meeting certain criteria).

Sunday Sales

Permit Class	Permit Fee	Description
D6	\$400-c \$500-d	<u>ORC 4303.182</u> Sale of intoxicating liquor on Sunday between the hours 1:00pm and midnight.

Other

Permit Class	Permit Fee	Description
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D5K	\$1,875	<u>ORC 4303.181</u> Sale of beer and intoxicating liquor for on premises consumption issued to certain non profit organizations that own and operate a botanical garden.
D5M	\$2,344	<u>ORC 4303.181</u> Sale of beer and intoxicating liquor at retail by the glass or container for on premises consumption only until one a.m. (restaurant affiliated with center for the preservation of wild animals).
E	\$500	<u>ORC 4303.19</u> Railroad car or airline to sell beer or any intoxicating liquor at retail in glass or from container for consumption in such car or aircraft.
G	\$100	<u>ORC 4303.21</u> Retail drug store (alcohol for medicinal, industrial, mechanical, chemical, or scientific purposes).
H	\$300	<u>ORC 4303.22</u> PUCO motor carrier to transport beer, intoxicating liquor and alcohol, also to railroad.
I	\$200	<u>ORC 4303.23</u> Wholesale druggist (purchase - import alcohol for sale at wholesale and retail).

Temporary Permits

Permit Class	Permit Fee	Description
F	\$40	<u>ORC 4303.20</u> Valid for beer only until 1:00am. (Temporary - 5 days).
F1	\$250	<u>ORC 4303.201</u> Temporary "Special Function" permit (3 days) (allows B.Y.O.B. by a nonprofit organization at Municipal Convention Center).
F2	\$150	<u>ORC 4303.202</u> Temporary permit (48 hours) beer and any intoxicating liquor by glass or container on premises only until 1:00am.
F3	\$300	<u>ORC 4303.203</u> Alcohol Beverage Industry Education.
F4	\$60	<u>ORC 4303.204</u> Certain non profit organizations for an event that includes the introduction, showcasing or promotion of wines produced in Ohio; to furnish at no charge 2 oz. samples and sale for on premises consumption and carry out of wine from participating A2 permit holders. The fee is \$60 (per day).
F5	\$180	<u>ORC 4303.205</u> Beer and Intoxicating liquor issued to a Riverboat at a festival sponsored by a nonprofit organization (6 days - one per calendar year).
F6	\$50	<u>ORC 4303.206</u> Sale of wine by a 501(c)(3) nonprofit organization (72 consecutive hours - 6 per year).
F7	\$450	<u>ORC 4303.207</u> Beer, wine, mixed beverages, and spirituous liquor issued to a nonprofit organization at a "qualified golf event", meeting certain criteria until 1AM. (8 days - two(2) per calendar year).
F8	\$1700	<u>ORC 4303.208</u> Temporary permit to a not-for-profit organization for sales on publicly owned property located in Hamilton County only.

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The Work Session of the Oxford City Council was called to order by Mayor Prue Dana on Tuesday, February 17, 2009 at 6:00 P.M. Those Council members present were: Ken Bogard, Doug Ross, Alysia Fischer, Richard Keebler and Greig Rutherford. Kate Currie arrived at 6:04 p.m.

Staff members present: Doug Elliott, City Manager; Steve McHugh, Law Director; Joe Newlin, Finance Director; Mike Dreisbach, Service Director; Alan Kyger, Economic Development Director; Steve Schwein, Police Chief; Jung-Han Chen, Community Development Director; John Detherage, Fire Chief; Kathy Dale, Planner and Mary Ann Eaton, Deputy Clerk of Council.

Also present were: Mike Smith, Laura Henderson and Susan Kay from the Historic and Architectural Preservation Commission.

APPROVAL OF AGENDA

Ms. Fischer moved approval of the Agenda. Mr. Ross seconded. The motion carried 6-0-0.

PURPOSE

The purpose of the Work Session was for Council to receive information from the Historic and Architectural Preservation Commission regarding their proposed Historic Marker Program and to receive information from the City Manager and Fire Chief regarding the status of the Fire/EMS Division.

HISTORIC MARKER PROGRAM

Ms. Henderson discussed a handout that was provided to Council and staff regarding the proposed Historic Marker Program. Ms. Henderson noted the program was organized in two tiers as follows:

Tier One Markers would be awarded annually as a Preservation Award for restoration projects completed within the previous calendar year and retroactive awards could be awarded for exceptional preservation efforts in the past.

Tier Two Markers would be awarded annually as a Historic Plaque for a significant historic structure or historic site.

Ms. Henderson noted the idea was to encourage preservation and provide public acknowledgement for those efforts.

After discussion Council was in favor of the program and offered suggestions with regard to the plaques.

FIRE/EMS DIVISION

Mr. Elliott advised he provided information in Council's Friday Packet which included a PowerPoint presentation regarding the Fire Department, a survey of area fire departments, staffing options, summary of training levels and capability for EMS certification, and a fire incident summary report for 2008.

Chief Detherage discussed the PowerPoint in detail with regard to run statistics, run growth, increased EMS Runs/Lack of People, Structure Fire Responses, Other Work Load, Service Level Options, Current Volunteer Staff, Training, Student Volunteers, Citizen Expectations, Current Levels of Service and 2009 Goals.

Chief Detherage discussed the lack of volunteers responding to runs, why the response time was inadequate, and some proposed options for dealing with the situation.

Discussion included hiring additional part-time personnel and not filling the current Assistant Fire Chief position. The possibility of a Fire Levy was also discussed.

Mr. Keebler suggested appointing a committee to work on short term and long term solutions for the division made up of members of Council, the Fire Chief, City Manager, a Miami University representative and a Township representative.

AJOURNMENT

Mr. Ross moved to adjourn at 7:30 p.m. Ms. Currie seconded. The motion carried 7-0-0.

A regular meeting of the Oxford City Council was called to order by Mayor Prue Dana on Tuesday, February 17, 2009 at 7:36 p.m. Those members present were Ken Bogard, Kate Currie, Doug Ross, Richard Keebler, Alysia Fischer and Greig Rutherford.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. Steve Schwein, Police Chief; Mr. John Detherage, Fire Chief; Mr. Joe Newlin, Finance Director; Mr. Jung-Han Chen, Community Development Director; Mr. Alan Kyger, Economic Development Director; Mr. Steve McHugh, Law Director and Ms. Mary Ann Eaton, Deputy Clerk of Council.

PLEDGE OF ALLEGIANCE

Mayor Dana requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Bogard moved to approve the agenda. Ms. Fischer seconded. The motion passed 7-0-0.

Mayor Dana welcomed Mr. Jim Hockaday a graduate student who was serving an internship under the City Manager's office.

PUBLIC PARTICIPATION

PROCLAMATION **'FREEDOM FUND BANQUET WEEK'**

Mayor Dana advised she read and presented the Proclamation last night at the Freedom Fund Banquet. Mayor Dana noted Mr. Ross and Mr. Bogard also attended the event.

PUBLIC COMMENTS

Mr. Shekar Jayaraman, advised he was the regional liaison and official representative for Secretary of State, Jennifer Brunner. Mr. Jayarman noted he wanted to introduce himself and extend the services of the Secretary of State's office to the citizens of Oxford. Mr. Jayarman noted the Secretary of State's office provided election administration and worked with the Board of Elections. Mr. Jayarman advised their office also provided community outreach with regard to Business Services, Safe and Secure Social Security and a Health Index for the State of Ohio. Mr. Jayarman noted his office was more than willing to reach out to the constituents in Oxford.

CONSENT AGENDA

MINUTES

Minutes of the February 3, 2009 City Council Meeting. (Mary Ann Eaton, Deputy Clerk of Council)

Accepting the Minutes of the January 23, 2009 Student Community Relations Commission Meeting. (Jung-Han Chen, Community Development Director)

REPORTS

Report regarding the January 13, 2009 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the February 4, 2009 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the February 11, 2009 Civil Service Commission Meeting. (Donna Heck, Human Resources Director)

RESOLUTION

RESOLUTION **NEW COLOR COPIER**

A Resolution No. 4410 authorizing the City Manager to enter into an agreement with ComDoc for a 60-month lease for a Sharp MX-4501N color copier through State Contract pricing. (Steve Schwein, Police Chief)

Mr. Keebler moved to approve the consent agenda. Ms. Fischer seconded. The motion passed 7-0-0.

RESOLUTIONS

RESOLUTION **RELEASE MONEY** **ON DEPOSIT**

A Resolution No. 4411 authorizing release of all monies on deposit for water service repairs pursuant to the agreement with Ray Day DBA Miami Mobile Home Park and D&B Family Limited Partnership DBA Oxford Mobile Home Park dated August 20, 1997. (Joe Newlin, Finance Director)

Mr. Newlin noted the proposed Resolution would provide authority to himself and the City Manager to release funds plus interest to the Day family which had been on deposit since 1997. Mr. Newlin advised the proposed Resolution was parallel to the appropriation adjustment Council would consider later this evening.

Mr. Bogard moved to adopt Resolution No. 4411. Ms. Fischer seconded. The Resolution was adopted by the following roll call:

AYE: Ms. Fischer, Mr. Keebler, Mr. Ross, Mr. Rutherford, Mr. Bogard, Ms. Currie,
Ms. Dana (7)

NAY: None (0)

ABS: None (0)

RESOLUTION
FINAL LEGISLATION
WITH ODOT

A Resolution No. 4412 authorizing the City Manager to sign final legislation and other contracts with the Ohio Department of Transportation in connection with the rehabilitation of a portion of US-27 from High Street to Chestnut Street. (Mike Dreisbach, Service Director)

Mr. Dreisbach noted this was a project similar to the one done last year on State Route 73. Mr. Dreisbach advised the cost would be split with the state 80/20 and US-27 would be rehabilitated from High Street to Chestnut Street. Mr. Dreisbach noted Council had already approved the preliminary legislation and asked for their approval of the final legislation so ODOT could be contacted to schedule the project.

Mr. Rutherford inquired what the duration of the project would be and Mr. Dreisbach advised approximately one week. Mr. Rutherford inquired if the work would be performed during the summer and Mr. Dreisbach advised yes. Mr. Dreisbach noted ODOT would coordinate the project with the City and Miami University and would not impede Bicentennial events on campus.

Mr. Keebler inquired if intersection improvements at High Street and Patterson would be done in conjunction with this project and Mr. Dreisbach advised no. Mr. Dreisbach noted the intersection improvements were being designed at Miami's expense in conjunction with the Farmer's School of Business project.

Mr. Bogard moved to adopt Resolution No. 4412. Ms. Fischer seconded. The Resolution was adopted by the following roll call:

AYE: Ms. Currie, Ms. Fischer, Mr. Keebler, Mr. Ross, Mr. Rutherford, Mr. Bogard,
Ms. Dana (7)

NAY: None (0)

ABS: None (0)

RESOLUTION
CRC DIRECTOR

A Resolution No. 4413 appointing Douglas R. Elliott, Jr. Community Relations Director. (Doug Elliott, City Manager)

Mr. Elliott advised last year Council amended Chapter 143 dealing with civil rights and the Community Relations Commission. Mr. Elliott noted members were recently appointed to the Commission and the Ordinance called for a Community Relations Director appointed by Council. Mr. Elliott advised he would be glad to serve in that capacity.

Ms. Currie noted she was pleased that the Commission was getting underway.

Ms. Fischer noted four members were appointed to the Commission and there was still one vacancy.

Ms. Fischer moved to adopt Resolution no. 4413. Ms. Currie seconded. The Resolution was adopted by the following roll call:

AYE: Mr. Rutherford, Mr. Bogard, Ms. Currie, Ms. Fischer, Mr. Keebler, Ms. Dana (6)

NAY: None (0)

ABS: Mr. Ross (1)

ORDINANCES
FIRST READING

ORDINANCE
AMENDING SECTION 503.02

An Ordinance Repealing Current Section 503.02, Classification Of Civil Offenses, And Adopting New Section 503.02, Classification Of Civil Offenses. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the rearranged Chapter numbers of the Zoning Code did not correspond to the Classification of Civil Offenses which could cause a technicality if citations were challenged. Mr. Chen noted the proposed legislation would correct the inconsistency between the Administrative Ticketing Code and the Zoning Code. Mr. Chen advised Chapter 1149 Vehicle Management had been added to Section 503.02 for Council's consideration.

Mr. Rutherford inquired if Conditional Uses could be added to this section and Mr. Chen advised yes. Mr. Keebler noted support for adding Conditional Uses to the proposed legislation prior to the second reading.

Mr. McHugh advised revocation of Conditional Uses could not be placed in this section of the code and Mr. Rutherford and Mr. Keebler agreed that revocation was a different matter.

Ms. Fischer referred to page 51 of the agenda which listed section 521.11, snow and ice removal. Ms. Fischer noted 95% of inhabitants in Oxford did not shovel their sidewalks and tickets had never been issued for this violation. Ms. Fischer noted it seemed there was no interest in issuing tickets for this violation based on recommendations from the Law Director. Ms. Fischer noted Council had received letters from citizens who did not understand why something was on the books but not enforced. Ms. Fischer noted her feeling now might be the time to address the matter.

Ms. Currie noted her feeling before next winter a system needed to be in place to require people to shovel their sidewalks or the City would do it for them and levy them the cost for the service.

Mr. Ross noted the City Manager previously mentioned the City providing this service. Mr. Ross advised perhaps it should be done by the City with the cost shared by all taxpayers.

Mr. Bogard noted this would require separate legislation and a discussion could take place prior to next season to decide whether to remove the current legislation or leave it as is and un-enforced.

Mr. Elliott noted the way the current Ordinance was structured and because of the court cases Mr. McHugh had brought to Council's attention it may be an option to allow 24-48 hours for people to remove snow and ice from their sidewalks. Mr. Elliott advised if the snow and ice was not removed in the time period allotted then the City or a contractor would provide the service and the cost would be attached to the property taxes. Mr. Elliott advised it would be necessary to determine what areas of the City this would be applied to.

Mr. McHugh advised the current legislation was a problem and an enforceable system needed to be developed. Mr. McHugh noted a problem in Ohio dealt with what the Ohio Supreme Court was applying with respect to liability issues.

Mayor Dana noted the only change requested to the proposed Ordinance was in regard to Conditional Uses.

ORDINANCES

SECOND READING

ORDINANCE

SUPPLEMENTAL BUDGET

An Ordinance No. 3044 Amending Ordinance No. 3033. Supplemental Budget Ordinance Number 1 To Make Supplemental Appropriations For Fiscal Year 2009. (Joe Newlin, Finance Director)

Mr. Newlin addressed the staff report on pages 55 and 56 of the agenda.

Ms. Fischer inquired if the City was expecting additional funds related to hurricane Ike and Mr. Elliott advised yes.

Mr. Keebler inquired how often it was necessary to make supplemental appropriations and if they could be done quarterly.

Mr. Newlin noted he could bring supplemental appropriations to Council on a quarterly basis although he preferred to bring them to Council as things came due.

Mr. Bogard moved to adopt Ordinance No. 3044. Ms. Currie seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Rutherford, Mr. Bogard, Ms. Currie, Ms. Fischer, Mr. Keebler, Mr. Ross,
Ms. Dana (7)

NAY: None (0)

ABS: None (0)

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance No. 3045 Amending Ordinance No. 3033. Supplemental Budget Ordinance Number 2 To Make Supplemental Appropriations For Fiscal Year 2009. (Joe Newlin, Finance Director)

Mr. Newlin referred to the staff report on page 59 of the agenda noting this legislation would allow for the return of advances made in 2008 to the respective funds.

Mr. Bogard moved to adopt Ordinance No. 3045. Mr. Rutherford seconded. The Ordinance was adopted by the following roll call:

AYE: Ms. Fischer, Mr. Keebler, Mr. Ross, Mr. Rutherford, Mr. Bogard, Ms. Currie
Ms. Dana (7)

NAY: None (0)

ABS: None (0)

Ms. Currie moved to adopt Ordinance No. 3045. Ms. Fischer seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Bogard, Ms. Currie, Ms. Fischer, Mr. Keebler, Mr. Ross, Mr. Rutherford,
Ms. Dana (7)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mayor Dana noted a Work Session was held this evening to hear from the Historic and Architectural Preservation Commission and also to discuss concerns related to the Fire/Ems Division.

Mr. Keebler noted based on the discussion earlier this evening Council agreed that a committee should be appointed to study the Fire/Ems division and bring recommendations to Council on ways to improve our ability to respond to Fire and EMS emergencies.

Mr. Keebler moved that the Mayor appoint a committee consisting of the City Manager, Fire Chief, two Council members, a Miami University representative, a township representative and a current Volunteer Firefighter to provide short term and long term solutions to response issues. Mr. Rutherford seconded. The motion passed 7-0-0.

Mayor Dana advised she attended the Fairfield City Council meeting last week to receive a Proclamation for the City of Oxford winning the recycling contest. Mayor Dana inquired if Council was interested in participating in the contest again and the consensus was yes. Ms. Fischer noted the contest did not include recycling on campus. Mayor Dana noted a sculpture was also awarded to the City for winning the contest and would most likely be on display at the Community Arts Center for a year.

Mayor Dana discussed a meeting she attended in Hamilton last week regarding the Governor's initiative to address poverty across the state.

Mayor Dana advised she was a member of the Self Board and noted she included a flyer in Council's Friday Packet with regard to their fund raiser on March 27, 2009. Mayor Dana encouraged Council and members of the public to attend.

Mayor Dana noted the Parking Committee was working on a master plan and were looking for 100-200 parking spots in the Uptown area.

Mayor Dana advised the City of Oxford was awarded the distinction of 'Tree City USA'.

Mayor Dana advised she attended the Three Valley Conservation annual meeting and provided Council with information regarding the event.

Mayor Dana advised she wanted to put to rest the rumors that City Council was not in favor of the current site for the new High School. Mayor Dana noted Council supported the ballot issue and was very supportive of working aggressively with the School Board to accomplish the project.

Mayor Dana noted she and Vice Mayor Bogard attended the kick-off for Miami's Bicentennial today which was a grand event.

Mr. Elliott advised Council held a Work Session this evening and one of the topics was the Fire/EMS Department. Mr. Elliott advised he and Chief Detherage gave Council an update and discussed some important staffing issues as it had been difficult to recruit volunteers. Mr. Elliott noted he was pleased that Council decided to have a committee appointed to focus on solutions for the department. Mr. Elliott noted he was looking forward to meeting with the Township Trustees to look at updating an agreement from 1980.

Mr. Elliott commented on the stimulus package which the President signed today noting the City would do its best to submit important projects for consideration.

Mr. Elliott noted he and Mayor Dana, Vice Mayor Bogard and members of staff met with school officials today to discuss the new high school project. Mr. Elliott advised the City's goal was to work with school officials to move the project along as quickly as possible while recognizing the importance of the project for the entire community.

Mr. Newlin advised representatives from the Regional Income Tax Agency (R.I. T. A.) would be at the Oxford Courthouse on March 12th from 6:00 p.m. to 8:00 p.m. and on March 13th from 9:00 a.m. to 12:00 p.m. to assist taxpayers with filing their income taxes. Mr. Newlin also advised a link was available on the City's website for E-Filing.

Mr. McHugh advised Dr. Sherman should sign the easement agreement Council recently approved sometime this week.

Mr. Ross suggested Council consider changing Sycamore Street to Art Miller Street.

Mr. Rutherford suggested Mr. Elliott include a railroad underpass with the list of projects being submitted to the State for stimulus funding.

Mr. Bogard advised he attended the 200th anniversary convocation which was very well put together with historic videos depicting the University as well as the City.

Mr. Bogard noted the partnership meeting today regarding the new high school was very well attended and was a cooperative partnership which allowed for setting a timeline for the new high school project.

Ms. Fischer seconded Mr. Ross's suggestion to commemorate Arthur Miller's life and work. Ms. Fischer noted Mr. Miller was an important figure within the community.

Ms. Fischer noted the importance of moving quickly with regard to the Fire/EMS situation. Ms. Fischer noted Council felt strongly about this issue and noted her hope the community would be supportive as well.

Ms. Fischer referred to an article in the Miami Student newspaper with regard to sidewalks within the City. Ms. Fischer noted she felt it was important for the public to know that no one from Associated Student Government spoke to members of City staff prior to drafting their Resolution and making statements about what needed to be done. Ms. Fischer noted her feeling there was a very good program in place that dealt with sidewalk and curb and gutter repairs which were made during the summer months.

Ms. Currie referred to an article in the Miami Student which indicated she said the City's Bicentennial event had a 'significant budget'. Ms. Currie clarified that she said a 'shoestring budget'.

ADJOURNMENT

Ms. Fischer moved to adjourn at 8:50 p.m. Ms. Currie seconded. The motion passed 7-0-0.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: March 3, 2009

Kathryn A. Dale
Prepared By

Account Code No. #:

February 12, 2009
Date Prepared

Budgeted Amount:

Agenda Title: **Planning Commission Meeting Report – February 10, 2009**

Recommendation: **N/A**

DISCUSSION:

Public Hearing

PC-27-2008 **PRELIMINARY SUBDIVISION**, *Myers Subdivision, to divide 32.12 acres into 77 lots in an R1B (Single-family medium density residential) district located between Contreras and Fairfield Roads, Tim Myers, Applicant* **Tabled December 9, 2008 meeting**

Staff presented that the Applicant had modified the subdivision which initially dissected the parcel with a traditional subdivision plan to the west and a PUD to the east of a public roadway connecting Fairfield Road to Contreras Road. The revised plan showed an entirely different layout with the roadway being shown on the eastside of the parcel utilizing the open space cluster subdivision regulations and occupying the north section; while the PUD occupies the southern section of the tract. The proposed number of lots increased from 72 single-family lots to 77 and approximately 6.62 acres is reserved as open space. The Applicant proposed an 8-foot multi-path trail along the collector street and sidewalks on one side of the street throughout the subdivision. Street right-of-way widths were also proposed to be reduced to 50 feet. Much discussion was had regarding these issues in addition to drainage and easements right's brought up by Mr. Jack Grove, neighboring property owner, during the public hearing portion.

The Planning Commission voted 4-2-1 to recommend **APPROVAL** to City Council with the following conditions:

1. That, the proposed stub streets along the western property line provide a 60-foot right-of-way width and conform to the City of Oxford's street standards. All other interior streets may be reduced to a 50-foot right-of-way width.
2. That, the multi-use path in the 20-foot easement is 10-feet wide as stipulated in the Annexation Development Agreement.
3. That, the collector street through the site may be modified from the typical street standard as presented, including authorization for a traditional sidewalk along the west side and the multi-use path on the eastern side.
4. That, sidewalks are provided on both sides of the streets throughout the subdivision.
5. That, the appropriate signage and barricades/guardrails are installed at the end of the stub streets along the western property line.

Landscaping and Engineering plans were discussed and the Applicant agreed to provide details with the Final Subdivision Plan.

PC-28-2008 **PLANNED DEVELOPMENT**, *Villas of Oxford, 24 acres, 112 homes, R1B (Single-family medium density residential) located between Contreras and Fairfield Roads, Foundation Development Group LLC, Applicant* **Tabled December 9, 2008 meeting**

The revised layout for the proposed PUD depicts 22 buildings for a total of 88 units compared to the initial submission of 28 structures totaling 112 units. The Applicant stated that they had a lot coverage of 21%, which conflicted with the information submitted (39.6%) and configured by staff; staff calculated the lot coverage exceeded the permitted 40% at 47%. Part of the reasoning for the discrepancy is the inclusion of private streets. Staff and Legal Council will further review the code to determine the appropriate calculation. The Applicant indicated they are only proposing 60% of their permitted

density, sidewalks on one side of the private street due to the proximity of private living quarters to the street, and are dedicating enough right-of-way along Fairfield Road to accommodate a deceleration lane if it is ever needed.

The Planning Commission voted 6-0-1 to recommend **APPROVAL** to City Council with the following conditions:

1. That, all concerns raised in the staff report, including the parking dimensions and the Engineering report are addressed on the final development plan.
2. That, the lot coverage interpretation is resolved before going to City Council.

PC-01-2009 ZONING TEXT AMENDMENT, Chapter 1141, Section 1141.02(c) Permitted Temporary Uses, Portable Storage Units, City of Oxford, Applicant

Staff explained that this application is seeking to amend the Oxford Zoning Code by adding an additional provision governing the temporary use category with respect to the placement and the duration of placing any portable storage containers within the City. This request was directed by City Council after several complaints were filed regarding temporary storage containers being placed in the right-of-way as well as on private properties for long periods. It is also unclear in the current code as to how to regulate this type of temporary storage container.

Planning Commission members expressed concerns about requiring a permit and fee for the containers and limiting the number of containers were allowed per property. Other concerns also discussed included the timeframe and that the proposed requirements would be indifferent to commercial and residential. The Planning Commission voted 7-0-0 to **TABLE** the application.

New Business: None

Other Business:

Mr. Brewer shared with the Commission that a Minor Amendment to a PUD, specifically the McDonald's site was administratively approved for remodeling and a slight addition to the drive-thru window and entry area of the building.

The next regular meeting is scheduled for March 10, 2009.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial	Date
JHC	12/12/09

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: March 3, 2009

Kathryn A. Dale

Account Code No. #:

Prepared By

Budgeted Amount:

February 19, 2009

Date Prepared

Agenda Title:	Board of Zoning Appeals – February 18, 2009 Meeting Report
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Recommendation:	N/A
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PUBLIC HEARINGS:

BZA-02-2009 – 4300 Block of Oxford-Reily Road, Variance to Section 1151.06(b)(2) Temporary Signs, City of Oxford, Applicant

The Applicant wishes to advertise the sale of the property with a sign larger than a typical 2' x 3' real estate sign seen advertising the sale of residential property. The Applicant proposed a 4-foot high by 6-foot wide single panel sign approximately 2-3 feet off the ground, located only along SR 732 (Oxford-Reily Road) across from the bowling alley property. The proposed sign does not exceed the size or square footage otherwise allowed in the City of Oxford Zoning Code for a non-residential zoning district. The BZA voted 3-0 to **APPROVE** the variance request with the following conditions:

1. That, the proposed work complies in all other respects with all applicable codes and the City of Oxford Zoning Code.
2. That, the proposed work be constructed as approved with this appeal and that no changes or modifications be made without the consent of this Board.
3. That, the sign once mounted, does not exceed 7 feet in height from grade.

BZA-03-2009 – 210 S. Poplar, Variance to Section 1141.03(e)(4) Principal Entrance and Section 1141.03(j) Residential Building Additions, Scott Webb, Applicant, Agent

The Applicant requested that the application be postponed until next month due to only three members being present, which would have required unanimous approval.

The next BZA meeting is scheduled for March 18, 2009. BZA 03-2009 and BZA 04-2009, 946 Silvoor Lane, a request for an 8 foot high fence in the front yard are scheduled. Election of officers will be conducted at that time also with a whole Board present.

Approved By:	Department Head:	Initial	Date
	City Attorney:	<u>JHC</u>	<u>2/19/09</u>
	City Manager:	<u> </u>	<u> </u>

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Parks and Recreation

Originating Department

Council Meeting Of: 3/3/09

Gail Brahier

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

2/26/09

Date Prepared

Agenda Title: Recreation Advisory Board 2/19/09

Recommendation:

N/A

Discussion: In attendance: Kevin Marks, Shaunna Tafelski, Ken Bogard, City Council Representative, Jon Ralinovsky, Brandy Darby. Staff members: Gail Brahier, Deanna Barbour

There was discussion regarding progress of the Memorial Tree Plaque. Ms. Brahier distributed a rendition of the plaque, noting it has been ordered, and distributed the proposed procedures for purchase of a tree. She advised the Board that once City Manager approves the procedures, City Council will be informed of the program. The Board discussed possible dates for the installation ceremony, either May 14 or May 21. K. Marks asked what was included in the price of purchase. Ms. Brahier noted the purchase and planting of a tree, maintenance, and name inscribed on a brass plate which is affixed to the bronze plaque.

K. Bogard suggested designating one date during the year to host a small ceremony recognizing those whose names were added, perhaps Arbor Day.

Ms. Brahier updated the Board on the one day July 3rd event, noting the fireworks display will be held at MU Ditmer parking lot again. The hours of the event will be the Carnival 5:30 - 8:30 pm uptown, Parade at 7pm, and then the event moves to Ditmer 8:30-10:30 pm for fireworks. She added at some point the event may move to the OCP, but probably not until after Oxford's Bicentennial Parade in 2010. K. Bogard mentioned the bicentennial may be a time to portray the old and the new, perhaps the parade could start uptown and end at the OCP. S. Tafelski offered that the parade could begin uptown and travel Fairfield Road to the park. The Board agreed to discuss this further at a future meeting.

Ms. Brahier appraised the Board about the Dog Park, noting she would be discussing the progress with the City Manager.

~ continue ~

Approved By:

Initial Date

Department Head:

gfb 2/29/09

City Attorney:

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City Manager:

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She added there were some problems with the park being located at Leonard Howell due to the active water well on site, and suggested there may be another location which is better suited.

K. Bogard advised the Board of the four major projects the City submitted for Ohio economic stimulus monies. There was discussion about including segments of the OATS trail to OKI for funding.

K. Marks updated the Board on the MU Bicentennial events. He said the new Student Center project is on hold, but will still be developed within a few years.

* Next Meeting: March 26 - Noon, Senior Center Conference Room

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott, Jr.

Police

Originating Department

Council Meeting Of: March 3, 2009

Account Code No. #: N/A

Steve Schwein

Prepared By

Budgeted Amount: \$103,950 General Fund
\$34,650 Law Enf. Trust Fund

February 16, 2009

Date Prepared

Agenda Title: A Resolution authorizing the Oxford Division of Police to purchase four Crown Victoria Police Vehicles From Statewide Ford Lincoln Mercury, Van Wert, Ohio at State Bid Price not to exceed \$89,120.

Recommendation: Adopt the Resolution.

Discussion: The Division of Police continues in its Ohio State Auditor approved plan of purchasing vehicles that will remain in the fleet *A MINIMUM* of eight years. Five vehicles are slated to be replaced once this year's new vehicles have arrived. Two have been in the fleet eleven years and three have been in the fleet ten years. Our program continues to work excellent, but only because of the durability of the mainstay of our fleet, the Ford Crown Victoria. The police staff has researched the viability of purchasing Hybrid vehicles, but for police use, the Hybrid is not practical at this time for the following reasons: Hybrid models fail to offer the interior space adequate to support police needs, the added cost of the Hybrid (cost to manufacture, operate, recycle at end of life is about \$3.24 per mile, cost of Crown Victoria is \$1.13 per mile). Additionally, the Hybrid initial cost is about \$3,000 more than the Crown Victoria plus a battery replacement of \$1,300 will come at about the six year mark. Finally, the hybrid has not been widely tested to show how it will withstand police use. Although these vehicles are not Hybrids, they are FlexFuel capable. The current FY '09 budget was submitted by the Police Division and approved by Council to reflect the general fund expenditures for new police vehicles to be nearly \$30,000 less than the previous year. Only three vehicles will be purchased and equipped from the General Fund, one will be purchased and equipped from the Law Enforcement Trust Fund.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial Date

SDS 12/16/09

[Signature] 2/23/09

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH STATEWIDE FORD LINCOLN MERCURY, INC.; VAN WERT, OHIO FOR THE PURCHASE OF FOUR NEW 2009 CROWN VICTORIA POLICE VEHICLES AT STATE CONTRACT PRICING AT A COST NOT TO EXCEED \$89,120.00.

