City of Oxford OHIO
HOME OF MIAMI UNIVERSITY

Agenda

Oxford City Council

Court House

TUESDAY, APRIL 7, 2009

EXECUTIVE SESSION
7:15 P.M.

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

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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 - 'Boy Scout Troop 930 Month'

Proclamation

B. Proclamation - 'National Occupational Therapy Month'

Proclamation

C. Presentation - McCullough Hyde Memorial Hospital - Mr. Bryan Hehemann

D. Appointments to Boards and Commissions

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

Minutes

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

Minutes

C. Accepting the minutes of the February 20, 2009 Student Community Relations Commission Meeting. (Jung-Han Chen, Community Development Director)

Minutes

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

Report

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

Report

F. Report regarding the March 25, 2009 Civil Service Commission Meeting. (Donna Heck, Human Resources Director)

Report

G. A Resolution authorizing the City Manager to waive the fees adopted in the fee ordinance for the street closings for the Visitors and Convention Bureau for the 2009 annual Summer Music Festival. (Doug Elliott, City Manager)

Staff Report & Resolution

H. A Resolution authorizing a release of a performance bond recorded in Volume 7798, Page 780 of the lien records of the Butler County, Ohio. Recorder's Office for Long Meadow Subdivision, Section 4, and acceptance of a new performance bond. (Mike Dreisbach, Service Director)

Staff Report & Resolution

5. Resolutions.

A. A Resolution granting the Oxford Community Foundation a License to improve a portion of a dedicated alley immediately south of 338 North Locust Street to provide accessible off street parking. (Mike Dreisbach, Service Director)

Staff Report & Resolution

B. A Resolution authorizing the City Manager to enter into an Interlocal Agreement between the County of Butler, Ohio; City of Hamilton, Ohio; City of Fairfield, Ohio; City of Middletown, Ohio; City of Monroe, Ohio; Fairfield Township, Ohio; Lemon Township, Ohio; West Chester Township, Ohio; and the City of Oxford to jointly apply for the 2009 Byrne Justice Assistance Grant (JAG) program award. (Steve Schwein, Police Chief)

Staff Report & Resolution

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 Repealing Zoning Code Section 1141.02 Temporary Regulations, And Adopting New Section 1141.02, Temporary Regulations. (Jung-Han Chen, Community Development Director)

Staff Report & Ordinance

2. An Ordinance Amending Ordinance No. 3033. Supplemental Budget Ordinance Number 4 To Make Supplemental Appropriations For Fiscal Year 2009. (Joe Newlin, Finance Director)

Staff Report & Ordinance

B. Second Reading.

1.An Ordinance Amending Ordinance No. 3033. Supplemental Budget Ordinance No. 3 To Make Supplemental Appropriations For Fiscal Year 2009. (Joe Newlin, Finance Director)

Staff Report & Ordinance

2.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

3.An Ordinance Approving The Planning Commission's Recommendation For Preliminary 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

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 - Apr 8 Fire/EMS Committee Meeting 4:30 p.m. Central Fire Station

THUR - Apr 9 Police Advisory Board Meeting 7:00 p.m. Senior Citizens Center

TUES - Apr 14 Planning Commission Meeting 7:30 p.m.

TUES - Apr 14 Planning Commission Work Session

WED - Apr 15 Board of Zoning Appeals Meeting 7:30 p.m.

FRI - Apr 17 Community Improvement Corporation Meeting 12:00 p.m. LCNB

MON - Apr 20 Housing Advisory Commission 7:00 p.m. Municipal Building 2nd

TUES - Apr 21 City Council Meeting 7:30 p.m.

WED - Apr 22 Civil Service Commission Meeting 7:00 p.m.

WED - Apr 22 Environmental Commission Meeting 7:00 p.m. Municipal

TUES - May 5 City Council Meeting 7:30 p.m.

WED - May 6 Historic and Architectural Preservation Commission Meeting

TUES - May 12 Planning Commission Meeting 7:30 p.m.

FRI - May 15 Community Improvement Corporation 12:00 p.m. LCNB

MON - May 18 Housing Advisory Commission Meeting 7:00 p.m.

TUES - May 19 City Council Meeting 7:30 p.m.

WED - May 20 Board of Zoning Appeals Meeting 7:30 p.m.

MON - May 25 Holiday - City Offices Closed

WED - May 27 Civil Service Commission Meeting 7:00 p.m.

WED - May 27 Environmental Commission Meeting 7:00 p.m. Municipal

8. Adjourn

Office of the Mayor

Proclamation

Whereas: the Ohio Occupational Therapy Association has declared the month of April 2009 to be known as National Occupational Therapy Month; and

WHEREAS, the profession of occupational therapy makes valuable contributions in helping persons master the 'skills for the job of living' after an illness or injury; and

WHEREAS, the services of occupational therapy are available to citizens of Oxford, Ohio through hospitals, home health agencies, schools, clinics, and nursing homes; and

WHEREAS, the health and productivity of our citizens depend upon the effective use of health care resources, including the important services of occupational therapists and occupational therapy assistants.

NOW, THEREFORE, I, Prudence Z. Dana, Mayor of the City of Oxford, Ohio, do hereby proclaim the month of April 2009 as:

'NATIONAL OCCUPATIONAL THERAPY MONTH'

in the City of Oxford and call upon all citizens to recognize the achievements and contributions of these valued health professionals.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 3rd day of April, 2009.

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PRUDENCE Z. DANA, MAYOR

Office of the Mayor

Proclamation

Whereas: the Boy Scouts of America helps young men to build a strong foundation in academics, citizenship and moral values; and

WHEREAS, 2009 marks the 70th anniversary of Boy Scout Troop 930 in Oxford, Ohio; and

WHEREAS, the Oxford Kiwanis Club has provided 70 years of uninterrupted support for Troop 930; and

WHEREAS, the adult leaders of Troop 930 have guided, challenged and inspired the youth of Oxford with activities and projects to the benefit of our community; and

WHEREAS, the boys of Troop 930 have served Oxford with countless hours of community service to organizations both public and private.

NOW, THEREFORE, I, Prudence Z. Dana, Mayor of the City of Oxford, Ohio, do hereby recognize this 70th anniversary of Boy Scout Troop 930 and urge all citizens to support Boy Scout Troop 930 in order to positively impact the lives of our youth.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 3rd day of April 2009.

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PRUDENCE Z. DANA, MAYOR

The Work Session of the Oxford City Council was called to order by Mayor Prue Dana on Tuesday, March 17, 2009 at 7:02 P.M. Those Council members present were: Ken Bogard, Doug Ross, Alysia Fischer, Kate Currie, Richard Keebler and Greig Rutherford.

Staff members present: Doug Elliott, City Manager; Mike Dreisbach, Service Director; Steve McHugh, Law Director; Joe Newlin, Finance Director; Alan Kyger, Economic Development Director; Jung-Han Chen, Community Development Director; Gail Brahier, Parks and Recreation Director and Mary Ann Eaton, Deputy Clerk of Council.

Also present were Phil Cagwin, Darrell Smith, and Mike Davis representing the Talawanda School District.

APPROVAL OF AGENDA

Mr. Keebler moved approval of the Agenda. Ms. Currie seconded. The motion carried 7-0-0.

PURPOSE

The purpose of the Work Session was for Council to discuss funding options for infrastructure improvements needed for the new Talawanda High School.

DISCUSSION

Mr. Elliott provided an overview of the proposed Pre-annexation Agreement between the City of Oxford and the Talawanda School District. Mr. Elliott noted item 6 regarding improvements to University Boulevard would need to be expanded upon. Mr. Elliott also suggested additions to items 7 and item 9 as presented in the agenda on page 48.

Council discussed various funding options for projects listed in the proposed Pre-Annexation Agreement.

AJOURNMENT

Ms. Fischer moved to adjourn at 7:33 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, March 17, 2009 at 7:40 p.m. Those members present were Ken Bogard, Kate Currie, Doug Ross, Alysia Fischer, Richard Keebler and Greig Rutherford.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director, Mr. Tom Horvath, Police Sergeant; Mr. John Detherage, Fire Chief; Mr Joe Newlin, Finance Director; Mr. Jung-Han Chen, Community Development Director; Mr. Alan Kyger, Economic Development Director; Ms. Gail Brahier, Parks and Recreation 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

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

PUBLIC PARTICIPATION

PROCLAMATION
'WORLD WATER DAY'

Mayor Dana read the Proclamation and presented it to Ms. Amy West.

Ms. Amy West, thanked Council for the Proclamation and noted next week several restaurants in town were participating in the Tap Project and people could make a donation for water they usually received at no charge to help provide safe and clean drinking water around the world.

PRESENTATION
OXFORD COMMUNITY FOUNDATION
MILE SQUARE INITIATIVE

Mr. Jim Robinson, and **Mr. Coe Potter**, presented an initiative to help restore the Mile Square in part to a mixed and diverse part of the community while preserving homes for single-family use. Mr. Robinson recognized the members who were instrumental in the project and included Paul Allen, Woody Anderson, Jung-Han Chen, Steve Flee, Roger Milar, Elizabeth Rogers and Coe Potter. Mr. Robinson recognized other parties who were instrumental in the project and included The City of Oxford, Neighborhood Housing Services, First Financial Bank and the Oxford Housing Advisory Commission. Mr. Robinson and Mr. Potter provided slides for Council and Mr. Robinson discussed the Business Model, Approach, and Accomplishments to Date. Mr. Robinson noted there was an agenda item Council would discuss later this evening with regard to the City providing assistance with this initiative.

APPOINTMENTS TO BOARDS AND COMMISSIONS

PARKING AND TRANSPORTATION BOARD

Ms. Currie moved to appoint Mr. John Sherron to the Parking and Transportation Board. Mr. Bogard seconded. The motion passed 7-0-0.

PUBLIC COMMENTS

Ms. Diana Durr, Oxford Visitors and Convention Bureau, inquired if Council received her letter at the end of last week regarding funding and how the matter should proceed. Mayor Dana advised she would consult with the City Manager and Finance Director and report back to Ms. Durr. Mr. Keebler suggested the City Manager and Finance Director provide a report to Council at the next meeting that would include the issues and options for resolving them so Council could take the appropriate actions.

Ms. Bobbe Burke, 722 David Drive, advised she was involved with several student led recycling initiatives and noted a new opportunity was available for fraternities to participate in curb-side recycling. Ms. Burke noted she met with the president of a new organization which was a college level affiliate of the Rotary Group and one of their focal points was recycling and how to encourage ways to recycle.

Ms. Burke advised Chief Schwein and others were instrumental in meeting with local bar and restaurant owners in an effort to prevent a 2nd 'Green Beer Day' in Oxford this year.

Ms. Burke introduced Mr. Jonathon McNabb who was elected Student Body President in February. Ms. Burke noted Mr. McNabb had long history with Associated Student Government and had served as an off campus Senator.

Mr. Jonathon McNabb, noted he was excited about the opportunity to serve as Student Body President and looked forward to maintaining a respectful and thoughtful relationship between the students and the City. Mr. McNabb advised he was looking forward to conducting informational sessions with students prior to the election in November. Mr. McNabb encouraged Council to contact him with any questions or concerns.

Mr. David Brown, Butler County Auditor's Office, addressed Council with regard to services the County Auditor's Office provided. Mr. Brown encouraged citizens with questions regarding their property values to call 887-3154.

CONSENT AGENDA

Mr. Ross requested removal of item B. Minutes of the March 3, 2009 City Council Meeting.

MINUTES

Minutes of the March 3, 2009 City Council Work Session. (Mary Ann Eaton, Deputy Clerk of Council)

REPORTS

Report regarding the February 25, 2009 Civil Service Commission. (Donna Heck, Human Resources Director)

Report regarding the February 25, 2009 Environmental Commission Meeting. Mike Dreisbach, Service Director)

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

RESOLUTIONS

RESOLUTION
SANITARY SEWER
IMPROVEMENTS

A Resolution No. 4420 authorizing the City Manager to enter into an agreement with Progressive Innovations , LLC for improvements to the sanitary sewer main under Sycamore Street between Poplar and Main Street at a cost of $22,964.00 plus a 10% contingency amount of $2,296.40 for a total cost not to exceed $25,260.40. (Mike Dreisbach, Service Director)

RESOLUTION
CONTRACT WITH
32 FORD MERCURY

A Resolution No. 4421 authorizing the City Manager to enter into a contract with 32 Ford Mercury, Inc. for the purchase of a 2009 Ford F250 pickup truck as specified in the Department of Administrative Services ('DAS') at a cost not to exceed $26,675.50. (Mike Dreisbach, Service Director)

RESOLUTION
PROPERTY AND CASUALTY
INSURANCE

A Resolution No. 4422 accepting the insurance bid of Insurance Specialist Group, Inc., DBA Love Insurance Partners for the City's property and casualty insurance coverage for 2009. (Joe Newlin, Finance Director)

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

MINUTES

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

Mr. Ross requested a clarification on page 9 of the minutes.

Ms. Currie moved to approve the minutes as clarified. Mr. Bogard seconded. The motion passed 7-0-0.

RESOLUTIONS

RESOLUTION
ALLEY IMPROVEMENT

A Resolution authorizing the improvement of a portion of a dedicated alley immediately South of 338 North Locust Street to provide accessible off street parking. (Mike Dreisbach, Service Director)

Mr. Dreisbach noted Council heard from Mr. Robinson and Mr. Potter earlier this evening as representatives from the Oxford Community Foundation and their Mile Square Initiative. Mr. Dreisbach advised the proposed Resolution would allow the City to make minor improvements to the 'paper alley' immediately south of 338 N. Locust Street to the property line to allow for off street parking. Mr. Dreisbach noted the Community Foundation felt off street parking was crucial to the success of this initiative. Mr. Dreisbach noted City staff could make the improvements for material costs of approximately $2,500.00 and the larger issue was the precedent it would set and the policy Council wanted to implement.

Mr. Jim Robinson, advised off street parking was essential to making this property attractive to the kind of public the Foundation wished to sell it to. Mr. Robinson noted the improvements could be conditioned upon the home remaining a single-family home. Mr. Robinson addressed the issue of setting a precedent noting this was a special request for a special project.

Ms. Betty Quantz, 322 W. Vine Street, noted her feeling this was a wonderful project and people in the Mile Square had been trying to get families to purchase homes as they came up for sale. Ms. Quantz noted concern with the precedent the City would set by making this improvement and advised there was right-of-way beside her house she would love to see improved. Ms. Quantz noted the back yard of the home was not very deep and if parking were allowed there would essentially be no back yard. Ms. Quantz inquired why Council didn't consider vacating and improving the entire alley.

Ms. Fischer recused herself from the remainder of the discussion as a nearby property owner.

Ms. Currie noted she felt more comfortable vacating the entire alley and not setting a precedent.

Mr. Elliott noted if the alley was vacated a utility easement would also be required due to the power lines in the area.

Mr. Keebler inquired if the proposal would create lot coverage issues and Mr. Dreisbach advised the outbuilding would be razed to create the parking area. Mr. Keebler noted the proposed improvement would be of very little value to surrounding properties. Mr. Keebler noted concern with setting a precedent even though it was a very good idea.

Mayor Dana noted her feeling the City would be providing assistance in the effort to reclaim houses in the Mile Square and turn them over.

Mr. Rutherford noted his feeling the entire alley should be improved and the property owners should be assessed for the improvements. Mr. Dreisbach advised the largest tree in the Mile Square would be destroyed if the entire alley was improved.

Mayor Dana noted this was a part of a project which was for the greater good of the Mile Square. Mayor Dana noted her feeling the alley should be vacated.

Mr. Elliott suggested discussing the options further at a Work Session.

Mr. Keebler suggested Council permit the use until such time the City decided to improve the entire alley which would accomplish the request without setting a precedent.

Mr. Elliott advised a License Agreement was issued in 1988 for 336 N. Locust for this purpose.

Mr. Coe Potter, advised the property was under contract with contingencies, one of which was to create off street parking. Mr. Potter noted the property needed to be closed on or before April 1, 2009.

Mr. McHugh suggested Council adopt a motion authorizing the preparation of a license and the preparation of legislation for the license for the next Council meeting.

Mr. Keebler moved to authorize the preparation of a license and legislation for the license for the next Council meeting. Mr. Ross seconded. The motion passed 5-1-0 with Mr. Rutherford voting nay.

Mr. McHugh advised Council should table the proposed Resolution or vote the proposed Resolution down if they were in favor of granting the license.

Ms. Currie moved to adopt the Resolution. Mr. Bogard seconded. The Resolution failed by the following roll call:

AYE: None (0)

NAY: Mr. Keebler, Mr. Ross, Mr. Rutherford, Mr. Bogard, Ms. Currie, Ms. Dana (6)

ABS: None (0)

RESOLUTION
SPECIAL COUNCEL

A Resolution No. 4423 authorizing the City Manager to enter into a contract with Benesch, Friedlander, Coplan & Aronoff, LLP for services as special counsel for Tax Increment Financing projects. (Joe Newlin, Finance Director)

Mr. Elliott summarized his staff report on page 36 of the agenda. Mr. Elliott noted he and Mr. Kyger also had conversations with representatives from McCullough Hyde Memorial Hospital regarding Tax Increment Financing projects. Mr. Elliott noted the City may use this firm for bond counsel regarding those projects as well.

Mr. Keebler inquired how many proposals were received and Mr. Elliott advised two. Mr. Keebler inquired if this firm offered the lowest cost or were the best qualified. Mr. Elliott advised this firm was best qualified in terms of Tax Increment Financing.

Mr. Bogard moved to adopt Resolution No. 4423. Ms. Fischer seconded. The Resolution was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

RESOLUTION
PRE-ANNEXATION
AGREEMENT

A Resolution No. 4424 authorizing the City Manager to enter into a Pre-Annexation Agreement with the Talawanda School District for land in the Township of Oxford, Ohio to be annexed into the City of Oxford, Ohio subject to the conditions stipulated in the Pre-Annexation Agreement. (Doug Elliott, City Manager)

Mr. Elliott advised Council held a Work Session earlier this evening to discuss off-site infrastructure improvements associated with the new high school project. Mr. Elliott noted Council held a Work Session regarding this matter on March 3, 2009 as well. Mr. Elliott noted he felt the only outstanding question was whether or not the City would participate in the extension and widening of University Park Boulevard. Mr. Elliott suggested two amendments to the proposed agreement on page 48 of the agenda. Mr. Elliott noted the importance of moving forward on this initiative.

Mayor Dana requested that Council address item 6. on page 48 of the agenda which dealt with improvements to University Park Boulevard.

Mr. Keebler and Mr. McHugh read suggested amendments to item 6. on page 48 of the agenda.

Mr. Keebler moved to amend item 6. on page 48 of the agenda to read 'The owner shall be responsible for extending and widening University Park Boulevard to the school property line so as to allow access to the new high school. The City shall contribute fifty percent of the construction, widening and paving costs associated with the extension of University Park Boulevard up to a total not to exceed One Hundred Thirty Five Thousand Dollars. The remainder of the construction, widening and paving cost is to be borne by the owner.' Ms. Fischer seconded. The motion passed 7-0-0.

Ms. Currie moved to amend item 7. on page 48 of the agenda by adding 'from US-27 to the school property line.' to the end of the sentence. And item 9 by adding 'as well as, turn lane improvements.' to the end of the last sentence. Ms. Fischer seconded. The motion passed 7-0-0.

Ms. Fischer referred to item 11. on page 48 of the agenda and noted the owner would not farm the land.

Ms. Fischer moved to amend item 11 to read 'The City shall permit the Owner to allow farming on a portion of the land as a non-conforming use.' Ms. Currie seconded. The motion passed 7-0-0.

Ms. Currie referred to item 8. on page 48 of the agenda which dealt with a temporary sidewalk and inquired if any thought had been given to making this more of a multi-use path situated far enough away from US-27 so as not to interfere with the widening of US-27.

Mr. Elliott advised the City was exploring various options and Mr. Dreisbach briefly discussed some of the options the Engineering Division was working on.

Mr. Keebler noted it was important to help satisfy the needs of Southpointe as well as the School District with regard to the sidewalk.