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

SECTION 1: Council hereby authorizes the Police Department to purchase four new 2009 Crown Victoria Police vehicles at State Contract pricing at a cost not to exceed \$89,120.00.

SECTION 2: The City Manager is hereby authorized to enter into a contract with Statewide Ford Lincoln Mercury, Inc., Van Wert, Ohio for the purchase of four new 2009 Crown Victoria Police vehicles at a cost not to exceed \$89,120.00.

SECTION 3: Funds have been appropriated in an amount in excess of the purchase price authorized.

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

MAYOR

ADOPTED: _____
ATTEST: _____

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW(STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott, Jr.

Police

Originating Department

Council Meeting Of: March 3, 2009

Account Code No. #: N/A

Steve Schwein

Prepared By

Budgeted Amount: \$27,500 Parking Fund

February 16, 2009

Date Prepared

Agenda Title: A Resolution authorizing the Oxford Division of Police to purchase one FlexFuel compact pickup truck from Charlie's Dodge, Inc., Maumee, Ohio at State Bid Price not to exceed \$24,298.

Recommendation: Adopt the Resolution.

Discussion: The choice of the Dodge Dakota as both a compact and FlexFuel choice vehicle for use in Parking Services allows the Parking employees the versatility of using the vehicle to transport meters and repair parts, boots, and accessories while maintaining a degree of eco friendliness thru the FlexFuel. Staff reviewed stats and costs of pure electric vehicles, and found the overall costs to be about the same, but long term reliability to be far less certain.

As with police vehicles, those vehicles purchased for use by Parking Services have a track record of about ten to eleven years of serviceability keeping with the goals and objectives as outlined in the State of Ohio Auditor's study of our fleet program. An alternate choice on State Bid would have been the Chevrolet Colorado which is priced almost the same. The advantage of the Dodge, however, is that we have a Dodge dealership in Oxford to do warranty and repairs saving staff time and money in transit costs.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

SDS 12/16/19

[Signature] 2/27/19

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CHARLIE'S DODGE, INC., MAUMEE, OHIO FOR THE PURCHASE OF A NEW 2009 DODGE DAKOTA FLEXFUEL COMPACT PICKUP TRUCK AT STATE CONTRACT PRICING FOR A COST NOT TO EXCEED \$24,298.00.

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

SECTION 1: Council hereby authorizes the City Manager to purchase from Charlie's Dodge, Inc., Maumee, Ohio a new 2009 Dodge Dakota FlexFuel Compact Pickup Truck at state contract pricing for a cost not to exceed \$24,298.00.

SECTION 2: The City Manager is hereby authorized to enter into a contract with Charlie's Dodge, Inc., Maumee, Ohio for the purchase of a new 2009 Dodge Dakota FlexFuel Compact Pickup Truck at state contract pricing for a cost not to exceed \$24,298.00.

SECTION 3: Funds have been appropriated in an amount in excess of the purchase price authorized.

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

MAYOR

ADOPTED: _____

ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council

Originating Department

Council Meeting Of: March 3, 2009

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

February 25, 2009

Date Prepared

Agenda Title: A Resolution authorizing a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, on Friday, April 3, 2009 starting at 6:00 P.M. to Saturday, April 4, 2009 at 3:00 A.M. at Cook Field on Miami's Campus for the American Cancer Society Relay for Life.

Recommendation:

Discussion: This request is for the American Cancer Society Relay for Life which is to raise money for the American Cancer Society. The walk will take place on Miami's Cook Field. Last year Council approved the Noise Abatement until 3:00 a.m.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

[Signature] 3/2/09

RESOLUTION NO.

A RESOLUTION AUTHORIZING A TEMPORARY ABATEMENT OF THE NOISE ORDINANCE NO. 2550, SECTION 509.09, ON FRIDAY, APRIL 3, 2009 STARTING AT 6:00 P.M. TO SATURDAY, APRIL 4, 2009 AT 3:00 A.M. AT COOK FIELD ON MIAMI'S CAMPUS FOR THE AMERICAN CANCER SOCIETY'S RELAY FOR LIFE.

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

SECTION 1: The City Manager and Police Chief recommend a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, for the American Cancer Society Relay for Life on Friday, April 3, 2009 starting at 6:00 p.m. to Saturday, April 4, 2009 at 3:00 a.m. at Cook Field on Miami's campus in accordance with the provision in the Noise Ordinance No. 2550, Section 509.11 Exceptions to Noise Restrictions, Section G: "Noises resulting from authorized public activities such as parades, fireworks, sports events, musical productions and other activities which have the approval of the City of Oxford, Ohio."

SECTION 2: Council having reviewed the recommendation and finding this to be a community event hereby authorizes the City Manager to issue a temporary abatement of the Noise Ordinance.

SECTION 3: The City Manager is hereby authorized to approve a temporary abatement of the Noise Ordinance No. 2550 Section 509.09 for the American Cancer Society Relay for Life on Friday, April 3, 2009 starting at 6:00 p.m. to Saturday, April 4, 2009 at 3:00 a.m. at Cook Field on Miami's Campus.

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

MAYOR

ADOPTED:

ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

CITY OF OXFORD
NOISE ABATEMENT APPLICATION

EVENT INFORMATION:

DATE REQUESTED FOR NOISE ABATEMENT : FRIDAY APRIL 3RD

FROM: 6 ^{a.m.} p.m. TO: 3 ^{a.m.} p.m.

ACTIVITY/EVENT TO BE UNDERTAKEN: RELAY FOR LIFE

LOCATION (attach copies of paperwork showing approval to use site): COOK FIELD

NUMBER OF PEOPLE EXPECTED TO ATTEND: 1,000

OPEN TO PUBLIC
ALCOHOL AVAILABLE

YES
YES

NO
NO

TYPE OF SOUND EQUIPMENT TO BE USED:

STAGE, DJ, MICROPHONES, SPEAKERS

SOUND MONITORING PLANS (including person in charge of this process):

ANDY SCHUSTER: STAGE DIRECTING AWAY FROM
RESIDENTIAL HOMES. WE WILL BE AVAILABLE TO BE CONTACTED
APPLICANT ORGANIZATION INFORMATION: TO LESSEN THE NOISE. MIAMI AND
OXFORD POLICE WILL ALSO BE NOTIFIED

NAME OF ORGANIZATION: ON CAMPUS FOR CANCER AWARENESS

ADDRESS: MIAMI UNIVERSITY

Is this a registered student organization at Miami University? YES

INDIVIDUAL INFORMATION (RESPONSIBLE PARTY, MUST BE OVER 18 yrs.):

NAME OF CONTACT PERSON: ANDREW SCHUSTER

ADDRESS: 302 N. BISHOP TEL. #: 440-364-3337

What is the contact person's relation to the organization (title, etc.)?

CO-PRESIDENT

**ATTACH EXTRA PAGES IF THE SPACE PROVIDED ABOVE IS INSUFFICIENT
AND ATTACH ANY SUPPLEMENTAL DOCUMENTATION THAT MAY BE OF
RELEVANCE.**

I have read and understand the rules, conditions and laws applicable to the waiver of the noise ordinances, and understand that acceptance of them is a condition of approval. I hereby certify that the event/activity, which is the subject of this application will be open to the public and alcohol free.

Applicant's signature Andrew T. Schuster Date: 1/29/09

To: City Council
From: Student Community Relations Commission
Re: Spring 2009 Noise Abatement Requests
Date: February 20, 2009

Three noise abatement requests were submitted to SCRC for activities this Spring. These are the same events that have been approved for abatements in the past few years.

1. 4/3/09 Relay for Life on Cook Field 6 pm – 3 am (4/4/09)
2008: 4/4/08 6 pm – 3 am
2007: 4/13/07 6 pm – 3 am
2006: 3/31/06 11 pm – 2 am

2. 4/30/09 CAC/Program Board/AfterDark Concert 8 pm- 10:30 pm
Location: Front Lawn of Millett Hall
2008: 4/25/08 Shriver patio, 10 pm – 1 am
2007: 4/20/07 Shriver Patio, 8 pm – 2 am
2006: 4/21/06 Shriver Patio, 9 pm – 1 am

3. 5/8-9/2009 Oxford Exodus 9 pm – 2:30 am (5/9/09)
High St. between Main St. and Poplar St.
2008: 5/9/08 8 pm – 2:30 am
2007: 5/4/07 5 pm – 2:30 am
2006: 5/6/06 7 pm – 1:30 am

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council

Originating Department

Council Meeting Of: March 3, 2009

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

February 25, 2009

Date Prepared

Agenda Title: A Resolution authorizing a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, on Thursday, April 30, 2009 from 8:00 P.M. to 10:30 P.M. at Millett Hall on Miami's Campus for an After Dark Free Concert.

Recommendation:

Discussion: This request is for the After Dark Free Concert on the lawn at Millett Hall. Last year Council approved the Noise Abatement until 1:00 a.m.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

[Handwritten signature]

RESOLUTION NO.

A RESOLUTION AUTHORIZING A TEMPORARY ABATEMENT OF THE NOISE ORDINANCE NO. 2550, SECTION 509.09, ON THURSDAY, APRIL 30, 2009 FROM 8:00 P.M. TO 10:30 P.M. ON THE LAWN AT MILLETT HALL FOR AN AFTER DARK CONCERT.

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

SECTION 1: The City Manager and Police Chief recommend a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, for the After Dark concert on Thursday, April 30, 2009 from 8:00 p.m. to 10:30 p.m. on the lawn at Millett Hall on Miami's campus in accordance with the provision in the Noise Ordinance No. 2550, Section 509.11 Exceptions to Noise Restrictions, Section G: "Noises resulting from authorized public activities such as parades, fireworks, sports events, musical productions and other activities which have the approval of the City of Oxford, Ohio."

SECTION 2: Council having reviewed the recommendation and finding this to be a community event hereby authorizes the City Manager to issue a temporary abatement of the Noise Ordinance.

SECTION 3: The City Manager is hereby authorized to approve a temporary abatement of the Noise Ordinance No. 2550 Section 509.09 for the After Dark concert on Thursday, April 30, 2009 from 8:00 p.m. to 10:30 p.m. on the lawn at Millett Hall on Miami's Campus.

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

MAYOR

ADOPTED:

ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

CITY OF OXFORD
NOISE ABATEMENT APPLICATION

DATE REQUESTED

April 30, 2009

From: 8:00 P.M.

To: 10:30 P.M.

ORGANIZATION (Event Sponsor)

ADDRESS:

After Dark

356 Shriver Center

CAC - 372 Shriver Center

RESPONSIBLE (must be over 18 yrs.)

PARTY:

Jill Van Auker (advisor)

ACTIVITY/EVENT TO BE UNDERTAKEN: Outdoor Concert - Girl Talk

NUMBER OF PEOPLE ESTIMATED TO ATTEND: 1000-1500

OPEN TO PUBLIC

YES

NO

ALCOHOL AVAILABLE

YES

NO

HELD ON PUBLIC PROPERTY

YES

NO

INTENDED AUDIENCE: Miami University Students

DESCRIPTION OF EVENT: Outdoor Concert

PLACE OF EVENT: Millett Hall (indoors in case of rain)
Lawn

TYPE OF SOUND EQUIPMENT TO BE USED: Sound provided by
Tri-Tech

SOUND MONITORING PLANS (including person in charge of this process)

Present waiting monitors driving around campus

I have read and understand the rules, guidelines and conditions for the waiver of the noise ordinance, and understand that acceptance of them is a condition of approval.

Applicants signature Jill Van Auker Date 2/24/09

To: City Council
From: Student Community Relations Commission
Re: Spring 2009 Noise Abatement Requests
Date: February 20, 2009

Three noise abatement requests were submitted to SCRC for activities this Spring. These are the same events that have been approved for abatements in the past few years.

1. 4/3/09 Relay for Life on Cook Field 6 pm – 3 am (4/4/09)
2008: 4/4/08 6 pm – 3 am
2007: 4/13/07 6 pm – 3 am
2006: 3/31/06 11 pm – 2 am
2. 4/30/09 CAC/Program Board/AfterDark Concert 8 pm- 10:30 pm
Location: Front Lawn of Millett Hall
2008: 4/25/08 Shriver patio, 10 pm – 1 am
2007: 4/20/07 Shriver Patio, 8 pm – 2 am
2006: 4/21/06 Shriver Patio, 9 pm – 1 am
3. 5/8-9/2009 Oxford Exodus 9 pm – 2:30 am (5/9/09)
High St. between Main St. and Poplar St.
2008: 5/9/08 8 pm – 2:30 am
2007: 5/4/07 5 pm – 2:30 am
2006: 5/6/06 7 pm – 1:30 am

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council

Originating Department

Council Meeting Of: March 3, 2009

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

February 25, 2009

Date Prepared

Agenda Title: A Resolution authorizing a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, on Friday, May 8, 2009 from 9:00 P.M. to 2:30 A.M. in the Uptown Parks for a Campus Activities Council Sponsored Musical Event.

Recommendation:

Discussion: This request is for the Campus Activities Council Sponsored musical event. Last year Council approved the Noise Abatement until 2:30 a.m.

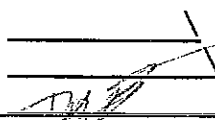
Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

 2/25/09
ME

RESOLUTION NO.

A RESOLUTION AUTHORIZING A TEMPORARY ABATEMENT OF THE NOISE ORDINANCE NO. 2550, SECTION 509.09, ON FRIDAY, MAY 8, 2009 FROM 9:00 P.M. TO 2:30 A.M. IN THE UPTOWN PARKS FOR A CAMPUS ACTIVITIES COUNCIL SPONSORED MUSICAL EVENT.

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

SECTION 1: The City Manager and Police Chief recommend a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, for a Campus Activities Council sponsored musical event on Friday, May 8, 2009 from 9:00 P.M. to 2:30 A.M. in the Uptown Parks in accordance with the provision in the Noise Ordinance No. 2550, Section 509.11 Exceptions to Noise Restrictions, Section G: "Noises resulting from authorized public activities such as parades, fireworks, sports events, musical productions and other activities which have the approval of the City of Oxford, Ohio."

SECTION 2: Council having reviewed the recommendation and finding this to be a community event hereby authorizes the City Manager to issue a temporary abatement of the Noise Ordinance.

SECTION 3: The City Manager is hereby authorized to approve a temporary abatement of the Noise Ordinance No. 2550 Section 509.09 for a Campus Activities Council sponsored musical event on Friday, May 8, 2009 from 9:00 P.M. to 2:30 A.M. in the Uptown Parks.

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

MAYOR

ADOPTED:

ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

CITY OF OXFORD
NOISE ABATEMENT APPLICATION

DATE REQUESTED

5/8/09 - 5/9/09

From: 9:00 A.M.
P.M.

To: 2:30 A.M.
P.M.

ORGANIZATION (Event Sponsor)

ADDRESS:

Campus Activities Council
372 Shriver Center
Oxford

RESPONSIBLE (must be over 18 yrs.)

PARTY:

Cassidy Pazyniak (Event Co-Chair)
Michael Emling (Event Co-Chair)

ACTIVITY/EVENT TO BE UNDERTAKEN:

Oxford Exodus

NUMBER OF PEOPLE ESTIMATED TO ATTEND: 450+

OPEN TO PUBLIC

YES

NO

ALCOHOL AVAILABLE

YES

NO

HELD ON PUBLIC PROPERTY

YES

NO

INTENDED AUDIENCE:

Students, community members, visiting parents

DESCRIPTION OF EVENT:

Concert on High Street

PLACE OF EVENT:

High Street, adjacent to Memorial Park Pavilion

TYPE OF SOUND EQUIPMENT TO BE USED:

Speakers, amps, etc. for
concert (Tri-Tech)

SOUND MONITORING PLANS (including person in charge of this process)

Active monitoring by CAC volunteers

I have read and understand the rules, guidelines and conditions for the waiver of the noise ordinance, and understand that acceptance of them is a condition of approval.

Applicants signature

Theresa D. Byrnes

Date 2/6/09

To: City Council
From: Student Community Relations Commission
Re: Spring 2009 Noise Abatement Requests
Date: February 20, 2009

Three noise abatement requests were submitted to SCRC for activities this Spring. These are the same events that have been approved for abatements in the past few years.

1. 4/3/09 Relay for Life on Cook Field 6 pm – 3 am (4/4/09)
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Location: Front Lawn of Millett Hall
2008: 4/25/08 Shriver patio, 10 pm – 1 am
2007: 4/20/07 Shriver Patio, 8 pm – 2 am
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3. 5/8-9/2009 Oxford Exodus 9 pm – 2:30 am (5/9/09)
High St. between Main St. and Poplar St.
2008: 5/9/08 8 pm – 2:30 am
2007: 5/4/07 5 pm – 2:30 am
2006: 5/6/06 7 pm – 1:30 am

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager's Office
Original Department

Council Meeting Of: March 3, 2009

Kim Newton
Prepared By

Account Code No. #: Various

Budgeted Amount: \$111,600

February 25, 2009
Date Prepared

Agenda Title:

Authorization for the City Manager to enter into a contract with Cincinnati Bell to provide internet access and local and long distance telephone service to the City Building and remote sites.

Discussion:

The City received two RFP's on January 13, 2009 to provide internet access and local and long distance telephone service to the City Building and our seven (7) remote sites.

Of the two proposals received, one was from Cincinnati Bell for a total estimated monthly cost of \$4920. The other proposal received from PowerNet Global (PNG) was for an estimated total monthly cost of \$5,530. Currently we are paying a monthly average of \$6247 for internet access and local and long distance service (a breakdown of costs are provided in your packets.)

The Cincinnati Bell proposal is for a 3-year contract at an estimated cost of \$4920/month or \$59040/year, which is a yearly savings of approximately \$15,924 based on our current configuration.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial Date

1
2/27/09

RESOLUTION NO.

A RESOLUTION ACCEPTING THE PROPOSAL AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A THREE-YEAR CONTRACT WITH CINCINNATI BELL TO PROVIDE INTERNET ACCESS AND LOCAL AND LONG DISTANCE TELEPHONE SERVICE TO THE CITY BUILDING AND SEVEN REMOTE SITES.

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

SECTION 1: The City Manager recommends Council accept the proposal of Cincinnati Bell to provide internet access and local and long distance telephone service to the City building and seven remote sites at an approximate cost of \$4,920.00 per month.

SECTION 2: Council accepts the recommendation of the City Manager and accepts the proposal of Cincinnati Bell to provide internet access and local and long distance telephone service to the City building and seven remote sites.

SECTION 3: Council further authorizes the City Manager to enter into a three-year contract with Cincinnati Bell to provide internet access and local and long distance telephone service at an approximate cost of \$4,920.00/month for the City building and seven remote sites, subject to approval of the contract by the Law Director.

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

MAYOR

ADOPTED:

ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development Department
Originating Department

Council Meeting Of: March 3, 2009

Jung-Han Chen
Prepared By

Account Code No. #:

Budgeted Amount:

February 23, 2009
Date Prepared

Agenda Title: PC-27-2008 Preliminary Subdivision-Proposed Residential Subdivision of 32.12 Acres of Land into 77 home sites in a R1B Single-Family Medium Residential District, Tim Myers, Agent, Applicant

Recommendation: Approval

Discussion:

This is a preliminary subdivision request to divide 32.12 acres of land into 77 home sites in a R1B Single-Family Medium Residential District. The site is located between Contreras and Fairfield Roads, directly west of the Knolls of Oxford.

The request went before the Planning Commission twice in an entirely different layout. The Commission felt the revised plan reflected the desire of the Planning Commission in addressing issues regarding drainage easement, preservation of open space, storm water management, sidewalks, and connectivity between this subdivision and adjoining properties.

The Planning Commission held a Public Hearing and deliberated the request at length, based on the staff report, Applicant's presentation and adjoining property owner's comments.

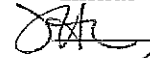
At the conclusion of the Public Hearing, the Planning Commission voted 4-2-1 to recommend approval to City Council on this request, subject to the following conditions:

1. That, the proposed stub streets along the western property line provide a 60-foot right-of-way width and conform to the City of Oxford street standards. All other interior streets may be reduced to a 50-foot right-of-way width.
2. That, the multi-use path in the 20-foot easement is 10-foot wide as stipulated in the Annexation Agreement.
3. That, the collector street through the site may be modified from typical street standard as presented, including authorization for a traditional sidewalk along the west side and the multi-use path on the eastern side.
4. That, sidewalks are provided on both sides of the streets throughout the subdivision.
5. That, the appropriate signage and barricades/guardrails are installed at the end of the stub streets along the western property line.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial	Date
----------------	-------------

	1/23/09
	2/27/09

ORDINANCE NO. 3030

ORDINANCE APPROVING THE PLANNING COMMISSION'S RECOMMENDATION FOR PRELIMINARY APPROVAL OF THE MYERS SUBDIVISION ON 32.12 ACRES OF LAND WITH CONDITIONS.

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

SECTION 1: Council hereby finds that the Planning Commission held a public hearing on February 10, 2009, the purpose of which was to accept public comment on PC-27-2008 the proposed Preliminary Myers Subdivision application.

SECTION 2: The Planning Commission, after a public hearing and discussion, voted to approve a motion recommending approval of the Preliminary Myers Subdivision application with conditions.

SECTION 3: Council hereby accepts the action of the Planning Commission and accepts the recommendation report submitted by the Planning Commission and the applicant's application and all documents filed by the applicant and incorporates the same herein and hereby approves the application of the applicant for the Preliminary Myers Subdivision on 32.12 acres of land, subject to the following conditions:

- a. The proposed stub streets along the western property line provide a 60-foot right-of-way width and conform to the City of Oxford street standards. All other interior streets may be reduced to a 50-foot right-of-way width.
- b. The multi-use path in the 20-foot easement is 10-feet wide as stipulated in the Annexation Agreement.
- c. The collector street through the site may be modified from typical street standards as presented, including authorization for a traditional sidewalk along the west side and the multi-use path on the eastern side.
- d. Sidewalks are provided on both sides of the streets throughout the subdivision.
- e. Appropriate signage and barricades/guardrails are installed at the end of stub streets along the western property line.

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

MAYOR

ADOPTED:

ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW(STAFF)

**Certification of Action
Oxford Planning Commission
Recommendation to City Council**

<u>Report Date</u>	March 3, 2009
<u>Case Number</u>	PC-27-2008
<u>Applicant Information</u>	Tim Myers, Applicant, Agent
<u>Requested Action</u>	Preliminary Subdivision
<u>Summary of Request</u>	To allow for a proposed residential subdivision in a R1B District, 32.12 acres into 77 lots.
<u>Public Hearing Information</u>	On December 9, 2008 and February 10, 2009, public hearings were held at 118 West High Street. At the request of the Applicant, a Conceptual Design presentation took place at the January 13, 2009 Planning Commission meeting. A legal notice of the hearing was published in the Oxford Press on October 22, 2008.
<u>Commission Action</u>	The Planning Commission voted 4-2-1 to recommend City Council approval.
<u>Commission Findings and Conclusions</u>	At the February 10, 2009 Planning Commission meeting, conditions were identified: 1. That, the proposed stub streets along the western property line provide a 60-foot right-of-way width and conform to the City of Oxford's street standards. All other interior streets may be reduced to a 50-foot right-of-way width. 2. That, the multi-use path in the 20-foot easement is 10-feet wide as stipulated in the Annexation Development Agreement. 3. That, the collector street through the site may be modified from the typical street standard as presented, including authorization for a traditional sidewalk along the west side and the multi-use path on the eastern side. 4. That, sidewalks are provided on both sides of the streets throughout the subdivision. 5. That, the appropriate signage and barricades/guardrails are installed at the end of the stub streets along the western property line.
<u>Exhibits Submitted to the Commission</u>	1. Community Development Staff Report dated December 9, 2008 and Revised January 29, 2009 2. Inter-Office Review Transmittal Sheets dated January 30, 2009 and November 17, 2008 3. Site Plan – current design effective for the 2/10/09 Planning Commission meeting 4. Site Plan – old version effective for the 12/9/08 Planning Commission meeting 5. Ordinance No. 3013

6. Annexation Agreement
7. Perpetual Easement
8. Preliminary Subdivision Application dated 10/24/08
9. Letter of Agency
10. Vicinity Map.

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-27-2008

Date – December 9, 2008
Revised – February 10, 2009

APPLICATION

Applicant:	Tim Myers
Location:	Between Contreras and Fairfield Roads
Owner:	Harry and Anna Belle Paulin
Action Request:	Preliminary Subdivision
Current Use:	Farming, agricultural
Surrounding Existing Land Uses:	Agricultural uses, retirement homes

DESCRIPTION

The Applicant is seeking approval of a preliminary subdivision to divide approximately 31.09 acres of land into 72 single-family residential lots in a R1-B (Medium Density Single Family Residential) District. The site is located between Contreras Road and Fairfield Road, directly west of the Knolls of Oxford. The development of this entire tract is divided into two development themes; one being a PUD project, the other a traditional subdivision. The entire Paulin Property, under the Annexation description, is about 54.77 acres.

This Preliminary Subdivision request is part of a newly annexed property granted in March 2008 and is located on the western half of the Paulin property. This portion is approximately 420' by 2865'. Furthermore, this new territory received municipal zoning designation October 2008 as R1B. The Application indicates this will be a two-phase development project. The first phase will consist of 11.5 acres of land for 27 home sites. The 2nd phase will be for the remaining acreage of 45 sites.

The original layout of this entire track was to dissect the parcel with a traditional subdivision plan to the west and a PUD to the east of a public roadway connecting Fairfield Road to Contreras Road. The revised plan shows an entirely different layout with the roadway being shown on the eastside of the parcel with the traditional subdivision plan occupying the north section; while the PUD occupies the southern section of the tract.

SURROUNDING NEIGHBORHOOD

The subject property was recently annexed into the City in 2008. It is bordered by the Knolls of Oxford to the east, Miami University Airport to the south, and agricultural uses to the north and east. It is the entry point into the City from the west through either Contreras or Fairfield Roads.

2008 COMPREHENSIVE PLAN

LAND USE: Manage growth to ensure small town character, green areas, and preserved farmland. The principles reflect a variety of land use topics and themes that are mutually reinforcing with respect to the framing intentions about future land use. The principles focus on long-term sustainability and the quality, pattern, character, and organization of the development. The principles also specifically address mobility and connectivity with a focus on expanding mobility choices for residents.

1. **The community's small college town character will be preserved and enhanced.**

Oxford's built environment is largely defined by a distinct land pattern of an older, smaller scale, and walk able core with a mix of uses. The community is also shaped by the presence of the Miami University Campus and expansive green spaces. This character is cherished by many local residents and distinguishes the community in a regional and historical context.

 - Future areas for growth and development will consider the essential elements of the exemplary areas of Oxford with respect to the form and pattern of development (Uptown and Mile Square), including US 27 South.
 - All rural gateways will reflect the transition from rural to small town.
 - New development and redevelopment will be sensitive to pedestrians in terms of scale and walk ability.
 - New architecture will add to the character of the community as opposed to corporate, franchise architecture.
2. **Uptown and new commercial developments will have a mix of uses that are distinctive and contribute to enhancing the community's overall identity.**

The recent residential and commercial land use pattern segregates uses from one another. This pattern of development is not conducive to creating a vibrant atmosphere where residents can live, work, and find opportunities for leisure and entertainment in the same area. Creating opportunities and encouraging new developments that include a variety of uses mixed together on the same block, or building, will help create a walk able and accessible development pattern noted by residents as desirable.

 - The city will encourage a mix of uses Uptown and areas of redevelopment and infill shown on the Conservation and Development Map.
 - Mixed-use centers will include a variety of commercial, office, and retail, civic and residential uses in the same building and/or adjacent to each other.
 - Mixed-use centers will be sensitive to the scale and character of surrounding uses and incorporate architectural elements that contribute to shaping the local identity.
3. **Infill development and redevelopment of underutilized sites is a priority.**

Oxford has a significant number of vacant sites and buildings that are detracting from the community's positive assets. Many of these sites are located within existing neighborhoods and districts. These sites should be redeveloped to enhance and serve surrounding neighborhoods and districts.

 - Specific sites will be targeted for redevelopment.
 - Reuse of vacant and underutilized sites will be encouraged prior to new development.
 - Redeveloped industrial and manufacturing sites will employ sustainable principles to mitigate any hazards that exists onsite and integrate energy efficient building design.
4. **The development of new residential areas, and redevelopment of existing residential areas, will have strong neighborhood qualities.**

The Mile Square in Oxford has a discernible center, includes numerous public spaces and is walk able and interconnected to surrounding areas.

The pattern in the community of residential growth has been to create subdivisions with a single use and building type. While many of these subdivisions have high-quality residential units and are well kept, they typically lack a real "center" and are framed by wide streets in a pattern that does not relate to the small town character.

 - Neighborhoods will be walk able with quality streets that accommodate both bicycles and automobiles, but give priority to the pedestrian experience.
 - Civic, institutional, and public spaces may be included in neighborhoods and form the physical nucleus of the neighborhoods.
 - Residential streets will be scaled to improve the pedestrian experience and character of the neighborhood.

5. **Green space and public spaces will be incorporated as part of future developments.**

Oxford's natural environment includes a variety of ecological systems and open spaces. Residents have a strong environmental ethic, support the protection of critical environmental areas, and desire open spaces for recreation agriculture, and protection of natural areas.

 - Local watersheds are defining natural features in Oxford. The city will commit to protecting and enhancing the watersheds when development or redevelopment occurs.
 - Wooded areas will be protected and integrated into new developments, and connected when possible to create a continuous open space system.
 - Convenient and accessible recreational opportunities will be provided for all ages.
 - Existing recreational, green space, public areas, open and natural spaces will be enhanced and new areas set aside that connect people to the natural environment and promote recreational opportunities to support active and healthy lifestyles.
6. **Future growth at the edge of the city will preserve open space, protect the area's rural character, and be consistent with the other principles.**

Unplanned growth on the edge of the city can compromise the area's rural character and viewsheds. Low-density growth on the city's periphery can also add to the cost and demand for community services, potentially creating fiscal hardships.

 - New growth on the edge of the community will not compromise the rural landscape or the community's small town character.
 - Open space and land currently in agricultural use will be strategically protected when and where appropriate.
 - Public investments, e.g. roadways, will be improved in a manner that strengthens the rural character.
 - Initiatives will be pursued (i.e., open space subdivision design) to protect the rural character.
 - All development on the edge of the city will be carried out in consideration of township policies.
7. **New commercial and light industrial developments will be developed with pedestrian amenities and green spaces.**

Historically, commercial and industrial areas have been developed primarily in single-use strip developments along corridors. This pattern does not respond contextually to the surrounding neighborhoods and districts. These areas have typically been auto-oriented, with parking facing the street. Large-scale commercial centers or buildings have also been developed with only the immediate use considered. This practice has created barriers and added cost to redevelopment efforts.

 - Smaller retail uses serving the local or neighborhood market will reflect the character of Oxford and be compatible with surrounding uses with respect to form, scale, and character.
 - Large and small retail developments will be sited in a manner that is pedestrian-friendly with parking to the rear of the structure.
 - Large format retail will be developed in a pattern that accommodates redevelopment (such as installing utilities that are mindful of how a parcel may be redeveloped).
 - Utilities, roadways, and parking areas will be developed in commercial and industrial areas to support future reuse.
 - Commercial and industrial parking areas will incorporate vegetation, walkways, and signage to facilitate pedestrian mobility.
8. **Streets will create an attractive public realm.**

Many local streets are designed primarily to facilitate the movement of automobiles. The scale (width) of some local streets encourages a higher rate of travel for motorists and creates a large distance between building fronts, which can detract from the pedestrian experience and small town character.

- New streets, and improvements to existing streets, will enhance the public realm through landscaping, bicycle and pedestrian design elements, and through a scale that enhances the nature of the district or neighborhood without compromising the safety of motorists.
 - Roads in rural areas will complement the character of rural areas (i.e., width, setbacks, landscaping/buffers).
 - Commercial buildings will be situated on site to define a high quality streetscape, including locating structures close to the street and placing parking in the side or rear yard whenever possible.
9. **Places will be connected to create better opportunities to walk, bike and access public transportation throughout the community.**
 As part of the Plan Update, residents voiced an interest in increasing opportunities for making trips via walking, biking and public transit. Currently there are opportunities to walk easily within parts of the community, but more could be done to accommodate bicyclists. Improving the opportunities for biking will in turn discourage trips via the automobile. Creating an interconnected street pattern will offer more options for residents to arrive at their destinations, potentially decreasing travel, reducing congestion and improving wayfinding. It will also create opportunities for walking and biking by better connecting neighborhoods and districts.
- The road pattern will be improved to keep local traffic off major arterials and high-speed through traffic off local streets.
 - A connected grid street pattern, or modified grid system, is the preferred network for future development and redevelopment.
 - Well-connected streets will be designed to facilitate walking.
 - Bike paths and walking paths will be integrated into new development and areas undergoing redevelopment.
10. **Environmentally sensitive and sustainable practices will be encouraged in future developments.**
 The community has a high level of environmental awareness that was reflected in the input received at public workshops. Residents desire to employ creative and sustainable choices as part of future growth.
- New construction will employ context sensitive design to reduce impacts on existing site features and the natural environment.
 - Green building practices will be encouraged to minimize the consumption of resources, employ recycling of building materials, and promote quality indoor living and working environments for Oxford residents.
 - Green stormwater and graywater management options will be implemented to retain and reuse stormwater to reduce surface runoff, which may have negative impacts on the watershed.

OBJECTIVES

1. Manage growth.
2. Enhance neighborhoods within the Mile Square.
3. Continue to enhance Uptown.
4. Promote new areas for light industrial and manufacturing, research and development, and office space.
5. Support the redevelopment of commercial areas along Locust Street.
6. Redevelop the U.S. 27 North corridor in a planned coordinated manner.
7. Preserve open space and farmland, and expand existing open space areas.
 L.U. 7.6 Implement alternative cluster style subdivision development to encourage preservation of natural areas and farmlands as areas are developed
 L.U. 7.8 Connect open and natural areas when possible
8. Expand urban green space.
 L.U. 8.2 Require trees and landscaping in future subdivision and commercial properties

- L.U. 8.3 Beautify major corridors
- 9. Create new residential areas with traditional neighborhood qualities.
 - L.U. 9.1 Require all new subdivisions to complete a master plan, with an emphasis on protecting natural areas, and creating new parks and open spaces
 - L.U. 9.2 Consider permitting small-scale neighborhood commercial services as part of large-scale master plan development
 - L.U. 9.3 Create standards that require high quality pedestrian streets with sidewalks, street trees, adequate lighting, and tree lawns in newly developed residential areas
 - L.U. 9.4 Create standards, or modify existing standards, to allow for a mix of housing types within neighborhood
 - L.U. 9.5 Encourage connections among neighborhoods via roads, sidewalks and multi-use paths.
- 10. Be a leader in environmental stewardship.

URBAN DESIGN: Honor and preserve the historic character and quality of Oxford while embracing high quality, which compliments existing developments.

Objective

- 1. Enhance the beauty and character of Oxford.
 - U.D. 1.6 Promote walkability and connectivity in new development
- 2. Continue to preserve the local rural heritage.
 - U.D. 6.1 Preserve the scenic quality of the rural landscape by defining the edge of the community

TRANSPORTATION: A quality, accessible transportation system with alternative forms of transportation for a diverse population, improved infrastructure, adequate parking, bikeways, and efficient traffic management.

Objective

- 1. Facilitate the flow of traffic in and around the City.
 - T 1.3. Require new large-scale developments to pay for independent traffic impact studies
 - T 1.6. Improve connectivity between areas within the City
- 2. Promote alternative modes of transportation.
 - T 2.4. Create connections between subdivisions and destinations to improve mobility, promoting a wider pedestrian and bicycle network throughout Oxford

SUBDIVISION REGULATIONS

1101.03 JURISDICTION AND PROCEDURE

- (a) No person being the owner, agent or person having control of any land within the City shall subdivide such land into lots unless by a plat, in accordance with the regulations contained herein.
- (b) The design and layout of all subdivisions shall conform with the requirements of Section 1101.05. The subdivision shall submit a preliminary plan for the entire subdivision and final plat, for each section, in accordance with the specifications of Section 1101.04.

1101.04(a) DATA REQUIRED UPON PRELIMINARY PLANS, FINAL PLATS AND ENGINEERING DRAWINGS

- (a) Preliminary Plan Whenever any person desires to subdivide land into lots, ten copies of the preliminary sketch plan are submitted to the Planning Commission before submission of the final

plan. Plats containing less than three lots are exempted from the provisions of this section. The preliminary plan shall show:

- (1) Vicinity sketch showing general location in the City.
- (2) The location of present property and section lines, streets, buildings, lakes, watercourses.
- (3) Size and tract in square feet and acres and boundary lines.
- (4) Any existing water mains, culverts, sewer lines and streets within the tract or immediate adjacent thereto. The location and size of the nearest water main and sewer line are to be indicated in a general way upon the plat.
- (5) The proposed location and width of streets, alleys, lots, buildings and setback lines and easements.
- (6) The title under which the proposed subdivision is to be recorded and the name of the subdivider and owner if other than the subdivider platting the tract.
- (7) The names and boundaries of all adjoining subdivisions and the names of recorded owners of adjoining parcels of unsubdivided land.
- (8) North point, scale and date.
- (9) Contours with intervals of five feet or less referred to U.S.G. S. datum and obtained from a field survey.
- (10) Name and seal of the Registered Engineer who prepared the plan.
- (11) The plan should evaluate existing watercourses, channels, storm sewers, culverts and proposed improvements pertaining to drainage and flood control in regard to their ability to handle the anticipated greater volume of run-off and peak flows.

ANNEXATION AGREEMENT

The owners and the City entered into an annexation agreement to outline expectations and responsibilities of each party. Those responsibilities are expected to be fulfilled by subsequent developer(s). Several key features from this agreement are provided and are the basis of some of the staff analysis for the Commission's consideration. The entire Agreement is also attached for your reference.

- (1) The City agrees to annex the property into the City.
- (2) The zoning application for this property will seek to rezone the Property to R1B.
- (3) The City agrees to make municipal water service available to the Property for future development. The cost to connect to the existing nearest municipal water service to the Property will be the City's responsibility. The owners shall pay for the running of any lateral.
- (4) The Owner shall extend the municipal water line serving the property to the west property line to allow the future extension of the municipal water service to the adjoining property at the earlier of any development of the Owners property that encompass forty percent (40%) or more of the area of the Property, or at the time of a Phase II development.
- (5) The Owner shall extend the municipal sanitary sewer line servicing the Property to the west property line to allow the future extension of the municipal sanitary sewer service to the adjoining properties at the earlier of any development of the Owners' property that encompasses forty percent (40%) or more of the area of the Property or at the time of a Phase II development.
- (6) The Owner shall conduct a traffic impact study for the development of the Property prior to submitting any subdivision request to the Oxford Planning Commission for review. The Owners are responsible for the signalization of the entrance/entrances as determined by the Service Director, based on the traffic impact study for the development of the Property.
- (7) It is the owners' responsibility to ensure the drainage easement at the Property serving the adjoining property to the west be maintained and respected.

- (8) The Owners agree to dedicate sufficient right-of-way to construct an acceleration/deceleration lane at Fairfield Road and Contreras Road entrances to the Properties.
- (9) The Owners are required to dedicate a bike trail/path through this property to connect Fairfield Road to Contreras Road. The land dedicated for the bike trail/path right of way shall be a minimum of 20 feet with pavement width being 10'. Said right-of-way shall be located on the 20 feet immediately adjacent to the west property line of the Property.

SITE HISTORY

July 1998	The City entered into an agreement with the Owners for the use of their land in connection with the development of the Knolls of Oxford.
August 2006	An Annexation petition was filed by the Applicant, on behalf of the Owners, requesting the property be annexed into the City.
July 2007	An Annexation agreement was entered between the City and the Owners.
August 2007	A Roadway Agreement was executed between the City and the Butler County Engineering Office
March 2008	An Annexation petition requesting the property to be annexed into the City was granted.
October 2008	A Zoning Change request was granted from the County's Agricultural Zone to R1B District

AGENCY COMMENTS

Requests for comment were sent to the Police, Fire and Engineering office. The returned comments are attached for your consideration.

ANALYSIS

The revised layout is different from the original submission before the Planning Commission in December, 2008. The Applicant was also given the opportunity to present a revised site layout during the January Planning Commission meeting. The revised layout seems to address many concerns the Commission had. Therefore, the Applicant brought back the revised plan for Planning Commission's formal consideration.

The revision shows the subdivision plan occupying the northern section of this newly annexed area. The following analysis is the review comments based on the revised layout as attached to this updated staff report.

The site is being proposed to utilize the open space cluster development regulations to provide a minimum of 20% of total area for open space. The acreage of set aside open space is approximately 6.62 acres. The revised site is about 32.1 acre of land and shows to have 77 single-home sites.

SUBDIVISION REGULATIONS: Issues that are identified by Staff, based on the Oxford Subdivision Regulations are outlined below for the Planning Commission to consider ~~and to request the Applicant provide further clarifications:~~

~~1101.04(a)(4)—Size and tract in square feet and acres and boundary lines~~

~~**Staff Analysis:** It would appear that most of the lots meet the minimum requirement of the underlying zoning district. However, Lot #1, Lot #17, Lot #20, Lot #27, Lot #41, Lot #44, Lot #58 and Lot #59 do not meet the minimum lot width. Furthermore, it would appear that all the lots meet the minimum lot size requirement, even though there is no square footage information shown on the submittal.~~

1101.04 (a)(11) The plan should evaluate existing watercourses, channels, storm sewers, culverts and proposed improvements pertaining to drainage and flood control in regard to their ability to handle the anticipated greater volume of run-off and peak flows.

Staff Analysis: *The revised site plan outlines an area for storm water retention purpose, approximately 3.47 acre in size. Additionally, the existing watercourse from the adjoining property to the west has been extended and incorporated as part of the open space to discharge into the above mentioned pond area. The revised site plan indicates that a Homeowner's Association be created for the maintenance of the drainage easements, the open space and retention pond. Staff is unclear whether the open space/retention could satisfy the additional surface runoff from this development, along with the perpetual drainage easement obtained by owners to the property immediately to the west of this tract of land. It is critical that there is some assurance from the Engineering Office as well as the Project Engineer that this matter would be satisfied.*

11101.05(c) (1) No block shall be longer than 1,200 feet. Where blocks are over 1,000 feet in length, a public walkway which traverse the block may be required to be dedicated and installed by the subdivider. The easement for such traverse walks shall be at least ten feet in width and any paved walking surface shall conform with City Standards.

Staff Analysis: *The middle block in this subdivision is over 1,300 feet and needs to provide a minimum 40' wide dedicated public walkway. A sidewalk is only provided on one side of the proposed connecting roadway with 8' path.*

1101.05 (d)(2) All side lines of lots shall be at right angles to straight street lines, and radial to curved street lines except where a variation to this rule will provide a better street and lot layout. Lots having sides should avoid having street frontage on front and rear.

Staff Analysis: *Based on the submittal, there are about 42 lots that have street frontage on front and rear. The application does provide some remedies to minimize this issue by proposing mounding/landscaping along the rear of these lots. Additionally, there are four (4) lots having three street frontages. It is unclear whether proposed open spaces #2 and #3 is encumbered by each individual lot or is considered as a stand-alone parcel. There would be no double frontage issue if open spaces #2 and #3 were stand-alone parcels.*

1101.05(d)(5) When necessary, easements of at least ten feet in width shall be provided on each side of all real lot lines and along side lot lines for poles, wires, conduits, storm and sanitary sewers, gas, water or other utilities or where both water and sewer lines are located in the same easement. The total minimum width of all other utility easements shall be twenty feet.

Staff Analysis: *The utility easements are to be 20' in width. Several sanitary easements shown on the plan only are 10' in width. Additionally, Lot #18, Lot #19, Lot #42, Lot #43 do not have 20' easements to the west of the property. The revised layout shows a combined easement to be 20' in the rear of proposed lots. However, there is an inconsistency between the utility easement in front of each lot. Some has 20' and most of the proposed lots have a 10' utility easement.*

1101.05(b) *Street Classification. The classification of all proposed streets shall be determined by the Planning Commission and shall conform to the official City Major Street Plan. The proposed use of the street type of traffic and future traffic volume shall also be considered in determining the classification of a street.*

Street Classification

- (1) Major streets
- (2) Collector streets
- (3) Local streets
- (4) Cul-de-sacs

The revised plan shows that all main roads to be 66' in right-of-way width. All local streets have the right-of-way width to be 50 feet.

Staff Analysis. *All local streets are required to have a 60' right-of-way width. A typical section is incorporated in the Subdivision Regulations by reference as part of the standards, Chapter 1101.05(h). Additionally, the Applicant only proposed to build sidewalk on one side of all the local streets.*

The plan does not show any sidewalk along Fairfield Road or Contreras Road in front of this subdivision project. Furthermore, a temporary turn-around would be needed at the terminus of the two streets connecting to the property to the west in the future.

ANNEXATION AGREEMENT REQUIREMENTS: Several issues that were agreed to in the Annexation agreement that are not shown on this application and require the Planning Commission's consideration when deliberating its recommendations are:

- A. Traffic Impact Study: The agreement stipulates that a traffic impact study shall be conducted prior to submitting any subdivision request to the Planning Commission for review. No traffic study was completed to be reviewed by the Service Director. A copy of the traffic impact study was forwarded to the Engineering Office since December, 2008. No response has been provided has been received.
- B. Acceleration/deceleration lanes at Fairfield and Contreras Road entrances. The application does not show any dedication of sufficient right-of-way to construct an acceleration/deceleration lane to the property.
- C. Bike trail/path: A bike trail/path through this property to connect Fairfield Road to Contreras Road. The land dedicated for the bike trail/path right-of-way shall have a minimum width of 20 feet, with pavement being 10 feet in width. This shall be located twenty (20) feet immediately adjacent to the west property line.
- D. The drainage easement at the property serving the adjoining property to the west shall be maintained and respected.

Staff Summary: *The revised plan shows the layout utilizing the open space cluster development pattern as outlined in Chapter 1101.07.. There are five (5) open space areas designed in the plan. The size of these open space areas range from 0.07 acres to 3.47 acres. However, the smallest open space does not meet the minimum area size (50' by 50') for open space purposes. The proposed layout still meets the requirement of 20% of the site for open space purposes.*

There are not many setbacks stipulated within the Open Space Cluster Development, other than distancing between proposed buildings, as well as the minimum front setback. It appears that each proposed lot would have sufficient space to house a decent sized home.

The Annexation Agreement requires for the path to be located on the western side of the track with a minimum 20' wide and 10' pavement width. The revised plan shows a 20' path partially on the eastern side of the property line. This 20' does not extend to the full length of this annexed area. Furthermore, the width of the proposed multi-use path is only 8' wide.

The local streets are to be 50' in width (right-of-way) which is less than the standard width. There are instances that such narrow streets may create safety concern. Additionally, a sidewalk is only proposed on one side of the street throughout this subdivision submission.

The plan also shows several connecting sidewalks from the residential portion to the multi-path to allow future residents to take advantage of the multi-path. The Applicant also indicated that additional right-of-way would be dedicated along Fairfield and Contreras Roads from the current 33' to 40' to the centerline.

It would appear that the revised site plan is nearly identical to the concept plan that was presented to the Planning Commission during the January meeting. Several modifications need pointed out to be deliberated by the Commission: the right-of-way widths of the local streets, that the additional open space will be maintained by the Homeowner's Association. The issue of a multi-purpose path is also an issue that needs to be discussed. The creation and covenants of the future Homeowner's Association must be reviewed and approved by City Legal Counsel.

RECOMMENDATION

It is encouraging that the Applicant is utilizing the Open Space Cluster Development regulations for this subdivision. However, the issue of sidewalks, the location and the width of the multi-use path, the right-of-way width for local streets need addressed.

SUBMITTED

BY: Jung-Han Chen
Jung-Han Chen, AICP
Community Development Director

DATE: January 29, 2009

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 1/30/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-27-2008

Description:

PC-27-2008

PRELIMINARY SUBDIVISION, Myers Subdivision, to divide 31.09 acres into 72 lots in an R1B (Single-family medium density residential) district located between Contreras and Fairfield Roads, **Tim Myers, Applicant (Tabled)**

☒ Review ☐ Revisions ☐ Other

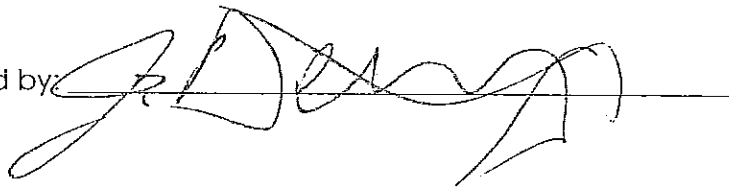
Comments or status update requested by: Lynn Taylor

Please return no later than: **2/5/2009** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

These are revised plans

Drawings reviewed by:



City of Oxford
Inter-Office Review Transmittal Sheet

Date: 11/17/2008

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-27-2008

Description:

PC-27-2008

PRELIMINARY SUBDIVISION, Myers Subdivision, to divide 31.09 acres into 72 lots in an R1B (Single-family medium density residential) district located between Contreras and Fairfield Roads, **Tim Myers, Applicant**

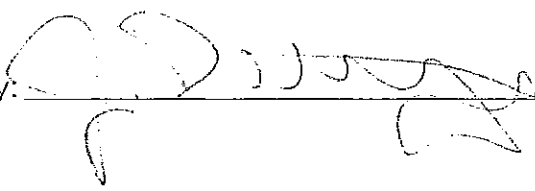
☒ Review ☐ Revisions ☐ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **12/2/2008** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by: 

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 1/30/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-27-2008

Description:

PC-27-2008 PRELIMINARY SUBDIVISION, Myers Subdivision, to divide 31.09 acres into 72 lots in an R1B (Single-family medium density residential) district located between Contreras and Fairfield Roads, Tim Myers, Applicant (Tabled)

☒ Review ☐ Revisions ☐ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **2/5/2009** Note: If no comments are received, we will assume the project meets your department's standards.

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

SEE MEMO DATED 2-4-09

✓ These are revised plans

Drawings reviewed by: A. P. [Signature]



Memo

Service Department
Engineering Division

513/524-5208 fax 513/524-5267

TO: Community Development Department

FROM: Victor Popescu, P.E.
City Engineer

RE: Case # PC-27-2008
Myers Subdivision

DATE: February 4, 2009

Below are the Engineering Division's comments on the submitted Preliminary Plan dated January 23, 2009.

- All water mains shall be located under the roadway pavements. Reference is made to Standard Drawing #1, Utility Typical Section, copy attached.
- Consider looping the water mains in the two (2) cul-de-sacs, and the east - west street just west of the detention pond.
- All "Local Streets" require a 60' right-of-way. Refer to the attached standard drawing.
- The street connecting Fairfield Road with Contreras Road is classified as a "Collector Street". Refer to the attached standard drawing, specifically the width of pavement.
- The cul-de-sacs must meet City design standards. Refer to the attached standard drawing, specifically the cul-de-sac radius.
- Are acceleration/deceleration lanes proposed for the subdivision's entrance from Contreras Road and Fairfield Road? Please note that the posted speed limit on Fairfield Road is 45 MPH.

- Note should be taken of the existing perpetual drainage easement that transverses the proposed development from west to east. The easement is for field tiles that serve to carry surface water across the proposed development. The proposed subdivision shall not negatively impact the integrity of the drainage.
- A storm sewer is proposed between Lots 1 & 2. The plan shows this storm discharging into the perpetual drainage easement. Is there another pond proposed for the discharge area?
- A culvert is proposed to connect the perpetual drainage area and the proposed pond, northeast corner of the property. What does this culvert serve? Is the culvert carrying the water that is being discharged from the storm sewer that runs between Lots 1 & 2?

If there are questions, please contact the Engineering Division at 513-524-5208.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 11/17/2008

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-27-2008

Description:

PC-27-2008 **PRELIMINARY SUBDIVISION**, Myers Subdivision, to divide 31.09 acres into 72 lots in an R1B (Single-family medium density residential) district located between Contreras and Fairfield Roads, **Tim Myers, Applicant**

 X Review Revisions Other

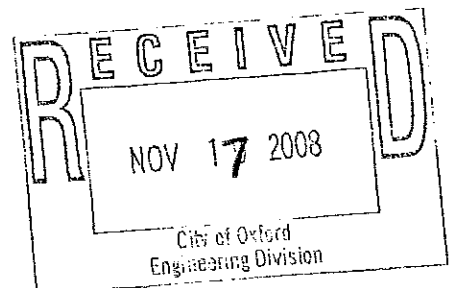
Comments or status update requested by: Lynn Taylor

Please return no later than: **12/2/2008** Note: If no comments are received, we will assume the project meets your department's standards.

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

SEE MEMO DATED 11-21-08.

Drawings reviewed by: *A. Popper* 11-21-08





Memo

Service Department
Engineering Division

513/524-5208 fax 513/524-5267

TO: Community Development Department

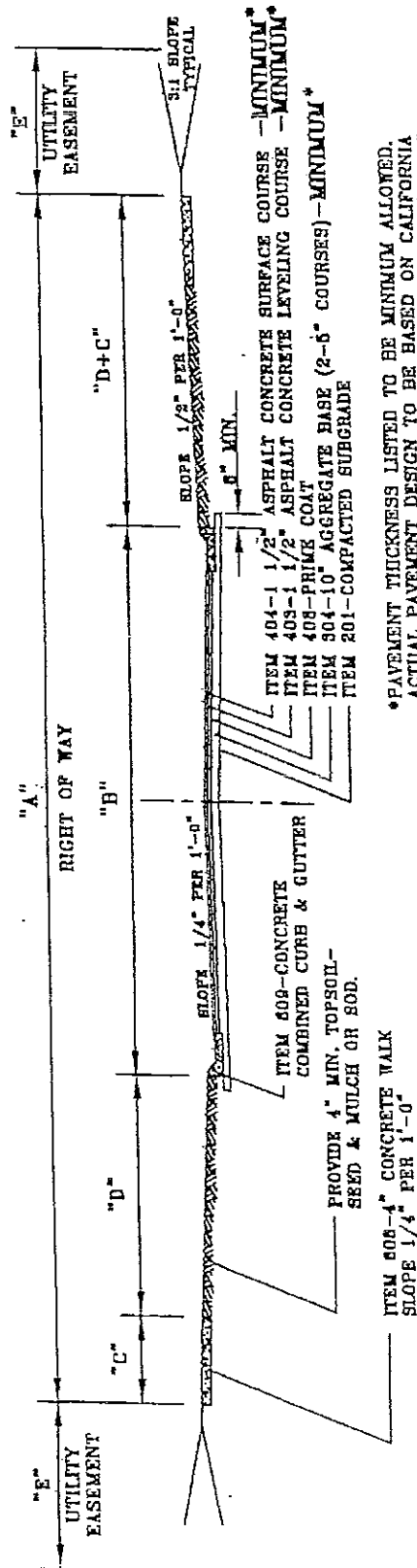
FROM: Victor Popescu, P.E.
City Engineer

RE: Case # PC-27-2008
Myers Subdivision

DATE: November 21, 2008

Below are the Engineering Division's comments on the submitted Preliminary Plan dated October 23, 2008.

- All "Local Streets" require a 60' right-of-way. Refer to the attached standard drawing.
- All utility easement are to be 20' in width.
- The cul-de-sacs must meet City design standards. Refer to the attached standard drawing.
- What is the width of the bike path?
- Are acceleration/deceleration lanes proposed for the subdivision's entrance from Contreras Road and Fairfield Road?



*PAVEMENT THICKNESS LISTED TO BE MINIMUM ALLOWED. ACTUAL PAVEMENT DESIGN TO BE BASED ON CALIFORNIA BEARING RATIO (CBR) VALUE OF SOIL IN THE IMMEDIATE DEVELOPMENT AREA. A MINIMUM OF ONE SOIL BORING SHALL BE TAKEN FOR EVERY 1000' OF ROADWAY IN THE SOIL MATERIAL THAT IS REPRESENTATIVE OF THE STREET SUBGRADE.

SUB GRADE SHALL BE PREPARED IN ACCORDANCE WITH ITEM 203 OF THE MOST CURRENT EDITION OF THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION CONSTRUCTION MATERIAL AND SPECIFICATIONS MANUAL.

BEFORE THE PLACEMENT OF ASPHALT COURSES, THE BASE COURSE SHALL BE PROOF ROLLED UNDER THE PRESENCE AND SUPERVISION OF THE CITY OF OXFORD IN ACCORDANCE WITH ITEM 304 OF THE MOST CURRENT EDITION OF THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION CONSTRUCTION MATERIAL AND SPECIFICATIONS MANUAL. IF ASPHALT COURSES ARE INSTALLED WITHOUT PROOF ROLLING IN THE PRESENCE OF A CITY INSPECTOR, THE STREET WILL NOT BE ACCEPTED BY THE CITY.

MINIMUM

A	60'
B	35'
C	5'
D	5'
D&C	10'
E	10'

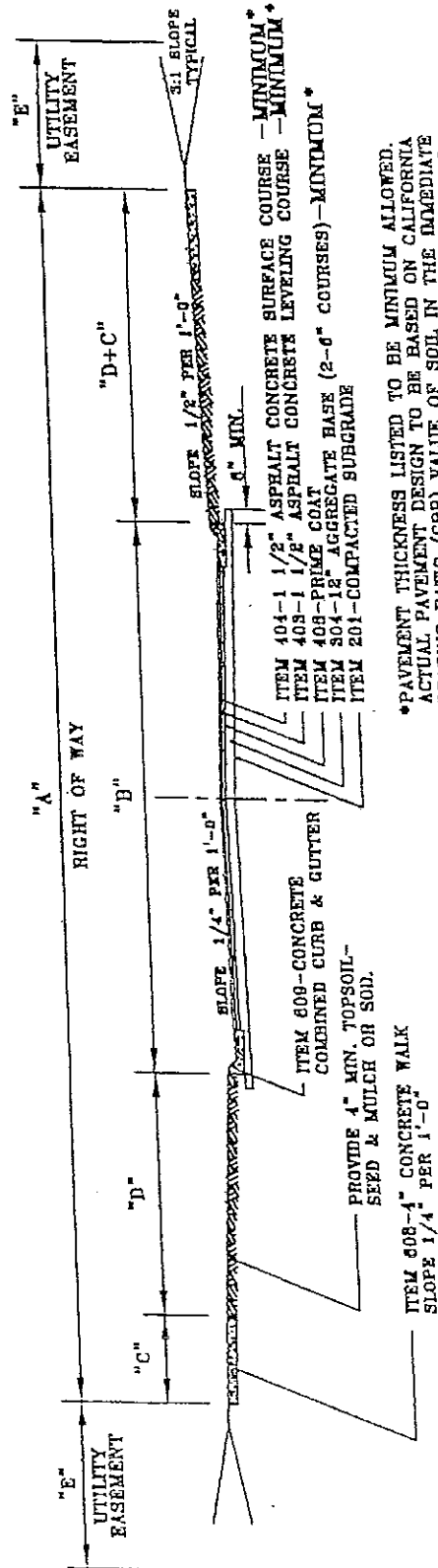
REQUIRED
STANDARD DIMENSIONS

*SUBDIVISIONS/PUD'S WITH PRELIMINARY APPROVAL PRIOR TO MARCH OF 1987 ARE SUBJECT TO STANDARDS IN EFFECT AT THE TIME OF APPROVAL.

City of Oxford
Engineering Department

LOCAL STREET
TYPICAL SECTION

STANDARD DRAWING #3



*PAVEMENT THICKNESS LISTED TO BE MINIMUM ALLOWED. ACTUAL PAVEMENT DESIGN TO BE BASED ON CALIFORNIA BEARING RATIO (CBR) VALUE OF SOIL IN THE IMMEDIATE DEVELOPMENT AREA. A MINIMUM OF ONE SOIL BORING SHALL BE TAKEN FOR EVERY 1000' OF ROADWAY IN THE SOIL MATERIAL THAT IS REPRESENTATIVE OF THE STREET SUBGRADE.

SUB GRADE SHALL BE PREPARED IN ACCORDANCE WITH ITEM 209 OF THE MOST CURRENT EDITION OF THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION CONSTRUCTION MATERIAL AND SPECIFICATIONS MANUAL.

BEFORE THE PLACEMENT OF ASPHALT COURSES, THE BASE COURSE SHALL BE PROOF ROLLED UNDER THE PRESENCE AND SUPERVISION OF THE CITY OF OXFORD IN ACCORDANCE WITH ITEM 304 OF THE MOST CURRENT EDITION OF THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION CONSTRUCTION MATERIAL AND SPECIFICATIONS MANUAL. IF ASPHALT COURSES ARE INSTALLED WITHOUT PROOF ROLLING IN THE PRESENCE OF A CITY INSPECTOR, THE STREET WILL NOT BE ACCEPTED BY THE CITY.

MINIMUM	
A	66'
B	41'
C	5'
D	7.5'
D+C	12.5'
E	10'

REQUIRED STANDARD DIMENSIONS

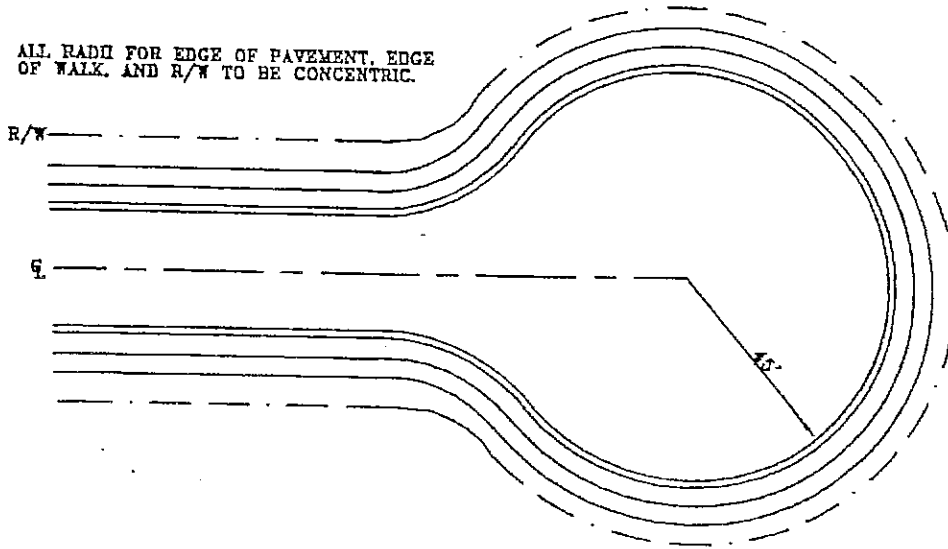
*SUBDIVISIONS/PUD'S WITH PRELIMINARY APPROVAL PRIOR TO MARCH OF 1987 ARE SUBJECT TO STANDARDS IN EFFECT AT THE TIME OF APPROVAL.