Ms. Fischer moved to adopt Resolution No. 4424 as amended. Ms. Currie seconded. The Resolution was adopted by the following roll call:

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

NAY: Mr. Rutherford (1)

ABS: None (0)

RESOLUTION
HISTORIC MARKER
PROGRAM

A Resolution No. 4425 authorizing the Historic Marker Program sponsored by the Historic and Architectural Preservation Commission of the City of Oxford, Ohio. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the HAPC made a presentation to Council in February with regard to the proposed Historic Marker Program and Council made some suggestions which were incorporated in the revised version of the program. Mr. Chen noted Mike Smith, Chair and Laura Henderson, Vice Chair of the HAPC were instrumental in developing the program and were in attendance to answer any questions.

Ms. Laura Henderson, Vice Chair, Historic and Architectural Preservation Commission, thanked Council for considering the proposal. Ms. Henderson thanked Mr. Chen and Ms. Dale for their assistance as well. Ms. Henderson summarized the proposed Historical Marker Program as presented on pages 53-71 of the agenda.

Mr. Rutherford inquired how qualified contractors would be selected to install the markers and Mr. Smith advised the HAPC was preparing a list of contractors. Ms. Henderson noted volunteers may also be recruited.

Mr. Keebler noted the HAPC had done a lot of work and put a lot of thought into the program and Council should adopt it as presented.

Mr. Ross expressed his support for the program noting it was one of the few homeowner positive initiatives he had experienced in 7 years.

Ms. Currie moved to adopt Resolution No. 4425. Mr. Keebler seconded. The Resolution 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)

ORDINANCES
FIRST READING

SUPPLEMENTAL BUDGET

An Ordinance Amending Ordinance No. 3033. Supplemental Budget Ordinance No. 3 To Make Supplemental Appropriations For Fiscal Year 2009. (Joe Newlin, Finance Director)

Mr. Newlin summarized his staff report as presented on pages 72 and 73 of the agenda.

ORDINANCE
PRELIMINARY APPROVAL
MYERS SUBDIVISION

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) **(Continued)**

Mayor Dana requested a motion to continue the First Reading of the proposed Ordinance.

Ms. Fischer moved to continue the First Reading of the proposed Ordinance. Ms. Currie seconded. The motion passed 7-0-0.

Mr. Chen advised in response to concerns raised at the last meeting the developer submitted a revised site plan last Thursday showing the multi-use path on the western side of the property as opposed to the eastern side. Mr. Chen noted the applicant and engineers were in attendance to answer any questions.

Mr. Keebler noted the movement of the multi-use path was not specifically asked for by Council and inquired if the developer was suggesting this as an alternative and Mr. Chen advised yes.

Mr. Tim Myers, Applicant, provided the history regarding the proposed collector road noting there was an 80' set-back on the western side of the Knolls of Oxford's property to accommodate it. Mr. Myers noted it did not matter to him if the multi-use path was located on the eastern or western side of the property and the Annexation Agreement between the City and the property owner could be amended to reflect the multi-use path being located on the eastern side of the property. Mr. Myers noted the project was changed from the original design to an open space cluster development as requested by the Planning Commission.

Mr. John Green, Chair, Maple Knolls Community Board, noted he had also been a resident of Oxford for over 20 years. Mr. Green advised the Board appreciated the bike path being moved to the western area of the property. Mr. Green noted a sidewalk placed on the eastside of the road was not fiscally responsible since a waterline ran along the same boundary. Mr. Green brought to Council's attention that the land along the west boundary of the Community Park and the east boundary of the airport was EPA protected wetland ground and any connectivity could not proceed south in that area. Mr. Green noted the Maple Knolls Community Board did not oppose the development but they were concerned with the location of the road and hoped consideration would be given to putting it back where it was initially.

Ms. Phyllis Hollenbaugh, advised she was a resident of the Knolls of Oxford and President of its Resident Council. Ms. Hollenbaugh noted she and her husband grew up in Delaware Ohio, home of Wesleyan University and they knew the advantages of living in a college community. Ms. Hollenbaugh noted soon after moving to the Knolls of Oxford she learned that the City of Oxford was rated number 4 in the nation as a retirement community. Ms. Hollenbaugh quoted a statement from former Mayor Conley that appeared in the Oxford Press 'This ranking points to the fact that this is a wonderful community. It is not just for the retired or the students but for both. I hope we continue to retain seniors in our community with upgrades to senior living here like at the Knolls of Oxford there is a great future.' Ms. Hollenbaugh noted when moving to the Knolls they did not foresee a thoroughfare running directly behind their home although they did think some day the beautiful farmland adjacent to the Knolls would be developed but not in the dense way it was currently proposed. Ms. Hollenbaugh invited members of Council to tour the Knolls and experience the rural pastoral settings and magnificent sunsets.

Mr. Jack Grove, noted he and his wife lived on the farm west of the property being discussed. Mr. Grove noted he spoke at length at the last meeting regarding their primary concerns which had to do with drainage, safety and compatibility. Mr. Grove noted there were still issues. Mr. Grove advised in 2006 when the City entered into the annexation agreement with the Paulins he and his wife were excluded from the discussion even though they had rights of use to the Paulin land. Mr. Grove noted a title exam and survey were missing from the annexation agreement and had those tasks been performed Council would have been enlightened to other issues that had bearing upon what Council was proposing to do. Mr. Grove advised he and his wife objected to what was taking place and they did not know how a roadway could be dedicated over their easement. Mr. Grove noted placing the bike path on the west side of the property helped with transition but not adequately and it was not adequate protection of the view shed.

Mr. Grove noted concern that proper notification had not been given regarding this project. Mr. Grove advised six months ago he wrote a letter to Mr. McHugh asking for a meeting to occur at his premises to include the City Manager, Planner and Engineer and he received no response. Mr. Grove noted no Council members or Planning Commission members had visited the property and advised his feeling Council could not look at the proposal on paper and make a decision. Mr. Grove encouraged Council members to visit the property walk through the fields and waterways and see the sink holes and other problems occurring already. Mr. Grove advised his feeling it was shameful that he and his wife had been excluded from this process and their property rights were being ignored.

Mr. Bob Miller, Knolls of Oxford resident, advised he looked for the traffic study and did not find it so he did his own survey. Mr. Miller noted 2,000 vehicles would use the connector road per week and more realistically 3,000 to 4,000. Mr. Miller encouraged Council to approve the road being moved to the west side.

Mr. Conrad Leslie, 63 Scarlet Oak Circle, noted concern with the school district being able to accept 150 to 200 new students. Mr. Leslie discussed his concerns regarding fire fighting ability and drainage issues.

Mr. Keebler noted he was unable to attend the last meeting but did view the entire public hearing and discussion on line and read comments in the minutes and emails he received. Mr. Keebler noted the City had grown over the years but what never grew was the traffic infrastructure. Mr. Keebler noted Councils had ignored the need for thoroughfares and collector streets and the developments that had occurred rarely added to the public infrastructure. Mr. Keebler stated for years Councils had talked about the need for connector streets between the spoke roads entering and leaving the City rather than everyone having to travel into the Mile Square and back out where they wanted to go. Mr. Keebler noted every time such attempts occurred (Hester and Northridge from College Corner Pike to Brown Road, Kelly Drive from Brown Road to Morning Sun) they were residential streets with homes and driveways and everyone clamoring for the City to do everything it could to deter traffic on those streets that Councils wanted to move traffic on. Mr. Keebler advised the Thoroughfare Plan which was adopted before he was on Council finally provided for connectivity and the developers being responsible for adding to the City's infrastructure. Mr. Keebler advised his feeling the first proposal that came to the Planning Commission for this property was awful as it had very little open space or character and the collector road could never connect to Brookville Road unless the airport was abandoned. Mr. Keebler noted the designer also failed to address the drainage pipe easement. Mr. Keebler noted he read the easement agreement which was for drainage pipe not a drainage swale and access to the pipe. Mr. Keebler advised the developer came back to planning with a different plan modeled after the newly adopted cluster subdivision regulations and placed a collector road where it could potentially be connected to Brookville Road in the future and a bike path on the east side of the roadway to provide additional buffering for the Knolls of Oxford. Mr. Keebler advised the Planning Commission approved the proposal with conditions. Mr. Keebler advised the developer had the legal right to develop the property under R1B zoning and the developer could choose to build a standard subdivision or a cluster development.

Mr. Keebler noted marketability was discussed at the last meeting and he felt there was a shortage of quality condominiums for empty nesters in this community and the applicant did a good job of filling those homes in other communities. Mr. Keebler also noted this was not under Council's purview. Mr. Keebler noted the collector road would be paid for by the developer who was giving up property to accommodate it. Mr. Keebler noted the annexation agreement called for the bike path being on the west side of the property and the Planning Commission and Parks and Recreation Director felt the east side was the best location for buffering and connectivity. Mr. Keebler noted the annexation agreement could be amended. Mr. Keebler noted he was ok with flexibility regarding street widths and the City was getting a collector road and a cluster development. Mr. Keebler noted the project still had to work for the developer financially. Mr. Keebler noted drainage and engineering issues would be addressed when the final application was filed as well as a landscaping plan. Mr. Keebler noted his feeling the multi-use path should not be moved to the west. Mr. Keebler noted he fully supported the plan as approved by the Planning Commission and encouraged his fellow Councilors to do the same. Mr. Keebler advised the traffic impact study was available at the Municipal Building for citizens to view.

Mayor Dana thanked the developers and members of the public for their contributions. Mayor Dana suggested Council either conclude the first reading of the proposed Ordinance or remand it back to the Planning Commission. Mayor Dana thanked Mr. Keebler for his summarization of the proposed project.

Ms. Fischer requested as a member of the Planning Commission that the proposed Ordinance not be remanded back to the Planning Commission as they already had three meetings on this particular topic. Ms. Fischer noted concern with the movement of the multi-use path as it would not connect to the Community Park.

Ms. Currie agreed with Ms. Fischer and Mr. Keebler noting the multi-use path on the east side would provide an additional buffer between the Knolls of Oxford property and the proposed road. Ms. Currie noted moving the road did not seem to be an option as there would be no connectivity. Ms. Currie advised she would like to conclude the first reading of the proposed Ordinance.

Mr. Bogard noted he would like the multi-use path to connect to the Community Park. Mr. Bogard advised the use of mounding would help reduce noise levels.

Mr. Rutherford advised his feeling the proposed Ordinance should be remanded back to the Planning Commission noting he felt they overstepped their authority with regard to road widths. Mr. Rutherford advised his feeling the plan did not meet the subdivision regulations and needed to go back to the Planning Commission to be fixed. Mr. Rutherford noted he was not opposed to a subdivision or the density or the collector road. Mr. Rutherford advised the citizens of the Knolls needed to be aware that there originally was a right-of-way along the western boundary of the property and cottages in the later phase were built closer to the western boundary. Mr. Rutherford noted he was sorry if residents of the Knolls were not informed.

Mr. Rutherford noted concern regarding access to the drainage easement and the serious legal implications resulting from it and noted he would like to see a full report from the City's legal counsel. Mr. Rutherford noted he felt the subdivision could be designed much better and the conservation aspect could be improved.

Mr. Ross inquired why the entire project couldn't be 'flipped'. Ms. Fischer noted that concept had not been discussed at the Planning Commission level. Mr. Keebler advised if the project was 'flipped' it would end at the airport with no connectivity. Mr. Ross asked Mr. Myers to address the issue.

Mr. Tim Myers, advised that concept would be a tremendous hardship as the connector street itself was approximately $1,000,000.00. Mr. Myers further noted the development could be built without a connector street which would make the Knolls of Oxford very happy. Mr. Myers advised if the project was 'flipped' the connector street would serve no purpose at all.

Ms. Fischer noted the Planning Commission discussed road widths and only made a recommendation that they varied from the regulations and it was up to Council to deem if it was appropriate. Mr. McHugh concurred.

Mr. Keebler moved to conclude the First Reading of the proposed Ordinance and to hold the Second Reading at the next meeting. Ms. Fischer seconded. The motion passed by the following roll call:

AYE: Ms. Currie, Ms. Fischer, Mr. Keebler, Mr. Rutherford, Mr. Bogard (5)

NAY: Mr. Ross, Ms. Dana (2)

ABS: None (0)

Mr. Bogard advised in concluding the first reading of the proposed Ordinance the multi-use path was still located on the eastern side of the property.

ORDINANCE
PRELIMINARY APPROVAL
VILLAS OF OXFORD

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) **(Continued)**

Mr. Chen discussed his staff report as presented on page 82 of the agenda and noted he, Ms. Fischer and Mr. Keebler could answer any questions raised at the Planning Commission meetings.

Mr. David Labus, Foundation Development Group, noted Foundation Development Group was a local Epcon builder in Butler County. Mr. Labus noted an Epcon Community was located on the Westside of Hamilton close to Berkeley Square which was not unlike the Knolls of Oxford. Mr. Labus advised the Villas of Hamilton would have a total of 84 homes when complete and 68 had been built and sold. Mr. Labus noted through their market research and analysis they felt an Epcon Community would be successful in Oxford as well. Mr. Labus advised Foundation Development Group concentrated exclusively on ranch style condominiums for empty nesters and active adults. Mr. Labus noted most of their prospective buyers would be long term residents of Oxford looking to scale down and simplify their lives. Mr. Labus provided statistics regarding potential buyers. Mr. Labus advised the proposed development would consist of upscale ranch style condominiums ranging in size from 1,300 to 1,900 square feet and priced from the low to high two hundred thousand dollar range. Mr. Labus noted the center piece of the development would be a club house and swimming pool set against a back drop of several ponds. Mr. Labus advised there would be a variety of landscaping and the condominiums would be landscaped on all four sides. Mr. Labus discussed the pinwheel building design which provided a separate entrance for each private residence as well as other design features of the homes including side loaded garages. Mr. Labus noted there had been many concerns regarding the location of the proposed collector road and suggested citizens drive to NW Washington Boulevard in Hamilton to see how the Villas of Hamilton and Berkeley Square were situated.

Mr. Jack Grove, Fairfield Road, noted this proposed community was of lesser concern with regard to setbacks and animaties provided but he still had overriding concerns with drainage. Mr. Grove advised the main swale on the Southside of the property was located behind the existing house and the water already stands under saturated conditions. Mr. Grove noted condos and streets were being planned for an area that already flooded and the location of the proposed retention ponds may deter or adversely influence the existing drainage from his farm. Mr. Grove also noted concern with safety as related to agricultural run off. Mr. Grove advised the traffic generated from his farm would be very different from NW Washington Boulevard as it would consist of tractors, combines, dust, insects, chemicals and hunting.

Mr. Ross inquired if a sidewalk would be installed on Fairfield Road and Mr. Labus advised yes as well as Contreras Road.

Mr. Rutherford noted concern with lot coverage and environmental issues noting they were Board of Zoning Appeals cases since they deviated from the zoning code regulations and did not fall under the Planning Commission's purview. Mr. Rutherford noted his feeling the proposal suffered difficulties and should be remanded back to the Planning Commission.

Mr. Chen cited Section 1145.07(b) of the Zoning Code which stated 'Planning Commission, in its recommendation, and Council in its decision may waive or modify dimensional regulations of the Zoning Code, or impose more strict regulations and any additional conditions, guarantees, and safeguards it deems necessary to satisfy the purposes of this Zoning Code.'

Mr. Rutherford thanked Mr. Chen for the clarification.

Mr. Bogard noted his feeling this was an opportunity to add excellent housing in Oxford. Mr. Bogard advised his feeling this was a good project and drainage issues would need to be addressed before the final phase of the proposal. Mr. Bogard recognized Mr. Grove's concerns and noted his hope Council would address them so they would not be a problem in the future.

ORDINANCES
SECOND READING

None.

ANNOUNCEMENTS

Mr. Elliott updated Council regarding the first meeting of the ad-hoc Fire/EMS Committee noting they would meet again next Wednesday.

Mr. Elliott noted he provided Council with information regarding the new video franchise law and provided an update for the public regarding the new law.

Mr. Elliott noted he was pleased with the Work Session Council held this evening and that Council was able to adopt the Resolution for a Pre-Annexation Agreement with the Talawanda School District.

Ms. Fischer noted her feeling the Mile Square initiative was exciting and there was a lot of support for it in the Mile Square. Ms. Fischer reminded Council that the City needed more of a balance of 'year round residents' as opposed to always referring to 'families'.

Ms. Currie asked citizens to think about how they wanted to participate and celebrate Oxford's Bicentennial in 2010 and to contact her at her email address and phone number on the City's website with their ideas.

Mayor Dana noted she included a list of topics in Council's Friday Packet that needed to be addressed in the near future and requested that Council members contact her or Mr. Elliott with any additional topics.

Mayor Dana updated Council on various events she had recently attended.

Mayor Dana discussed the recycling initiative which the City of Oxford was given an award for this evening from Butler County.

Mr. Bogard provided information regarding recycling analog televisions.

ADJOURNMENT

Ms. Fischer moved to adjourn at 10:53 p.m. Mr. Rutherford seconded. The motion passed 7-0-0.

SCRC Meeting Minutes

February 20, 2009

In Attendance:

Members: Carole Katz, Thad Boggs, Lane Clegg, Ashley Perry, Matt Frazier, Jung-Han Chen, Susan Mosley-Howard, Bobbe Burke and Alysia Fischer.

Non-Members: Kurt Kadon (ASG), Cassidy Pazyniak (CAC), Mike Emling (CAC), Shekar Jayaraman (OH Secretary of State regional liaison).

Call to order

The meeting was called to order at 2:15 pm.

Public Comment:

Shekar Jayaraman, from the Ohio Secretary of State's office, introduced himself and provided information on how the Secretary of State's office can help communities with various programs. He specifically cited the training of poll workers and helping small businesses navigate their various requirements, and stated that his office will be reaching out to communities across the state. Carole Katz provided some background on SCRC, and Mr. Jayaraman was invited to return to Commission meetings anytime.

Susan Mosley-Howard added comments about the need for poll workers, especially younger poll workers. She described her experience working at the polls in November 2008, and encouraged all citizens to sign up for poll worker training as provided by the Secretary of State's office.

Noise Abatements:

Thad Boggs introduced the three noise abatement requests received by SCRC for Spring events run by student organizations. Thad gave some background on noise abatements and SCRC's involvement in the process. Alysia Fischer pointed out that noise abatement applies at any time of day, not just after 11 pm.

Relay for Life (April 3/4, 6 pm-3 am, Cook Field)

This request is for the same time and place as 2008. Alysia Fischer noted that this group has earned the 3 am finish time, due to their past compliance and efforts to manage the event. Typically noise abatement requests are only granted until 2 am. Bobbe Burke added that Relay for Life, after some initial problems, has been very responsible in its efforts, and reminded the Commission

that not only full-year residents, but also residence hall students (in Dorsey Hall and others) are affected by the noise of this event.

Carole Katz motioned, Thad Boggs seconded, and all voting members unanimously PASSED Relay for Life's request for a noise abatement waiver.

Oxford Exodus (May 8/9, 9 pm-2:30 am, High St. between Main and Poplar)

Thad Boggs provided background on Oxford Exodus (formerly known as Red Brick Rasta), a farewell event for graduating Miami seniors. This event is now under the jurisdiction of Campus Activities Council (in the past it had been run by ASG). The request for this year begins one hour later than in 2008. Cassidy Pazyniak of CAC explained that there will be one less band in 2009. She detailed some of the efforts CAC is making to improve the event, including adding port-a-potties, starting the evening with a "family-friendly" cover band, providing coupons for seniors and their families to use at Uptown restaurants, and offering giveaway items to seniors. Bobbe Burke complimented CAC on the level of detail and attention in their preparations. She added that keeping the street open until 7 pm instead of 5 pm as in the past will be helpful to Uptown restaurants and businesses. Alysia Fischer mentioned that in the past at other events, some businesses have complained about Port-a-Potty locations. Cassidy will discuss this with Diana Durr when planning locations. Alysia then brought up the name "Oxford Exodus," stating that may be of concern to some on a religious basis. She asked that a name change be considered for 2010. Cassidy and her CAC colleagues will take this up when planning next year's event. Bobbe pointed out that now, when the event is transitioning from ASG to CAC, may be a good time to revisit the name issue.

Alysia Fischer motioned, Thad Boggs seconded, and all voting members unanimously PASSED Oxford Exodus' request for a noise abatement waiver.