City of Oxford
Engineering Department

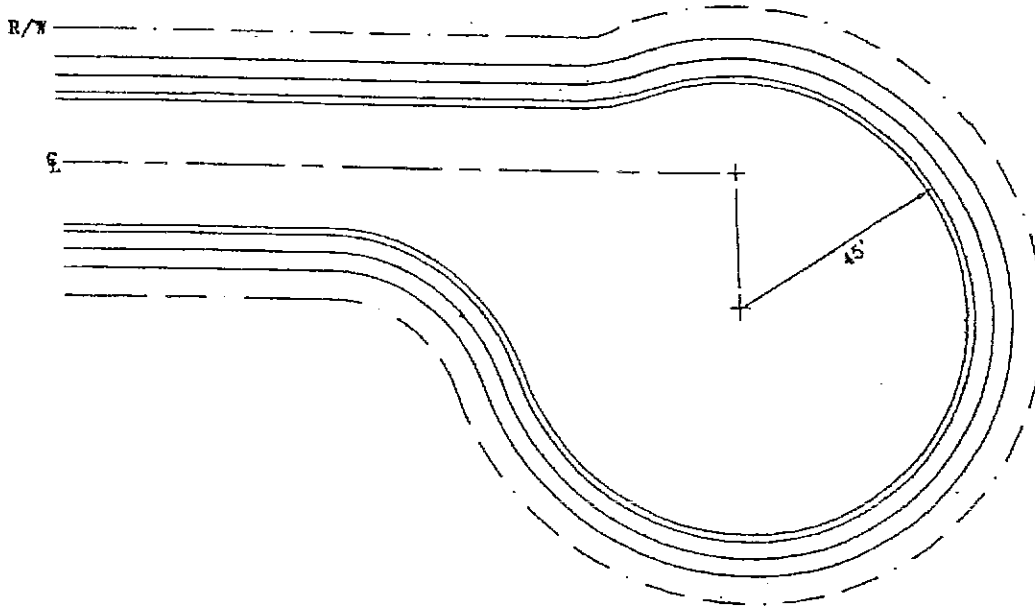
COLLECTOR STREET TYPICAL SECTION

STANDARD DRAWING #4

ALL RADII FOR EDGE OF PAVEMENT, EDGE
OF WALK, AND R/W TO BE CONCENTRIC.



ALL RADII FOR EDGE OF PAVEMENT, EDGE
OF WALK, AND R/W TO BE CONCENTRIC.



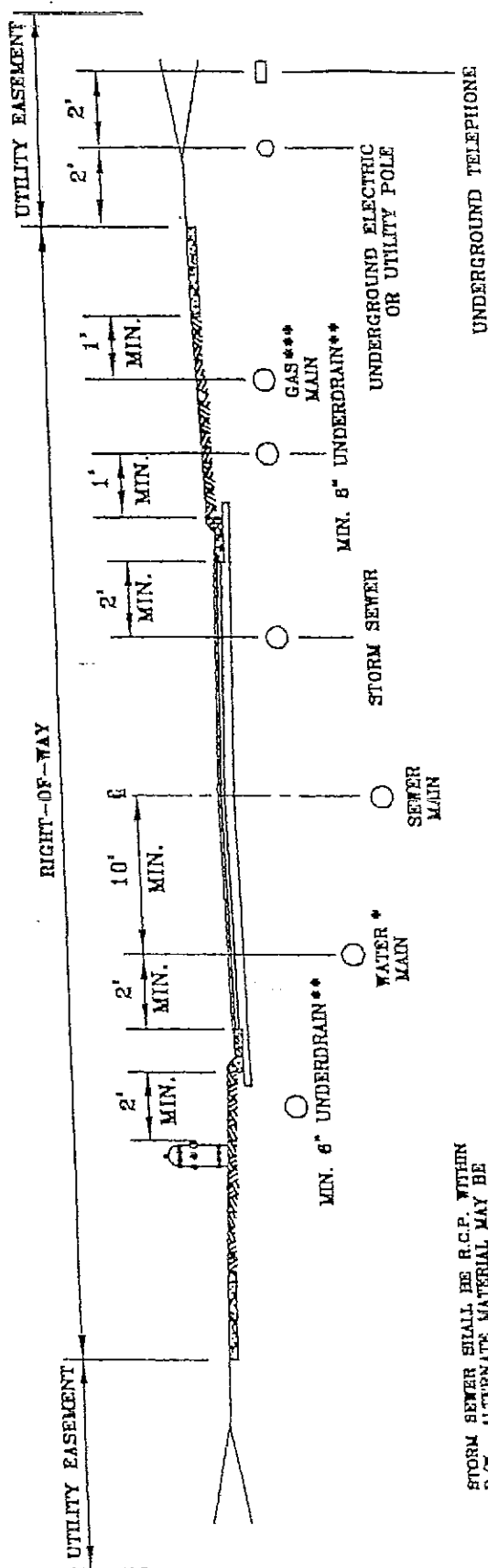
MAXIMUM CUL-DE-SAC LENGTH SHALL BE 600'

City of Oxford
Engineering Department

TYPICAL CUL-DE-SAC
DETAILS

STANDARD DRAWING # 8

1998 Replacement



STORM SEWER SHALL BE R.C.P. WITHIN R/W. ALTERNATE MATERIAL MAY BE USED OUTSIDE OF R/W AS APPROVED BY CITY ENGINEER.

* CAN BE LOCATED ON EITHER SIDE OF STREET AND MAINTAINED ON THE SELECTED SIDE FOR THE ENTIRE DEVELOPMENT IF POSSIBLE.

** UNDER DRAIN TO BE USED FOR DOWN SPOUT, SUMP PUMP, & FOOTER DRAIN TIE-INS

*** GAS MAIN CAN BE LOCATED ON EITHER SIDE OF STREET

UTILITY	MINIMUM COVER
STORM DRAIN & CROSS DRAIN (MIN. 15" R.C.P.)	2'-0"
GAS MAIN	2'-0"
UNDERGROUND ELECTRIC & TELEPHONE CONDUITS	2'-8"
WATER MAIN	4'-0"
SEWER MAIN	4'-0"
6" UNDERDRAIN	2'-0"

City of Oxford
Engineering Department

UTILITY
TYPICAL SECTION

STANDARD DRA #1

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 1/30/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-27-2008

Description:

PC-27-2008 **PRELIMINARY SUBDIVISION**, Myers Subdivision, to divide 31.09 acres into 72 lots in an R1B (Single-family medium density residential) district located between Contreras and Fairfield Roads, **Tim Myers, Applicant (Tabled)**

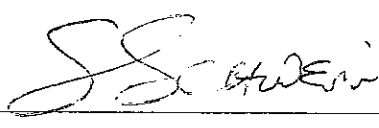
☒ Review ☐ Revisions ☐ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **2/5/2009** Note: If no comments are received, we will assume the project meets your department's standards.

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

These are revised plans

Drawings reviewed by: 

My only concern is street width so that we don't end up w/another Kelly Drive.

My only concern is street width so that we don't end up with another Kelly Drive.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 11/17/2008

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-27-2008

Description:

PC-27-2008

PRELIMINARY SUBDIVISION, Myers Subdivision, to divide 31.09 acres into 72 lots in an R1B (Single-family medium density residential) district located between Contreras and Fairfield Roads, **Tim Myers, Applicant**

☒ Review ☐ Revisions ☐ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **12/2/2008** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by: S. Selinger

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 1/30/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-27-2008

Description:

PC-27-2008 **PRELIMINARY SUBDIVISION**, Myers Subdivision, to divide 31.09 acres into 72 lots in an R1B (Single-family medium density residential) district located between Contreras and Fairfield Roads, **Tim Myers, Applicant (Tabled)**

 X Review Revisions Other

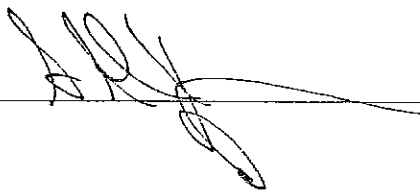
Comments or status update requested by: Lynn Taylor

Please return no later than: **2/5/2009** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

These are revised plans

Drawings reviewed by: 

77



Oxford Planning Commission
Case # PC-27-2008
Case # PC-28-2008

12-1-2008

Economic Development review comments.

My comments pertain to the overall development of the Paulin property verses the two individual proposals being presented. Each project individually can be an asset to the community, especially the Villas of Oxford which will provide housing for "empty nesters".

From an Economic Development perspective I am concerned with the manner in which the agreed upon Multi-Use Path is being implemented. The annexation agreement required a 20' easement with 10' wide multi-use path on the edge of the property. It appears the multi-use path being provided is a "share the road" arrangement.

This is an economic development issue for two reasons.

- The first is the communities which have an off the road network of multi-use paths have a great deal use by individuals coming in for the day to use the system. This creates a ripple effect in people eating and shopping in town.
- The second reason is a network of independent multi-use paths increases the quality of life for the community. As quality of life factors increase in a community, the community becomes more attractive for families and businesses to locate.

The goal of the OAT's (Oxford Area Trails) is to have an off road multi-use path surrounding and connecting the city. I encourage the Planning Commission to continue to support the OAT's plan.

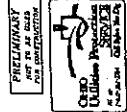
Alan Kyger
Economic Development

EPCON COMMUNITIES
OF OXFORD

SITE LOCATION
Section 20, Town 5, Range 1
Butler, C

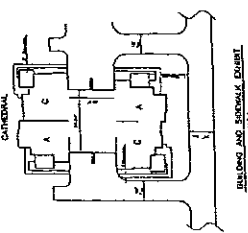
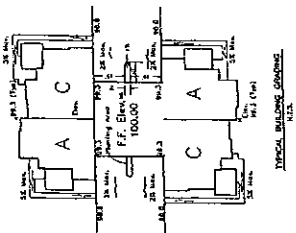
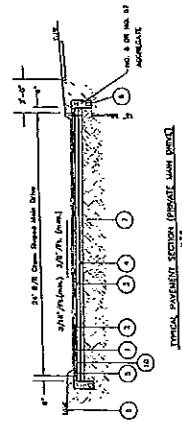
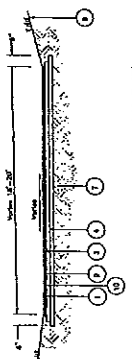
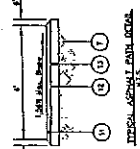
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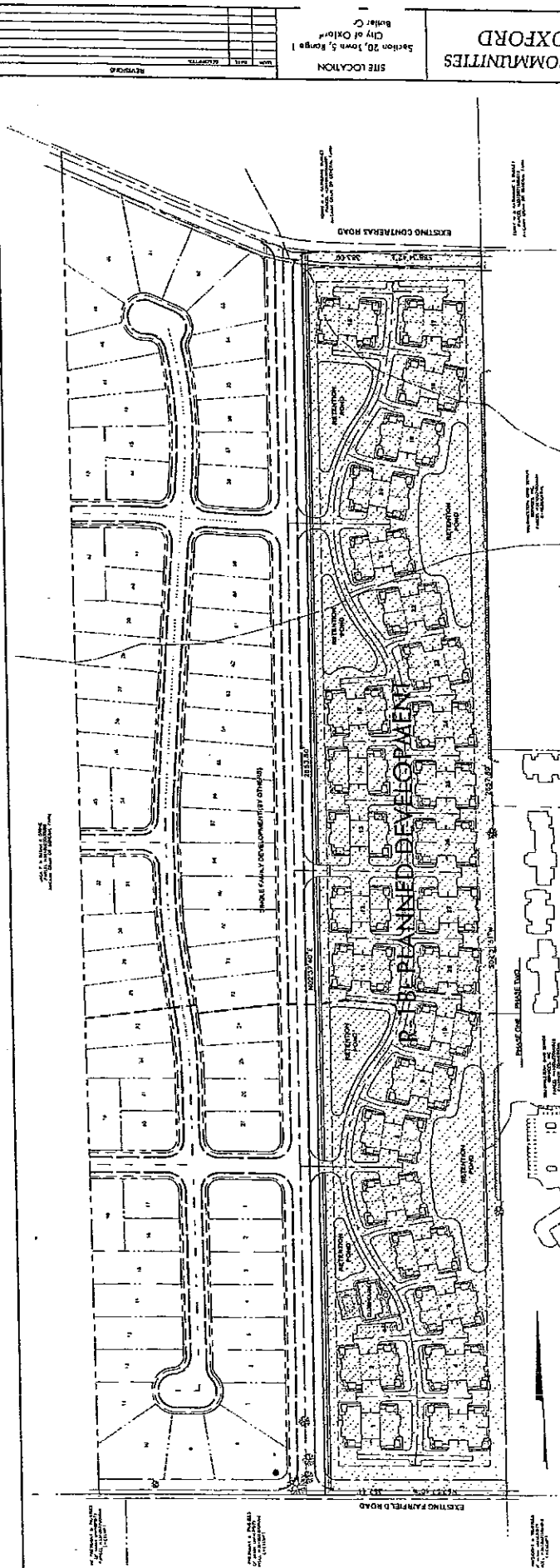


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Overall Plan and Zoning Designation



ORDINANCE NO. 3013

AN ORDINANCE ACCEPTING THE PLANNING COMMISSION'S RECOMMENDATION AND GRANTING A ZONING MAP AMENDMENT FOR 54.577 ACRES OF LAND ABUTTING FAIRFIELD AND CONTRERAS ROADS, OXFORD, OHIO AND REZONING THE PROPERTY FROM AGRICULTURAL (COUNTY) TO R1B (SINGLE-FAMILY MEDIUM DENSITY RESIDENTIAL) ZONING DISTRICT.

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

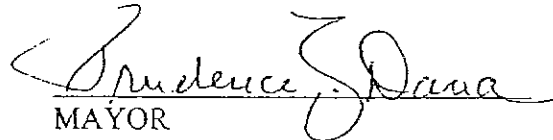
SECTION 1: Council finds in accordance with Section 1125.01 of the Codified Ordinances of the City of Oxford, the Oxford Planning Commission held a public hearing on August 12, 2008, at 7:30 p.m., on the applicant's, Harry Paulin, Tim Myers, agent, application for a Zoning Map Amendment for 54.577 acres of land abutting Fairfield and Contreras Roads attached hereto and incorporated herein as Exhibit "A" and requesting the rezoning of the property from Agricultural (County) to R1B (Single-Family Medium Density Residential) Zoning District.

SECTION 2: The Oxford Planning Commission, after due deliberation, recommended granting the Zoning Map Amendment, and found that the proposed rezoning request was in keeping with the intended characteristics of the general vicinity of the property and was the most appropriate use of the property in question.

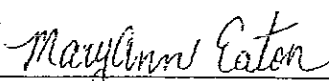
SECTION 3: Council hereby accepts the recommendation of the Oxford Planning Commission, and after due deliberation, finds for the granting of the Zoning Map Amendment, rezoning 54.577 acres of land abutting Fairfield and Contreras Roads attached hereto and incorporated herein as Exhibit "A" and rezoning the property from Agricultural (County) to R1B (Single-Family Medium Density Residential) Zoning District.

SECTION 4: Council hereby grants the rezoning request to the City of Oxford for the property as requested by the applicant, incorporating the application and documents submitted by the applicant as a term and condition of the granting of this rezoning request and orders that the official zoning map be amended.

SECTION 5: This Ordinance shall take effect at the earliest time allowed by law.


MAYOR

ADOPTED: September 16, 2008

ATTEST: 
DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

ANNEXATION AGREEMENT

This Annexation Agreement is hereby entered into this 26th day of July, 2007, by and between the City of Oxford, Ohio, a municipal corporation, hereinafter referred to as "City", and Harry and Anna Belle Paulin, hereinafter referred to as "Owners".

WHEREAS, the Owners own property in Oxford Township (hereinafter referred to as "Property") and have filed the petition to have the Property annexed into the City and to receive municipal services for development purposes, and;

WHEREAS, the City has agreed to make municipal services available to the Property; and,

WHEREAS, the City desires to enter into an annexation agreement to outline the issues and concerns identified by the City to ensure these issues will be addressed appropriately when the Property is developed; and

WHEREAS, the Owners desire to formalize the understanding between parties with respect to the future development of the Property.

NOW, THEREFORE, to allow the Property to be annexed into the City and to be able to develop the Property in the future, the City and Owner hereby agree as follows:

1. The Owners have filed an annexation petition requesting that the Property be annexed into the City and the annexation proceeding is pending upon the execution of the Agreement. The Property is consisting of 54.577 acres and more particularly described on Exhibit A attached hereto. The said petition is attached hereinafter as Exhibit B.
2. The City has agreed to take those actions required to annex the Property at the earliest time practical after the execution of this Agreement.
3. The City agrees to accept an application to rezone the Property after the execution of this Agreement and to have the application heard by the Planning Commission at the first available date, even if prior to the completion of the annexation. The application will seek to rezone the Property to R1-B. The rezoning request will be heard by City Council. If the annexation has not yet been completed, Council will review the request to provide an advisory opinion. Council will consider the rezoning application request officially as soon as practical following annexation of the Property to the City.
4. The City has identified engineering issues with respect to the preliminary development concept of the Property as submitted and attached hereinafter, as Exhibit C. These comments are attached hereafter as Exhibit D. Furthermore, a copy of these comments was given to Mr. Timothy Myers, agent of the Owners in December 2006, and January 2007 respectively.

5. The City agrees to make municipal water service available to the Property for future development. The cost to connect to the existing nearest municipal water service to the Property will be the City's responsibility. The installation of said connection to the municipal water service shall conform to the specifications and standards of the City's ordinance and regulations existing at the time municipal water service is installed on the Property. The Owners shall pay for running any laterals or service lines from the tap-in on the Property.
6. The Owners shall extend the municipal water line servicing the Property to the west property line to allow the future extension of the municipal water service to the adjoining properties at the earlier of any development of the Owners property that encompasses forth percent (40%) or more of the area of the Property or at the time of a Phase II development.
7. The City also agrees to make municipal sanitary sewer service available to the Property for future development. The cost to connect the property to the municipal sanitary sewer service will be the City's responsibility. The installation of such connection to the municipal sanitary sewer service shall conform to the specifications and standards of the City's Ordinances and regulations as applicable. The Owners shall pay for the cost of extending sanitary lines upon Owner's property once the City gets it to the Property line.
8. The Owners shall extend the sanitary sewer line servicing the Property to the west property line to allow the future extension of the municipal sanitary sewer service to the adjoining properties at the earlier of any development of the Owners property that encompasses forth percent (40%) or more of the area of the Property or at the time of a Phase II development.
9. The Owners shall conduct a traffic impact study for the development of the Property prior to submitting any subdivision request to the Oxford Planning Commission for review. The Owners are responsible for the signalization of the entrance/entrances as determined by the Service Director, based on the traffic impact study for the development of the Property.
10. It is the Owners' responsibility to ensure the drainage easement at the Property serving the adjoining property to the west to be maintained and respected.
11. The Owners agree to dedicate sufficient right-of-way to construct an acceleration/deceleration lane at Fairfield Road and Contreras Road entrances to the Property when the subdivision is proposed. The City Engineer will determine the necessary right-of-way width. All roadway construction in and around the development of the Property shall meet the City of Oxford's specifications and at the Owners expense.

12. The Owners will provide the City Engineer a detailed plan how to handle additional storm water generated from the development for review. The City Engineer shall determine whether the proposed plan to handle additional storm water is satisfactorily meeting the standards and specifications of the City's Ordinances and regulations as applicable and advise the Owners of any deficiencies that need to be corrected prior to approving the proposed storm water-handling plan.
13. If the City fails to rezone the Property as requested here or otherwise agreed by the Owners within ninety (90) days after approval of the annexation (including any applicable mandatory waiting periods), the City agrees to cooperate with the Owner's and de-annex the Property as soon as possible.
14. The Owners shall construct a street built to City standards between Contreras Road and Fairfield Road at the earlier of any development of the Owners property that encompasses forty percent (40%) or more of the area of the Property or at the time of a Phase II development.
15. The Owners are required to dedicate a bike trail/path through this Property to connect Fairfield Road to Contreras Road. The land dedicated for the bike trail/path right of way shall have a minimum width of 20 feet, with the bike trail/path pavement being 10 feet in width. This right of way shall be located on the twenty (20) feet immediately adjacent to the west property line of the Property.
16. All utility, roadways and traffic signal must be constructed in conformance to the City of Oxford's specifications.
17. Future development of the Property shall meet the minimum requirements as stipulated in the City of Oxford Planning and Zoning Code and other specifications and of the City's Ordinances and regulations, as the same may be amended.
18. This Agreement is intended to be severable. If part of the Agreement is deemed unenforceable, the remainder shall be enforced to the extent necessary to accomplish the goals of the Owners to develop the Property as requested or to de-annex the Property.
19. The Agreement is intended in part to fulfill City's obligation to provide water and sewer to Owners under a contract between the parties dated August 26, 1998. However, such former contract remains in full force and effect and shall be referred to in the case of any ambiguity in this Agreement or should the planned annexation not proceed or if the Property is de-annexed. At the completion of extending municipal water and sanitary services to the Property, the said contract will be considered fulfilled and nullified.

20. Any modifications to this Agreement shall require the approval of both parties and shall be in writing.
21. This Agreement shall be recorded in the Butler County Recorder's Office and the terms, conditions shall be binding upon the parties herein, and all successors and assigns, and these terms and conditions shall run with the land.
22. This Agreement shall be subject to the law of the State of Ohio. Any causes of action arising out of Agreement shall be heard in a court of competent jurisdiction in Butler County, Ohio. Any provision deemed unenforceable for any reason shall not invalidate the Agreement, the parties intending the Agreement to be interpreted without that provision.
23. This Agreement shall represent the full agreement between the parties and shall supersede any oral or written agreements, commitments or promises made prior to the date of this Agreement.

[Remainder of Page Intentionally Left Blank]

The Parties have signed and executed this Agreement on the date first written above.

CITY OF OXFORD

OWNER

By: Mike Dreisbach
Mike Dreisbach, Interim, City Manager

BY: Harry R. Paulin
Harry Ritter Paulin

By: Anna Belle Paulin
Anna Belle Paulin

STATE OF OHIO :

SS:

County of BUTLER

State of Ohio

SWORN TO BEFORE ME and the subscribed in my presence by the said
Michael Dreisbach, this 26th day of July, 2007



LEANN HENDRICKS
Notary Public, State of Ohio
My Commission Expires
January 25, 2011

Leann Hendricks

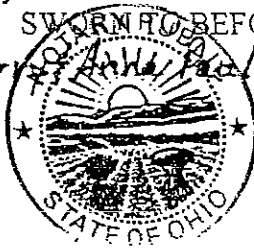
STATE OF OHIO :

SS:

County of BUTLER

State of Ohio

SWORN TO BEFORE ME and the subscribed in my presence by the said
Harry R. Paulin, this 26th day of July, 2007



LEANN HENDRICKS
Notary Public, State of Ohio
My Commission Expires
January 25, 2011

Leann Hendricks

KNOW ALL MEN BY THESE PRESENTS:

That, Whereas Harry R. Paulin and Anna Belle Paulin are the owners of the East half of Lot numbered One (1) consisting of .55 acres and 1.78 acres located in part of Lot numbered Two (2) to the North thereof and adjacent thereto in Section Twenty (20), Town Five (5) North, Range (3) East of Oxford Township, Butler County, Ohio;

And, Whereas Mary Wolk has sold the adjacent land to the North and to the West thereof, the natural drainage of which transverses the aforesaid Paulin land;

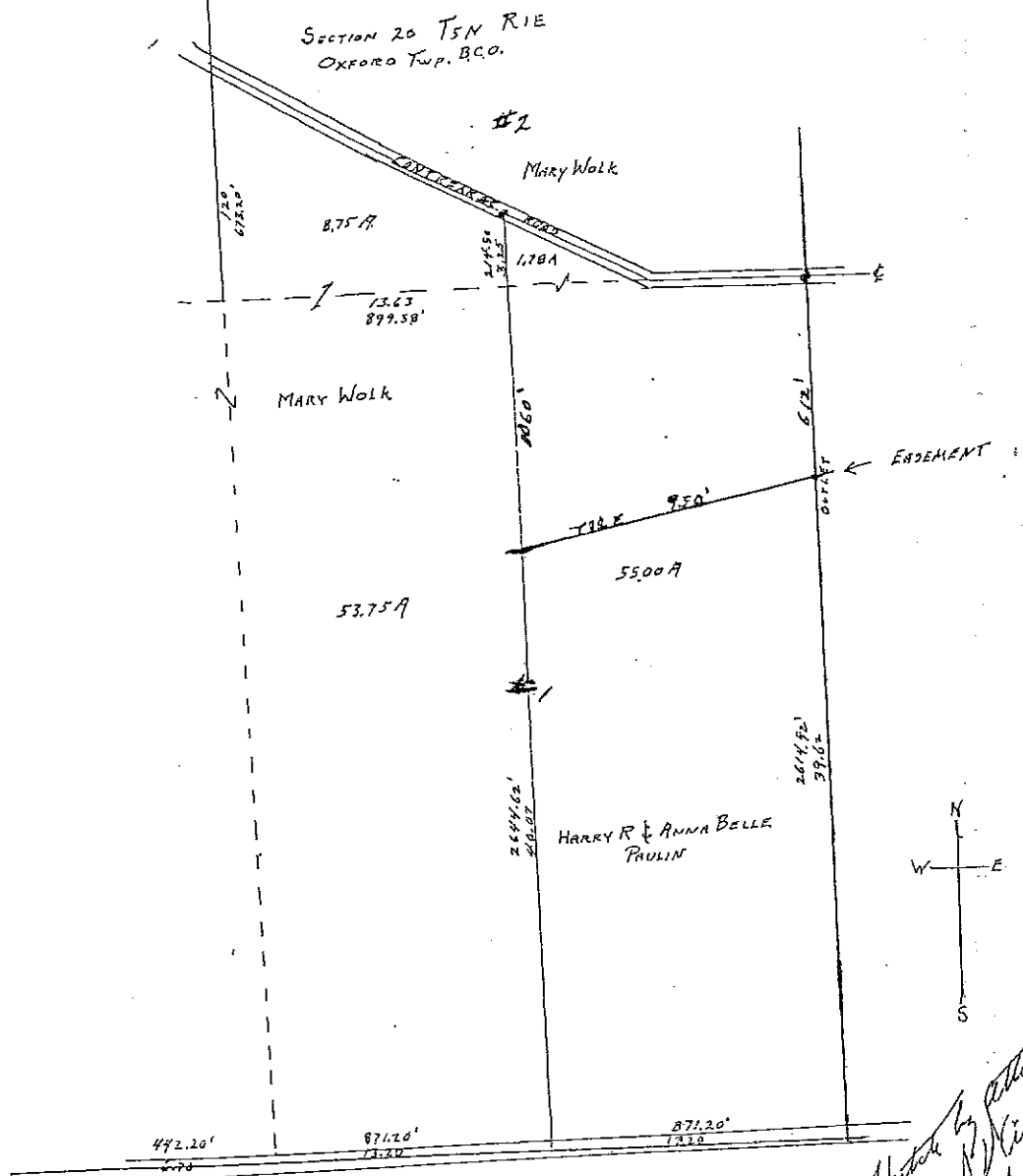
And, Whereas said Mary Wolk with the knowledge and consent of said Paulins has constructed a field drainage tile across the said Paulin property located as follows:

Beginning at a point in the North-South center line of Lot #1 located 1060 feet South of the intersection of said center line extended with the center line of the Contreras Road; thence in an Easterly direction following said tile drain for a distance of 950 feet to a point in the East line of said Lot #1 to its outlet, which outlet is located 612 feet South of the place where the East line of said Lot #1 intersects the center line of the Contreras Road.

Now, Therefore in consideration of One (\$1.00) Dollar and other good and valuable considerations paid to them by the said Mary Wolk; the receipt of which is hereby acknowledged, said Harry R. Paulin and Anna Belle Paulin do hereby GRANT, BARGAIN, SELL AND CONVEY to said Mary Wolk a perpetual easement over the property occupied by said drainage tile of suitable width for the use of said Mary Wolk, her heirs and assigns forever, to enter into the land of said Harry R. Paulin and Anna Belle Paulin, their heirs and assigns, for the maintenance and repair of said tile or drain should it ever cease to function in the future due to its stoppage or breakage at any time;

In further consideration for this easement the said Harry Paulin and Anna Belle Paulin, their heirs and assigns shall have the right to run collateral drain tiles into said main drain tile across the property above described.

And the said Mary Wolk, her heirs and assigns, shall not be responsible in damages to said Harry R. Paulin and Anna Belle Paulin, their heirs and assigns, in case their crops are tempor-



Sketch by Attorney
Charles A. Hillman
Oxford, Ohio

andly injured thereby although every care and precaution shall be exercised by said Mary Wolf, her heirs and assigns, not to create needless damage of any sort in entering upon the said Paulin property when repairing the tile or drain aforesaid.

IN WITNESS WHEREOF, the said Harry R. Paulin and Anna Belle Paulin have hereunto set their hands this 27 day of May, 1958.

In Presence of:

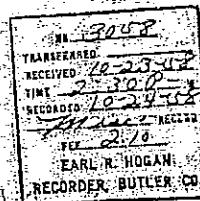
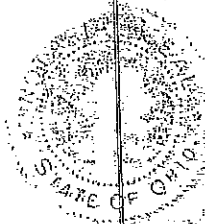
John W. Woodruff
John W. Woodruff

Harry R. Paulin
Harry R. Paulin
Anna Belle Paulin
Anna Belle Paulin

STATE OF OHIO)
) SS.
BUTLER COUNTY)

Be It Remembered that on this 27 day of May, 1958, before me, a Notary Public in and for the State and County aforesaid, personally appeared Harry R. Paulin and Anna Belle Paulin, the grantors herein, and acknowledged the signing thereof to be their voluntary act and deed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year aforesaid.



R. Fred Woodruff

R. FRED WOODRUFF, Notary Public
STATE OF OHIO
My Commission Expires Feb. 15, 1960

Case No.: PC-27-2008
Date filed: 10/24/08

Preliminary Subdivision Application
City of Oxford, Ohio

REQUIRED INFORMATION

Name of Applicant: TIM MYERS
(Attach a letter of agency if the applicant is not the property owner)
Mailing Address: 5020 B COLLEGE CORNER PIKE, OXFORD, OH 45056
513-523-2181 BUX.
Telephone Number(s): 513-218-4566 CELL
Name of Subdivision: MYERS SUBDIVISION
Location of Property: BETWEEN CONTRERAS & FAIRFIELD AT WEST EDGE OF OXFORD N 39°30'42" LAT.
Legal Description: BOOK 7762 PGS. 1910 - 1911 W 84°46'48" LONG.
Zoning District: R1-B
Number of Lots: 72
Total Acreage: 31.09 Acres
Surveyor/Engineer: APEX ENGINEERING & SURVEYING, INC.
Address: 1068 N. UNIVERSITY BLVD., MIDLETON, OH 45042
Phone Number: 513-424-5202

DRAWING REQUIREMENTS

Please submit twelve copies of the plat. Drawing size must be at least 18"x 24" and should never exceed 24"x 36 ". The plat must be prepared in accordance with Chapter 1101, Subdivision Regulations and Chapters 1121-1159, Zoning Code of the City of Oxford. The following information must appear on the plat:

- a) A vicinity map, drawn to scale, showing the general location within the City.
- b) The location of all present property lines, streets, alleys, rights-of-way, buildings, easements, lakes, watercourses and drainage ways.
- c) Size of the tract in acres and lots in square feet and the boundary lines along with the linear measurement thereof.
- d) Any existing water mains, culverts, water or sewer lines, easements, buildings and streets within the tract or immediately adjacent thereto.
- e) The proposed location and width of streets, alleys lots and easements.
- f) The name of the proposed subdivision and the name of the surveyor, engineer and owner at the time of subdivision.
- g) The names and record owners of all adjoining subdivisions and the names of recorded owners of adjoining parcels of un-subdivided land.
- h) North arrow, scale and date.
- i) Contours with intervals of five feet or less referenced to U. S. Geological Survey datum and obtained from a field survey.
- j) The seal, registry number and signature of the public surveyor who prepared the plat.
- k) An evaluation of existing watercourses, channels, storm sewers, culverts and proposed improvements pertaining to drainage and flood control in regard to their ability to handle the anticipated volume of run-off generated during peak flow.
- l) Any portion of the floodplain as delineated by the Flood Insurance Rate Map (FIRM) Community Panel Number 390731 0001- 0003, revised January 3, 1997, must be clearly illustrated and labeled on the plat.

Provide the names and addresses of all adjoining property owners including those across streets, roads, alleys and highways (attach a separate sheet if necessary).

TERRY M & KATHERINE DUDLEY 6744 CONTRERAS, OXFORD, OH 45056
JACK & SUSAN GROVE 7006 FAIRFIELD, OXFORD, OH 45056
PRESIDENT & TRUSTEES OF MIAMI UNIVERSITY FAIRFIELD RD.
SOUTHWESTERN OHIO SENIOR SERVICES 11100 SPRINGFIELD PK, CINCINNATI, OH 45246

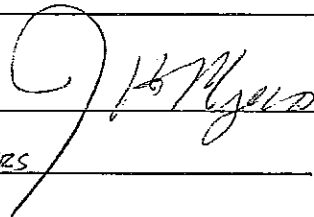
Staff added: City of Oxford Parks
Knolls of Oxford

Note: Incomplete applications cannot be processed.

Submit this application, required copies of the preliminary plan containing all required information and the required fee (\$400.00 plus \$100.00 per acre for preliminary subdivision or planned unit development), made payable to the City of Oxford, to the office of the Planning Director, Municipal Building, 101 East High Street, Oxford, Ohio 45056. Any questions should be directed to the Planning Department at (513) 524-5204. The plan will be placed on the next possible agenda. Incomplete applications will not be processed.

NOTE: Notification and publication requirements must be adhered to. Submit materials 45 days prior to the proposed Planning Commission meeting date.

SIGNATURE OF APPLICANT:



Date: 10/24/06

PRINTED NAME: TIM MYERS

FEE / RECEIPT

\$400.00 + \$100.00 per lot Fee Paid / Receipt Number: 14205

LETTER OF AGENCY

To Whom It May Concern::

Please be advised that Mr. Timothy H. Myers, 5020 College Corner Pike, Oxford, Ohio has permission to represent our interest with the City of Oxford and act on our behalf for the Planning Commission and City Council regarding the subdivision Preliminary and Final Plans on our property of 54 acres + or -. Said property is located West of the Knolls of Oxford between Fairfield and Contreras Roads and has been amended into the City of Oxford.

Harry R. Paulin
Owner/Trustee:
Company Name & Address

11/25/2008
Date

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development Department
Originating Department

Council Meeting Of: March 3, 2009

Jung-Han Chen
Prepared By

Account Code No. #:

Budgeted Amount:

February 23, 2009
Date Prepared

Agenda Title: PC-28-2008 Planned Development, Villas of Oxford, 22.46 Acres of Land into 22 Buildings of Pods for a Total of 88 Units. Foundation Development Group, LLC Applicant
--

Recommendation: Approval

Discussion:

The application is a preliminary PUD review to develop an approximately 22.46 acre of land into 22 buildings for a total of 88 units between Contreras and Fairfield Roads, directly west of the Knolls of Oxford.

The Applicant indicated that this project is to be developed under one ownership and that the internal streets and open space would be maintained and managed by the homeowner. The Planning Commission held a Public Hearing to discuss issues related to drainage, open space, roadway width, sidewalks and submittal requirements.

At the conclusion of the Public Hearing, the Planning Commission voted 6-0-1 to recommend City Council approve this preliminary PUD as requested, subject to the following condition:

1. That, all concerns raised in the staff report, including the parking dimensions and the Engineers report are addressed on the final development plan.

Approved By:	Department Head:	Initial	Date
	City Attorney:	JHC	2/25/09
	City Manager:	[Signature]	2/27/09

ORDINANCE NO.

ORDINANCE APPROVING THE PLANNING COMMISSION'S RECOMMENDATION FOR PRELIMINARY PLAN APPROVAL OF THE VILLAS OF OXFORD PLANNED UNIT DEVELOPMENT ON 22.46 ACRES OF LAND BETWEEN CONTRERAS AND FAIRFIELD ROADS TO ALLOW A DEVELOPMENT FOR RESIDENTIAL USE WITH CONDITIONS.

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

SECTION 1: Council hereby finds that the Planning Commission held a public hearing on PC-28-2008 on February 10, 2009 in accordance with Section 1145 of the Codified Ordinances of the City of Oxford, on the application of Foundation Development Group LLC, for approval of a Preliminary Plan for the Villas of Oxford to allow a Planned Unit Development for residential use on 22.46 acres of land between Contreras and Fairfield Roads with conditions.

SECTION 2: The Planning Commission, after due deliberation found the application satisfies the code requirements in Chapter 1145 of the Oxford Zoning Code and recommended approval of the Preliminary Plan application for the Villas of Oxford to allow a Planned Unit Development for residential use on 22.46 acres of land between Contreras and Fairfield Roads with conditions.

SECTION 3: Council hereby accepts the recommendation of the Planning Commission and further approves the Preliminary Plan application for the Villas of Oxford to allow a Planned Unit Development for residential use on 22.46 acres of land between Contreras and Fairfield Roads based on the submittals of the applicant that are incorporated herein and made a part of this approval with the following conditions:

- a. All concerns raised in the staff report, including the parking dimensions and the Engineer's report are addressed on the final development plan.

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

MAYOR

ADOPTED:

ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW(STAFF)

**Certification of Action
Oxford Planning Commission
Recommendation to City Council**

<u>Report Date</u>	March 3, 2009
<u>Case Number</u>	PC-28-2008
<u>Applicant Information</u>	Foundation Development Group LLC
<u>Requested Action</u>	Planned Development
<u>Summary of Request</u>	Requesting approval of a Planned Development located between Contreras and Fairfield Roads
<u>Public Hearing Information</u>	On December 9, 2008 and February 10, 2009, public hearings were held at 118 West High Street. At the request of the Applicant, a Conceptual Design presentation took place at the January 13, 2009 Planning Commission meeting. A legal notice of the hearing was published in the Oxford Press on October 22, 2008.
<u>Commission Action</u>	The Planning Commission voted 6-0-1 to recommend City Council approval.
<u>Commission Findings and Conclusions</u>	At the February 10, 2009 Planning Commission meeting, conditions were identified: 1. That, all concerns raised in the staff report, including the parking dimensions and the Engineers report are addressed on the final development plan.
<u>Exhibits Submitted to the Commission</u>	1. Community Development Staff Report dated December 9, 2008 and Revised January 30, 2009 for February 10, 2009 meeting 2. Inter-Office Review Transmittal Sheets dated January 30, 2009 and November 17, 2008 3. Letter of Agency 4. Planned Development Application 5. Zoning Description 6. Site Plan – current design effective for the 2/10/09 Planning Commission meeting 7. Signage Design 8. Building Designs 9. Site Plan – old version effective for the 12/9/08 Planning Commission meeting

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-28-2008

Date – December 9, 2008
Revised- February 10, 2009

APPLICATION

Applicant:	Foundation Development Group, LLC
Location:	Paulin property between Fairfield Road and Contreras Road
Owner:	Harry and Anna Belle Paulin
Action Request:	Preliminary PUD to construct retirement homes
Current Use:	Farming, agricultural
Surrounding Existing Land Uses:	Agricultural uses, retirement center

DESCRIPTION

The Applicant is seeking approval of a preliminary planned development to construct a total of 112 units of retirement homes in 28 structures in a R1B (Medium Density Single Family Residential) District. The site is located between Contreras Road and Fairfield Road, directly west of the Knolls of Oxford.

This Preliminary PUD is part of a property that was just annexed in March 2008 and is located on the eastern half of the Paulin property. This portion is approximately 380' by 2650'. Furthermore, this new territory also had received municipal zoning designation in October 2008 as R1B. The entire Paulin property, under the Annexation description, is about 54.77 acres. The development of this entire tract is divided into two development themes; one being a PUD project and the other a traditional subdivision.

The application indicates that this would be a two-phase development project. The first phase will consist of 9.4 acres of land for 40 units in 10 buildings. The 2nd phase will be for the remaining acreage having 18 buildings for 72 units. The layout of the complex is a unit mix concept that provides different housing types for each pod. It is also assumed that this development and management of the site afterward will be under one ownership; therefore, it is proposed to be a non-traditional urban environment with narrow streets and housing units located closer to the street than the standard subdivision. The street will be 24' wide and the housing units will have a setback between 15' to 20'.

The revised layout depicts the proposed PUD as located on the southern portion of this newly annexed territory. The revised plan is approximately 22.46 acres that proposes to have 22 buildings of pods for a total of 88 units. This revision shows a reduction in the area size as well as the number of dwelling units from the previous submittal

SURROUNDING NEIGHBORHOOD

The subject property was recently annexed into the City in 2008. It is bordered by the Knolls of Oxford to the east, Miami University airport to the south and agricultural uses to the north and east. It is the entry point into the City from the west through either Contreras or Fairfield Roads.

2008 COMPREHENSIVE PLAN

LAND USE: Manage growth to ensure small town character, green areas, and preserved farmland. The principles reflect a variety of land use topics and themes that are mutually reinforcing with respect to the framing intentions about future land use. The principles focus on long-term sustainability and the

quality, pattern, character, and organization of the development. The principles also specifically address mobility and connectivity with a focus on expanding mobility choices for residents.

1. The community's small college town character will be preserved and enhanced.

Oxford's built environment is largely defined by a distinct land pattern of an older, smaller scale, and walk able core with a mix of uses. The community is also shaped by the presence of the Miami University Campus and expansive green spaces. This character is cherished by many local residents and distinguishes the community in a regional and historical context.

- Future areas for growth and development will consider the essential elements of the exemplary areas of Oxford with respect to the form and pattern of development (Uptown and Mile Square), including US 27 South.
- All rural gateways will reflect the transition from rural to small town.
- New development and redevelopment will be sensitive to pedestrians in terms of scale and walk ability.
- New architecture will add to the character of the community as opposed to corporate, franchise architecture.

2. Uptown and new commercial developments will have a mix of uses that are distinctive and contribute to enhancing the community's overall identity.

The recent residential and commercial land use pattern segregates uses from one another. This pattern of development is not conducive to creating a vibrant atmosphere where residents can live, work, and find opportunities for leisure and entertainment in the same area. Creating opportunities and encouraging new developments that include a variety of uses mixed together on the same block, or building, will help create a walk able and accessible development pattern noted by residents as desirable.

- The city will encourage a mix of uses Uptown and areas of redevelopment and infill shown on the Conservation and Development Map.
- Mixed-use centers will include a variety of commercial, office, and retail, civic and residential uses in the same building and/or adjacent to each other.
- Mixed-use centers will be sensitive to the scale and character of surrounding uses and incorporate architectural elements that contribute to shaping the local identity.

3. Infill development and redevelopment of underutilized sites is a priority.

Oxford has a significant number of vacant sites and buildings that are detracting from the community's positive assets. Many of these sites are located within existing neighborhoods and districts. These sites should be redeveloped to enhance and serve surrounding neighborhoods and districts.

- Specific sites will be targeted for redevelopment.
- Reuse of vacant and underutilized sites will be encouraged prior to new development.
- Redeveloped industrial and manufacturing sites will employ sustainable principles to mitigate any hazards that exists onsite and integrate energy efficient building design.

4. The development of new residential areas, and redevelopment of existing residential areas, will have strong neighborhood qualities.

The Mile Square in Oxford has a discernible center, includes numerous public spaces and is walk able and interconnected to surrounding areas.

The pattern in the community of residential growth has been to create subdivisions with a single use and building type. While many of these subdivisions have high-quality residential units and are well kept, they typically lack a real "center" and are framed by wide streets in a pattern that does not relate to the small town character.

- Neighborhoods will be walk able with quality streets that accommodate both bicycles and automobiles, but give priority to the pedestrian experience.
- Civic, institutional, and public spaces may be included in neighborhoods and form the physical nucleus of the neighborhoods.

- Residential streets will be scaled to improve the pedestrian experience and character of the neighborhood.

5. Green space and public spaces will be incorporated as part of future developments.

Oxford's natural environment includes a variety of ecological systems and open spaces. Residents have a strong environmental ethic, support the protection of critical environmental areas, and desire open spaces for recreation agriculture, and protection of natural areas.

- Local watersheds are defining natural features in Oxford. The city will commit to protecting and enhancing the watersheds when development or redevelopment occurs.
- Wooded areas will be protected and integrated into new developments, and connected when possible to create a continuous open space system.
- Convenient and accessible recreational opportunities will be provided for all ages.
- Existing recreational, green space, public areas, open and natural spaces will be enhanced and new areas set aside that connect people to the natural environment and promote recreational opportunities to support active and healthy lifestyles.

6. Future growth at the edge of the city will preserve open space, protect the area's rural character, and be consistent with the other principles.

Unplanned growth on the edge of the city can compromise the area's rural character and viewsheds. Low-density growth on the city's periphery can also add to the cost and demand for community services, potentially creating fiscal hardships.

- New growth on the edge of the community will not compromise the rural landscape or the community's small town character.
- Open space and land currently in agricultural use will be strategically protected when and where appropriate.
- Public investments, e.g. roadways, will be improved in a manner that strengthens the rural character.
- Initiatives will be pursued (i.e., open space subdivision design) to protect the rural character.
- All development on the edge of the city will be carried out in consideration of township policies.

7. New commercial and light industrial developments will be developed with pedestrian amenities and green spaces.

Historically, commercial and industrial areas have been developed primarily in single-use strip developments along corridors. This pattern does not respond contextually to the surrounding neighborhoods and districts. These areas have typically been auto-oriented, with parking facing the street. Large-scale commercial centers or buildings have also been developed with only the immediate use considered. This practice has created barriers and added cost to redevelopment efforts.

- Smaller retail uses serving the local or neighborhood market will reflect the character of Oxford and be compatible with surrounding uses with respect to form, scale, and character.
- Large and small retail developments will be sited in a manner that is pedestrian-friendly with parking to the rear of the structure.
- Large format retail will be developed in a pattern that accommodates redevelopment (such as installing utilities that are mindful of how a parcel may be redeveloped).
- Utilities, roadways, and parking areas will be developed in commercial and industrial areas to support future reuse.
- Commercial and industrial parking areas will incorporate vegetation, walkways, and signage to facilitate pedestrian mobility.

8. Streets will create an attractive public realm.

Many local streets are designed primarily to facilitate the movement of automobiles. The scale (width) of some local streets encourages a higher rate of travel for motorists and creates a large

distance between building fronts, which can detract from the pedestrian experience and small town character.

- New streets, and improvements to existing streets, will enhance the public realm through landscaping, bicycle and pedestrian design elements, and through a scale that enhances the nature of the district or neighborhood without compromising the safety of motorists.
- Roads in rural areas will complement the character of rural areas (i.e., width, setbacks, landscaping/buffers).
- Commercial buildings will be situated on site to define a high quality streetscape, including locating structures close to the street and placing parking in the side or rear yard whenever possible.

9. Places will be connected to create better opportunities to walk, bike and access public transportation throughout the community.

As part of the Plan Update, residents voiced an interest in increasing opportunities for making trips via walking, biking and public transit. Currently there are opportunities to walk easily within parts of the community, but more could be done to accommodate bicyclists. Improving the opportunities for biking will in turn discourage trips via the automobile.

Creating an interconnected street pattern will offer more options for residents to arrive at their destinations, potentially decreasing travel, reducing congestion and improving wayfinding. It will also create opportunities for walking and biking by better connecting neighborhoods and districts.

- The road pattern will be improved to keep local traffic off major arterials and high-speed through traffic off local streets.
- A connected grid street pattern, or modified grid system, is the preferred network for future development and redevelopment.
- Well-connected streets will be designed to facilitate walking.
- Bike paths and walking paths will be integrated into new development and areas undergoing redevelopment.

10. Environmentally sensitive and sustainable practices will be encouraged in future developments.

The community has a high level of environmental awareness that was reflected in the input received at public workshops. Residents desire to employ creative and sustainable choices as part of future growth.

- New construction will employ context sensitive design to reduce impacts on existing site features and the natural environment.
- Green building practices will be encouraged to minimize the consumption of resources, employ recycling of building materials, and promote quality indoor living and working environments for Oxford residents.
- Green stormwater and graywater management options will be implemented to retain and reuse stormwater to reduce surface runoff, which may have negative impacts on the watershed.

OBJECTIVES

1. Manage growth.
2. Enhance neighborhoods within the Mile Square.
3. Continue to enhance Uptown.
4. Promote new areas for light industrial and manufacturing, research and development, and office space.
5. Support the redevelopment of commercial areas along Locust Street.
6. Redevelop the U.S. 27 North corridor in a planned coordinated manner.
7. Preserve open space and farmland, and expand existing open space areas.
 - L.U. 7.6 Implement alternative cluster style subdivision development to encourage preservation of natural areas and farmlands as areas are developed
 - L.U. 7.8 Connect open and natural areas when possible

8. Expand urban green space.
L.U. 8.2 Require trees and landscaping in future subdivision and commercial properties
L.U. 8.3 Beautify major corridors
9. Create new residential areas with traditional neighborhood qualities.
L.U. 9.1 Require all new subdivisions to complete a master plan, with an emphasis on protecting natural areas, and creating new parks and open spaces
L.U. 9.2 Consider permitting small-scale neighborhood commercial services as part of large-scale master plan development
L.U. 9.3 Create standards that require high quality pedestrian streets with sidewalks, street trees, adequate lighting, and tree lawns in newly developed residential areas
L.U. 9.4 Create standards, or modify existing standards, to allow for a mix of housing types within neighborhood
L.U. 9.5 Encourage connections among neighborhoods via roads, sidewalks and multi-use paths
10. Be a leader in environmental stewardship.

URBAN DESIGN: Honor and preserve the historic character and quality of Oxford while embracing high quality, which compliments existing developments.

Objective

1. Enhance the beauty and character of Oxford.
U.D. 1.6 Promote walkability and connectivity in new development
2. Continue to preserve the local rural heritage.
U.D. 6.1 Preserve the scenic quality of the rural landscape by defining the edge of the community.

TRANSPORTATION: A quality, accessible transportation system with alternative forms of transportation for a diverse population, improved infrastructure, adequate parking, bikeways, and efficient traffic management.

Objective

1. Facilitate the flow of traffic in and around the City.
T 1.3. Require new large-scale developments to pay for independent traffic impact studies
T 1.6. Improve connectivity between areas within the City.
2. Promote alternative modes of transportation.
T 2.4. Create connections between subdivisions and destinations to improve mobility, promoting a wider pedestrian and bicycle network throughout Oxford.

SITE HISTORY

July 1998	The City entered into an agreement with the Owners for the use of their land in connection with the development of the Knolls of Oxford.
August 2006	An Annexation petition was filed by the Applicant, on behalf of the Owners, requesting the property be annexed into the City.
July 2007	An Annexation agreement was entered between the City and the Owners.
August 2007	A Roadway Agreement was executed between the City and the Butler County Engineering Office.
March 2008	An Annexation petition requesting the property to be annexed into the City was granted.
October 2008	A Zoning Change request was granted from the County's Agricultural Zone to R1B District.

AGENCY COMMENTS

Requests for comment were sent to the Police, Fire and Engineering offices. The returned comments are attached for your consideration.

ANNEXATION AGREEMENT

The owners and the City entered into an annexation agreement to outline expectations and responsibilities of each party. Those responsibilities are expected to be fulfilled by subsequent developer(s). Several key features from this agreement are provided and are the basis of some of the staff analysis for the Commission's consideration. The entire Agreement is also attached for your reference.

- (1) The City agrees to annex the property into the City.
- (2) The zoning application for this property will seek to rezone the Property to R1B.
- (3) The City agrees to make municipal water service available to the Property for future development. The cost to connect to the existing nearest municipal water service to the Property will be the City's responsibility. The owners shall pay for the running of any lateral.
- (4) The Owner shall extend the municipal water line serving the property to the west property line to allow the future extension of the municipal water service to the adjoining property at the earlier of any development of the Owners property that encompass forty percent (40%) or more of the area of the Property, or at the time of a Phase II development.
- (5) The Owner shall extend the municipal sanitary sewer line servicing the Property to the west property line to allow the future extension of the municipal sanitary sewer service to the adjoining properties at the earlier of any development of the Owners' property that encompasses forty percent (40%) or more of the area of the Property or at the time of a Phase II development.
- (6) The Owner shall conduct a traffic impact study for the development of the Property prior to submitting any subdivision request to the Oxford Planning Commission for review. The Owners are responsible for the signalization of the entrance/entrances as determined by the Service Director, based on the traffic impact study for the development of the Property.
- (7) It is the owners' responsibility to ensure the drainage easement at the Property serving the adjoining property to the west be maintained and respected.
- (8) The Owners agree to dedicate sufficient right-of-way to construct an acceleration/deceleration lane at Fairfield Road and Contreras Road entrances to the Properties.
- (9) The Owners are required to dedicate a bike trail/path through this property to connect Fairfield Road to Contreras Road. The land dedicated for the bike trail/path right of way shall be a minimum of 20 feet with pavement width being 10'. Said right-of-way shall be located on the 20 feet immediately adjacent to the west property line of the Property.

ZONING REGULATIONS

REQUIRED SITE PLAN SUBMITTAL

- 1145.05(a)(6)(H) Approximate location and design of all proposed vehicle and pedestrian routes and nonresidential vehicle management areas.
- 1145.05(a)(6)(I) Approximate location and size of all existing and proposed utilities that will serve the planned development.
- 1145.05(a)(6)(J) Approximate location, size and type of all proposed signs.
- 1145.05(a)(6)(K) Approximate location, height, and type of all proposed screening and landscaping.

SECTION 1145 PLANNED DEVELOPMENT

- 1145.12(c)(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.

Staff Finding: ~~The proposed development would be a total of 28 buildings 4-unit complex; a multi-dwelling arrangement.~~

The revised plan shows the development would be approximately 22.36 acres of tract having 22 buildings (4-unit complex) for a total of 88 dwelling units.

- 1145.12(d): Residential Density. Residential density shall not exceed 110 percent of the density permitted in the underlying zoning district.

Staff Finding: The allowable density for a PUD in a R1B is 6.4 dwellings per acre. ~~The proposed development will have 4.77 dwellings per acre.~~

The revised plan shows the proposed development will be approximately 3.92 dwelling units per acre.

- 1145.12 (e)(2): Front setback shall be limited in the underlying zoning district. *A minimum front setback is 30' for R1B district.*

Staff Finding: ~~The proposed site plan shows the setback from 30 feet to 70 feet along the street frontage.~~

The setback to the internal street is between 15' to 20'. No proposed building will face the collector road connecting Fairfield and Contreras Roads.

- 1145.12(f)(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.

Staff Finding: ~~The proposed project would present approximately 65% of the lot coverage for the entire project. This issue needs to be discussed by the Planning Commission.~~

The revised site plan indicates the lot coverage area is approximately 39.6%. Staff received the detailed calculation of the lot coverage for this project and determined that the lot coverage would be 47%.

- 1145.12(h) (2) The required perimeter setback area shall be retained in natural woods or suitably landscaped with grass, ground cover, shrubs, trees, or earthen mound.

Staff Finding: No landscaping plan is shown. *The Applicant has provided a typical landscaping plan used for other projects. It is assumed that this development would have a similar plan and would be ready during the final PUD consideration.*

- 1145.12(i) Access and Mobility. Adequate pedestrian connectivity shall be provided to and through a planned development.

Staff Finding: The site plan shows a sidewalk along the 80' road dissecting the property, but does not show any sidewalks within the development or along Fairfield Road or Contreras Road.

The "proposed public road" would be 66 feet in width. No multi-purpose path is indicated on the revised site plan.

The revised site plan shows a sidewalk on Fairfield Road with an additional right-of-way being dedicated and an additional sidewalk is also shown on one side of the internal roadway connecting to the public streets. Internal roadways are to be 24 feet in width, with one additional segment, on the south-west corner of the development, to be only 20 feet in width. Please also note that the roadway width is 18' serving each 4-unit building.

114512(j) Utilities and infrastructure: Electric and telephone facilities, street light wiring, and other wiring conduits and similar facilities shall be located underground.

Staff Finding: Detailed submittal should be provided during the final development review.

1149.03(C) *General Regulations of Vehicle Management: All off-street parking space shall contain a rectangular area of a minimum of 9 feet wide and 20 feet long, except that parallel parking spaces shall be a minimum of 22 feet long.*

Staff Finding: *The off-street parking spaces around the Club House only show to be 9 feet by 19 feet.*

ANNEXATION AGREEMENT REQUIREMENTS: Several issues that were stipulated in the Annexation Agreement that are not shown on this application and require the Planning Commission's consideration when deliberating its recommendations are:

- A. Traffic Impact Study: The agreement stipulates that a traffic impact study shall be conducted prior to submitting any subdivision request to the Planning Commission for review. No traffic study was completed to be reviewed by the Service Director.
- B. Acceleration/deceleration lanes at Fairfield and Contreras Road entrances. The application does not show any dedication of sufficient right-of-way to construct an acceleration/deceleration lane to the property.
- C. The drainage easement at the property serving the adjoining property to the west shall be maintained and respected.

ZONING CODE COMPLIANCE: ~~The submitted site plan does not provide information related to pedestrian routes, utilities, landscaping or any proposed signage, per 1145.05(a)(6)(H),(I),(J),(K).~~

~~Furthermore, the proposed development plan does not meet the lot coverage for the residential portion, and there was no landscaping plan for review, per Section 1145.12(f)(2), 1145.12(h)(2).~~

The PUD Preliminary submission does require information on the approximate location for landscaping, signage and utility. However, the Applicant did provide typical information from other projects and indicated that this project could be designed and constructed the same as other projects. It is important to realize that staff has not reviewed the signage and landscaping plan since the enclosed information was only for illustration purposes.

STAFF ANALYSIS

~~This is a Planned Development request to develop approximately 23.5 acres of land into 28 building 4-dwelling complex for a total of 112 units of single family residential. There are different issues of the development that require extensive discussion and deliberation prior to making any recommendations~~

The revised layout was first presented to the Planning Commission at its January meeting as a Concept to gather the Commission's comments finalizing the revision for preliminary consideration. The revised plan shows that the project has been reduced to 22.46 acres of land to have 22 buildings of 4-dwelling complex for a total of 88 units of single residential.

A minimum of 25 feet perimeter setback is required for any PUD development. The proposed site plan depicts a perimeter setback of 25' to 35' to satisfy the requirement. The Annexation Agreement does stipulate that there shall be 20 feet of a multi-purpose path on the western side of this property. None is provided. A 35' mounding is being proposed along the west side of this site.

It would appear this revised layout has addressed many issues identified from the previous analysis. Two detention ponds are shown on the revised site plan to accommodate any surface storm water generated from this development.

The pedestrian sidewalk along the main roadway is addressed in the companion piece (Myer Subdivision request). It would appear that the sidewalk serving this PUD area would connect to the subdivision side along the northern entrance point. As indicated in this report, some preliminary information was not included, but can and must be provided in the final submission. That information includes signage, landscaping/screening and all utility serving this development. Staff believes that all internal roadways within this PUD will be developed as private streets. Furthermore, a homeowners association will be formed to maintain all the common areas.

RECOMMENDATION

Staff believes this revised layout has met many requirements of Chapter 1145. There are several issues that require the Commission's deliberation:

- 1. Lot coverage issue*
- 2. Sidewalk issue*
- 3. Private streets and the width of the private streets*
- 4. The location of the multi-path as stipulated in the Annexation Agreement*

SUBMITTED

BY:

Jung-Han Chen
Jung-Han Chen, AICP
Community Development Director

DATE: January 30, 2009

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 1/30/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-28-2008

Description:

PC-28-2008

PLANNED DEVELOPMENT, Villas of Oxford, 24 acres, 112 homes, R1B (Single-family medium density residential) located between Contreras and Fairfield Roads, Foundation Development Group LLC, Applicant (Tabled)

☒ Review

☐ Revisions

☐ Other

Comments or status update requested by: Lynn Taylor

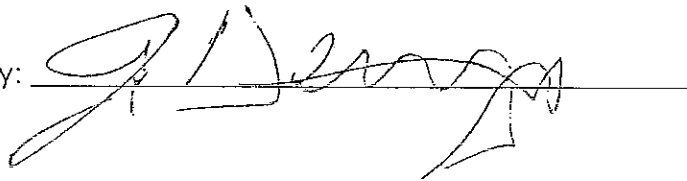
Please return no later than: **2/5/2009** Note: If no comments are received, we will assume the project meets your department's standards.

.....
Drawings are returned: w/comments

without/comments

These are revised plans

Drawings reviewed by:



City of Oxford
Inter-Office Review Transmittal Sheet

Date: 11/17/2008

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-28-2008

Description:

PC-28-2008

PLANNED DEVELOPMENT, Villas of Oxford, 24 acres, 112 homes, R1B (Single-family medium density residential) located between Contreras and Fairfield Roads, Foundation Development Group LLC, Applicant

 X Review Revisions Other

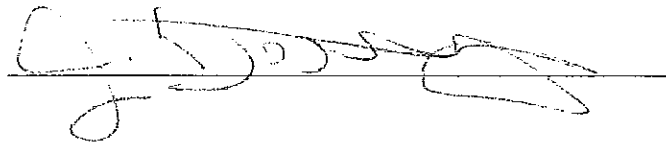
Comments or status update requested by: Lynn Taylor

Please return no later than: **12/2/2008** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:



City of Oxford
Inter-Office Review Transmittal Sheet

Date: 1/30/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-28-2008

Description:

PC-28-2008 **PLANNED DEVELOPMENT**, Villas of Oxford, 24 acres, 112 homes, R1B (Single-family medium density residential) located between Contreras and Fairfield Roads, Foundation Development Group LLC, Applicant (Tabled)

☒ Review ☐ Revisions ☐ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **2/5/2009** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

SEE MEMO DATED 2-5-09.

These are revised plans

Drawings reviewed by: *A. Popescu*



Memo

Service Department
Engineering Division

513/524-5208 fax 513/524-5267

TO: Community Development Department

FROM: Victor Popescu, P.E.
City Engineer

RE: Case # PC-28-2008
Villas of Oxford

DATE: February 5, 2009

Below are the Engineering Division's comments on the submitted Preliminary Plan dated October 2008, revised January 26, 2009, and received by the Engineering Division on January 30, 2009.

- Consider looping the water mains within the development.
- All "Local Streets" require a 60' right-of-way. Refer to the attached standard drawing.
- Is the storm sewer system private? If not, easements are required.
- Where will the gas and electric mains/services be located? Easements may be required.
- Easements for water mains must be 20 linear feet in width.
- Will the developer of the Myers Subdivision be extending the water main along Fairfield Road? If not, who will do the extension?
- The water main between Lots 15 & 22 requires a fire hydrant ahead of the east end.