CAC/Program Board/After Dark Concert (April 30, 8-10:30 pm, Millett Hall lawn)

Cassidy Pazyniak described this concert, which will feature a one-hour opening act and then Girl Talk's one-hour show. The concert is planned for Thursday of Springfest (last week before finals). It is a change from previous years, when similar events were held behind the Shriver Center on a Friday night. She said that CAC had already had discussion with MUPD about sound and the location set-up. They have also talked with Brad Clark at MU Physical Facilities about using Millett's lawn, with the inside of Millett as a rain back-up location.

Alysia Fischer asked about the change of venue, noting that this will now take place on a school night. Cassidy Pazyniak said that they are not allowed to schedule anything on Friday night, since finals start on the following Monday morning. Mike Emling added that CAC wants to hold the concert outside due to the nature of the performance, and to be consistent with the "Spring" theme.

They are aware of possible problems, but want to hold the concert outside due to student feedback. Bobbe Burke asked where the stage will be located. Cassidy answered that this is not yet determined, and that conversations were ongoing with Girl Talk. Alysia said that a centrally-located stage with 360° sound may not be a good choice for containing noise; Cassidy replied that her subcommittee is not in charge of logistics, but would pass on this information. Bobbe said that Tritech (a sound engineering firm) has been used a lot in the past and they understand community noise issues, so might be an asset to the event planners. According to Mike Emling, either Tritech or Loud 'n'Clear will provide sound services, and that there had been an issue with Tritech in the past. Alysia warned that if excessive sound does become an issue, future noise abatements will be curtailed for this event.

Matt Frazier asked why the event is planned for Millett instead of Cook Field, a proven venue. Cassidy replied that Cook Field has proven to be a "dead zone," and that it's hard to get students to attend events there. Matt said that this event could draw a very big crowd, and "things could get crazy." Alysia Fischer asked about potential language issues, and was assured by Cassidy that there will be no obscenity or drug/alcohol references.

Mike Emling described how fifty students will be chosen to dance on stage with the DJ, after a dance-off held earlier in Springfest week. CAC is in discussion with MUPD and other parties to finalize all the details.

Alysia Fischer motioned, Thad Boggs seconded, and all voting members unanimously PASSED CAC/Program Board/After Dark's request for a noise abatement waiver.

Bobbe Burke asked Alysia if students from these organizations should attend the meeting where these requests come before City Council. Alysia replied that it would be a good idea, and that the meeting will be March 3 at the Oxford Courthouse, at 7:30 pm.

Bobbe will write up the cover memo for the noise abatement requests, and give the material to Jung-Han Chen, who will deliver it to City Council with his staff report.

ASG Sidewalk Bill:

Thad Boggs discussed the recent ASG bill regarding sidewalks in the City of Oxford. He read the bill and the related Oxford ordinance, and explained that the full bill is available on the ASG website.

Thad said that the process and communication of the bill provided a good learning opportunity for all concerned. He said that the bill's original author was concerned about safety. She brought the draft bill to Thad, who reviewed and

eventually co-sponsored the bill. Thad had felt that it was merely an internal action on ASG's part, not necessarily to be implemented. Consequently, he was taken by surprise by the *Miami Student*'s reporting of the issue, and felt it was misleading.

Thad has corresponded with City officials, offering to do an ASG sidewalk tour similar to the lighting tour that took place earlier in the year. He will also talk to writers at the *Student* about fact-checking their work.

Alysia Fischer said the problem was that the bill and its reporting made it look like the City Services Department is not doing a good job, stating this is the opposite of what we hope for with relations between students and the city. She pointed out that the student senator originating the bill should have spoken with city staff first. Thad agreed, and explained that the intent had been to be more collaborative, like the lighting tour. Alysia said it would indeed be better to present the issue in that way, but unfortunately City Council had first learned about the bill in the newspaper.

Bobbe Burke pointed out that the Student may have a bigger impact in the city than on campus, and agreed that this is a good learning opportunity. She added that it's good that we now have relationships in place to discuss these issues. She asked Alysia for advice on the proper process for continuing the dialogue. Alysia advised that ASG always go to the City first if the City is referenced in an ASG bill. Take a positive approach, for example in this instance present a list of potentially hazardous sidewalks to the City for their consideration. She suggested that Thad talk to Mike Dreisbach, and that by preparing a list, ASG will be helpful rather than obstructive.

RHA Redhawk Hunt

Ashley Perry updated Commission members on the Residence Hall Association's 2nd annual Redhawk Hunt, which will take place April 17-18 from 8 pm-8 pm. Registration opens March 19 at 8 am. This year RHA will only accept 50 full teams of 12 people each.

Alysia Fischer asked if there was a way to connect more teams to community members, citing her experience last year as the phone-in advisor to the Hunt's winning team. She pointed out that this would be a good way to involve the community in the event.

Bobbe Burke noted that there will be a large athletic event on campus that weekend, and that RHA planners should be aware of the impact that might have on their event.

Carole Katz informed Ashley that the City of Oxford will be holding a Bicentennial scavenger hunt in 2010. Kate Currie is the City Council member in charge of that event; RHA planners might consider contacting Kate to share information.

ASG pre-Spring Break Walkabouts

Thad Boggs described a new ASG initiative which will take place before Miami's Spring Break. ASG off-campus senators will visit student houses in their districts, distributing information about safety during university breaks, as well as reminders about Oxford's nuisance laws.

Carole Katz said this was a good use of off-campus senators, and applauded the effort.

General Announcements

Alysia Fischer made note of the many advertisements for Green Beer Day T-shirts, which are posted on campus and around town. She said they send a negative message to the community (particularly those which make use of popular cartoon characters or consumer products), and asked student members of SCRC to be aware and to share this concern with their particular constituencies.

Bobbe Burke announced that the Coalition for a Healthy Community will host a meeting with local bar owners on Tuesday, February 24. Among other issues, they will discuss Green Beer Day and its community implications. About 35 people are expected to attend.

Bobbe also announced a meeting on Wednesday, February 25 at 4 pm between student organization leaders and city officials. The meeting will provide students with information on planning off-campus events. So far, there has been a healthy student response.

Carole Katz announced that the next SCRC meeting will be Friday, March 20 at 2 pm in the LCNB meeting room.

The meeting adjourned at 3:30 pm.

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: April 7, 2009

Account Code No. #:

Kathryn A. Dale
Prepared By

Budgeted Amount:

March 11, 2009
Date Prepared

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

Recommendation:	**N/A**

DISCUSSION:

Reports from Commissions, Boards, Committees & Staff

Ms. Kay shared that the HAPC is proposing amendments to the Sign Design Guidelines after having a discussion with City Council in regards to banners and sandwich board signs. Ms. Kay shared that the amendments proposed are more in sync with the zoning code provisions, but that the HAPC is also requesting the Planning Commission initiate some amendments to the zoning code as well.

Mr. Wong shared that the Environmental Commission at the direction of Councilmember Rutherford, are preparing a conservation development presentation for City Council and Planning Commission.

Mr. Prytherch stated that the CIC has been working with Mr. Kyger on Tax Increment Financing at the Southpointe site and school related issues.

Public Hearing

PC-02-2009 ***ZONING MAP AMENDMENT*** *– 40.113 acres A-1 (Agricultural, Township Zoning) to R-1B Single Family Medium Density Residential,* ***MV Residential Development LLC, Applicant***

The Applicant seeks a zoning map amendment for an area of approximately 40.11 acres of agricultural land from a County agricultural zone to an R-1B Medium Single Family Residential District, south of Gardenia Drive and north of Booth Road. The City Council adopted Resolution #4386 on September 16, 2008 accepting the annexed property into the City limits.

The Applicant was not present. During the public hearing portion of the meeting, questions arose regarding notice. The Planning Commission voted 5-0-2 to Table the case until next month.

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

Staff explained that this application seeks 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. Based on comments from the Planning Commission members at the February 10, 2009 Planning Commission meeting, staff made some changes to the proposed language to reflect that discussion. Planning Commission recommended 6-0-1 approval to City Council with two amendments.

Other Business:

Mr. Brewer stated that more direction was necessary regarding the potential addition of commercial districts. All agreed to discuss more at the next meeting, but in the interim, staff was to prepare "dummy examples" of different regulatory possibilities.

Mr. Brewer voiced that it may be more beneficial to focus on the subdivision regulations at this time instead of "GB" regulations. Staff shared that they would like to present at the next meeting some minor text amendments to the Lot Split &

Consolidation section of the subdivision regulations to include replats of approved subdivisions.

The next regular meeting is scheduled for April 14, 2009.

Approved By:		Initial	Date
	Department Head:		3/19/09
	City Attorney:		
	City Manager:		4/3/09

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting Of: April 7, 2009

Account Code No. #:

Budgeted Amount:

Community Development
Originating Department

Kathryn A. Dale
Prepared By

March 19, 2009
Date Prepared

Agenda Title:	**Board of Zoning Appeals – March 18, 2009 Meeting Report**

Recommendation:	**N/A**

PUBLIC HEARINGS:

BZA-04-2009 – 946 Silvoor Lane, *Variance to Section 1141.01(a)(3)A.1. fence height in front yard,* ***Clive Getty, Applicant***

The Applicant requested relief from Section 1141.01(a)(3)A(1) to allow for installation of an 9-foot high mesh deer fence and a 6'- 9' ornamental fence in the front yard. According to the site plan presented by the Applicant, a portion of the deer fence along the northern property line would project into the front yard and the proposed ornamental fence would be setback from the eastern property line in the front yard.

The Board found that the Decision Standards were satisfied and voted 4-0-1 to ***APPROVE*** the request with the following conditions:

1. 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.
2. That, the proposed work complies in all other respects with all applicable codes, Ordinances and the City of Oxford Zoning Code.
3. That, the proposed work be complete within 1 year of this decision.

BZA-03-2009 – 210 S. Poplar, *Appeal of Administrator's Decision,* ***Scott Webb, Applicant, Agent***

This request resulted from discussions held at the November BZA meeting for Case# 15-2008 and drawings submitted in that application illustrating a two-story dwelling unit addition to an existing single family with the principal entrance to the second unit facing an alleyway. At the conclusion of that hearing, a series of emails was had between the Applicant and Staff regarding the Applicant's need for a variance to §1141.03(e)(4), which provides:

> "Every building hereafter erected, converted, enlarged, reconstructed or structurally altered shall be located on a lot of record, and shall have its principal entrance upon a street bordering such lot."

Staff outlined for the Board that they must determine if referenced email exchanges constitutes a "decision of the Zoning Administrator" subject to appeal under §1129.11, and if so, whether the decision given to the Applicant was made in error. Staff testified that Per §1129.11 the aggrieved party may appeal the decision of the zoning administrator per Subsection (a)(4) which states that in order to demonstrate standing for an appeal, the appellant must state "the way in which the administrative action adversely affects the appellant." Staff pointed out that this statement was not in any of the Applicant's letters submitted and that the Applicant never officially filed a permit application for this proposed addition, thus no administrative action had officially transpired to adversely affect the appellant by refusing or denying an application.

The Applicant testified that he felt a decision had been rendered by the Zoning Administrator in error because §1141.03(e)(4) does not specifically state that a Two-Family Dwelling have a single shared entrance.

After much deliberation, the BZA voted 5-0-0 that Staff had rendered a decision and that it was correct.

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 (Postponed)***

The Applicant stated at the beginning of the meeting that this portion of the application request was going to be withdrawn.

* * *

The next BZA meeting is scheduled for April 15, 2009. No applications have been received.

Approved By:		**Initial**	**Date**
	Department Head:		3/19/09
	City Attorney:		
	City Manager:		4/3/09

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Human Resources
Originating Department

Council Meeting Of: April 7, 2009

Mary Ann Eaton
Prepared By

Account Code No. #: N/A

Budgeted Amount: N/A

April 1, 2009
Date Prepared

Agenda Title: Report regarding the March 25, 2009 Civil Service Commission meeting.

Recommendation:

Discussion: The Civil Service Commission held their regular meeting on Wednesday, March 25, 2009. Those members present were: Phil Russo, Chair; Fred Russell; Charles Crain; Karen Martino and Susan Cross Lipnickey. Donna Heck, Human Resources Director; Mary Ann Eaton, Recording Secretary; Bob Holzworth, Police Lieutenant and Tom Horvath, Police Lieutenant were in attendance for the City.

The Commission reviewed and approved the State Personnel Board of Review Report of Activities for Calendar Year 2008.

The Commission reviewed and tabled Civil Service Rule VI. 3. Service Credit B. Part-Time Employees until the next meeting when additional options would be presented by staff as directed by the Commission.

The Commission reviewed and approved the removal of candidates from the Public Safety Communications Officer Eligibility List.

The Commission reviewed and tabled the Handout for Police Department applicants until the next meeting when the requested changes were made.

The next meeting is scheduled for April 22, 2009.

Approved By:

	Initial	Date
Department Head:		4/13/09
City Attorney:		
City Manager:		4/3/09

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

City Manager
Originating Department

Council Meeting Of: April 7, 2009

Mary Ann Eaton
Prepared By

Account Code No. #: N/A

Budgeted Amount: N/A

March 31, 2009
Date Prepared

Agenda Title: Resolution authorizing the City Manager to waive the fees adopted in the Fee Ordinance for the street closings for the Visitors and Convention Bureau for the 2009 annual Summer Music Festival.

Recommendation:

Discussion: This is a request for a waiver of the fee schedule for the summer Music Festival.

Approved By:

	Initial	Date
Department Head:		
City Attorney:		
City Manager:		4/3/09

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO WAIVE THE FEES ADOPTED IN THE FEE ORDINANCE FOR THE STREET CLOSINGS FOR THE VISITORS AND CONVENTION BUREAU FOR THE 2009 ANNUAL SUMMER MUSIC FESTIVAL.

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

SECTION 1: The Visitors and Convention Bureau hereby requests Council's consideration of their request for waiver of the street closure fees for the 2009 Annual Summer Music Festival.

SECTION 2: Council having considered the request determined that the Summer Music Festival is a benefit to the entire community and that waiving the fees for the street closings is in the best interest of the community, hereby authorizes the City Manager to waive the fees for the street closings for the 2009 Annual Summer Music Festival.

SECTION 3: 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)

RECEIVED

City of Oxford

Oxford Ohio
visitors&convention
BUREAU

March 24, 2009

City of Oxford
101 East High Street
Oxford, OH 45056

RE: 2009 Annual Music Festival Concert Series Street Fees Waiver Request

City Council,

On behalf of the Oxford Visitors and Convention Bureau, I am requesting that the street waiver fees for a total of $1,557 be waived for the 2009 Annual Music Festival Concert Series. The series will begin on June 18 and continue through the Annual Pig Roast on August 27, 2009.

Sincerely,

Diana Durr

14 W. Park Place, Suite C · Oxford, Ohio 45056
Phone: (513) 523-8687 Fax: (513) 523-2927
info@enjoyoxford.org ~ www.enjoyoxford.org

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council
Originating Department

Council Meeting Of: April 7, 2009

Mary Ann Eaton
Prepared By

Account Code No.: N/A

Budgeted Amount: N/A

March 31, 2009
Date Prepared

Agenda Title: A Resolution authorizing the release of a performance bond for Long Meadow Subdivision, Section 4, and accepting a new performance bond.

Recommendation: Approval

Discussion:

The City is currently holding a performance bond in the amount of $75,200.00 to cover the cost of improvements in Long Meadow Subdivision, Section 4 and to install 1,850 lineal feet of sidewalk, and 7118 CY of asphalt, and plant 40 trees in said subdivision. Some of these items have been completed to the satisfaction of the Engineering Division and it is therefore recommended that the performance bond be released and a new bond be secured in the amount of $45,000.00 to install 1,178 lineal feet of sidewalk, and plant 20 trees in said subdivision.

Approved By:

	Initial	Date
Department Head:		
City Attorney:		
City Manager:	DAB	4-3-09

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING A RELEASE OF A PERFORMANCE BOND RECORDED IN VOLUME 7798, PAGE 780 OF THE LIEN RECORDS OF THE BUTLER COUNTY, OHIO, RECORDER'S OFFICE FOR LONG MEADOW SUBDIVISION, SECTION 4, AND ACCEPTANCE OF A NEW PERFORMANCE BOND.

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

SECTION 1: The developer, having partially met the terms and conditions for which a performance bond, dated August 2, 2006 and recorded in the Records of Liens, Volume 7798, Page 780 of the Butler County, Ohio Recorder's Office in the amount of $75,200.00 was issued, hereby releases the performance bond, and as a condition of this release the developer has agreed to provide a new performance bond in the amount of $45,000.00.

SECTION 2: The Clerk of Council and City Manager are hereby authorized to execute the necessary paperwork, releasing the performance bond and to cause the developer to record the same and submit the recorded release back to the City. The release of the performance bond is conditioned upon the applicant issuing and recording a new performance bond in the amount of $45,000.00 payable to the City.

SECTION 3: This release is hereby given upon report of the City Engineer that a portion of the work secured by the performance bond has been satisfactorily completed.

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)

RELEASE OF PERFORMANCE BOND

Know All Men By These Presents, that the **City of Oxford**, Ohio, in consideration of One Dollar ($1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby release and discharge the lien and Performance Bond for Long Meadow Subdivision, Section 4, from Muskopf, Inc., to the City of Oxford, Ohio filed for record on September 19, 2006 in Volume 7798, Page 780 of the Butler County, Ohio Official Records. The real estate subject to said lien is described as follows:

> Lot numbered Three Thousand Four Hundred Sixty-five (3465) and Three Thousand Three Hundred Twenty-four (3324) as the same are known and designated on the recorded plat of Long Meadow Subdivision, Section Four (4) in the City of Oxford, Butler County, Ohio.

In Witness Whereof, the undersigned has hereunto set _____ hand at Oxford, Butler County, Ohio this _____ day of April, 2009.

City of Oxford

by_____

State of Ohio, County of Butler, ss:

I hereby certify that on the _____ day of April, 2009, before me, a notary public in and for said State, personally appeared _____, _____ of the City of Oxford, who acknowledged that __he did sign said instrument as such _____ and the same is h____ voluntary act and deed on behalf of said City of Oxford, Ohio.

_____
Notary Public, State of Ohio

This instrument was prepared by Dan E. Huss, Attorney at Law, Oxford, Ohio.

200600060408
Filed for Record in
BUTLER COUNTY, OHIO
DANNY N CRANK
09-19-2006 At 09:02:56 am.
LIEN 28.00
OR Book 7798 Page 780 - 781

BK: 7798 PG: 780

PERFORMANCE BOND

Know All Men By These Presents, That **Muskopf, Inc.**, an Ohio corporation, hereinafter called "Obligor", is held and firmly bound unto the **City of Oxford**, hereinafter called "Obligee", in the amount of Seventy Five Thousand Two Hundred and No/100 Dollars ($75,200.00), for the payment whereof Obligor is bound, expressly binding its successors and assigns, by these presents:

Whereas, Obligor is the developer of Long Meadow Subdivision, Section 4, in the City of Oxford, Butler County, Ohio; and

Whereas, Obligor remains obligated to install 1,850 lineal feet of sidewalk, and 7118 CY of asphalt, and plant forty (40) trees in said subdivision;

Now, Therefore, the condition of this obligation is that Obligor shall complete the said improvements in Long Meadow Subdivision, Section 4.

Obligor, for itself, its successors and assigns, pledges the following described real estate as security for this obligation, hereby warranting and covenanting that title to said real estate is vested solely in Obligor, and that the same is free, clear and unencumbered, and that this pledge constitutes a first and best lien upon said real estate, and upon failure of Obligor to fully and completely perform the required obligations, Obligee may levy execution or foreclosure, so as to cause said real estate to be sold and the proceeds applied to the satisfaction of this monetary obligation in the principal sum of Seventy Five Thousand Two Hundred and No/100 Dollars ($75,200.00) plus interest, and all costs of Court, including the costs of proceedings necessary to enforce collection, to-wit:

> Lots numbered Three Thousand Three Hundred Twenty Four (3324), and Three Thousand Four Hundred Sixty Five (3465) as the same is known and designated on the recorded plat of Long Meadow Subdivision, Section 4, in the City of Oxford, Butler County, Ohio.

If Obligor shall well and truly perform the obligations hereof, then this Instrument shall be void; otherwise the same, notwithstanding any default or failure of performance on the part of Obligor, shall remain in full force and effect until canceled of record of Obligee. Further, Obligor agrees that said premises not be used as security on any further obligations without written approval of the City of Oxford.

In Witness Whereof, Emery Allen Muskopf, President of Muskopf, Inc. has hereunto set his hand this SECOND (2nd) day of August, 2006.