If there are questions, please contact the Engineering Division at 513-524-5208.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 11/17/2008

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-28-2008

Description:

PC-28-2008

PLANNED DEVELOPMENT, Villas of Oxford, 24 acres, 112 homes, R1B (Single-family medium density residential) located between Contreras and Fairfield Roads, Foundation Development Group LLC, Applicant

☒ Review ☐ Revisions ☐ Other

Comments or status update requested by: Lynn Taylor

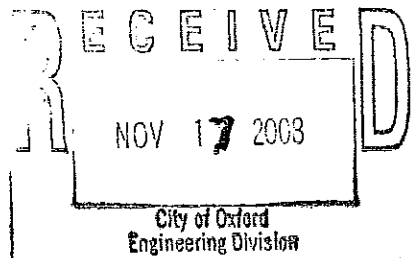
Please return no later than: **12/2/2008** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

SEE MEMO DATED 12-1-08.

Drawings reviewed by:

A. Jensen 12-1-08





Memo

Service Department
Engineering Division

513/524-5208 fax 513/524-5267

TO: Community Development Department

FROM: Victor Popescu, P.E.
City Engineer

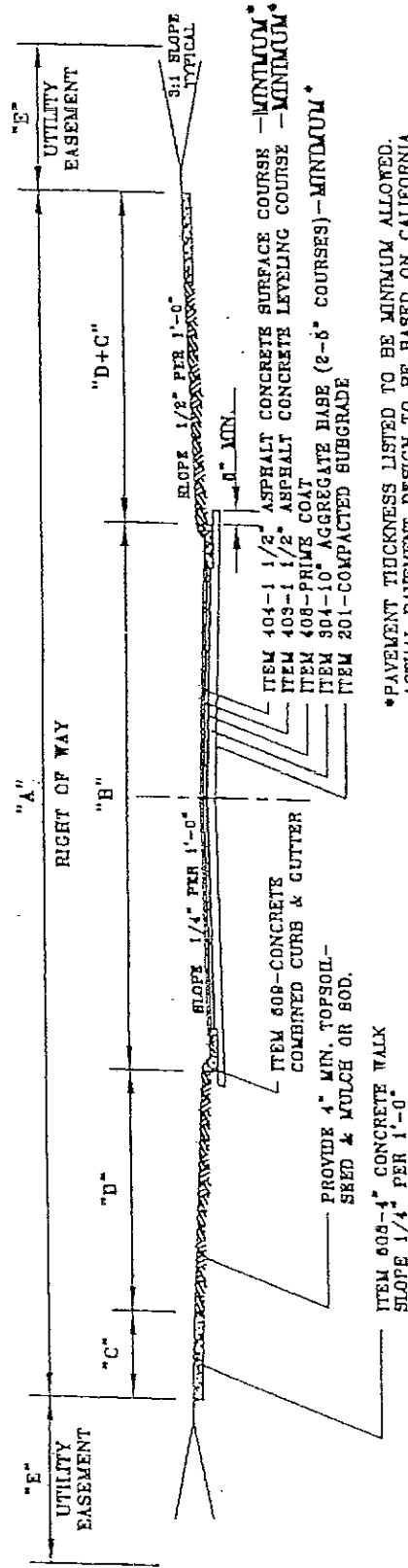
RE: Case #: PC-28-2008
Villas of Oxford

DATE: December 1, 2008

Below are our comments.

- There are no utilities shown on the submittal.
- Sanitary sewer, storm sewer and water mains require easements, which are not shown on the submittal.
- All easements must be 20 linear feet in width.
- Without a typical section for the streets, we reserve the right to comment on the roadway width at a future time.
- A traffic impact study for the entire development will be required. The impact study must include the single family development, as well.
- Are acceleration/deceleration lanes proposed for the subdivision's entrance from Contreras Road and Fairfield Road?

If there are questions, please contact the Engineering Division at 513-524-5208.



*PAVEMENT THICKNESS LISTED TO BE MINIMUM ALLOWED. ACTUAL PAVEMENT DESIGN TO BE BASED ON CALIFORNIA BEARING RATIO (CBR) VALUE OF SOIL IN THE IMMEDIATE DEVELOPMENT AREA. A MINIMUM OF ONE SOIL BORING SHALL BE TAKEN FOR EVERY 1000' OF ROADWAY IN THE SOIL MATERIAL THAT IS REPRESENTATIVE OF THE STREET SUBGRADE.

SUB GRADE SHALL BE PREPARED IN ACCORDANCE WITH ITEM 203 OF THE MOST CURRENT EDITION OF THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION CONSTRUCTION MATERIAL AND SPECIFICATIONS MANUAL.

BEFORE THE PLACEMENT OF ASPHALT COURSES, THE BASE COURSE SHALL BE PROOF ROLLED UNDER THE PRESENCE AND SUPERVISION OF THE CITY OF OXFORD IN ACCORDANCE WITH ITEM 304 OF THE MOST CURRENT EDITION OF THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION CONSTRUCTION MATERIAL AND SPECIFICATIONS MANUAL. IF ASPHALT COURSES ARE INSTALLED WITHOUT PROOF ROLLING IN THE PRESENCE OF A CITY INSPECTOR, THE STREET WILL NOT BE ACCEPTED BY THE CITY.

MINIMUM	
A	60'
B	35'
C	5'
D	5'
D+C	10'
E	10'

REQUIRED STANDARD DIMENSIONS

*SUBDIVISIONS/PUD'S WITH PRELIMINARY APPROVAL PRIOR TO MARCH OF 1997 ARE SUBJECT TO STANDARDS IN EFFECT AT THE TIME OF APPROVAL.

City of Oxford
Engineering Department

LOCAL STREET
TYPICAL SECTION

STANDARD DRAWING #3

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 11/17/2008

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-28-2008

Description:

PC-28-2008 **PLANNED DEVELOPMENT, Villas of Oxford, 24 acres, 112 homes, R1B (Single-family medium density residential) located between Contreras and Fairfield Roads, Foundation Development Group LLC, Applicant**

☒ X ☐ Review ☐ Revisions ☐ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **12/2/2008** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by: SSCHWEY

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 1/30/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-28-2008

Description:

PC-28-2008 **PLANNED DEVELOPMENT**, Villas of Oxford, 24 acres, 112 homes, R1B (Single-family medium density residential) located between Contreras and Fairfield Roads, Foundation Development Group LLC, Applicant (Tabled)

☒ Review ☐ Revisions ☐ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **2/5/2009** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

These are revised plans

Drawings reviewed by: JS Schaefer

*My only concern is with street widths
so that we do not end up w/another Kelly Drive.*

My only concern is with street widths so that we do not end up with another Kelly Drive.

114



Oxford Planning Commission
Case # PC-27-2008
Case # PC-28-2008

12-1-2008

Economic Development review comments.

My comments pertain to the overall development of the Paulin property verses the two individual proposals being presented. Each project individually can be an asset to the community, especially the Villas of Oxford which will provide housing for "empty nesters".

From an Economic Development perspective I am concerned with the manner in which the agreed upon Multi-Use Path is being implemented. The annexation agreement required a 20' easement with 10' wide multi-use path on the edge of the property. It appears the multi-use path being provided is a "share the road" arrangement.

This is an economic development issue for two reasons.

- The first is the communities which have an off the road network of multi-use paths have a great deal use by individuals coming in for the day to use the system. This creates a ripple effect in people eating and shopping in town.
- The second reason is a network of independent multi-use paths increases the quality of life for the community. As quality of life factors increase in a community, the community becomes more attractive for families and businesses to locate.

The goal of the OAT's (Oxford Area Trails) is to have an off road multi-use path surrounding and connecting the city. I encourage the Planning Commission to continue to support the OAT's plan.

Alan Kyger
Economic Development

LETTER OF AGENCY

To Whom It May Concern::

Please be advised that Mr. Timothy H. Myers, 5020 College Corner Pike, Oxford, Ohio has permission to represent our interest with the City of Oxford and act on our behalf for the Planning Commission and City Council regarding the subdivision Preliminary and Final Plans on our property of 54 acres + or -. Said property is located West of the Knolls of Oxford between Fairfield and Contreras Roads and has been amended into the City of Oxford.

Harry R. Paulin
Owner/Trustee:
Company Name & Address

11/25/2008
Date

Case No.: PC-28-2008
Date filed: 10/24/2008

Planned Development Application
City of Oxford, Ohio

REQUIRED INFORMATION

Name of Applicant: FOUNDATION DEVELOPMENT GROUP LLC
(Attach a letter of agency if the applicant is not the property owner.)
Mailing Address: 1156 NEIL AVE COLUMBUS OH 43201
299 -
Telephone Number(s): 614-222-4540
Name of Subdivision: VILLAS OF OXFORD
Location of Property: LOCATED BETWEEN FAIRFIELD RD + CONTRERAS
Legal Description: SEE ATTACHED
Zoning District: R1-B
Number of Lots: NA
Total Acreage: 24 Acres
Surveyor/Engineer: EMH+T
Address: 8790 GOVERNORS HILL DR CINTION 45249
Phone Number: 513-697-8701

DRAWING REQUIREMENTS

Please submit thirteen (13) complete sets of all information with each preliminary and final application. 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.

If any information is submitted in color or on non-standard paper, more copies may be required.

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. Evidence sufficient to ensure that the applicant has the financial capacity to complete the proposed development
5. Evidence of unified control of all land in the proposed area
6. The name, mailing address, and telephone number of any planner, engineer, surveyor, or other design professional who assisted with preparation of the plans
7. Description of Use and Site
 - a. A written, detailed description shall include the following information. A separate response is required for each subsection.
 - b. A legal description of the site, including all separate lots -2000-1000
 - c. A description of the existing uses of the site
 - d. The zoning districts in which the site is located
 - e. A description of the proposed PD
 - i. The number of housing units by size and type proposed within each phase
 - ii. A description of any nonresidential operations, including type of goods sold, services performed, and expected number of customer, clientele, delivery, and service vehicles
 - iii. The hours of operation of any nonresidential use
 - iv. 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

- f. A narrative statement that evaluates the compatibility of the proposed PD with the general vicinity and adjacent properties
 - i. 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
 - ii. How any existing structures, proposed structures, and the site design relate to adjacent structures and sites
 - iii. If the proposed uses will involve any operations that create potential nuisances such as excessive noise, lighting, odor, fumes, vibration, or emissions
 - iv. How any potential negative effects on adjacent land will be mitigated
- g. A statement about why the location proposed is appropriate for the PD
 - i. A statement of the necessity or desirability of the proposed PD to the neighborhood or community
 - ii. 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
 - iii. The substance of proposed covenants, easements, and other restrictions on the land and structures
 - iv. For a CPD, an independent market analysis sufficient to ensure that the planned commercial entities have a reasonable chance of success
 - v. A list of the names, mailing addresses and parcel numbers of all property owners within 200 feet of the site, including those across streets, roads, alleys and highways. NOTE: The Butler County website (www.butlercountyohio.org/auditor) is very helpful when searching for the mailing address of adjoining property owners. Once the site is up, click on online searches, then click on real estate. It will allow you to search by owner, address or parcel number.
 - vi. 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.
8. 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 of all Primary Conservation areas, and all proposed parks, playgrounds, pedestrian paths and other open space areas
 - g. Location, height, dimensions, and use of all proposed and existing structures
 - h. Location and design of all proposed vehicle and pedestrian routes and nonresidential vehicle management areas
 - i. Approximate location and size of all existing and proposed utilities that will serve the PD
 - j. Location, size, and type of all proposed signs
 - k. Location, height, and type of all proposed screening and landscaping
 - l. Distances to residential zoning districts if within 1,000 feet
 - m. The use of land and location of structures on adjacent property and across adjacent rights-of-way
 - n. The location of any nearby schools and commercial facilities
 - o. Other information as required by the Planning Commission or Council
9. Elevations

Elevations of proposed structures or typical elevations if structures are not yet designed.
10. Other

Photographs of any existing uses, vacant land, and the surrounding area

B. Final Plan Additional Submission Requirements

Maps in the form required by the City of Oxford Subdivision Regulations, with such modifications and additions as required concerning such items as building sites when used as a substitute for lots, common open space not dedicated for public use, and other matters as appropriate to planned

developments generally or to the specific planned development. Similar modifications of standards contained in the Subdivision Regulations or in other regulations or policies applying generally may be reflected in such maps and report if the Planning Commission shall find and shall certify, after consultations with other agencies of government as appropriate in the specific case, that the public purposes of such regulations or policies are as well or better served by specific proposals of the final plan and reports.

1. Topographic data map drawn to a scale of 100 feet to one inch by a registered surveyor or engineer showing:
 - a. Boundary lines: bearings and distances.
 - b. Easements: location, width, and purpose.
 - c. Wooded areas, streams, lakes, marshes, and any other physical conditions that affect the site.
 - d. Ground elevations on the tract: for land that slopes less than one-half percent, show one-foot contours; for land that slopes more than one-half percent, show two foot.
 - e. If deemed necessary, subsurface conditions on the tract, including the location and results of tests made to ascertain the conditions of subsurface soil, rock and ground water, and the existing depth of ground water.
2. A general site and land use plan for the planned development as a whole, indicating sub-areas for phased development, if any, and showing location and use of structures and portions of structures in relation to building site lines; floor plans of the buildings involved, indicating horizontal dimensions, uses of space, and floor area; elevations of the buildings involved, indicating height, and if required, in determinations for the particular building or use location and dimensions of all windows and other glassed areas; building sites reserved for future use and uses for which sites are reserved, automotive and pedestrian circulatory networks, principal parking areas, open space not in building sites and use for which it is intended, and such other matters as are required to establish a clear pattern of the relationship to exist between structures, uses, circulation and land.
3. Agreements, Contracts, Deed Restrictions, and Sureties:
 - a. Filing a performance and labor and material payment bond in the amount of 110 percent of the estimated construction cost as determined by the City.
 - b. Depositing or placing in escrow or certified check, cash, or other acceptable pledge, in the amount of 110 percent of the construction cost as approved by the City.

NOTE: Incomplete applications CANNOT be processed.

Submit this application, required copies of the preliminary plan containing all required information and the required fee (\$400 plus \$100.00 per acre for preliminary subdivision or planned development), made payable to the City of Oxford, to the office of the Planning Director, Municipal Building, 101 East High Street, Oxford, Ohio 45056. Any questions should be directed to the Planning Department at (513) 524-5204. The plan will be placed on the next possible agenda

NOTE: Notification and publication requirements must be adhered to. Submit materials 45 days prior to the proposed Planning Commission meeting date.

SIGNATURE OF APPLICANT: _____

Date: 10-24-08

PRINTED NAME: _____

FEE / RECEIPT

\$400 plus \$100.00 per acre - Paid / Receipt Number: 14205

VILLAS OF OXFORD NARRATIVE RESPONSE

7.B - A legal description of the site, including separate lots

See Attached Legal Description

7.C - A description of the existing uses of the site

The site is currently used for agriculture uses while the annexation into the City of Oxford has been pending

7.D - The Zoning District in which the site is located

R1-B

7.E - A description of the proposed PD

88 ranch homes arranged in four unit buildings. The buildings will be a mix of the specific home types below. The streets will be private and maintained by the Community Association.

The homes types are:

Abbey – 1718 SF of living space

Villa – 1325 SF of living space

Chateau – 1926 SF of living space

Canterbury – 1861 SF of living space

The square footages do not include garage space or options chosen by the residents when purchasing their home.

A clubhouse for the community will be provided for the resident's use and enjoyment. The clubhouse will be owned by the Community Association and be solely for the Villas of Oxford residential use. All units will have two car garages. Please see attached elevations and floor plans of the units.

7.F - A narrative statement that evaluates the compatibility of the proposed PD with the general vicinity and adjacent properties

The proposed use is a residential community geared to the lifestyles of Oxford's empty nester population. It will be located adjacent to and is anticipated to be constructed simultaneously with Tim Meyer's proposed single family community on the North side of the property. A shared public road will be located along the eastern property line of the single family community and the Villas of Oxford. Sidewalks will be integrated between the communities for pedestrian traffic to enjoy. On the East Side of the property is an existing Retirement Community that is self insulated from our property.

Significant drainage improvements will be made on the property to capture the stormwater run off and comply with all local, state, and federal requirements. These improvements will mitigate the existing drainage from the property west of the Villas of Oxford through our property into the Retirement Communities property. The Stormwater improvements will be turned into an amenity through the creation of Retention basins shown on the attached Site Plan.

7.G - A statement about why the location proposed is appropriate for the PD

The Villas of Oxford will conform to the requirements of the PD district and utilize the density requirements of the current R1-B zoning district. Through a curvilinear layout and innovative unit type a new product geared towards empty nesters can be offered to the residents of Oxford. This home type will be a natural transition between the existing multi-family retirement community on the East of the property and the proposed Single Family R1-B community on the North side.

Market studies have shown that there is a strong demand for upscale, single story maintenance free living in the City of Oxford. Our homes and community is directly targeted to meet this demand. In our other Butler County communities we have great success, and a significant portion of our buyers are from the Oxford vicinity. We believe this single story ranch living option will be well received by the residents.

All of our homes will be served by public sewer and water currently adjacent to the property.

A Condominium Association will be established for the community to maintain the clubhouse and other common area facilities for the resident's benefit.

Attached to our application are names and addresses of all property owners within 200 feet of the site. ← *available for viewing in the Community Dev. Dept. during regular business hours.*

ZONING DESCRIPTION
22.456 ACRES

Situated in the State of Ohio, County of butler, Township of Oxford, located in Lots 1 and 2, Section 20, Township 5, Range 1, being more particularly bounded and described as follows:

Beginning, for reference, at the southeast corner of Lot 1, and the southeast corner of Section 2, said point being in the centerline of Fairfield Road;

thence North $87^{\circ} 57' 40''$ West, with the southerly line of said lot and section and in the centerline of Fairfield Road, a distance of 110.45 feet to the TRUE POINT OF BEGINNING;

thence North $87^{\circ} 57' 40''$ West, continuing with the southerly line of said lot and section and in the centerline of Fairfield Road, a distance of 754.48 feet to a point;

thence North $01^{\circ} 59' 43''$ East, with the easterly line of Jack F. and Susan K. Grove tract, a distance of 1244.16 feet to a point;

thence across said Lot 1, the following courses and distances:

South $87^{\circ} 28' 09''$ East, a distance of 430.52 feet to a point;

North $02^{\circ} 31' 51''$ East, a distance of 125.00 feet to a point;

South $87^{\circ} 28' 09''$ East, a distance of 50.00 feet to a point;

South $02^{\circ} 31' 51''$ West, a distance of 125.00 feet to a point;

South $87^{\circ} 28' 09''$ East, a distance of 310.00 feet to a point;

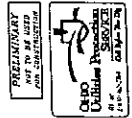
South $02^{\circ} 31' 51''$ West, a distance of 1172.64 feet to a point on the arc of a curve to the right;

with the arc of said curve, having a central angle of $89^{\circ} 30' 31''$, a radius of 39.06 feet, an arc length of 39.06 feet, a chord bearing and distance of South $47^{\circ} 17' 06''$ West, 35.20 feet to a point;

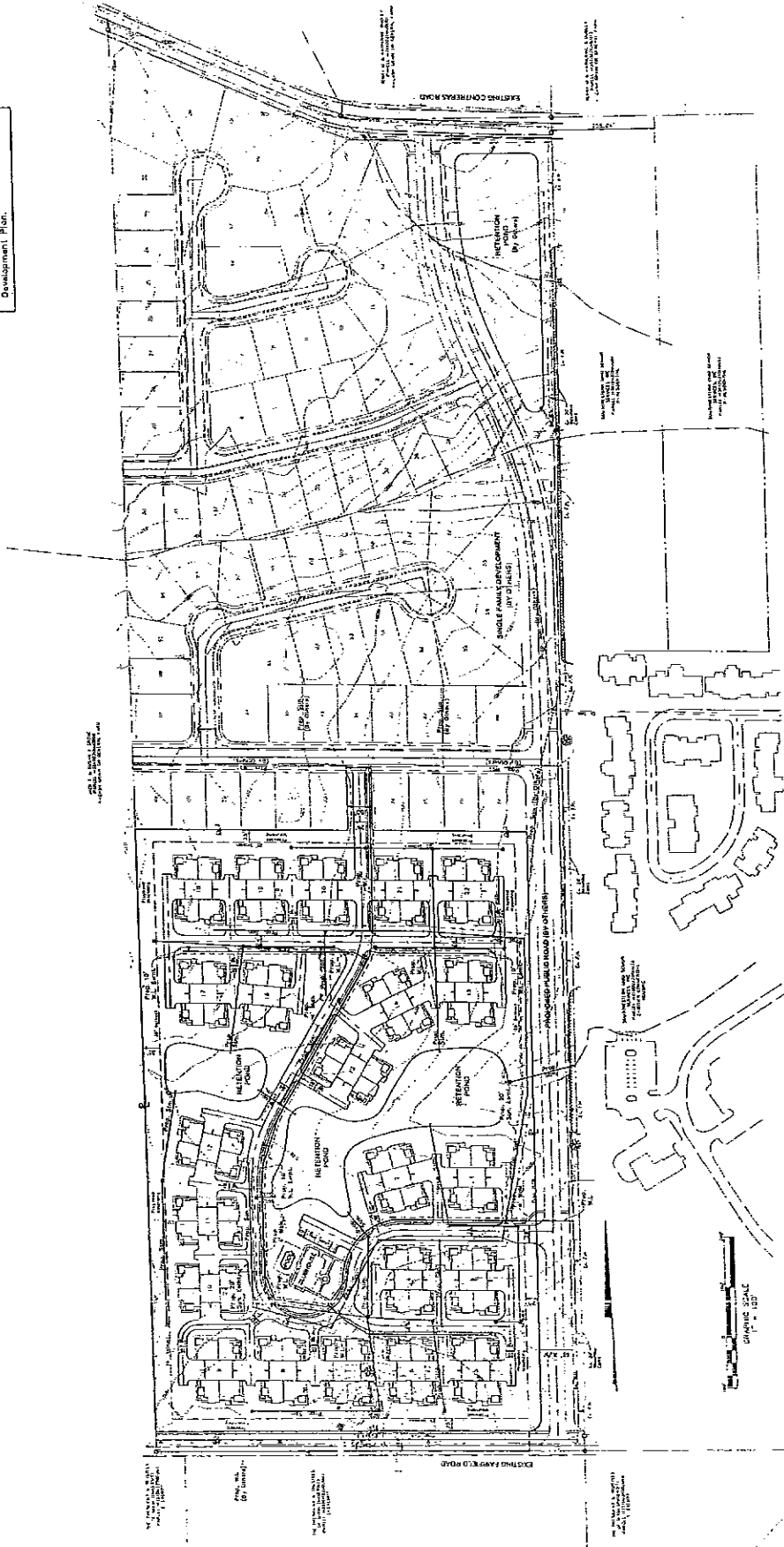
South $02^{\circ} 02' 22''$ West, a distance of 40.00 feet to the TRUE POINT OF BEGINNING and containing 22.456 acres of land, more or less.

EVANS, MECHWART, HAMBLETON, & TILTON, INC.

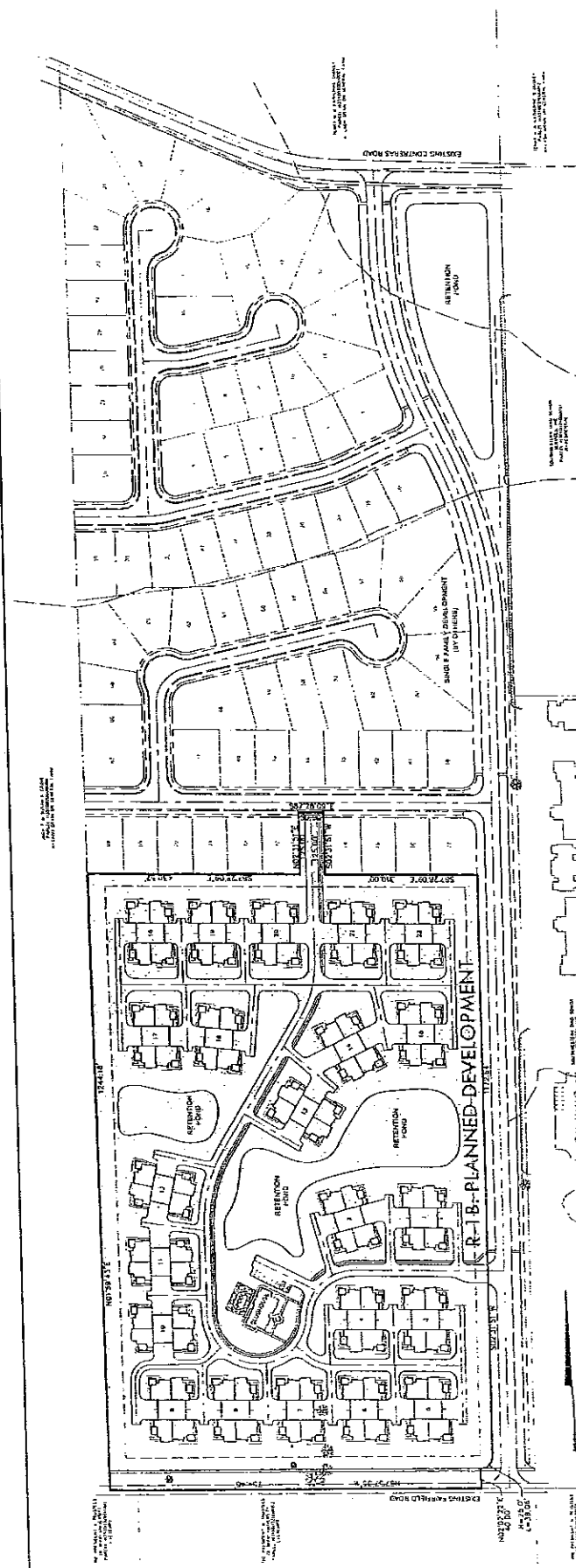
EM&T Engineering, Mapping & Technology, Inc. 10000 Old York Road, Suite 100 York, PA 17403 Phone: 717-333-1111 Fax: 717-333-1112 Email: info@emtinc.com		2 of 3 2012-2013 2012-2013 2012-2013
PRELIMINARY PLANNED DEVELOPMENT PLAN THE VILLAS OF OXFORD		SECTION 20, TOWN 5, RANGE 1 Butler County, Ohio City of Oxford
SITE LOCATION Section 20, Town 5, Range 1 Butler County, Ohio City of Oxford		2012-2013 2012-2013 2012-2013



NOTE:
Proposed Utilities are Conceptual and are subject to change with the final Development Plan.

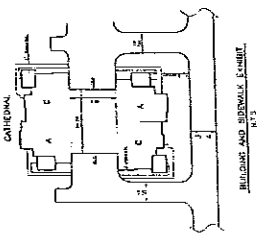
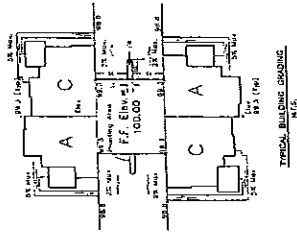
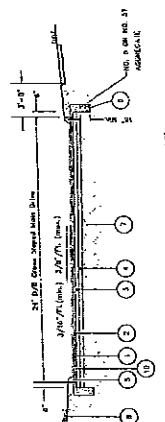
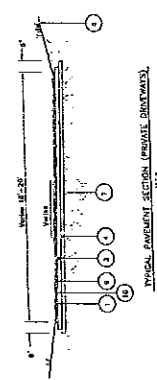


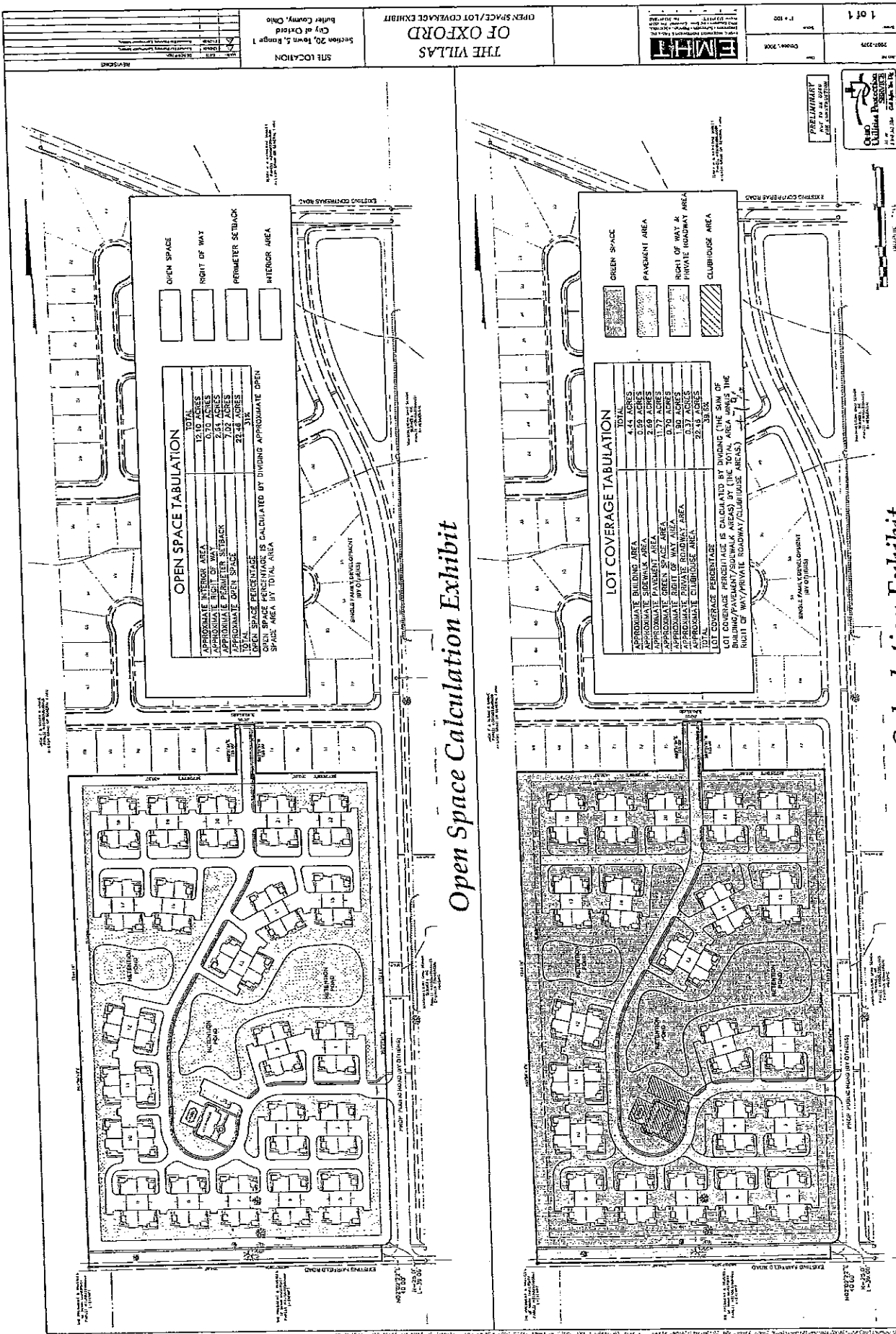
Current design
Site Plan



Overall Plan and Zoning Designation

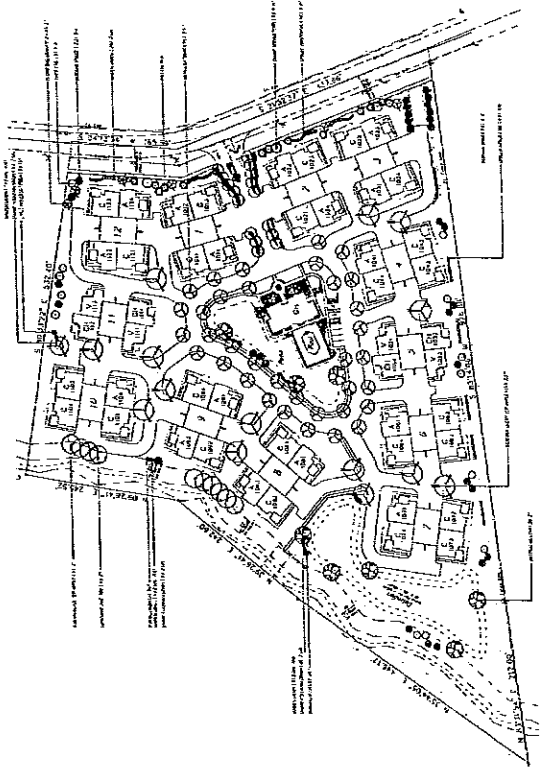
- LEGEND**
- 1. NEW 4IN. 11/12" ASPHALT CONCRETE
 - 2. NEW 4IN. 3" ASPHALT CONCRETE
 - 3. NEW 4IN. 4" AGGREGATE BASE
 - 4. 1" NO. 3 STONE
 - 5. 1" NO. 3 STONE
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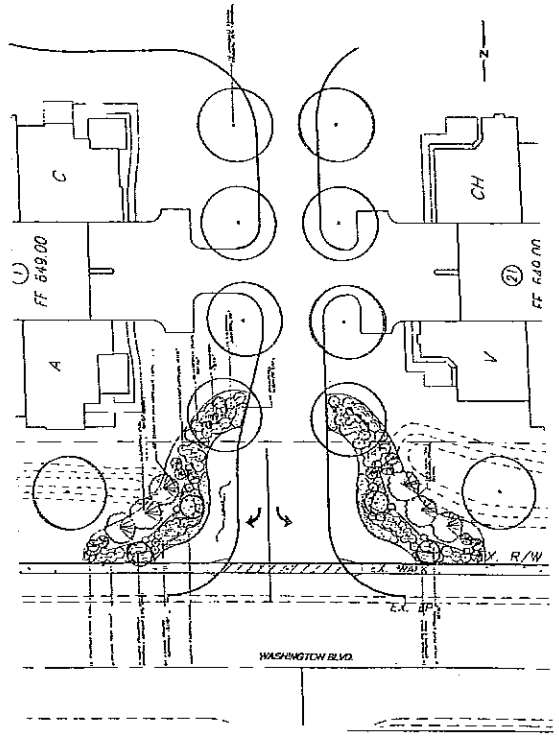


Open Space Calculation Exhibit

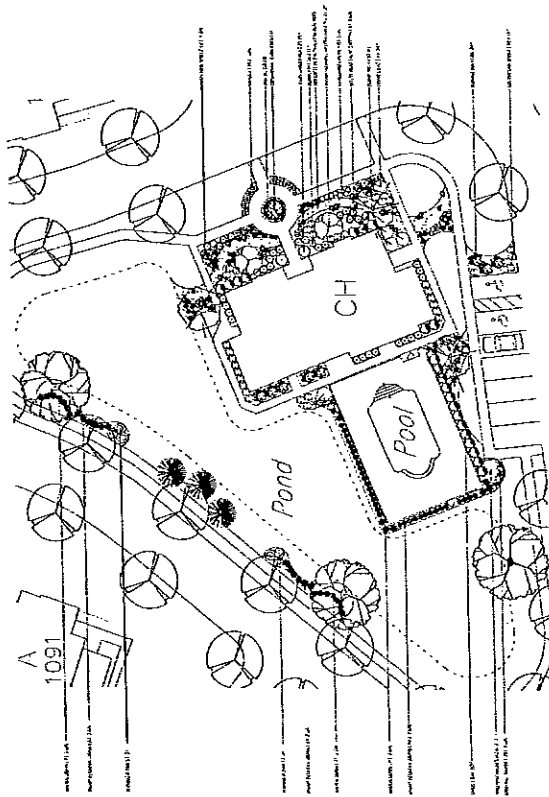
Lot Coverage Calculation Exhibit



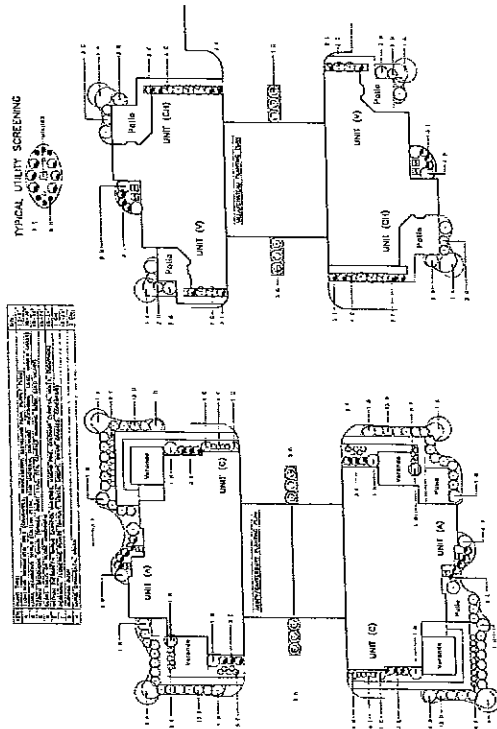
TYPICAL OVERALL SITE LANDSCAPE



TYPICAL ENTRANCE LANDSCAPE



TYPICAL CLUBHOUSE LANDSCAPE



TYPICAL BUILDING LANDSCAPE



Homesites at
HAMILTON
WEST

RANCH CONDOS
2/3 BR - 2 CAR

FALL 2005

(513) 868-9378
www.foundationdg.com

AN EPCON COMMUNITY

NOTE: THIS SIGNAGE TO BE PLACED AT APPROXIMATELY 12 LOCATIONS ALONG THE TREE LINES DIRECTING TREE PRESERVATION.

CONSTRUCTION PRESERVATION SIGNAGE
NOT TO SCALE

NOT TO SCALE

EPICON[™]
Consultants

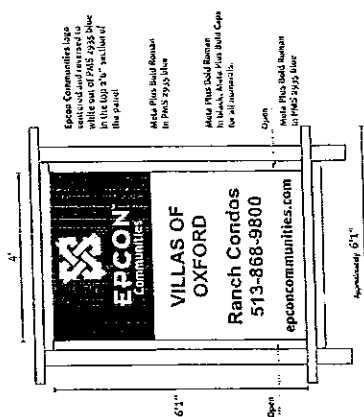
PRESERVATION AREA

**DO NOT
DISTURB**

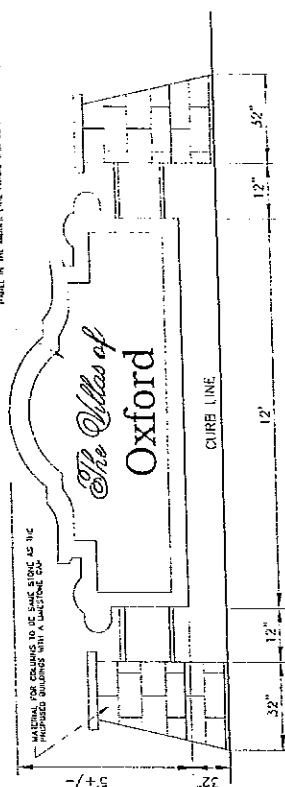
NOTE: THIS SIGNAGE TO BE PLACED NEAR THE PROPOSED ENTRANCE.

TEMPORARY CONSTRUCTION ENTRANCE SIGNAGE
NOT TO SCALE

NOT TO SCALE



QUESTA MATTERIA È DI PROPRIETÀ DI LUCI D'ALBA S.p.A. TUTTI I DIRITTI RISERVATI. È vietata espressamente la ristampa o l'uso non autorizzato senza permesso scritto dalla LUCI D'ALBA S.p.A.

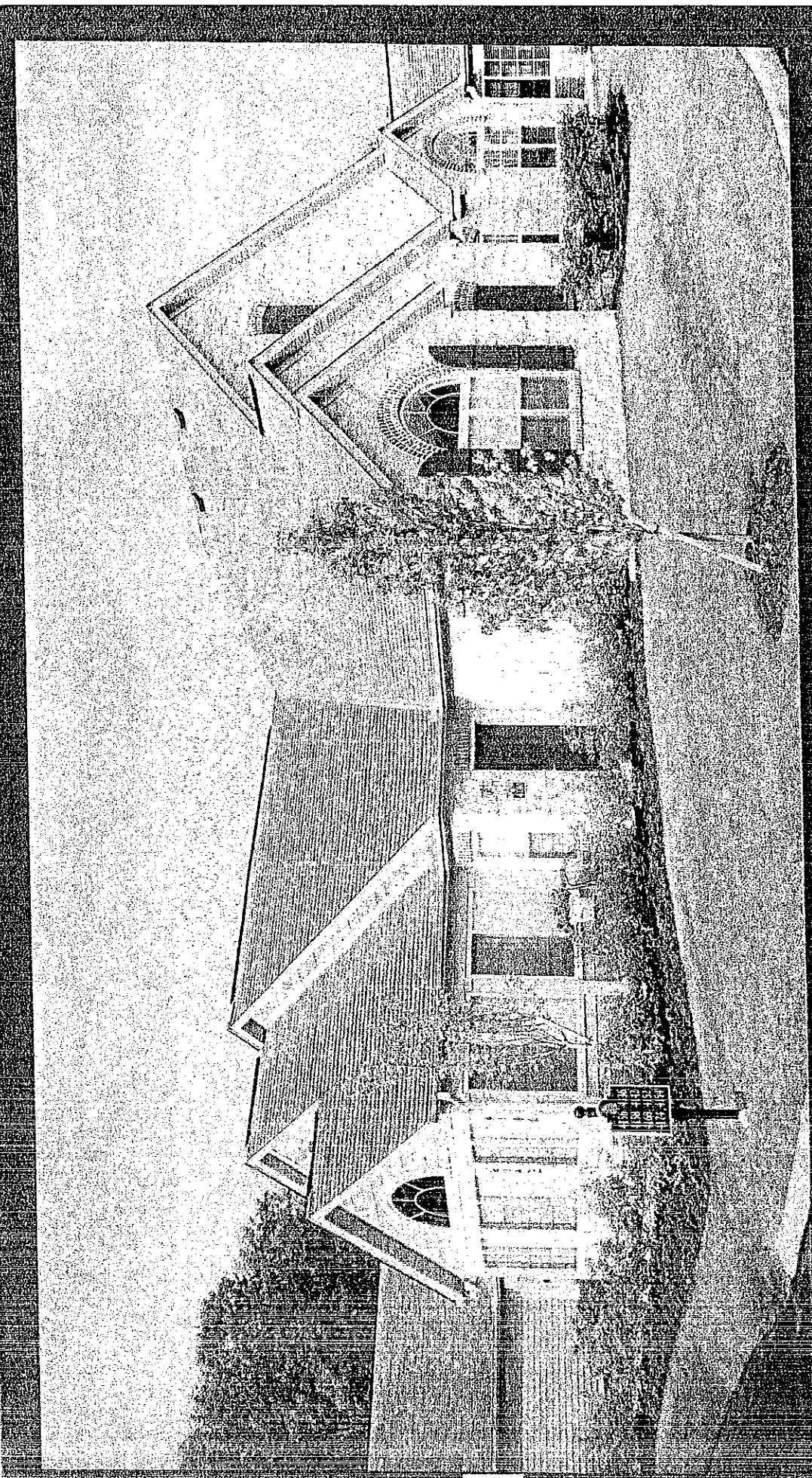


ANCHORING TO BE INSTALLED ON BOTH SIDES IN THE GROUND, TWO FLOOR
ANCHORS ON EACH SIDE FOR THE SIGN ITSELF AND BULKING AT EACH CORNER
ON THE THREE ENTENCED SIDES.

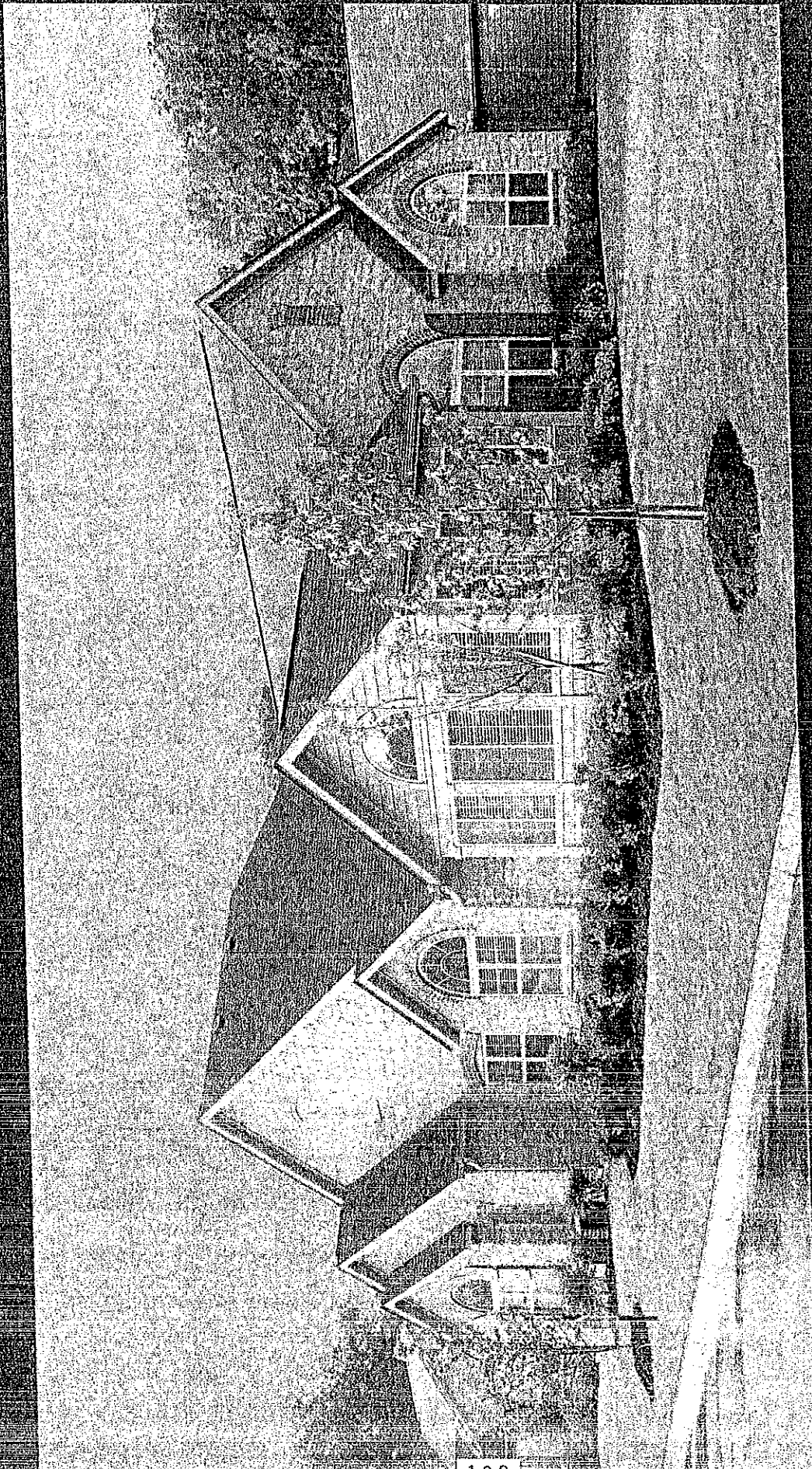
ENTRANCE MONUMENT DETAIL
NOT TO SCALE

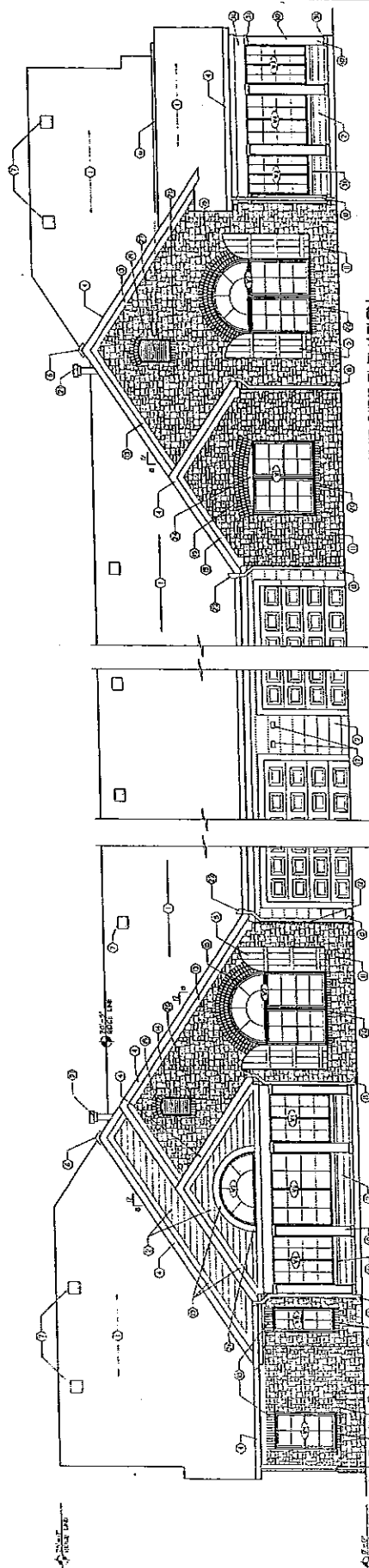
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Home Types & Elevations



EPCON
Communities





NOTICE UNIT 9 OF ELEVATION

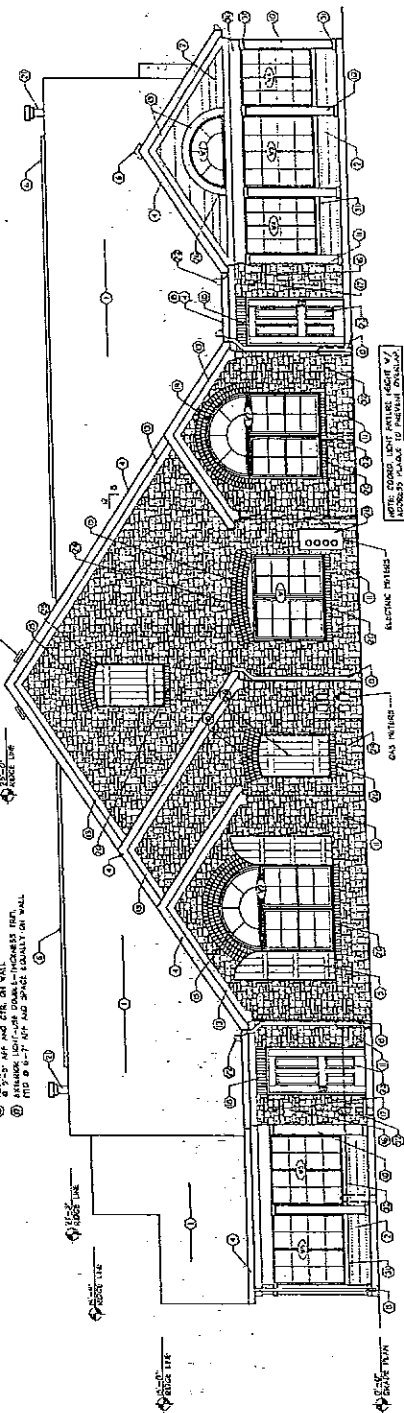
CODED NOTICE

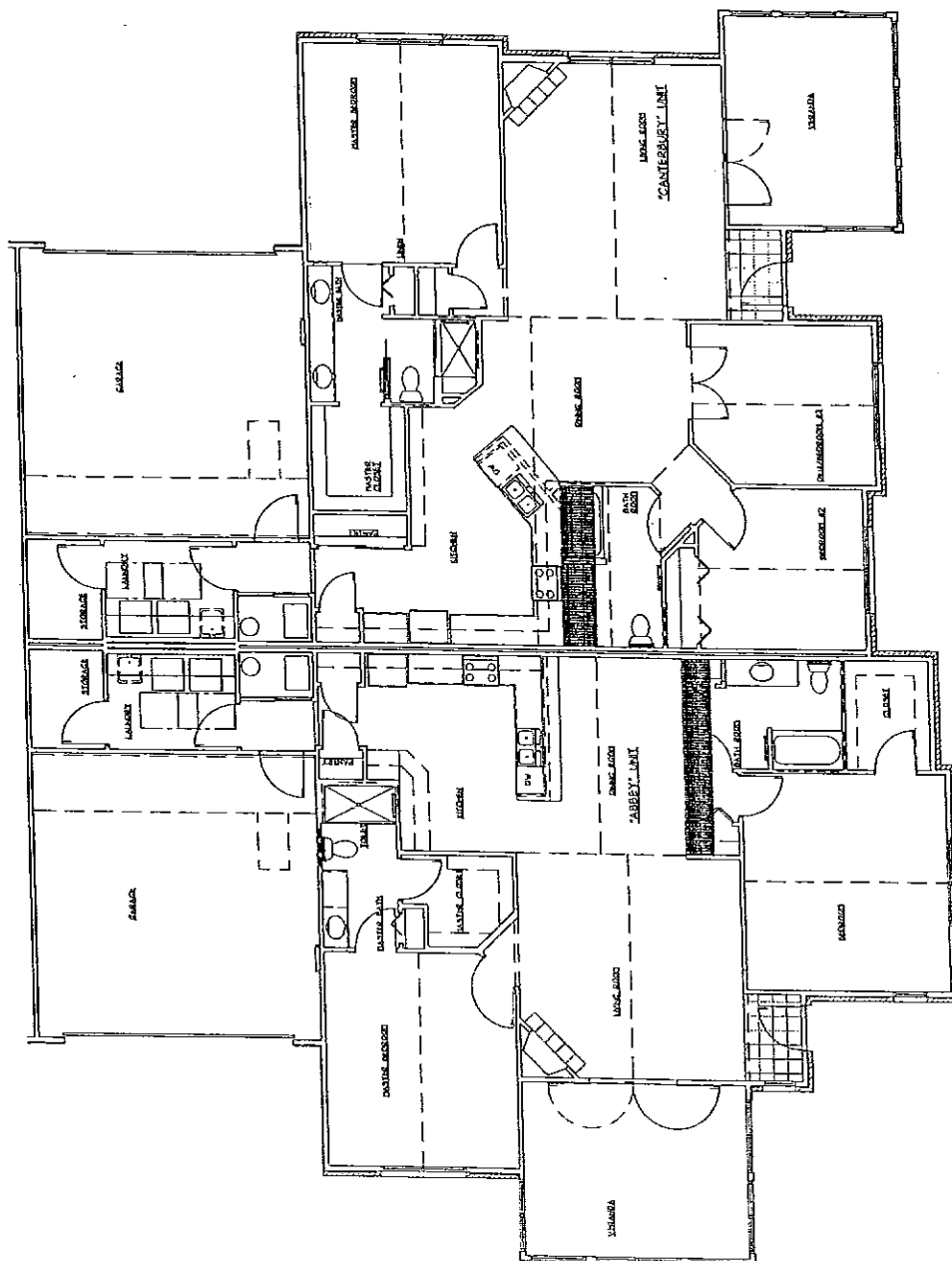
- ① SAMPLE PREPARED TO BE OVEN DRIED
- ② FINE-POURED COARSELY GRINDING AT LOUISIANA
PLANT FOR BULK, GOOD STATE
- ③ NOT USED
- ④ PASTA, SPHIT
- ⑤ WOOD SHUTTERS, MET DATA N.Y.
- ⑥ PROPOSED USED WITH COORDINATE COLOR
- ⑦ COORDINATE COLOR
- ⑧ COORDINATE COLOR
- ⑨ COORDINATE COLOR
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- 20 STAINLESS COUPLER BRACKET
21 DOUBLE ROW LOG ARCH BRACKET
TO DETAILS A/4.1 AND B/4.1
22 ROW LOG SILL COURSE
23 6" PREFABRICATED METAL FLUE
W/ RAINCAP AND SCREEN WITH
24 1/2" RAINCAP AND SCREEN WITH

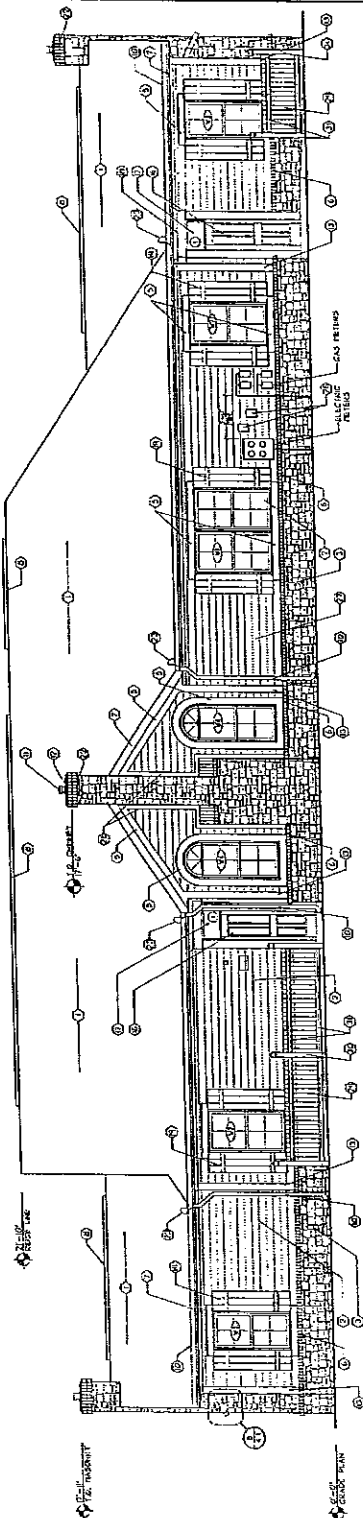
- [illegible]

- GENERAL NOTE:**
1. WITH GREAT TYP. NEED TO HAVE THE (V.A.) OFFICE WHERE VOUCHERS FEELS THEY ARE CHALLENGING COORDINATE WITH VOUCHER SELECTION [PAID OUT THE INT'L & NEEDED]
 2. EMPHATIC RECOMMENDED THAT UTILITY REFUSES BE LEFT
 3. ALONG OUTSIDE PROPERTY HAVE A PERSONNEL
 4. GROUND UP SHINY TYP. TO DONAT STAINC. HOUSE-PLANE AND
 5. FURNISH TO BE CONSIDERED REMAINS OF THE INTELLIGENCE REPORT MATERIALS WHEN ISSUED IN THE STATE. SOME MAY CONFIRMATION AS

ABBAY-CANTERBURY AND ELEVATION



APPROXIMATE UNIT PLAN



CHATEAU-VILLA AND ELEVATION
SCALE: 1/4"=1'-0"

CODED NOTED

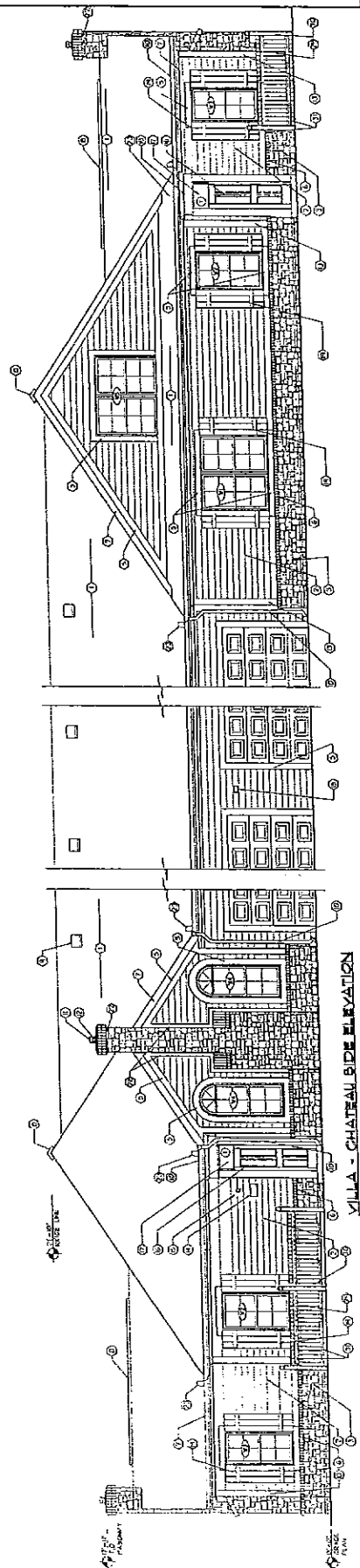
- ① 10' x 10' x 10' concrete cube
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- [illegible]

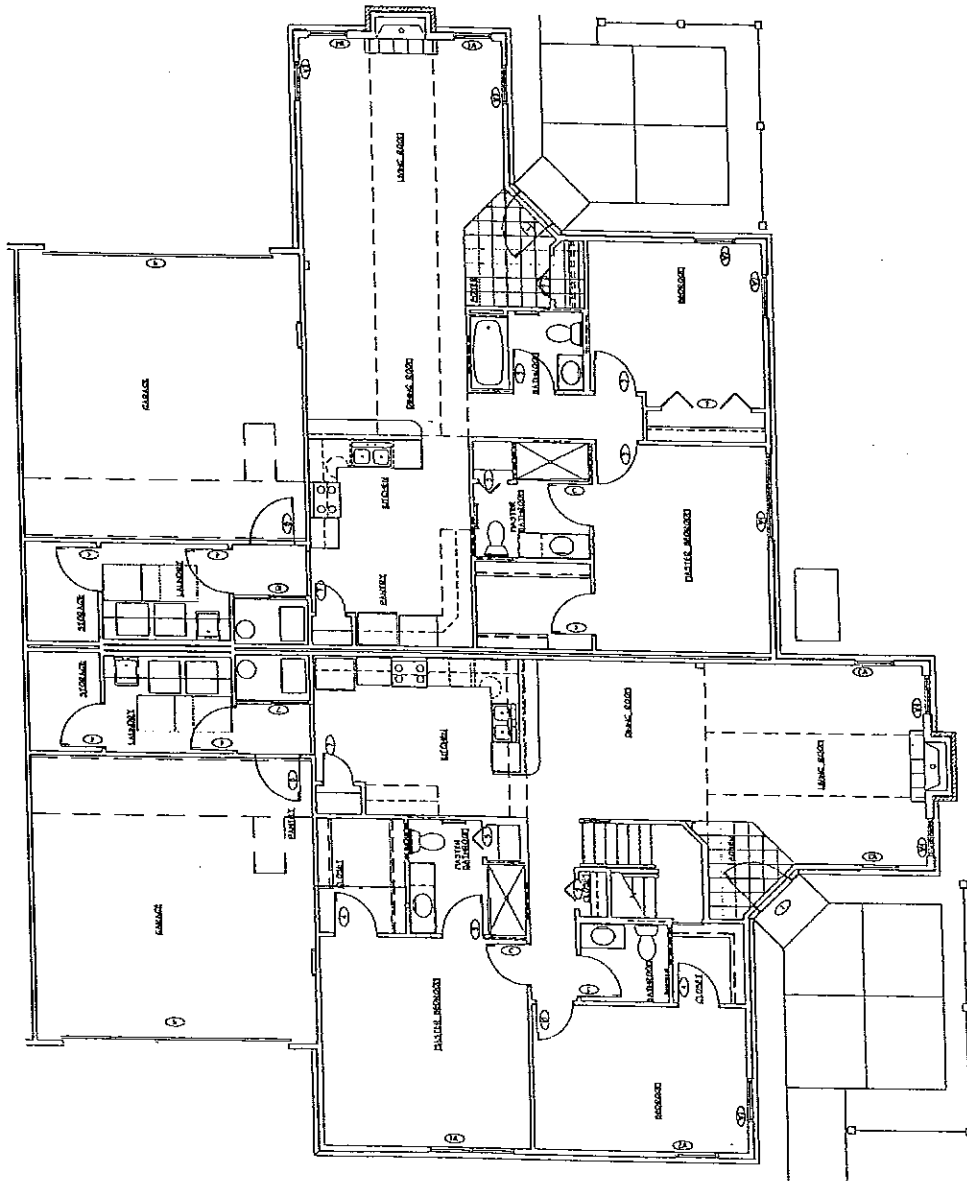
- [illegible]