Muskopf, Inc.

by Emery Allen Muskopf, Pres.
Emery Allen Muskopf

State of Ohio, County of Butler, ss.

Be It Remembered, That on this SECOND (2nd) day of August, 2006, before me, a notary public in and for said State, personally came Emery Allen Muskopf, President of Muskopf, Inc., the Obligor in the foregoing instrument, and acknowledged the signing thereof to be his voluntary act and deed.

In Testimony Thereof, I have hereunto subscribed my name and affixed my official seal on the day and year last aforementioned.

NOTARY PUBLIC STATE OF OHIO

DAN E. HUSS
Notary Public, State of Ohio
My Commission Has No Expiration Date
Sec. 147.03 R.C.

Dan E. Huss
Notary Public, State of Ohio.

This instrument was prepared by Dan E. Huss, Attorney at Law, Oxford, Ohio.

PERFORMANCE BOND

Know All Men By These Presents, That **Muskopf, Inc.**, an Ohio corporation, hereinafter called "Obligor", is held and firmly bound unto the **City of Oxford**, hereinafter called "Obligee", in the amount of Forty-five Thousand and No/100 Dollars ($45,000.00), for the payment whereof Obligor is bound, expressly binding its successors and assigns, by these presents:

Whereas, Obligor is the developer of Long Meadow Subdivision, Section 4, in the City of Oxford, Butler County, Ohio; and

Whereas, Obligor remains obligated to install 1,178 lineal feet of sidewalk, and plant twenty (20) trees in said subdivision;

Now, Therefore, the condition of this obligation is that Obligor, until March 31, 2010, shall complete the other said improvements in Long Meadow Subdivision, Section 4.

Obligor, for itself, its successors and assigns, pledges the following described real estate as security for this obligation, hereby warranting and covenanting that title to said real estate is vested solely in Obligor, and that the same is free, clear and unencumbered, and that this pledge constitutes a first and best lien upon said real estate, and upon failure of Obligor to fully and completely perform the required obligations, Obligee may levy execution or foreclosure, so as to cause said real estate to be sold and the proceeds applied to the satisfaction of this monetary obligation in the principal sum of Forty-five Thousand and No/100 Dollars ($45,000.00) plus interest, and all costs of Court, including the costs of proceedings necessary to enforce collection, to-wit:

> Lots numbered Three Thousand Three Hundred Twenty-three (3323), and Three Thousand Three Hundred Twenty-four (3324), as the same are known and designated on the recorded plat of Muskopf Farm Subdivision, in the City of Oxford, Butler County, Ohio.

If Obligor shall well and truly perform the obligations hereof, then this Instrument shall be void; otherwise the same, notwithstanding any default or failure of performance on the part of Obligor, shall remain in full force and effect until canceled of record of Obligee. Further, Obligor agrees that said premises not be used as security on any further obligations without written approval of the City of Oxford.

In Witness Whereof, Emery Allen Muskopf, President of Muskopf, Inc. has hereunto set his hand this thirty-first (31st) day of March, 2009.

Muskopf, Inc.

by Emery Allen Muskopf, Pres.
Emery Allen Muskopf

State of Ohio, County of Butler, ss.

Be It Remembered, That on this thirty-first (31st) day of March, 2009, before me, a notary public in and for said State, personally came Emery Allen Muskopf, President of Muskopf, Inc., the Obligor in the foregoing instrument, and acknowledged the signing thereof to be his voluntary act and deed.

In Testimony Thereof, I have hereunto subscribed my name and affixed my official seal on the day and year last aforementioned.

NOTARY PUBLIC STATE OF OHIO

DAN E. HUSS
Notary Public, State of Ohio
My Commission Has No Expiration Date
Sec. 147.03 R.C.

Dan E. Huss
Notary Public, State of Ohio.

This instrument was prepared by Dan E. Huss, Attorney at Law, Oxford, Ohio.

DAN E. HUSS
ATTORNEY AT LAW

OFFICE
29 N. BEECH STREET
OXFORD, OHIO 45056
PHONE (513) 523-6369
FAX (513) 523-1064
E-MAIL hussbolin@verizon.net

RESIDENCE
8629 ALTHAUS ROAD
CINCINNATI, OHIO 45247
(513) 385-6470

March 31, 2009

Muskopf, Inc.

RE: Parcel Nos. H4100135000077 and H4100135000078

PRELIMINARY
CERTIFICATE OF TITLE

I, Dan E. Huss, Attorney at Law, Oxford, Ohio, hereby certify that I have examined the records of Butler County, Ohio, for loan purposes, in regard to the following described real estate now in the name of **Muskopf, Inc.**, to-wit:

> Lot numbered Three Thousand Three Hundred Twenty-three (3323) and Three Thousand Three Hundred Twenty-four (3324) as the same are known and designated on the recorded plat of Long Meadow Subdivision, Section Four, in the City of Oxford, Butler County, Ohio.
>
> Being the same premises conveyed to Muskopf, Inc. by deed recorded in Volume 7128, Page 533 of the Butler County, Ohio Official Records.

and find no mortgages, leases, liens, pending suits, living judgments, certificates of judgment, foreign executions, industrial compensation liens, unpaid taxes or other encumbrances of record affecting the merchantable title of the said real estate described above, as shown by the geographical indices of the Records of Butler County, Ohio, except as follows:

1. Taxes and assessments in the amount of $480.30 per half year are paid for the first half of 2008;

2. Subject to all streets, roadways, and easements of record;

3. Financing statements and security interests under the Ohio Uniform Commercial Code affecting this real estate not included in this Certificate;

4. This Certificate does not purport to cover matters not of record in the county where this property is located, rights of persons in possession, questions that a correct survey or inspection would disclose, rights to file mechanics' or materialmen's liens, special taxes or assessments not shown by the County Treasurer's records, conformance to zoning, building or other government regulations;

5. This Certificate does not purport to cover any Federal Court or agency records;

6. Subject to easements, covenants, restrictions of record as shown on plat of Long Meadow Subdivision Section 4, recorded May 29, 2003 in Volume 3543, Pages A &B;

7. Subject to Restrictions for Long Meadow Subdivision Section 4, recorded October 20, 2003 in Volume 7244, Page 446 of the Butler County, Ohio Official Records;

8. Subject to amended restrictions of Long Meadow Subdivision, Section 4, as recorded on November 3, 2003 in Volume 7254, Page 2 of the Butler County, Ohio Official Records;

9. Lot 3324 is subject to a Performance Bond from Muskopf, Inc. to the City of Oxford, in the original amount of $75,200.00, as recorded September 19, 2006 in Volume 7798, Page 780 of the Butler County, Ohio Official Records. Said lien is to be released simultaneously with this lot being pledged to a new Performance Bond to the City of Oxford;

10. There are no mortgages of record on the property.

Dan E. Huss

DEH:kf

Muskopf, Inc.

Remaining Development Obligations on Long Meadow Subdivision, Section 4

1,178 lineal feet of sidewalk @ $28/ feet	32,984.00
20 trees @ $200 / tree	4,000.00
	36,984.00
Add 10%	3,699.00
Total	**40,683.00**

New bond tendered $45,000.00

Collateral on bond:

Lot 3323	$35,000.00
Lot 3324	$33,000.00
Total:	$68,000.00

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: April 7, 2009

Account Code #: _____

Budgeted Amount: n/a

Service Department
Originating Department

Michael Dreisbach
Prepared By

March 31, 2009
Date Prepared

Agenda Title: Granting the Oxford Community Foundation a License to improve a portion of a dedicated alley immediately to the South of 338 North Locust St.

Recommendation:

Discussion: The City Council has expressed a desire to return a greater portion of the Mile Square to single family residential use. Such an opportunity has arisen at 338 N. Locust St. (see attached map indicating proximity to the Locust / Sycamore intersection). The Oxford Community Foundation is investigating the purchase of this property and being the catalyst of home ownership for a family at this location. Through an attractive financing arrangement with the Foundation, the potential owner could receive a mortgage, with a portion being forgivable, conditioned upon the owner residing in the dwelling for a set period of time. Penalties would be invoked should all conditions of the mortgage not be met (including duration of ownership and occupancy).

The city manager and service director met with representatives of the Oxford Community Foundation, Mr. Coe Potter and Mr. Jim Robinson. The Foundation is requesting the improvement of the "paper" alley immediately to the south of the subject property. By paving a portion of this right-of- way, the new owner of 338 N. Locust St. would be able to access off street parking on their property in the rear yard. The Foundation stated that some type of alley improvement is paramount to the transaction and requested staff bring the matter forward to the City Council.

Staff evaluated the site and it is important to note one of the largest trees in the Mile Square resides in the southern part of the alley. Staff does NOT recommend removal of this tree. For this reason, staff is recommending a paved surface of no more than 10' wide so as not to impact this tree. The improvement would not go beyond the rear lot line of the subject property.

Staff recommends that Council grant the Oxford Community Foundation a License to improve a portion of the alley immediately to the South of 338 North Locust Street.

Approved By:

	Initial	Date
Department Head:		
City Manager:		4/3/09

RESOLUTION NO.

A RESOLUTION GRANTING THE OXFORD COMMUNITY FOUNDATION A LICENSE TO IMPROVE A PORTION OF A DEDICATED ALLEY IMMEDIATELY SOUTH OF 338 NORTH LOCUST STREET TO PROVIDE ACCESSIBLE OFF STREET PARKING.

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

SECTION 1: Council supports the goals of a diverse and balanced residential Mile Square and supports returning a greater portion of the Mile Square to single family residential use.

SECTION 2: In support of this initiative, the Oxford Community Foundation shall be granted a License to improve a portion of the alley immediately South of 338 North Locust Street by paving or having paved the agreed portion of this alley for the purpose of allowing the owner of 338 North Locust Street to access off street parking at the rear yard.

SECTION 3: Council hereby authorizes the granting of a License to the Oxford Community Foundation to improve a portion of the alley located immediately South of 338 North Locust Street to provide accessible off street parking.

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)

LICENSE AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of _____, 2009, by and between the City of Oxford, Ohio, an Ohio Municipal Corporation, hereinafter referred to as "LICENSOR" and the Oxford Community Foundation, a not for Profit Corporation, hereinafter referred to a "LICENSEE".

WITNESSETH:

For and in consideration of the mutual promises and agreements hereinafter set forth, the parties hereto agree as follows:

1. The Licensor hereby licenses and authorizes the Licensee to improve a portion of the alley located immediately South of 338 North Locust Street for the purpose of allowing the owner of 338 North Locust Street to access off street parking in the rear yard. The license area is more particularly described on exhibit 'A' incorporated herein and attached hereto.

2. In consideration of the granting of the license herein, Licensee agrees to pave a portion of the alley located immediately South of 338 North Locust Street. If requested and by separate agreement the Licensor will pave the agreed portion of the alley provided Licensors costs are as previously estimated and as provided Licensee are paid by Licensee.

3. The Licensor and the Licensee mutually agree that parking in any portion of the alley abutting 338 North Locust Street is prohibited.

4. The Licensor and the Licensee also agree that the house located at 338 North Locust Street is to remain owner-occupied and shall not be used as a rental. The license will terminate automatically if the house ceases to be owner-occupied.

5. Licensee specifically agrees that it shall defend, indemnify and hold harmless the Licensor and its officials, officers and employees from any and all damages, injuries or losses suffered by any person coming upon said alley during the paving process.

6. Licensor further grants unto Licensee or its Assignee the right to repair and maintain said property at the sole cost of the Licensee. Licensor reserves the right to inspect the licensed area at any and all reasonable times.

7. This License Agreement shall be for a period of ten (10) years commencing on the date of signing hereof. The license shall be renewable by the Licensee or its Assignee for additional ten (10) year periods, subject to the terms of the license.

8. Either party hereto shall have the right to revoke and terminate this Agreement and the license granted herein for any reason or no reason by giving thirty (30) days written notice to the other party of its intention to do so.

9. LICENSEE ACKNOWLEDGES THAT THE PROPERTY WHICH IS THE SUBJECT OF THE LICENSE GRANTED HEREIN IS HELD BY THE CITY AND IS THEREFORE CONSIDERED TO BE PUBLIC PROPERTY.

10. This License Agreement is a license in real estate and the rights created by it are personal to those named herein. Licensee may assign this license to other parties, including Neighborhood Housing Services and the purchaser of the house. The Licensee shall first request approval from Licensor before assigning the License. The assignment without the express written approval of Licensor is prohibited. Licensor agrees to evaluate any request for assignment and shall not unreasonably withhold approval of the requested assignment. Any party to whom Licensee assigns this license shall agree in writing and shall sign an assignment agreeing to be bound by the same terms as Licensee. Licensor may request the assignee to so acknowledge in writing. This License Agreement does not pass any interest in the property described above.

11. This License Agreement shall be interpreted in accordance with the laws of the State of Ohio

IN WITNESS WHEREOF, the parties hereunto set their hands on this day and year first above written.

Signed in the presence of:

CITY OF OXFORD, OHIO

_____ _____

By: Douglas R. Elliott, Jr., City Manager

_____

OXFORD COMMUNITY FOUNDATION

_____ By: _____
J.K. Bhattacharjee, President

_____

STATE OF OHIO,
COUNTY OF BUTLER, SS:

Before me, a Notary Public in and for said County and State, did personally appeared the City of Oxford, Ohio by Douglas R. Elliott, Jr., City Manager, who acknowledged that he did sign the foregoing instrument and the same is the free act and deed of said City.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name affixed my notarial seal on the day and year first above written.

_____
Notary Public

My Commission Expires: _____

STATE OF OHIO,
COUNTY OF MONTGOMERY, SS:

Before me, a Notary Public in and for said County and State, did personally appeared the Oxford Community Foundation by _____ its duly authorized agent, who acknowledged that he did sign the foregoing instrument and the same is the free act and deed of said Foundation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name affixed my notarial seal on the day and year first above written.

_____
Notary Public

My Commission Expires: _____

APPROVED AS TO FORM:

_____
Stephen M. McHugh, Esq.
City Law Director

EXHIBIT"A"

Footage not to exceed dimensions shown.

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott, Jr. *Police*
Originating Department

Council Meeting Of: April 7, 2009

Steve Schwein
Account Code No. #: N/A **Prepared By**

Budgeted Amount: N/A April 2, 2009
Date Prepared

Agenda Title:
Resolution to enter into an agreement between the County of Butler, City of Hamilton, City of Fairfield, City of Middletown, City of Monroe, Fairfield Township, Lemon Township, and West Chester Township to jointly apply for the 2009 Byrne Justice Assistance Grant (JAG) Program Award.

Recommendation: Approve the resolution

Discussion: It is the intention of the Oxford Division of Police to use its available FY 2009 Justice Assistance Grant funding allocation to purchase permanently stationed Automatic License Plate Readers (ALPR). This equipment purchase is only made possible through the assistance of JAG funding. The ALPR will connect wirelessly with the OPD Communications Center and with officers in the field through their Mobile Data Terminals and alert whenever individuals driving stolen vehicles or vehicles driven by individuals wanted for serious crimes enter the city limits. The Oxford Division of Police's agreed-upon share of the FY 2009 JAG funding is $49, 839 and the entire amount will be spent on the ALPR system. The ALPR system is estimated to cost $50,210.

Approved By:

	Initial	Date
Department Head:	SDS	4/2/9
City Attorney:		
City Manager:	DMD	4/3/09

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT BETWEEN THE COUNTY OF BUTLER, OHIO; CITY OF HAMILTON, OHIO; CITY OF FAIRFIELD, OHIO; CITY OF MIDDLETOWN, OHIO; CITY OF MONROE, OHIO; FAIRFIELD TOWNSHIP, OHIO; LEMON TOWNSHIP, OHIO; WEST CHESTER TOWNSHIP, OHIO; AND THE CITY OF OXFORD TO JOINTLY APPLY FOR THE 2009 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD.

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

SECTION 1: The City Manager and the Police Chief recommend the City enter into an Interlocal Agreement between the County of Butler, Ohio; City of Hamilton, Ohio; City of Fairfield, Ohio; City of Middletown, Ohio; City of Monroe, Ohio; Fairfield Township, Ohio; Lemon Township, Ohio; West Chester Township, Ohio; and the City of Oxford to jointly apply for the 2009 Byrne Justice Assistance Grant (JAG) Program Award, which will allow the City to expand its Automatic License Plate Reader System.

SECTION 2: Council accepts the recommendation of the City Manager and the Police Chief and hereby authorizes the City Manager to enter into an Interlocal Agreement between the County of Butler, Ohio; City of Hamilton, Ohio; City of Fairfield, Ohio; City of Middletown, Ohio; City of Monroe, Ohio; Fairfield Township, Ohio; Lemon Township, Ohio; West Chester Township, Ohio; and the City of Oxford to jointly apply for the 2009 Byrne Justice Assistance Grant (JAG) Program Award, which will allow the City to expand its Automatic License Plate Reader System.

SECTION 3: 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)

GMS APPLICATION NUMBER:

THE STATE OF OHIO

COUNTY OF BUTLER

INTERLOCAL AGREEMENT
BETWEEN THE COUNTY OF BUTLER, OHIO; CITY OF HAMILTON, OHIO;
CITY OF FAIRFIELD, OHIO; CITY OF MIDDLETOWN, OHIO; CITY OF MONROE, OHIO;
CITY OF OXFORD, OHIO; FAIRFIELD TOWNSHIP, OHIO; LEMON TOWNSHIP, OHIO; AND
WEST CHESTER TOWNSHIP, OHIO

2009 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD

KNOW BY ALL THESE PRESENT

This Agreement is made and entered into this _____ day of _____, 2009 by and between the COUNTY OF BUTLER, acting by and through its governing body, the Board of Commissioners (hereinafter referred to as COUNTY OF BUTLER); CITY OF HAMILTON, acting through its governing body the City Council (hereinafter referred to as the CITY OF HAMILTON); CITY OF FAIRFIELD, acting through its governing City Council (hereinafter referred to as the CITY OF FAIRFIELD); CITY OF MIDDLETOWN, acting through its governing City Council (hereinafter referred to as the CITY OF MIDDLETOWN); CITY OF MONROE, acting through its governing City Council (hereinafter referred to as the CITY OF MONROE); CITY OF OXFORD, acting through its governing City Council (hereinafter referred to as the CITY OF OXFORD); FAIRFIELD TOWNSHIP, acting through its governing body, the Board of Township Trustees (hereinafter referred to as FAIRFIELD TOWNSHIP); LEMON TOWNSHIP, acting through its governing body, the Board of Township Trustees (hereinafter referred to as LEMON TOWNSHIP); and WEST CHESTER TOWNSHIP, acting through its governing body, the Board of Township Trustees (hereinafter referred to as WEST CHESTER TOWNSHIP), all within Butler County, State of Ohio, witnesseth:

WHEREAS, this Agreement is made under the authority of applicable sections of Government Code; and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interest of all parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this Agreement; and

WHEREAS, the COUNTY OF BUTLER, CITY OF HAMILTON, CITY OF FAIRFIELD, CITY OF MIDDLETOWN, CITY OF MONROE, CITY OF OXFORD, FAIRFIELD TOWNSHIP, LEMON TOWNSHIP, and WEST CHESTER TOWNSHIP, mutually agree that the JAG award funds for 2009 of $936,868.00 when drawn by Butler County shall be allocated by Butler County as per the distribution outlined in Section 1 below.

NOW THEREFORE, the COUNTY OF BUTLER, CITY OF HAMILTON, CITY OF FAIRFIELD, CITY OF MIDDLETOWN, CITY OF MONROE, CITY OF OXFORD, FAIRFIELD TOWNSHIP, LEMON TOWNSHIP, and WEST CHESTER TOWNSHIP agree as follows:

Section 1.

It is mutually agreed by all agencies that Butler County will serve as the applicant/fiscal agent for the joint funds provided under the JAG award.

It is further mutually agreed that the JAG award will be disbursed as follows:

The COUNTY OF BUTLER will retain $300,234.00 to be used for the Law Enforcement Programs purpose area.

The COUNTY OF BUTLER agrees to provide the CITY OF HAMILTON $244,294.00 to be used for the Law Enforcement Programs purpose areas.

The COUNTY OF BUTLER agrees to provide the CITY OF FAIRFIELD $96,410.00 to be used for the Law Enforcement Programs purpose areas.