Date	Issued In	Date
11/19/86	Permit	
	Final	
	Construction	
	Asph/Pavement	
	Utilities	
	Other	

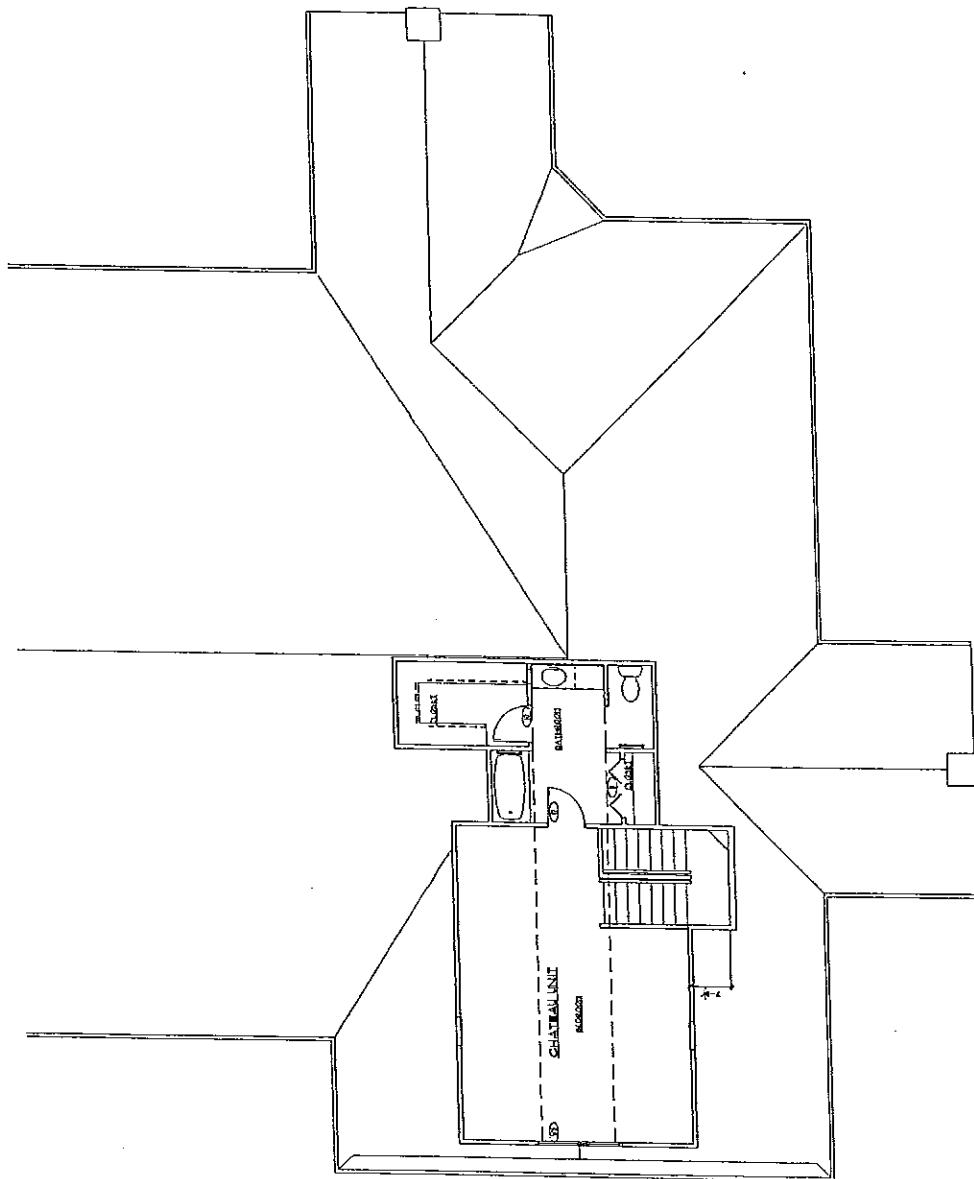
(1) ALL SCALE DIMENSIONS IN
FOOTING DETAILS AND
FOUNDATION DETAILS AND

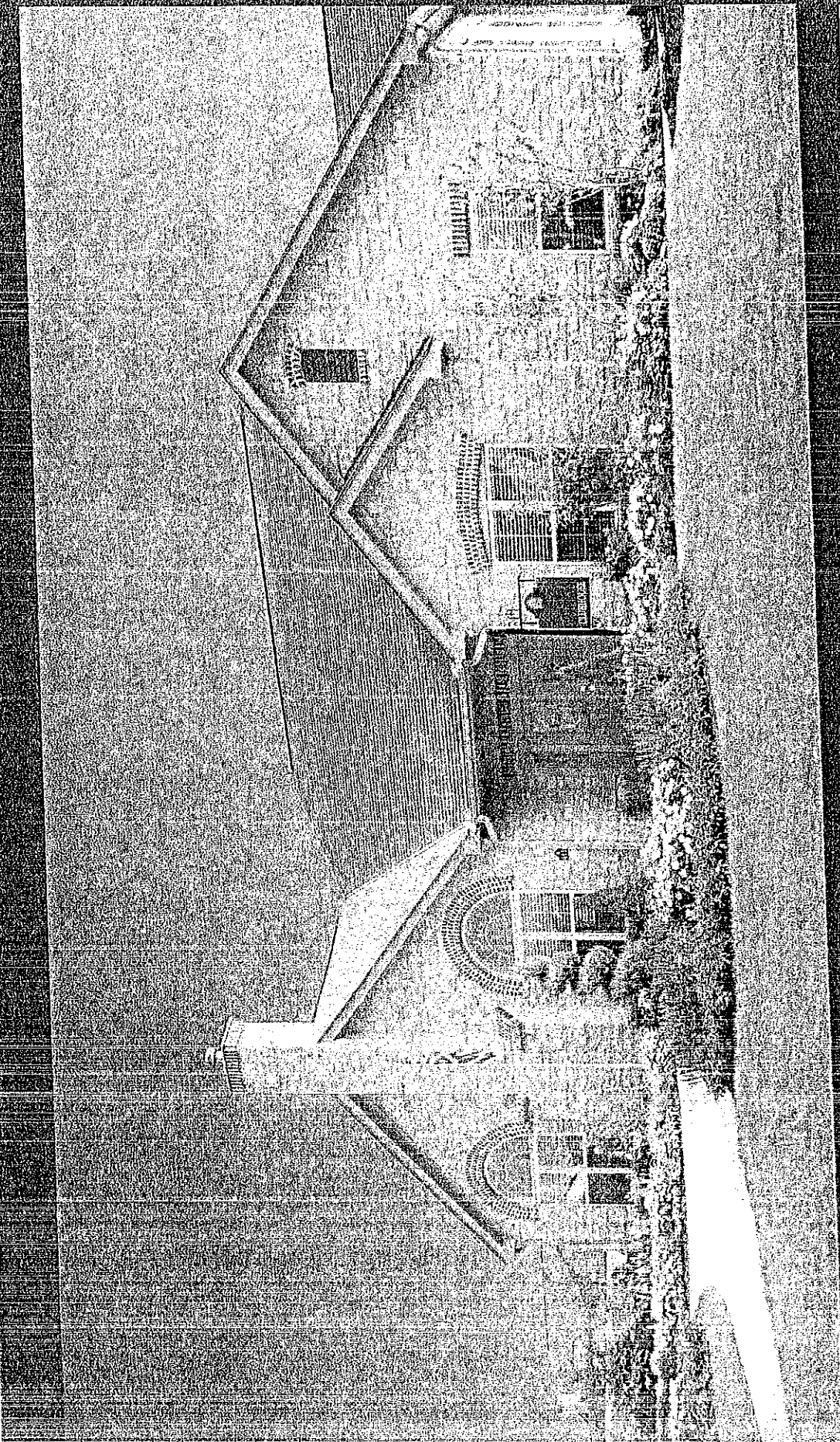


VILLA - CHATEAU BIDE ELEVATION



CHATEAU - VILLA FIRST FLOOR PLAN
SCALE: 1/4"=1'-0"





EPCON
Communities

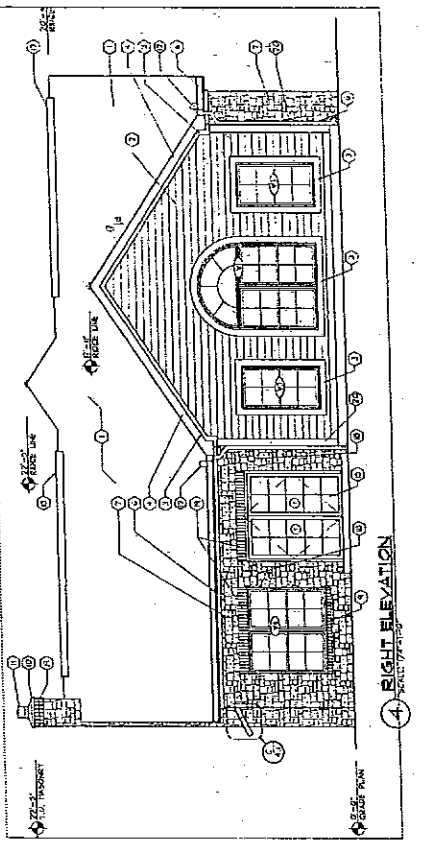
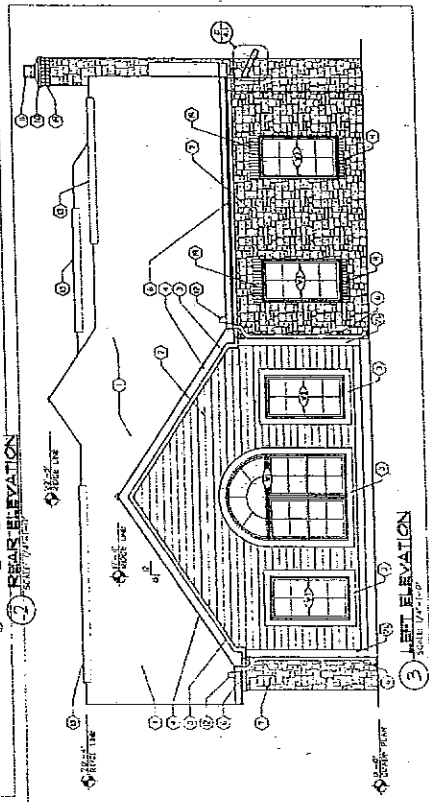
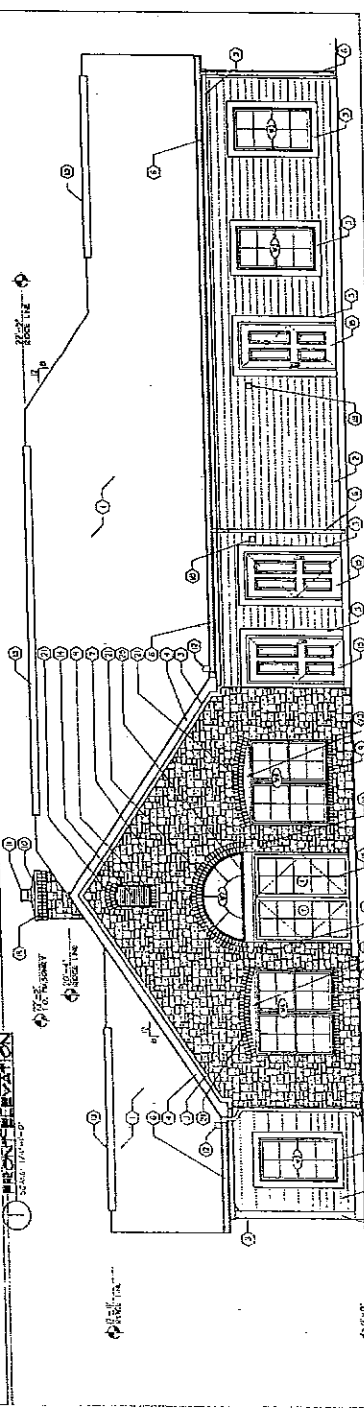
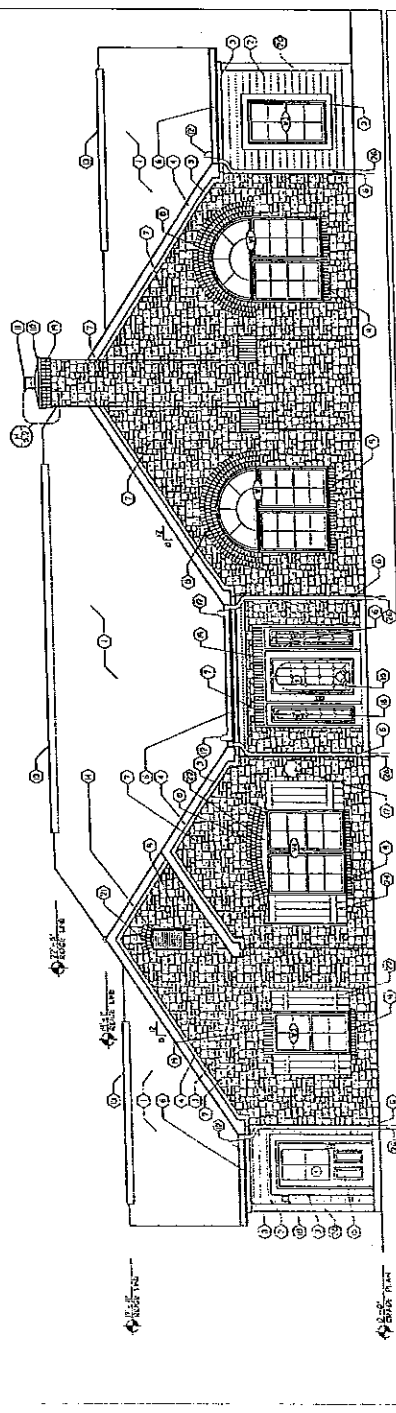


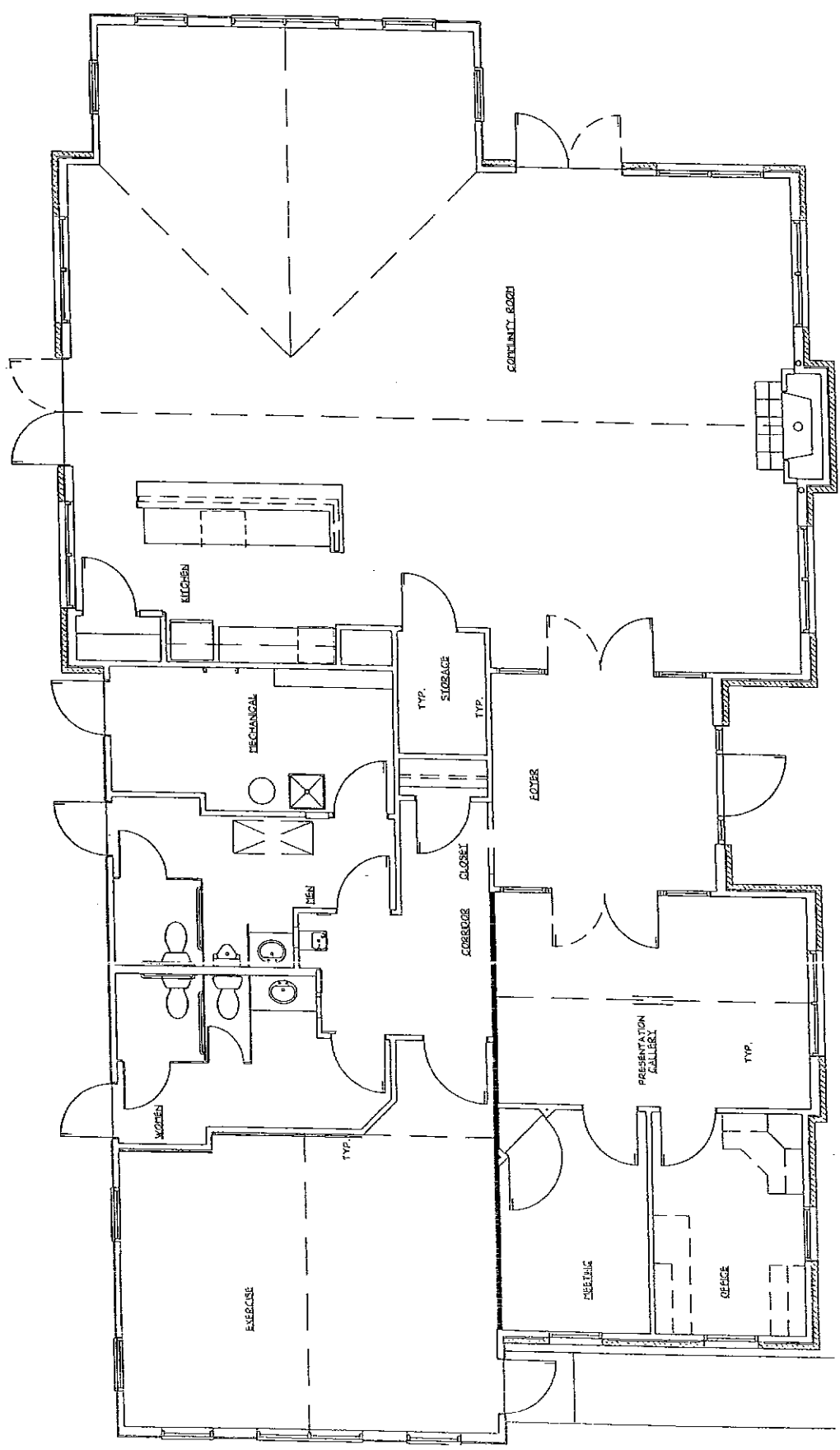
DATE: 11/11/11
DRAWN BY: J. L. TROSBY
CHECKED BY: J. L. TROSBY
APPROVED BY: J. L. TROSBY

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CH 4.1EC

- GENERAL NOTES:**
1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 2. FINISHES ARE TO BE SHOWN ON THE DRAWING.
 3. MATERIALS ARE TO BE SHOWN ON THE DRAWING.
 4. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
 5. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE AND BONDING.
 7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY UTILITIES AND SERVICES.
 8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY TRANSPORTATION AND LOGISTICS.
 9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY COMMUNICATIONS AND NETWORKING.
 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SECURITY AND PROTECTION.
 11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY MAINTENANCE AND REPAIRS.
 12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CLEANING AND SANITATION.
 13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PEST CONTROL AND VERMIN REMOVAL.
 14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY FIRE PROTECTION AND SAFETY.
 15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY ENVIRONMENTAL PROTECTION AND RESTORATION.
 16. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY HISTORIC PRESERVATION AND RESTORATION.
 17. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY ARCHITECTURAL AND ARTISTIC RESTORATION.
 18. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY STRUCTURAL AND MECHANICAL RESTORATION.
 19. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY ELECTRICAL AND PLUMBING RESTORATION.
 20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY HVAC AND CLIMATE CONTROL RESTORATION.
 21. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SOUND AND VIBRATION RESTORATION.
 22. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY LIGHTING AND VISIBILITY RESTORATION.
 23. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SCHEDULING AND TIMING RESTORATION.
 24. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY BUDGETING AND COST CONTROL RESTORATION.
 25. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY QUALITY CONTROL AND INSPECTION RESTORATION.
 26. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY DOCUMENTATION AND RECORDING RESTORATION.
 27. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY COMMUNICATIONS AND REPORTING RESTORATION.
 28. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY TRAINING AND EDUCATION RESTORATION.
 29. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY RESEARCH AND DEVELOPMENT RESTORATION.
 30. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INNOVATION AND CREATIVITY RESTORATION.
 31. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY LEADERSHIP AND MANAGEMENT RESTORATION.
 32. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY TEAMWORK AND COLLABORATION RESTORATION.
 33. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PROBLEM-SOLVING AND CRITICAL THINKING RESTORATION.
 34. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY DECISION-MAKING AND STRATEGIC PLANNING RESTORATION.
 35. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY ORGANIZATION AND ADMINISTRATION RESTORATION.
 36. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY LOGISTICS AND SUPPLY MANAGEMENT RESTORATION.
 37. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY FINANCIAL MANAGEMENT AND ACCOUNTING RESTORATION.
 38. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY HUMAN RESOURCES MANAGEMENT AND PERSONNEL RESTORATION.
 39. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY TECHNOLOGY AND INFORMATION SYSTEMS RESTORATION.
 40. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY ENVIRONMENTAL AND SUSTAINABILITY RESTORATION.
 41. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SOCIAL AND COMMUNITY RESTORATION.
 42. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CULTURAL AND HERITAGE RESTORATION.
 43. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY ARTS AND CREATIVITY RESTORATION.
 44. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SPORTS AND RECREATION RESTORATION.
 45. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY EDUCATION AND TRAINING RESTORATION.
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 99. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY ENERGY AND UTILITIES RESTORATION.
 100. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY TELECOMMUNICATIONS AND NETWORKING RESTORATION.

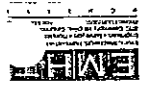




FLOOR PLAN
Scale: 1/8"=1'-0"

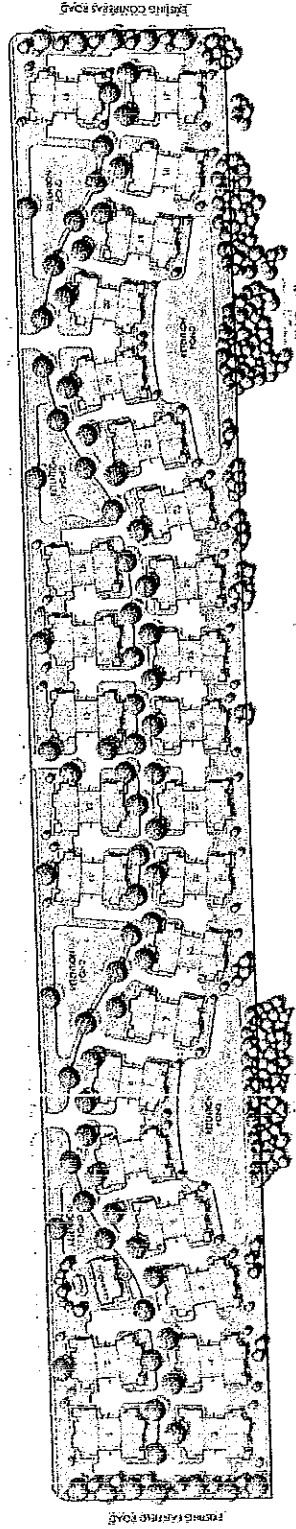
SITE LOCATION
 Section 20,
 City of
 Butler Co.,
 Ohio

EPCON COMMUNITIES
 OF OXFORD
 COLOR SITE PLAN



NOVEMBER, 1964
 1 of 1

SCALE: 1" = 100'



OLD
 PLAN

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development Department
Originating Department

Council Meeting Of: February 17, 2009

Jung-Han Chen

Account Code No. #:

Prepared By

Budgeted Amount:

January 22, 2009

Date Prepared

Agenda Title:	An Ordinance Repealing Chapter 503.02 CLASSIFICATION OF CIVIL OFFENSE and Adopting new Chapter 503.02 CLASSIFICATION OF CIVIL OFFENSE
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Recommendation:	Approval
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Discussion:

The Administrative Ticketing Code was adopted in 2001 to aid City staff in the enforcement of various City regulations, including the Zoning Code. The reference number in this Code was based on the chapter numbers of the previous zoning code. Since then, a new Zoning Code was adopted in 2003 and the Chapter numbers of the new code have been rearranged. The rearranged Chapter numbers of the Zoning Code do not correspond to the Classification of Civil Offense, thus causing a technicality if citations are issued and challenged.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

JHC 11/22/09

AK 2/13/09

ORDINANCE NO.

AN ORDINANCE REPEALING CURRENT SECTION 503.02 CLASSIFICATION OF CIVIL OFFENSES AND ADOPTING NEW SECTION 503.02 CLASSIFICATION OF CIVIL OFFENSES

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

SECTION I: The City of Oxford, Ohio, seeks to promote a clean environment free of trash, litter, and other blighting effects in order to promote the health, safety, and welfare of the community.

SECTION II: Current Section 503.02 Classification of Civil Offenses is repealed and new Section 503.02 Classification of Civil Offenses is adopted to read as follows:

503.02 CLASSIFICATION OF CIVIL OFFENSES

All civil offenses shall fall into one of the following classifications.

- (a) Class A Civil Offenses. A person who violates a standard of conduct set forth in a section or chapter of the Oxford Codified Ordinances listed below is liable for the civil fine specified in Section 503.98 for a Class A Civil Offense. If a person has previously been found to have violated the same provision of the Oxford Codified Ordinances within one year that person may be charged as a second offender and on being found to have committed a second or subsequent offense is liable for the civil fine specified in Section 503.98 for the first violation of a Class B Civil Offense.

(Civil Fines for subsequent offenses)

- * 521.11 Snow and ice removal (**Class B**)
- * 931.02 Container requirements (**Class B**)
- * 931.03 Placement and maintenance of containers (**Class B**)
- * 931.04 Individual disposal prohibited (**Class B**)
- * 931.08 Scavenging on private premises (**Class B**)
- * 931.09 Burning (**Class B**)
- * 931.10 Depositing solid waste or recyclable materials in public or private receptacle (**Class B**)

(Ord.2793. Passed 9-16-03)

- (b) Class B Civil Offenses. A person who violates a standard of conduct set forth in a section of chapter of the Oxford Codified Ordinances listed below is liable for the civil fines specified in Section 503.98 for a Class B Civil Offense. If the provision is listed under paragraph (1) below, the otherwise applicable civil fine is reduced by seventy-five percent (75%) if the person charged shows in accordance with Section 503.04 that the violation has been corrected. If a person has previously been found to have violated the same provision of the Oxford Codified Ordinances within one

year that person may be charged as a second offender and on being found to have committed a second or subsequent offense is liable for the civil fine specified in Section 503.98 for the offense provided below, which fine is not subject to reduction for correction of the violation.

- (1) Class B Civil Offenses With Civil Fines subject to Seventy-Five Percent (75%) reduction for Correction of Violation:

(Civil fines for subsequent offenses)

- * 521.07 Fences/electric fences **(Class B)**
- * 935.10 Pruning for public safety **(Class C)**
- * 935.20 Notice to cut, destroy or remove noxious vegetation **(Class C)**
- * Chapter 1151 Signs **(Class C)**
- * Chapter 1305 International property maintenance Code **(Class C)**
- * Chapter 1327 Flood protection **(Class C)**

- (2) Class B Civil Offenses with Civil Fines not Subject to Seventy-Five Percent (75%) Reduction for Correction of Violation:

(Civil Fines for subsequent offenses)

- * 521.02 Venting, heating and burning **(Class C)**
- * 521.03 Barriers and warning lights **(Class C)**
- * 521.04 Sidewalk Obstructions **(Class C)**
- * 521.05 Notice to fill lots and remove putrid substances **(Class C)**
- * 521.08 Removal of litter on property and watercourse obstruction **(Class C)**
- * 905.08 Sidewalk in repair and free from nuisances **(Class C)**
- * ~~1149.05 Landscaping requirements **(Class C)**~~

- (c) Class C Civil Offenses. A person who violates a standard of conduct set forth in a section of chapter of the Oxford Codified Ordinances listed below is liable for the civil fines specified in Section 503.98 for a Class C Civil Offense. If the provision is listed under paragraph (1) below, the otherwise applicable civil fine is reduced by seventy-five percent (75%) if the person charged shows in accordance with Section 503.04 that the violation has been corrected. If a person has previously been found to have violated the same provision of the Oxford Codified Ordinances within one year that person may be charged as a second offender and on being found to have committed a second or subsequent offense is liable for the civil fine specified in Section 503.98 for the offense provided below, which fine is not subject to reduction for correction of the violation.

- (1) Class C Civil Offenses With Civil Fines subject to Seventy-Five Percent (75%) reduction for Correction of Violation:

(Civil fines for subsequent offenses)

- * ~~4126.01~~ **1307.01** Demolition of Buildings – General **(Class D)**
- * ~~4126.02~~ **1307.02** Demolition of Buildings - Permit **(Class D)**

- (2) Class C Civil Offenses with Civil Fines not subject to Seventy-Five Percent (75%) Reduction for Correction of Violation:

(Civil fines for subsequent offenses)

- * 521.01 Abandoned refrigerators and Airtight containers **(Class D)**
- * 521.06 Sidewalks: Clean and in repair **(Class D)**
- * 521.09 Noxious Odor **(Class D)**

- (d) Class D Civil Offenses. A person who violates a standard of conduct set forth in a section of chapter of the Oxford Codified Ordinances listed below is liable for the civil fines specified in Section 503.98 for a Class D Civil Offense. If the provision is listed under paragraph (1) below, the otherwise applicable civil fine is reduced by seventy-five percent (75%) if the person charged shows in accordance with Section 503.04 that the violation has been corrected. If a person has previously been found to have violated the same provision of the Oxford Codified Ordinances within one year that person may be charged as a second offender and on being found to have committed a second or subsequent offense is liable for the civil fine specified in Section 503.98 for the offense provided below, which fine is not subject to reduction for correction of the violation.

- (1) Class D Civil Offenses With Civil Fines subject to Seventy-Five Percent (75%) reduction for Correction of Violation:

(Civil fines for subsequent offenses)

- * ~~1122.03~~ ~~Use and dimensional restrictions~~ **(Class D)**
- * ~~1122.04~~ ~~Height restrictions~~ **(Class D)**
- * ~~1122.05~~ ~~Yard Regulations~~ **(Class D)**
- * ~~1122.06~~ ~~Performance standards~~ **(Class D)**
- * ~~1122.07~~ ~~Parking space regulations~~ **(Class D)**
- * ~~1123.05~~ ~~Zoning Permit~~ **(Class D)**
- * ~~Chapter 1129 Administration [Zoning~~ **(Class D)]**
- * ~~Chapter 1141 Accessory, Temporary, Supplemental and Environmental Regulations~~ **(Class D)**
- * ~~Chapter 1143 Districts~~ **(Class D)**
- * ~~Chapter 1147 Conditional Use~~ **(Class D)**
- * ~~Chapter 1149 Vehicle Management~~ **(Class C)**
- * Chapter 1301 Building Code **(Class D)**
- * Chapter 1303 Residential Code of Ohio **(Class D)**
- * Chapter 1331 Historic preservation **(Class D)**
- * Chapter 1501 Ohio Fire Code **(Class D)**
- Chapter 1151 Open Burning **(Class D)**
- Chapter 1519 Fireworks **(Class D)**

(Ord.2725. Passed 6-26-01.)

SECTION III: This ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)