The COUNTY OF BUTLER agrees to provide the CITY OF MIDDLETOWN $109,973.00 to be used for the Law Enforcement Programs purpose areas.

The COUNTY OF BUTLER agrees to provide the CITY OF MONROE $25,818.00 to be used for the Law Enforcement Programs purpose areas.

The COUNTY OF BUTLER agrees to provide the CITY OF OXFORD $49,839.00 to be used for the Law Enforcement Programs purpose areas.

The COUNTY OF BUTLER agrees to provide FAIRFIELD TOWNSHIP $62,258.00 to be used for the Law Enforcement Programs purpose areas.

The COUNTY OF BUTLER agrees to provide LEMON TOWNSHIIP $7,844.00 to be used for the Law Enforcement Programs purpose areas.

The COUNTY OF BUTLER agrees to provide WEST CHESTER TOWNSHIP $40,198.00 to be used for the Law Enforcement Programs purpose areas.

Section 2.

Each of the parties to the Agreement agrees to use its share of the allocated funding for the Law Enforcement Program by September 30, 2013.

Section 3.

Nothing in the performance of this Agreement shall impose any liability for claims against the COUNTY OF BUTLER other than claims for which liability may be imposed by the Ohio Tort Claims Act.

Section 4.

Nothing in the performance of this Agreement shall impose any liability for claims against the CITY OF HAMILTON other than claims for which liability may be imposed by the Ohio Tort Claims Act.

Section 5.

Nothing in the performance of this Agreement shall impose any liability for claims against the CITY OF FAIRFIELD other than claims for which liability may be imposed by the Ohio Tort Claims Act.

Section 6.

Nothing in the performance of this Agreement shall impose any liability for claims against the CITY OF MIDDLETOWN other than claims for which liability may be imposed by the Ohio Tort Claims Act.

Section 7.

Nothing in the performance of this Agreement shall impose any liability for claims against the CITY OF MONROE other than claims for which liability may be imposed by the Ohio Tort Claims Act.

Section 8.

Nothing in the performance of this Agreement shall impose any liability for claims against the CITY OF OXFORD other than claims for which liability may be imposed by the Ohio Tort Claims Act

Section 9.

Nothing in the performance of this Agreement shall impose any liability for claims against the FAIRFIELD TOWNSHIP other than claims for which liability may be imposed by the Ohio Tort Claims Act

Section 10.

Nothing in the performance of this Agreement shall impose any liability for claims against the LEMON TOWNSHIP other than claims for which liability may be imposed by the Ohio Tort Claims Act

Section 11.

Nothing in the performance of this Agreement shall impose any liability for claims against the WEST CHESTER TOWNSHIP other than claims for which liability may be imposed by the Ohio Tort Claims Act

Section 12.

Each party to this Agreement will be responsible for its own actions in providing services under this Agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by another party.

Section 13.

The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

Section 14.

By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

BOARD OF COMMISSIONERS
COUNTY OF BUTLER

President Date

Commissioner Date

Commissioner Date

APPROVED AS TO FORM

3-26-09

Asst. Butler County Prosecutor Date

CITY OF HAMILTON

City Manager Date

City of Hamilton Law Director Date

CITY OF FAIRFIELD

City Manager Date

City of Fairfield Law Director Date

CITY OF MIDDLETOWN

City Manager Date

City of Middletown Law Director Date

CITY OF MONROE

City Manager Date

City of Monroe Law Director Date

CITY OF OXFORD

City Manager Date

City of Oxford Law Director Date

FAIRFIELD TOWNSHIP

Township Administrator Date

Fairfield Township Law Director Date

LEMON TOWNSHIP

Township Administrator Date

Lemon Township Law Director Date

WEST CHESTER TOWNSHIP

Township Administrator Date

West Chester Township Law Director Date

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Community Development Department
Originating Department

Council Meeting Of: April 7, 2009

Account Code No. #:

Jung-Han Chen
Prepared By

Budgeted Amount:

March 17, 2009
Date Prepared

Agenda Title:	**PC-01-2009- Zoning Text Amendment- To Amend Chapter 1141, Section 1141.02(c) Permitted Temporary Uses, Portable Storage Units, City of Oxford, Applicant**

Recommendation:	**Approval**

Discussion:
As directed by City Council after several complaints were received regarding temporary storage containers being placed in the Right-of-Way as well as on private property for long periods of time, staff has prepared draft language to address this concern.

The proposed language will add the provision to allow for temporary storage containers to be used for short periods of time and to regulate the location where the containers would be permitted on a property.

The Planning Commission is recommending approval of this draft language with modifications.

Approved By:	**Initial**	**Date**
Department Head:	JHC	3/18/09
City Attorney:		
City Manager:		4/3/09

ORDINANCE NO.

ORDINANACE REPEALING ZONING CODE SECTION 1141.02 TEMPORARY REGULATIONS, AND ADOPTING NEW SECTION 1141.02 TEMPORARY REGULATIONS.

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

SECTION I: Council hereby finds that the City of Oxford Planning Commission held a public hearing on March 10, 2009 and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Section 1141.02, Temporary Regulations, and adopting new Section 1141.02, Temporary Regulations.

SECTION II: Council hereby repeals Section 1141.02 of the Oxford Code of Ordinances and adopts new Section 1141.02 as follows:

1141.02 TEMPORARY REGULATIONS.

(a) Purpose. Temporary uses shall be permitted in applicable zone districts by the grant of a Zoning Permit issued by the Zoning Administrator in accordance with the requirements of this section.

(b) General Provisions.

(1) The duration of the temporary period is stated hereinafter, provided, however, renewal of such permit may be requested.

(2) Temporary uses shall be subject to all the regulations of the applicable zoning district.

(c) Permitted Temporary Uses. Permits may be issued for the following temporary uses, provided that they meet these requirements and are not otherwise in conflict with the provisions of this resolution:

(1) Uses.

A. Carnivals or circuses are permitted in any Commercial or Industrial District or public parking lot or playground/field; however, no structure or equipment shall be within 500 feet of any residential property line. Maximum length of permit shall be seven days.

B. Christmas tree sales are permitted in any district other than Residential Districts. Maximum length of permit for display and open lots sales shall be 45 days.

C. Contractor's office and construction facilities are permitted in any district where use is incidental to a construction project. The structure shall be located on the lot on which construction takes place and shall be removed once construction ceases.

D. Events of public interest shall be permitted in any district other than Residential Districts.

E. Real estate sales offices and/or model homes shall be permitted in any district provided that a preliminary plat for such development has been

approved by Council. Any such unit shall conform to all requirements for residential uses for the district in which it is located. Maximum length of permit shall be one year. Offices shall be removed upon completion of the development of the subdivision.

F. Tent meetings are permitted in any district other than Residential Districts. Maximum length of permit shall be seven days.

G. Seasonal merchandise, such as plants, garden supplies, pumpkins, fruit, vegetables, etc., may be sold outdoors within the General Business, and Light Industrial District. Permits will be for a 60-day period and must be renewed if longer duration is desired, for a maximum of two renewals. Such activities shall be placed in such location that will not interfere with access drives into or within the site, nor will reduce space for required off-street parking facilities. Such facilities shall maintain a 30-foot setback from all adjacent thoroughfare rights-of-way.

H. Searchlights drawing attention to the event are prohibited.

I. The temporary outdoor sales of handcrafted items and artwork are allowed only in conjunction with a temporary event except as otherwise provided by this section.

J. Temporary Shelter: When fire or natural disaster has rendered a single-family residence unfit for human habitation, the temporary use of a mobile home located on the single-family lot during rehabilitation of the original residence or construction of a new residence is permitted subject to the following additional requirements.

1. Required water and sanitary facilities must be provided.
2. Maximum length of permit shall be six months, but the zoning office may extend the permit for periods not to exceed 60 days in the event of circumstances beyond the control of the owner. Application for extension shall be made at least 15 days prior to the expiration of the original permit.
3. The mobile home shall be removed from the property upon issuance of any occupancy permit for the new or rehabilitated residence. The applicant shall be required to provide express consent and authorization to the City to remove the shelter at the owner's expense upon termination of the permit.

K. Any other use, temporary in nature, which the Zoning Administrator deems as beneficial to the public good and which does not impair the public health, safety and welfare.

L. Garage Sales. Temporary garage sales in residential districts in order to allow residents to sell excess personal property are permitted, provided that the following conditions are met:

1. Each garage sale shall not exceed four days.
2. Only two garage sales shall be permitted per calendar year at any individual location.
3. No person conducting a garage sale under the provisions of this Article shall sell or offer for sale any food or beverage for consumption on the premises. Food or beverage may be provided

for such consumption at no cost to the consumer, but only if a permit is obtained in advance from the Health Department.

4. No fee or other charge shall be imposed upon members of the public attending any such sale.
5. One non-illuminated sign not exceeding four square feet in size, no more than three feet in height above grade may be displayed on the property where the sale is being held.
6. Special lighting and noise making devices or other similar advertising displays or notices shall not be used to call attention to the garage sale.

M. Auctions of used household goods and property may be conducted at any individual location in a Residential District no more than once per year.

*N. **Portable Storage Containers- Containers designed for the temporary storage of property that can be moved by truck or trailer (including intermodal storage units).***

*1. **No zoning certificate is required if portable storage containers are to be placed on the premise no more than seven (7) days. The Zoning Administrator may permit any portable storage container to be placed on a property for up to thirty (30) days, provided the property owner has an active building permit or has demonstrated the need. An additional fourteen (14) day extension may be granted provided the property owner demonstrates extenuating circumstances.***

*2. **Any portable storage container must be located on a driveway or other hard surfaced area. Portable storage containers shall be a minimum of eight (8) feet from the back of the curb and shall not extend onto the sidewalk.***

*3. **Calamity Exception. If the portable storage container is being used to store personal property as a result of a major calamity (e.g. fire, flood or other event where there is significant property damage), the City Manager may extend the time period allowed in Section N.1.***

SECTION III: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

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

_____
MAYOR

ADOPTED: _____

ATTEST:

_____
DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY:

PREPARED BY: LAW (STAFF)

Certification of Action
Oxford Planning Commission
Recommendation to City Council

Report Date	March 17, 2009
Case Number	PC-01-2009
Applicant Information	City of Oxford, Applicant
Requested Action	Zoning Text Amendment
Summary of Request	Modifying Chapter 1141.02 by Adding a Permitted Temporary Use, Portable Storage Containers
Public Hearing Information	At the February 10, 2009 and March 10, 2009 Planning Commission meetings, public hearings were held at 118 West High Street. A legal notice of the hearing was published in the Oxford Press on January 9, 2009. The Planning Commission tabled the consideration in its February 10, 2009 meeting. On March 10, 2009, the case was brought back before the Planning Commission for consideration.
Commission Action	The Planning Commission voted 6-0-0 to recommend City Council approval.
Commission Findings and Conclusions	The Planning Commission voted to recommend approval of the draft language with modifications.
Exhibits Submitted to the Commission	1. Community Development Staff Report. 2. Inter-Office Review Transmittal Sheets. 3. Zoning Code Text Amendment Application dated December 26, 2008 4. Chapter 1141.02 Temporary Regulations language

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-01-2009 **Date – February 10, 2009**

REVISION- March 10, 2009

APPLICATION	
Applicant:	City of Oxford
Action Request:	Modifying Chapter 1141.02 by Adding a Permitted Temporary Use, Portable Storage Containers

DESCRIPTION

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.

STAFF ANALYSIS

The proposed language is simply adding the provision to allow for temporary storage containers to be used for short periods of time and to regulate the location where the containers would be permitted on a property. This amendment also builds in under certain unusual circumstances that longer periods could be granted. The proposed amendment also stipulates that a zoning certificate is necessary to monitor this type of temporary use.

One issue that staff did not include is the size of such storage containers. It is staff recommendation to leave the size unregulated thus allowing the Applicant to determine what would be the ideal solution for his/her own circumstance, instead of placing an arbitrary size that may cause enforcement difficult and additional review by the Board of Zoning Appeals.

The Oxford Comprehensive Plan is silent about this type of temporary use and therefore is not being consulted with this amendment.

Based on comments from the Planning Commission members at the February 10, 2009 Planning Commission meeting, staff has made some changes to the proposed language to reflect that discussion.

DECISION CRITERIA

Any proposed amendment shall be considered and approved only if it meets at least one of the following criteria and if its benefits will likely outweigh any potential pitfalls. The proposed amendment will:

a. Make the Code conform more closely to the Comprehensive Plan.
b. Improve the public health, safety, and general welfare of Oxford.
c. Clarify the intent of the Code.
d. Better implement the intent of the Code.
e. Improve enforcement of the Code.

RECOMMENDATION

Not Applicable

SUBMITTED

BY: Jung-Han Chen

Jung-Han Chen, AICP
Director
Community Development Department

DATE: February 27, 2009

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 1/29/ 2008

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-01-2009

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

_____X___ Review _____ Revisions _____Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **2/5/2008** 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: J. Dellinger

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 1/29/ 2008

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-01-2009

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

_____X___ Review _____ Revisions _____Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **2/5/2008** 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 2-4-09.

Drawings reviewed by: A. Pearson

CITY OF
OXFORD
HOME OF MIAMI UNIVERSITY

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-01-2009
Zoning Text Amendment

DATE: February 4, 2009

The subject Zoning Text Amendment of Chapter 1141, Section 1141.02(c) is for temporary uses of Portable Storage Containers. The following are our comments.

- At times, due to the location of permanent structures on certain lots, a Portable Storage Container may encroach upon the right-of-way. It is suggested that in such cases the property owner be subject to a right-of-way permit.

- Under no circumstances may a Portable Storage Container be places over utilities that are located within an easement.

- A Portable Storage Container shall be located such that it will not obstruct the sight distance.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 1/29/ 2008

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-01-2009

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

_____X___ Review _____ Revisions _____Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **2/5/2008** 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 Seltzer

See next page

I support the text change 100%; however, in order to be effective, there should be a permit required to place the storage unit on a property, even if no permit fee is required. There should also be a penalty specified for failure to obtain a permit. The permit should be posted conspicuously on the container. By obtaining a permit, the individual will be provided with a copy of the regulations & NIC or whoever will know approx when the 14 day or 30 day period will commence & end

Transcribed from Chief Schwein's Comments:

I support the text change 100%; however, in order to be effective, there should be a permit required to place the storage unit on a property, even if no permit fee is required. There should also be a penalty specified for failure to obtain a permit. The permit should be posted conspicuously on the container. By obtaining a permit, the individual will be provided with a copy of the permit, the individual will be provided with a copy of the regulations and NIC or whoever will know approximately when the 14-day or 30-day period will commence and end.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 1/29/ 2008

To: Fire Department Engineering Division Police Department ~~Economic Development~~

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-01-2009

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

_____X___ Review _____ Revisions _____Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **2/5/2008** Note: If no comments are received, we will assume the project meets your department's standards.

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

FIRST, IT IS GOOD TO HAVE REGULATIONS FOR POD's.
MY ONE THOUGHT IS; 1141.02(C) REQUIRES A ZONING PERMIT,
I'M NOT SURE HOW MANY INDIVIDUALS WILL COME TO THE CITY
BUILDING FOR A PERMIT FOR AN EVENT WHICH CAN ONLY

Drawings reviewed by: [signature]

~~be~~ BE FOR 30 DAYS.

IT MAY BE MORE APPROPRIATE TO HAVE THIS AS A
PERMITTED USE FOR UP TO 30 DAYS WITHOUT A PERMIT.

First, it is good to have regulations for POD's – my one thought is – 1141.02(c) requires a zoning permit. I'm not sure how many individuals will come to the City Building for a permit for an event which can only be for 30 days. It may be more appropriate to have this as a permitted use for up to 30 days without a permit.

Case No.: PC-01-2009
Date filed: 12/26/08
Feb mtg

Zoning Code Text Amendment Application
City of Oxford, Ohio

REQUIRED INFORMATION

Name of Applicant: City of Oxford
(Attach a letter of agency if the applicant is not the property owner.)

Mailing Address: 101 E. High St

Telephone Number(s) (513) 425-[redacted]
5204

SUBMISSION REQUIREMENTS
A written, detailed description, where applicable, is required for each subsection.

All applications must include:

1. A general description of the proposed amendment.
2. A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.
3. A statement that identifies potential negative consequences of the proposed amendment.
4. Any existing section number and text that is proposed to be deleted or amended.
5. Any new or amended text as it is proposed to be codified including its proposed location in the Code. (section numbers)
6. A narrative statement that describes the expected effects of the proposed text.
7. A narrative statement that compares the expected effects of the proposed text with any existing text that it will replace, if applicable.

Planning Commission and Council Review The Planning Commission shall base its recommendation on a proposed Zoning Code amendment upon the complete application, upon any staff report, and upon any relevant and credible public comment presented during the public hearing. Council shall base its decision on the same materials and shall consider the Planning Commission recommendation. If the Planning Commission or Council finds that the information provided is insufficient to make a determination, it may suspend its review until sufficient information has been provided.

Decision Standards A proposed amendment shall be approved only if it meets at least one of the following criteria, and if its benefits will likely outweigh any potential pitfalls. The proposed amendment will:

a. make the Code conform more closely with the Comprehensive Plan.
b. improve the public health, safety, and general welfare of Oxford.
c. clarify the intent of the Code.
d. better implement the intent of the Code.
e. improve enforcement of the Code.

All materials and the application fee in the amount of $150.00 payable to the City of Oxford must be delivered to the office of Community Development, 101 East High Street, Oxford, Ohio 45056. **Incomplete applications will not be processed.** Any questions should be directed to the Community Development Department at (513) 524-5204.
NOTE: Notification and publication requirements must be adhered to. Submit materials 45 days prior to the proposed meeting date.

SIGNATURE OF APPLICANT: Jung-Han Chen Date: 12.26.08

PRINTED NAME: Jung-Han Chen

FEE / RECEIPT
$150 Fee Paid / Receipt Number: NA

Portable Storage Unit

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Finance
Originating Department

Council Meeting Of: 04/07/09

Account Code No. #: see below

Joe Newlin
Prepared By

Budgeted Amount:

03/30/09
Date Prepared

Agenda Title: 2009 SUPPLEMENTAL BUDGET #4

Recommendation: Approve

Discussion:

Supplements to the 2009 Budget

General Fund
Community Assistance

6,151.00

From fund balance
Appropriation needed to offset anticipated revenue VCB expected at the end of 2008 calendar year. This amount was taken out of the 50% of convention tax received. The VCB anticipated the city to pick-up the whole amount when they made their request for an additional $20,000 for their 2009 operations with $8,500 being assigned out of the 50% of convention tax received in 2008.

5,283.50

From fund balance
Appropriation needed to offset 2008 expenses of the Family Resource Center that were turned into the city in February of 2009. New accounting procedure caused confusion in 2009 budgeting process.

Water Fund
Utilities Administration

3,482.83

From fund balance
Appropriation needed to offset 2008 expenses of the Family Resource Center that were turned into the city in February of 2009 and ½ of the additional $5,000 for administration fees as requested in 2009 budgeting process. New accounting procedure caused confusion in 2009 budgeting process.

Sewer Fund
Utilities Administration

3,482.82

From fund balance

Appropriation needed to offset 2008 expenses of the Family Resource Center that were turned into the city in February of 2009 and ½ of the additional $5,000 for administration fees as requested in 2009 budgeting process. New accounting procedure caused confusion in 2009 budgeting process.

Approved By:		**Initial Date**
	Department Head:	3/30/09
	City Manager:	4/2/09

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3033. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 4 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2009.

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

SECTION 1: Additional appropriations are needed for the current fiscal year and monies are available for appropriation in those funds, and changes to estimated revenues;

SECTION 2: The following increase/(decrease)in appropriations from unencumbered balances be made:

GENERAL FUND 110	6,151.00
GENERAL FUND 110	5,283.50
WATER FUND 321	3,482.83
SEWER FUND 331	3,482.82

SECTION 3: In all other respects, Ordinance No. 3033 shall remain in full force and effect.

SECTION 4: This ordinance shall take effect immediately upon its adoption.

_____
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

Finance
Originating Department

Council Meeting Of: 03/17/09

Account Code No. #: see below

Heidi Hill
Prepared By

Budgeted Amount:

03/11/09
Date Prepared

Agenda Title: 2009 SUPPLEMENTAL BUDGET #3

Recommendation: Approve

Discussion:

Supplements to the 2009 Budget

General Fund

Transfer to LETF **38,245.00**
From fund balance
Appropriation needed to return unused funds transferred in 2008 which was meant to fund 2 walking patrols mostly in the uptown business district. Police did not fill one position until mid-year second went unfilled. **The actual appropriation was inadvertently left off of the Ordinance for Supplemental Budget #1.**

Transfer to FEMA **12,519.00**
From fund balance
Appropriation needed to cover the City's 10% portion of the FEMA grant awarded to the Fire Department. This will be offset by the 2nd request of FEMA money from the windstorm in 2008. We are expecting to receive another $76,346.70.

Fire Supplies **961.60**
From Revenue
Appropriation needed to cover the cost or replacing supplies for Hazardous Material spill. City received reimbursement for the supplies used.

Street Fund

Materials **50,000.00**
From Revenue
Appropriation needed to purchase salt and materials for street repair for balance of 2009 from the reimbursed FEMA money under the current contract. The current contract price for salt is lower than what is anticipated for the next contract period.

FEMA Fund

Equipment **109,314.00**
From Grant Revenue and Fund balance

Training **15,875.00**
From Grant Revenue
Appropriation is needed for the purchase of equipment and training from grant revenue that FEMA awarded to the Fire Department.

Refuse Fund

Recycling **3,864.00**
From Grant money and recycling incentive

Additional appropriation needed to cover the cost of purchasing 1.00 per month contract of recycling pickup for larger containers. Grant was awarded by the Butler County Solid Waste District in the amount of $2,318.40. The remaining $1,545.60 expense will come from the additional recycling incentive the City received from Butler County.

Storm Water Fund

Transfer to General Fund **13,839.00**
Transfer money back to General Fund that was transferred at the end of 2008 to cover expenditures that were not anticipated in 2008.

Equipment **(13,839.00)**
Reduce appropriation that was spent last year after Budget was completed.

Approved By: **Initial Date**

Department Head:

City Manager:

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3033. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 3 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2009.

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

SECTION 1: Additional appropriations are needed for the current fiscal year and monies are available for appropriation in those funds, and changes to estimated revenues;

SECTION 2: The following increase/(decrease)in estimated revenues be made:

GENERAL FUND 110	961.60
FEMA FUND 416	112,670.00
REFUSE FUND 341	2,318.40

SECTION 3: The following increase/(decrease)in appropriations from unencumbered balances be made:

GENERAL FUND 110	38,245.00
GENERAL FUND 110	12,519.00
GENERAL FUND 110	961.60
FEMA FUND 416	125,189.00
STREET FUND 122	50,000.00
REFUSE FUND 341	3,864.00
STORM WATER FUND 351	13,839.00
STORM WATER FUND 351	(13,839.00)

SECTION 4: The following transfers be executed:

Transfer from:	
GENERAL FUND 110	12,519.00
STORM WATER FUND 351	13,839.00
Transfer to:	
FEMA FUND 416	12,519.00
GENERAL FUND 110	13,839.00

SECTION 5: The following increase/(decrease)in estimated revenues be made:

FEMA FUND 416	12,519.00
GENERAL FUND 110	13,839.00

SECTION 6: In all other respects, Ordinance No. 3033 shall remain in full force and effect.

SECTION 7: This ordinance shall take effect immediately upon its adoption.

_____
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

Account Code No. #:

Jung-Han Chen
Prepared By

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:		**Initial**	**Date**
	Department Head:		1/23/09
	City Attorney:		
	City Manager:		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

Report Date	March 3, 2009
Case Number	PC-27-2008
Applicant Information	Tim Myers, Applicant, Agent
Requested Action	Preliminary Subdivision
Summary of Request	To allow for a proposed residential subdivision in a R1B District, 32.12 acres into 77 lots.
Public Hearing Information	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.
Commission Action	The Planning Commission voted 4-2-1 to recommend City Council approval.
Commission Findings and Conclusions	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.
Exhibits Submitted to the Commission	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

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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 10' wide dedicated public walkway~~. A s*idewalk 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 angels 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 o 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)**

____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: _____

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

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)**

___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

SEE MEMO DATED 2-4-09

✓ These are revised plans

Drawings reviewed by:

CITY OF
OXFORD
HOME OF MIAMI UNIVERSITY

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: [signature] 11-21-08

RECEIVED
NOV 17 2008
City of Oxford
Engineering Division

CITY OF
OXFORD
HOME OF MIAMI UNIVERSITY

Memo

Service Department
Engineering Division
513/524-5208 fax 513/524-5267

TO: Community Development Department

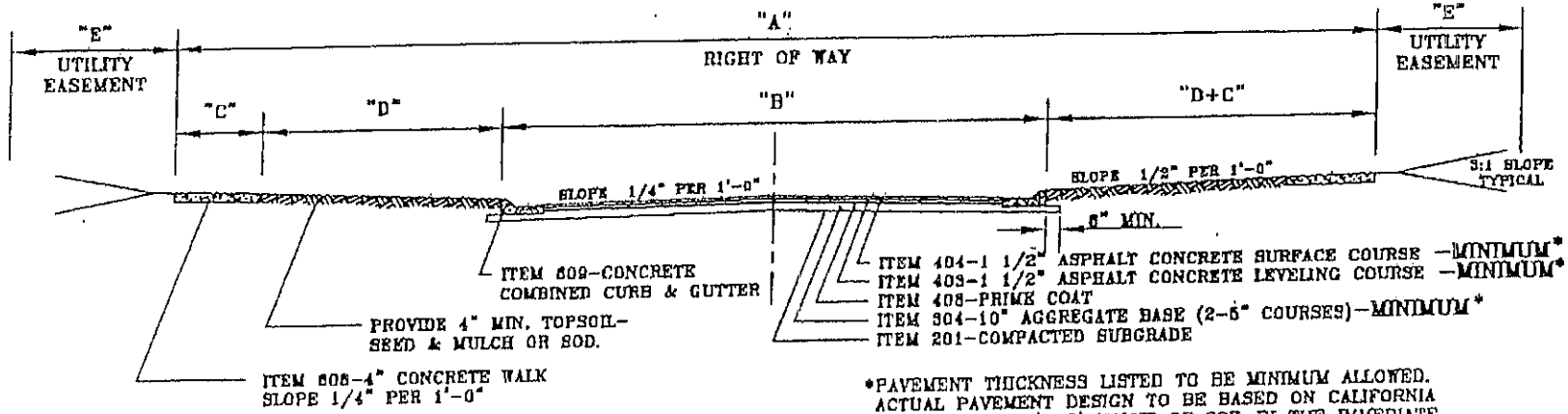
FROM: Victor Popescu, P.E.
City Engineer

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/decelaration 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.

	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 AFFECT AT THE TIME OF APPROVAL.

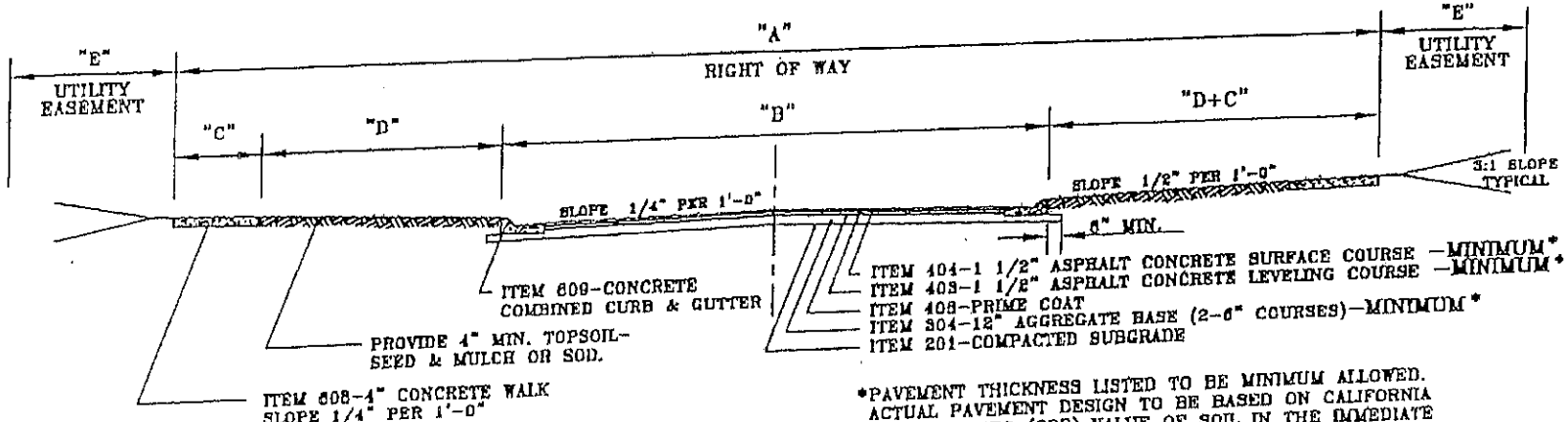
SUB GRADE SHALL BE PREPARED IN ACCORDANCE WITH ITEM 203 OF THE MOST CURRENT EDITION OF THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION CONSTRUCTION MATERIAL AND SPECIFICATIONS MANUAL.

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.

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.

	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 1997 ARE SUBJECT TO STANDARDS IN AFFECT AT THE TIME OF APPROVAL.

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.

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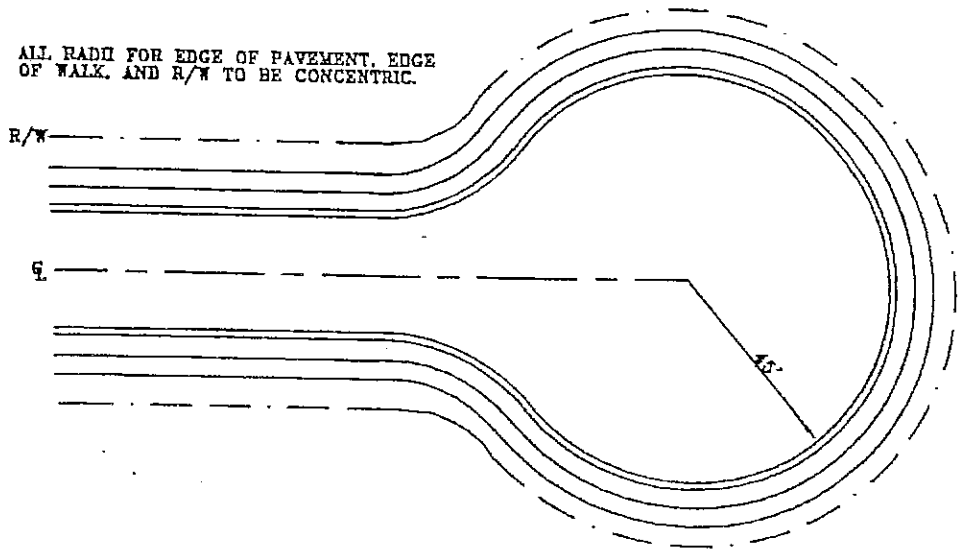
City of Oxford
Engineering Department

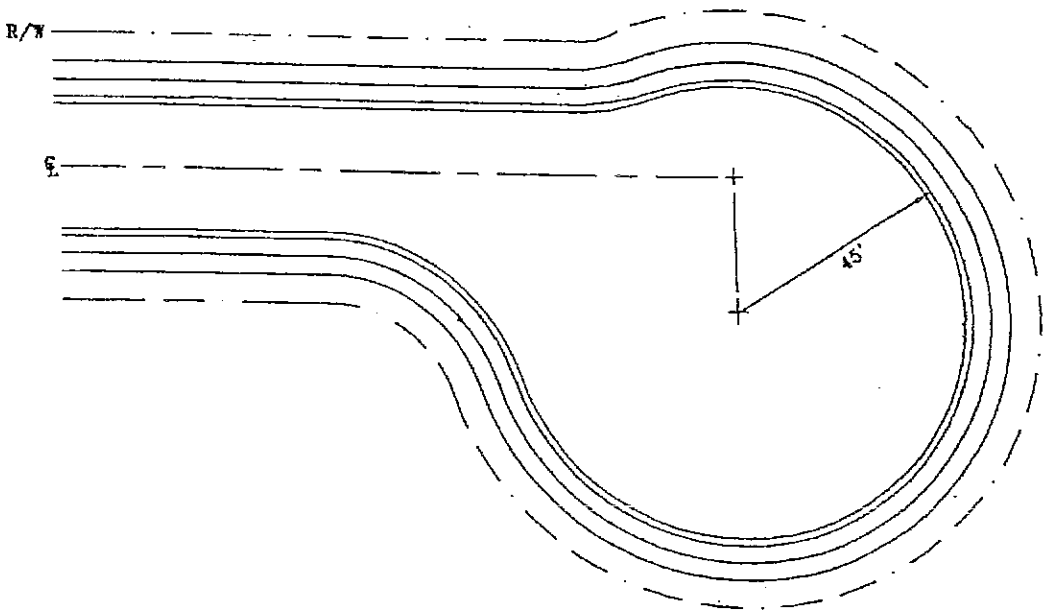
COLLECTOR STREET TYPICAL SECTION

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.



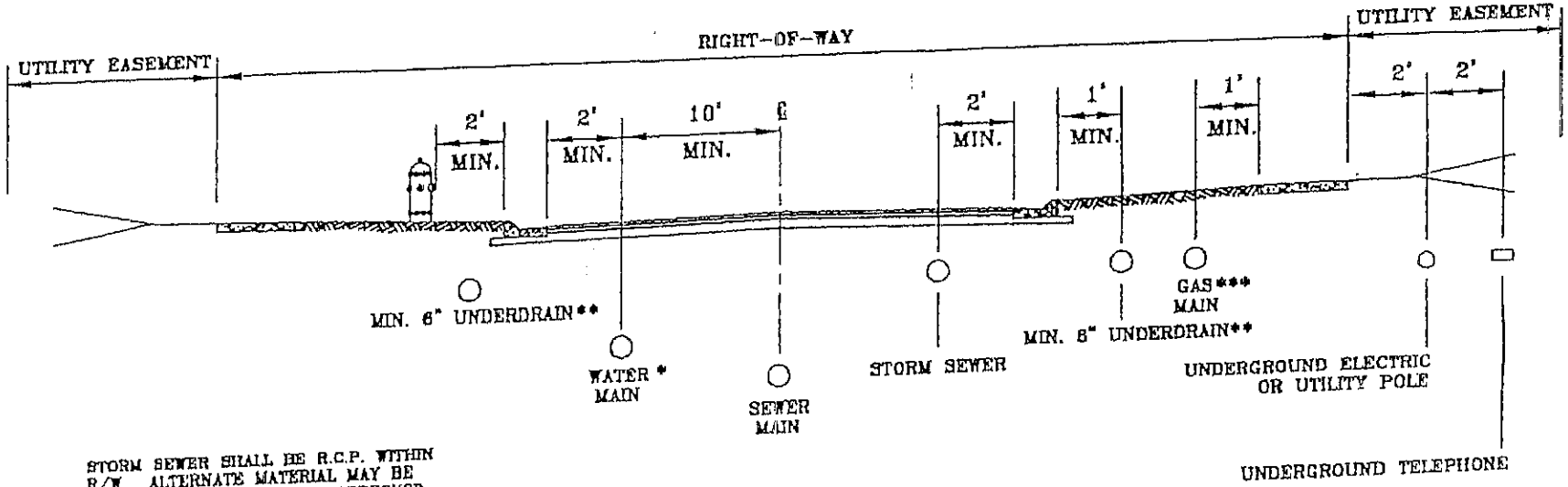
MAXIMUM CUL-DE-SAC LENGTH SHALL BE 600'

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.

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"

* 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

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)**

____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: _____

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

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____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: S Schwer

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 1/30/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

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____X_____ Review _____ Revisions _____Other

Comments or status update requested by: Lynn Taylor

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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

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____X_____ Review _____ Revisions _____Other

Comments or status update requested by: Lynn Taylor

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Drawings are returned: w/comments without/comments

SEE ATTACHED LETTER

Drawings reviewed by: _____

CITY OF
OXFORD

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.

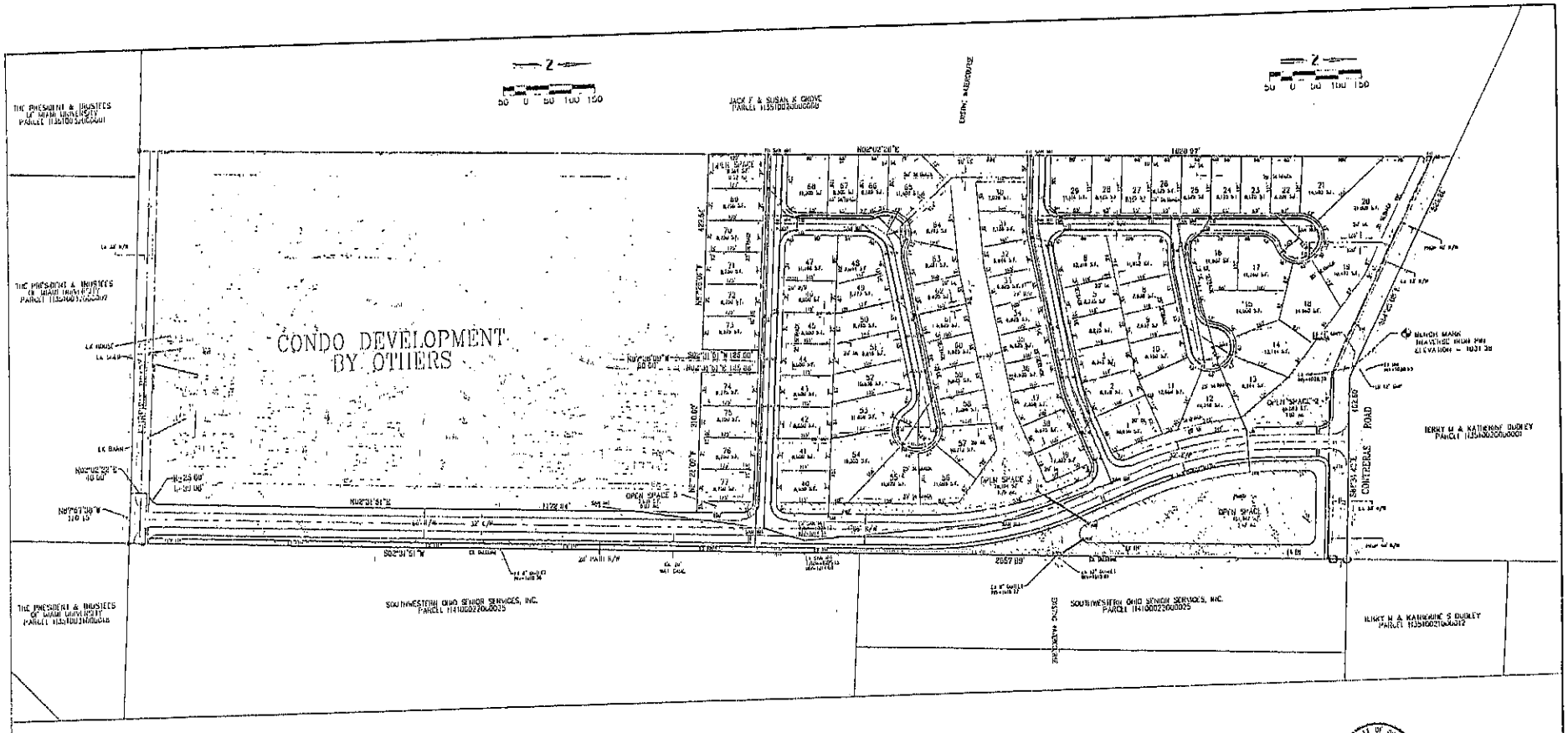
This is an economic development issue for two reasons.

- 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

101 East High Street • Oxford, Ohio 45056-1887
Phone: (513) 524-5200 • Fax: (513) 523-7298 • www.cityofoxford.org



SUBDIVISION SITE INFORMATION

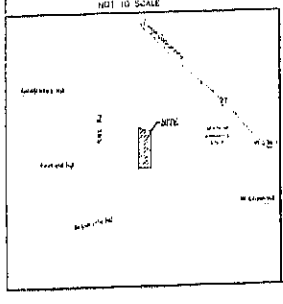
PROPERTY ZONE: R-10
TOTAL NUMBER OF LOTS: 77
TOTAL AREA: 32.1210 Ac.
GROSS DENSITY: 2.40 LOTS/Ac
OPEN SPACE: 0.02 Ac.

DEVELOPER

COLLEGE REAL ESTATE
5020 B COLLEGE CORNER PIKE
OXFORD, OHIO 45056
CONTACT: TIM MYERS
(513) 523-2161

VICINITY MAP

NOT TO SCALE



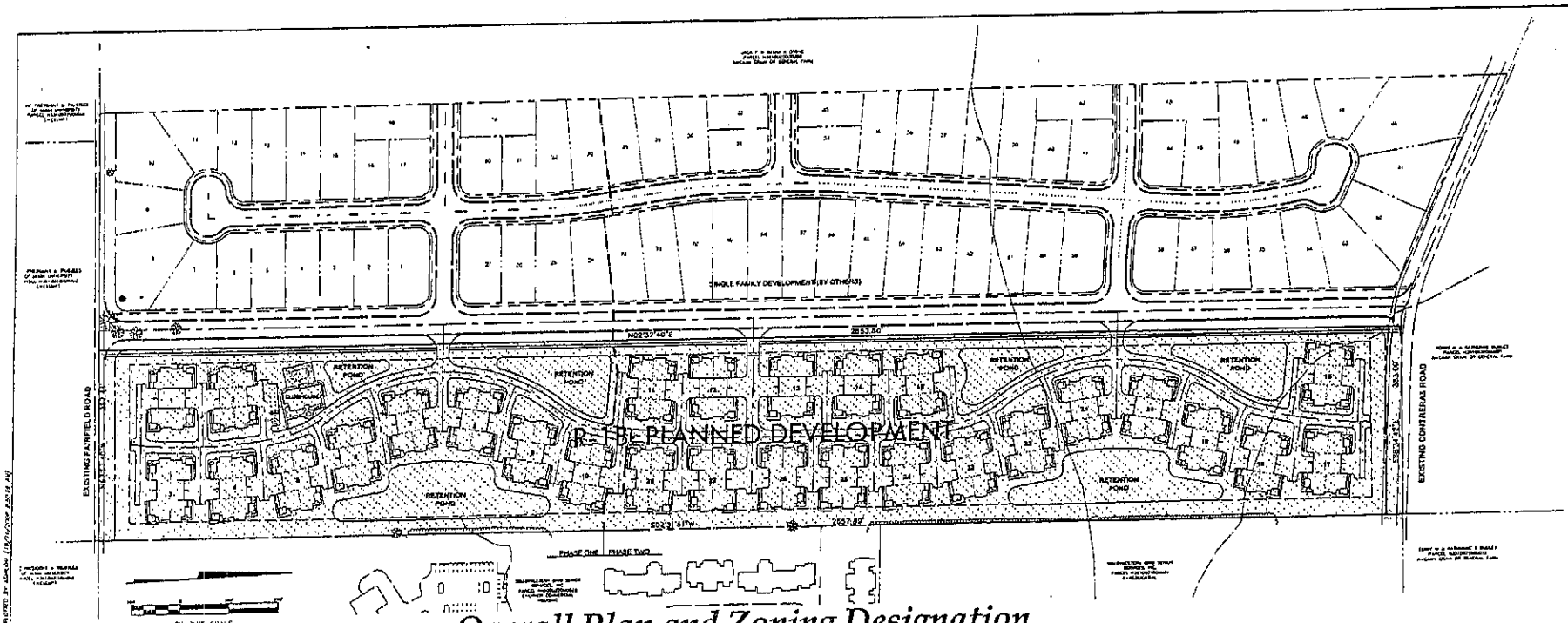
NOTES:
1). ALL LOTS TO HAVE 5' PRIVATE DRAINAGE EASEMENTS ALONG LOT LINES.
2). HOMEOWNERS ASSOCIATION TO BE CREATED FOR MAINTAINANCE OF DRAINAGE EASEMENTS, OPEN SPACE, AND RETENTION POND.

- Current - design
Went with 2/10/09 PC mtg

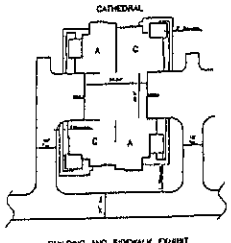
PRELIMINARY PLAT
MYERS SUBDIVISION
31.12 AC. TRACT
SECTION 20, TOWN 5, RANGE 1
OXFORD TOWNSHIP, BUTLER CO., OHIO

APEX ENGINEERING & SURVEYING, INC.

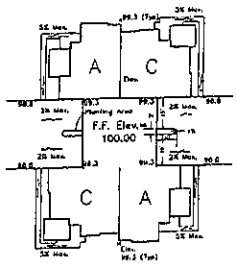
SHEET 1 OF 1



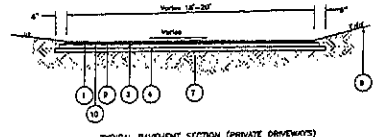
Overall Plan and Zoning Designation



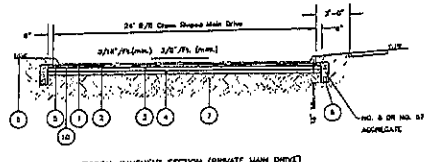
BUILDING AND SIDEWALK EXHIBIT
N.T.S.



TYPICAL BUILDING GRADING
N.T.S.



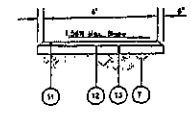
TYPICAL PAVEMENT SECTION (PRIVATE DRIVEWAYS)
N.T.S.



TYPICAL PAVEMENT SECTION (PRIVATE MAIN DRIVE)
N.T.S.

LEGEND

1. ITEM 404, 1-1/2" ASPHALT CONCRETE
2. ITEM 403, 3" ASPHALT CONCRETE
3. ITEM 304, 4" AGGREGATE BASE
4. 4" NO. 2 STONE
5. ITEM 609, EXTRUDED CONCRETE CURB (BOND TO ASPHALT) (SEE PLAN FOR LOCATIONS)
6. ITEM 606, 4" PIPE UNDERDRAIN
7. ITEM 304, SUBGRADE COMPACTION
8. ITEM 808, SEEDING & MULCHING
9. ITEM 402, 2" ASPHALT CONCRETE
10. ITEM 407, BITUMINOUS TACK COAT (0.1 GAL/S.Y.)
11. ITEM 404, 2-1/2" ASPHALT CONCRETE
12. ITEM 408, BITUMINOUS PRIME COAT (0.4 GAL/S.Y.)
13. ITEM 304, 8" AGGREGATE BASE



TYPICAL ASPHALT PATH DETAIL
N.T.S.

OLD Version went with 12/9/08 PC mtg.

PRELIMINARY
NOT TO BE USED FOR CONSTRUCTION

OHIO Utilities Protection SERVICE

EPCON COMMUNITIES OF OXFORD

SITE LOCATION
Section 20, Town 5, Range 1
City of Oxford
Butler Co

EMH&T

Date: October, 2008
Scale: 1" = 100'
Job No: 2007-2376
Sheet: 2 of 3

REVISIONS

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.

Prudence S. Dana
MAYOR

ADOPTED: September 16, 2008

ATTEST: Marylinn Eaton
DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

A

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, THERFORE, 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 or 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

By: _____
Mike Dreisbach, Interim, City Manager

OWNER

BY: _____
Harry Ritter Paulin

By: _____
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

NOTARY PUBLIC STATE OF OHIO
LeANN HENDRICKS
Notary Public, State of Ohio
My Commission Expires
January 25, 2011

STATE OF OHIO :
SS:
County of BUTLER State of Ohio

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

NOTARY PUBLIC STATE OF OHIO
LeANN HENDRICKS
Notary Public, State of Ohio
My Commission Expires
January 25, 2011

E A S E M E N T

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 One (1) East of Oxford Township, Butler County, Ohio;

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

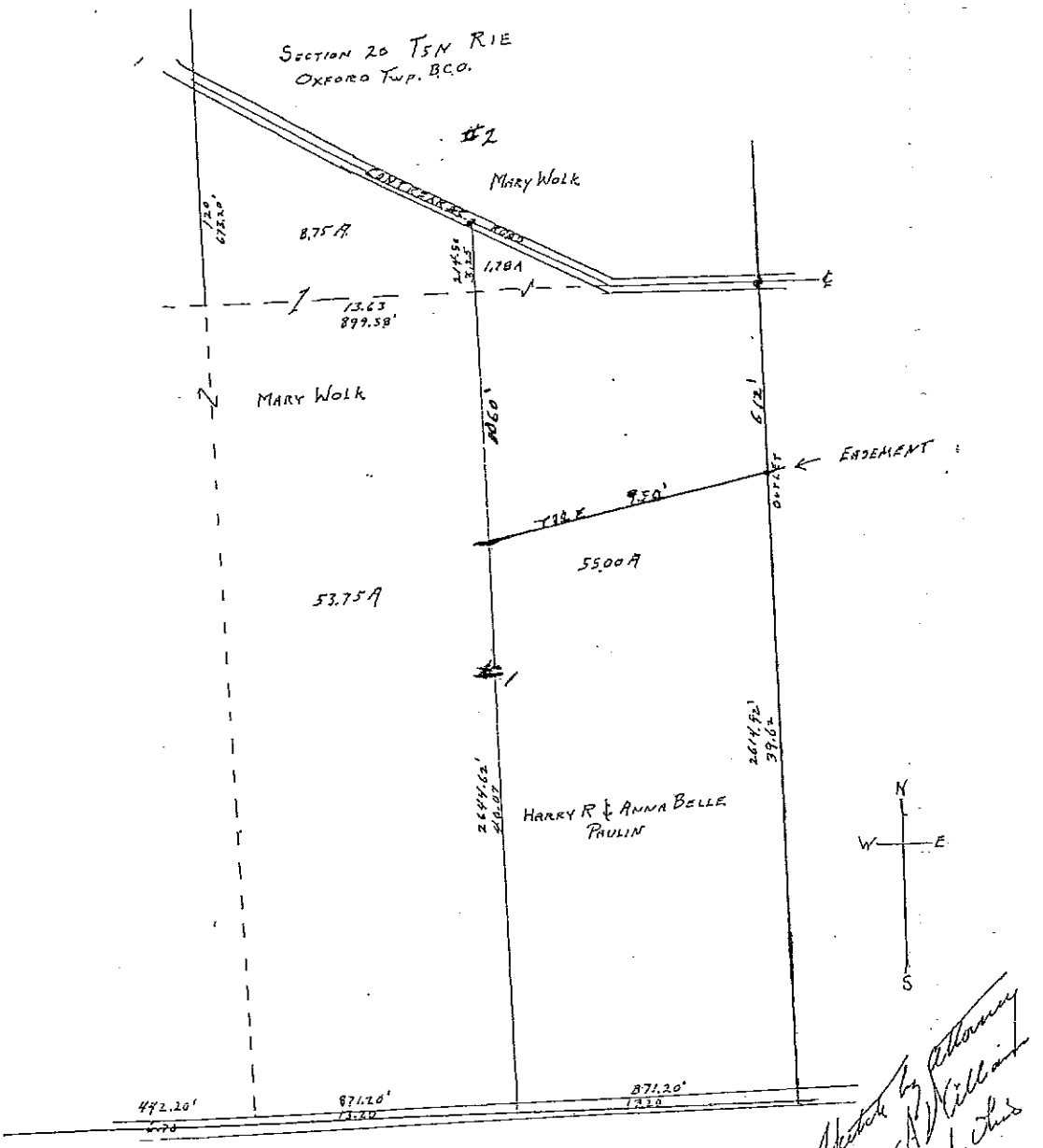
And, Whereas said Mary Wolk with the knowledge and consent of said Paulins has constructed a field drainage tile across the said Paulin property located as follows:

> 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. Williams Oxford, Ohio

BOOK 42 PAGE 77

anly 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:

R. Fred Woodruff — Harry R. Paulin
Harry R. Paulin

Glenn W. Pillsbury — 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

NO. 30058
TRANSFERRED
RECEIVED 10-23-58
TIME 2:30 P.M.
RECORDED 10-24-58
FEE 2.70
EARL R. HOGAN
RECORDER, BUTLER CO.

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 Bus.
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., Middletown, 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: Tim Myers Date: 10/24/08

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

Council Meeting Of: March 3, 2009

Account Code No. #:

Budgeted Amount:

Community Development Department
Originating Department

Jung-Han Chen
Prepared By

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:		Initial	Date
	Department Head:	JHC	2/25/09
	City Attorney:		
	City Manager:		

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

Report Date	March 3, 2009
Case Number	PC-28-2008
Applicant Information	Foundation Development Group LLC
Requested Action	Planned Development
Summary of Request	Requesting approval of a Planned Development located between Contreras and Fairfield Roads
Public Hearing Information	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.
Commission Action	The Planning Commission voted 6-0-1 to recommend City Council approval.
Commission Findings and Conclusions	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.
Exhibits Submitted to the Commission	1. Community Development Staff Report dated December 9, 2008 and Revised January30, 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

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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 transpiration.
   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.

1145.12(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)**

____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: _____

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

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____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

SEE MEMO DATED 2-5-09.

These are revised plans

Drawings reviewed by: [signature]

CITY OF
OXFORD
HOME OF MIAMI UNIVERSITY

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:

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___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 12-1-08.

Drawings reviewed by: [signature] 12-1-08

RECEIVED
NOV 17 2008
City of Oxford
Engineering Division

CITY OF
OXFORD
HOME OF MIAMI UNIVERSITY

Memo

Service Department
Engineering Division
513/524-5208 fax 513/524-5267

TO: Community Development Department

FROM: Victor Popescu, P.E.
City Engineer

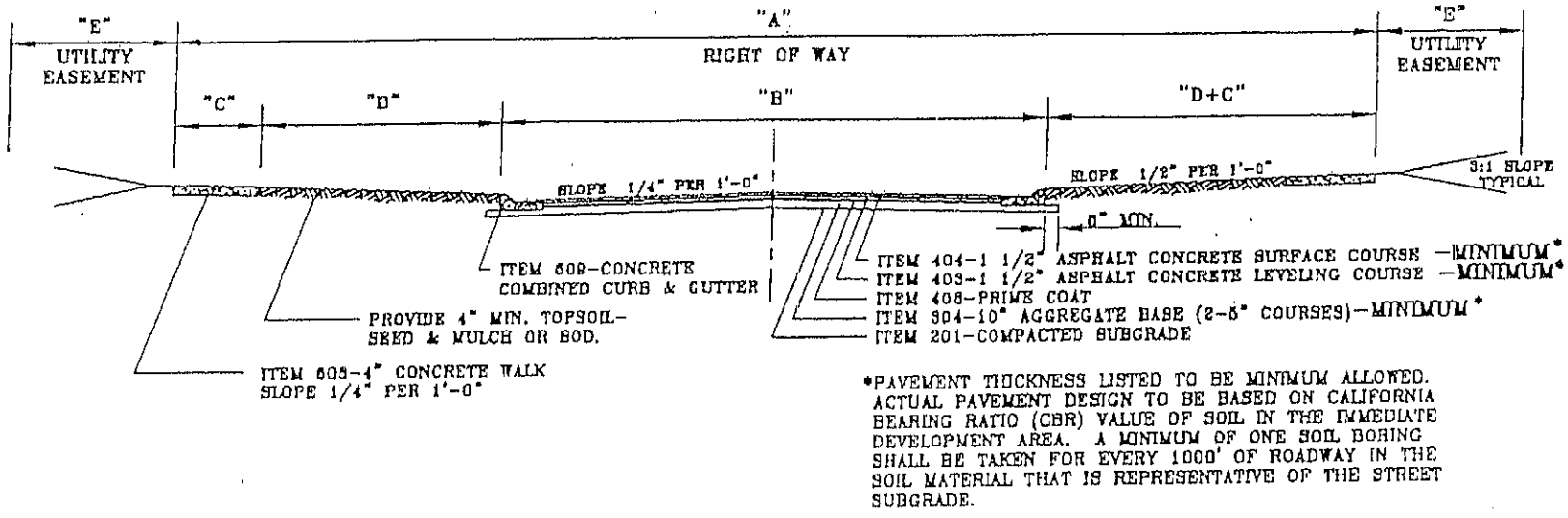
RE: Case #: PC-28-2008
Villas of Oxford

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.

	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 AFFECT AT THE TIME OF APPROVAL.

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.

City of Oxford
Engineering Department

LOCAL STREET TYPICAL SECTION

STANDARD DRAWING #3

12D

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 11/17/2008

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

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____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: S Schwey

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:

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____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: S Schaer

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.

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:

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____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 ATTACHED COMMENTS

Drawings reviewed by: _____

CITY OF
OXFORD

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

101 East High Street Oxford, Ohio 45056-1887
Phone: (513) 524-5200 • Fax: (513) 523-7298 • www.cityofoxford.org

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
Telephone Number(s): 614-299-4540

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 CINTI OH 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 – see attached
   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: David J. Lerch

FEE / RECEIPT

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

S:\forms\planneddevelopmentapp

Revised: 8/08

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° 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° 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° 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° 28' 09" East, a distance of 430.52 feet to a point;

North 02° 31' 51" East, a distance of 125.00 feet to a point;

South 87° 28' 09" East, a distance of 50.00 feet to a point;

South 02° 31' 51" West, a distance of 125.00 feet to a point;

South 87° 28' 09" East, a distance of 310.00 feet to a point;

South 02° 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° 30' 31", a radius of 39.06 feet, an arc length of 39.06 feet, a chord bearing and distance of South 47° 17' 06" West, 35.20 feet to a point;

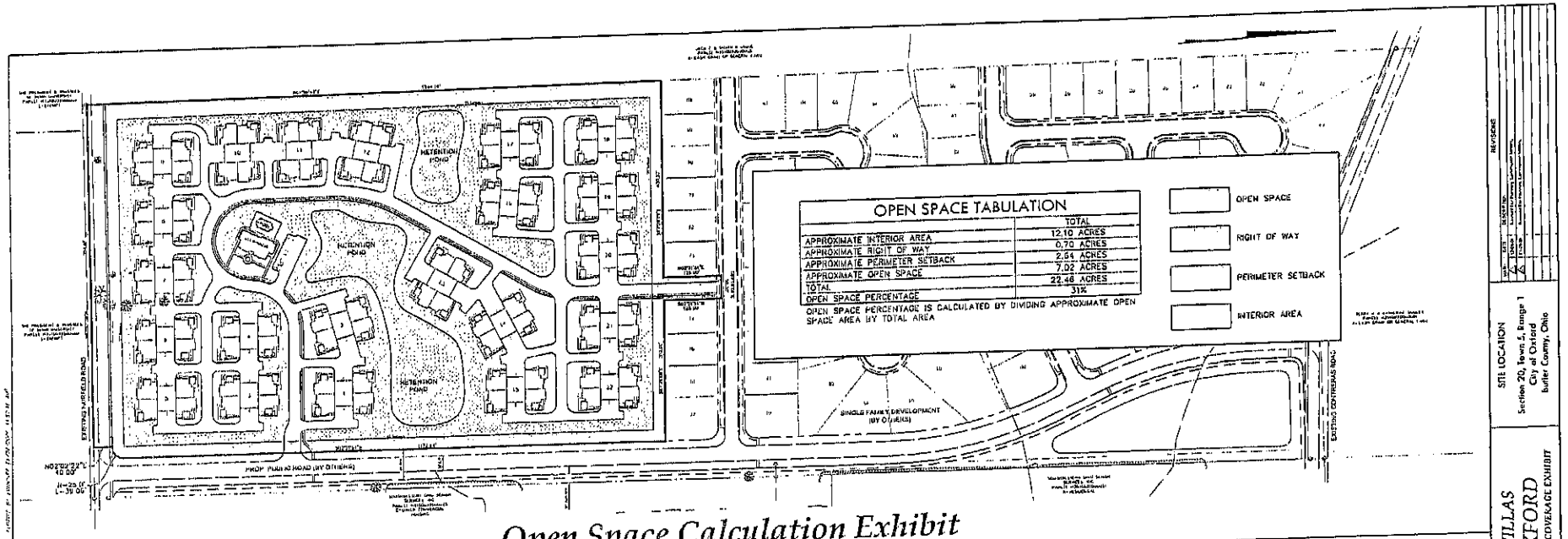
South 02° 02' 22" West, a distance of 40.00 feet to the TRUE POINT OF BEGINNING and containing 22.456 acres of land, more or less.

EVANS, MECHWART, HAMBLETON, & TILTON, INC.

EJM: mr / January 26, 2009
22_456 ac zn 72379.doc

THE VILLAS
OF OXFORD
PRELIMINARY PLANNED DEVELOPMENT PLAN
SITE LOCATION
Section 20, Town 3, Range 1
City of Oxford
Butler County, Ohio
EMH&T
2 of 3
PREVIOUS
NOTE:
Proposed Utilities are Conceptual and are subject to change with the Final Development Plan.
SALTING CONGREGAS ROAD
EXISTING FARFIELD ROAD
PROPOSED PUBLIC ROAD (BY OTHERS)
RETENTION POND
SINGLE FAMILY DEVELOPMENT (BY OTHERS)
GRAPHIC SCALE
1" = 100'
Site Plan
Current design

Overall Plan and Zoning Designation

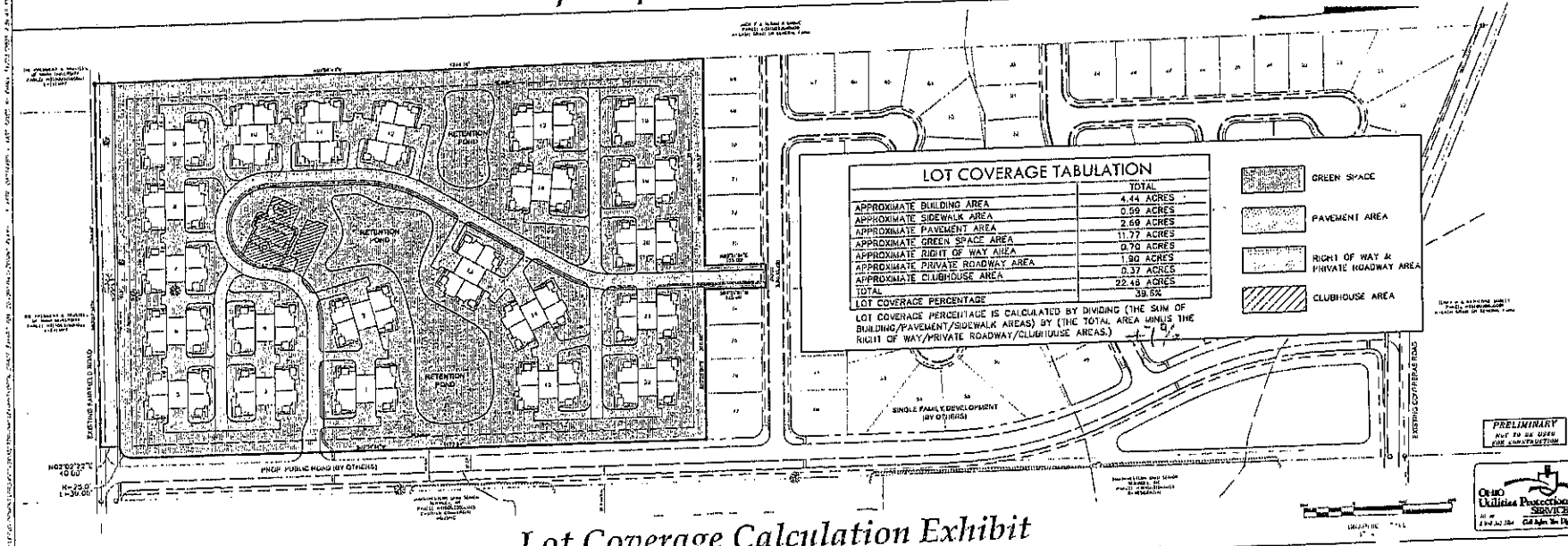


OPEN SPACE TABULATION	TOTAL
APPROXIMATE INTERIOR AREA	12.10 ACRES
APPROXIMATE RIGHT OF WAY	0.70 ACRES
APPROXIMATE PERIMETER SETBACK	2.64 ACRES
APPROXIMATE OPEN SPACE	7.02 ACRES
TOTAL	22.46 ACRES
OPEN SPACE PERCENTAGE	31%

OPEN SPACE PERCENTAGE IS CALCULATED BY DIVIDING APPROXIMATE OPEN SPACE AREA BY TOTAL AREA

OPEN SPACE
RIGHT OF WAY
PERIMETER SETBACK
INTERIOR AREA

Open Space Calculation Exhibit



LOT COVERAGE TABULATION	TOTAL
APPROXIMATE BUILDING AREA	4.44 ACRES
APPROXIMATE SIDEWALK AREA	0.59 ACRES
APPROXIMATE PAVEMENT AREA	2.69 ACRES
APPROXIMATE GREEN SPACE AREA	11.77 ACRES
APPROXIMATE RIGHT OF WAY AREA	0.70 ACRES
APPROXIMATE PRIVATE ROADWAY AREA	1.90 ACRES
APPROXIMATE CLUBHOUSE AREA	0.37 ACRES
TOTAL	22.46 ACRES
LOT COVERAGE PERCENTAGE	39.6%

LOT COVERAGE PERCENTAGE IS CALCULATED BY DIVIDING (THE SUM OF BUILDING/PAVEMENT/SIDEWALK AREAS) BY (THE TOTAL AREA MINUS THE RIGHT OF WAY/PRIVATE ROADWAY/CLUBHOUSE AREAS.)

GREEN SPACE
PAVEMENT AREA
RIGHT OF WAY & PRIVATE ROADWAY AREA
CLUBHOUSE AREA

Lot Coverage Calculation Exhibit

PRELIMINARY
NOT TO BE USED FOR CONSTRUCTION

OHIO Utilities Protection SERVICE

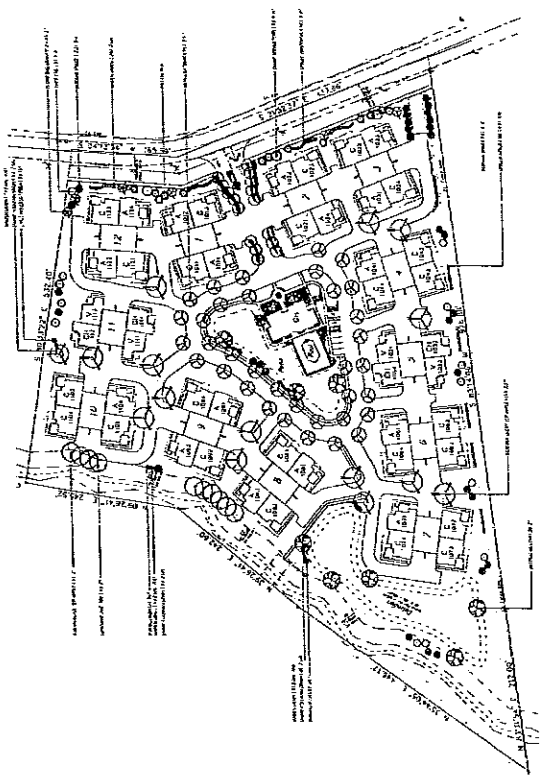
REVISIONS

SITE LOCATION
Section 20, Town 5, Range 1
City of Oxford
Butler County, Ohio

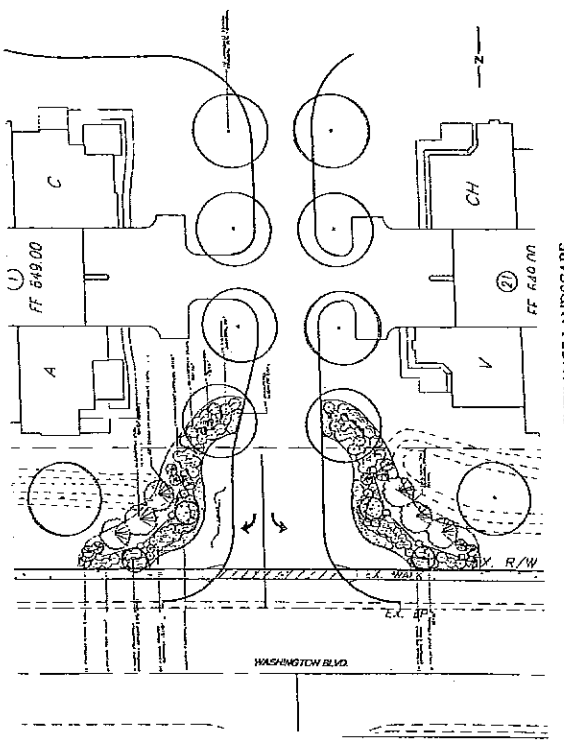
THE VILLAS OF OXFORD
OPEN SPACE/LOT COVERAGE EXHIBIT

EMH&T

Date: October, 2006
Scale: 1" = 100'
Job No: 2007-2379
Sheet: 1 of 1



TYPICAL OVERALL SITE LANDSCAPE



TYPICAL ENTRANCE LANDSCAPE

THE VILLAS
OF OXFORD
TYPICAL LANDSCAPE PLAN

SITE LOCATION
Section 20, Town 5, Range 1
City of Oxford
Butler County, Ohio

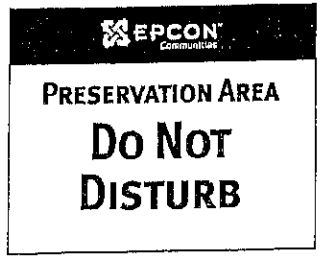
EMH&T

2007-2378
January 2008
2 of 2

REVISIONS

TYPICAL CLUBHOUSE LANDSCAPE

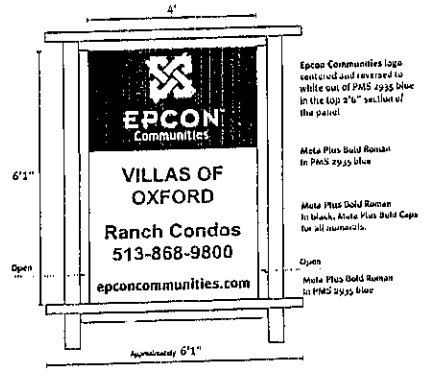
TYPICAL BUILDING LANDSCAPE



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

CONSTRUCTION PRESERVATION SIGNAGE

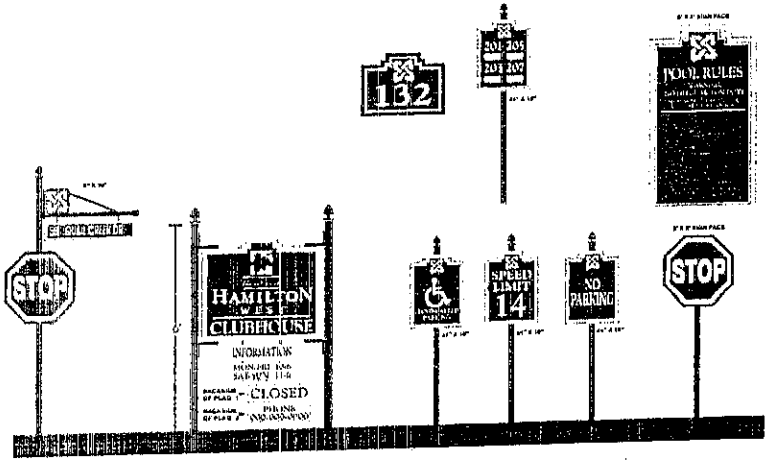
NOT TO SCALE

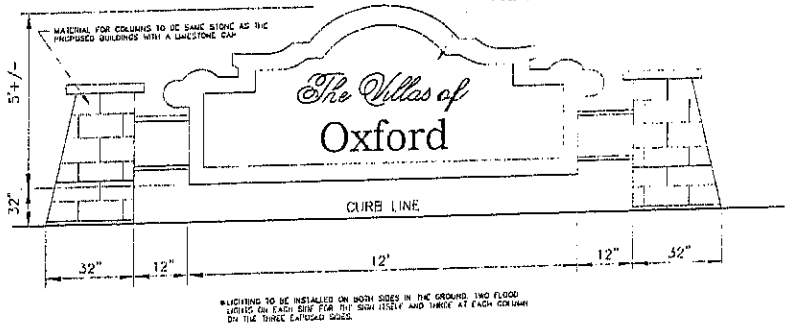


NOTE: THIS SIGNAGE TO BE PLACED NEAR THE PROPOSED ENTRANCE.

TEMPORARY CONSTRUCTION ENTRANCE SIGNAGE

NOT TO SCALE





ENTRANCE MONUMENT DETAIL

NOT TO SCALE

REVISIONS

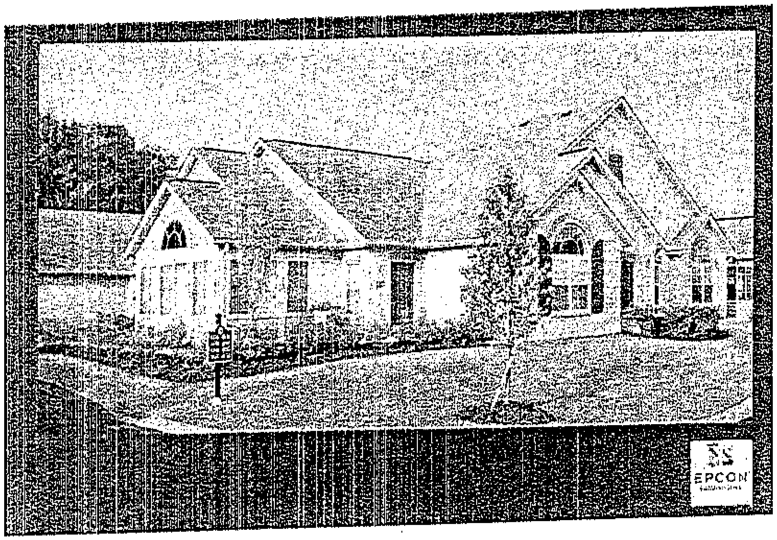
SITE LOCATION
Section 20, Town 5, Range 1
City of Oxford
Butler County, Ohio

THE VILLAS
OF OXFORD
TYPICAL SIGNAGE PLAN

EMHT

Job No. 2007 2335
Date January, 2007
Sheet 1 of 1

TYPICAL CLUBHOUSE PRODUCT



TYPICAL CONDOMINIUM PRODUCT

TYPICAL CONDOMINIUM PRODUCT

THE VILLAS
OF OXFORD
SIMILAR PRODUCT PHOTOS

SITE LOCATION
Section 20, Town 5, Range 1
City of Oxford
Butler County, Ohio

EMHT

Date: January, 2020

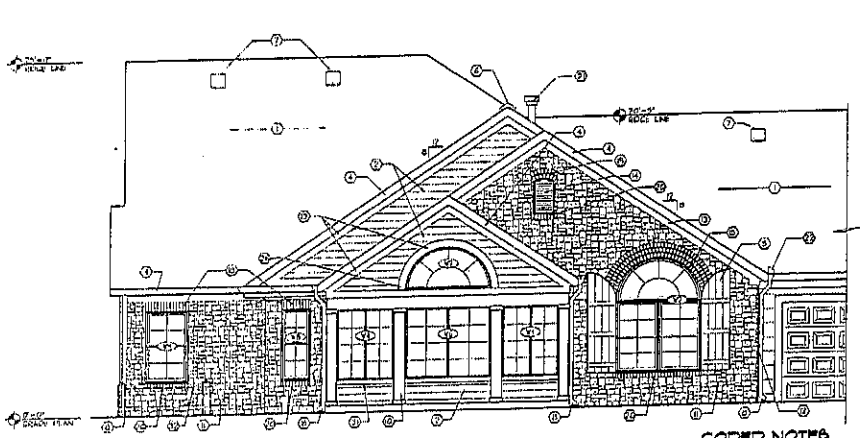
Scale: NA

Sheet: 1 of 1

Home Types & Elevations

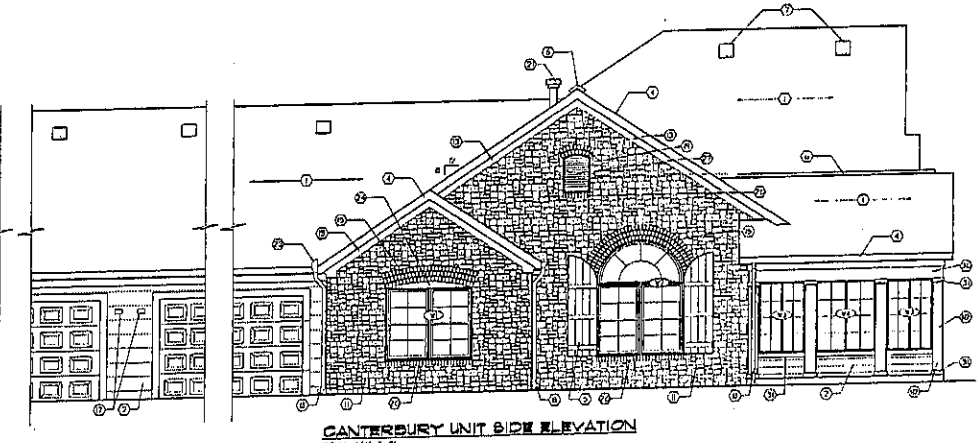
EPCON
Communities

EPCON
Communities



ABBEY UNIT SIDE ELEVATION

SCALE: 1/4"=1'-0"



CANTERBURY UNIT SIDE ELEVATION

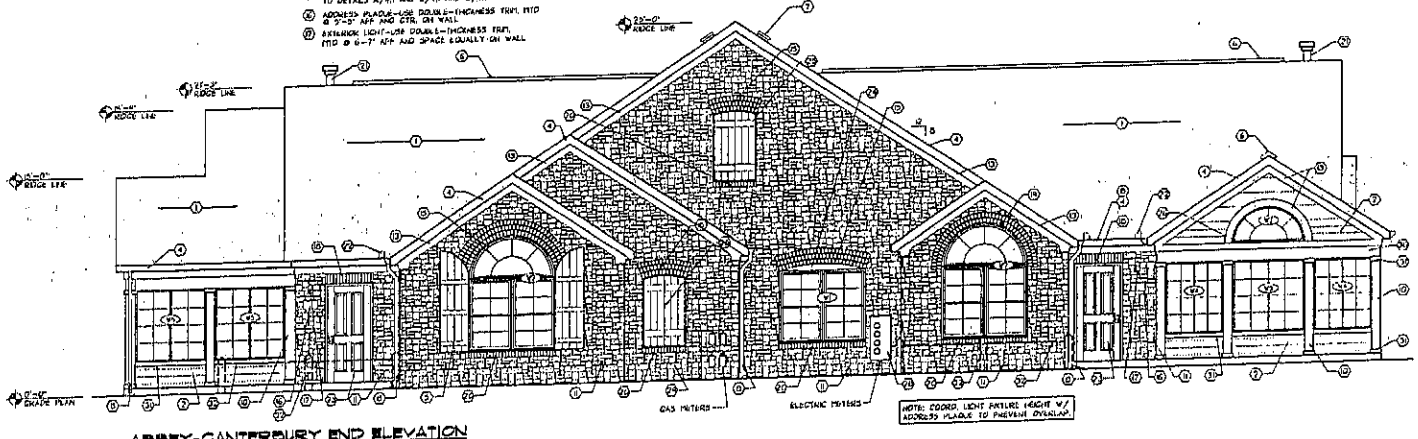
SCALE: 1/4"=1'-0"

CODED NOTES

1. ASPHALT/FIBERGLASS SHINGLES TO BE OVER30 CORNAC SUPERIOR 25 ONEYWOOD OR SIMILAR OVER 15 # FELT
2. PRE-PAINTED COMPOSITION LAP SIDING BY LOUISIANA PACIFIC (OR EQUAL). SOLID STAIN
3. NOT USED
4. FASCIA, SOFFIT
5. WOOD SHUTTERS, SEE DETAIL A/4.2
6. PREFINISHED RIDGE VENT (COORDINATE COLOR WITH OWNER)
7. PREFINISHED MAT LOUVER CVS1 (COORDINATE COLOR WITH SHINGLE SELECTION). 3 EACH PER GARAGE COMPARTMENT, TOTAL OF 70 PER BUILDING
8. PREFINISHED DOWNSPOUT AND GUTTER W/ SPLASH BLOCK
9. NOT USED
10. 3/4 X KILN DRIED CEDAR TRIM (CLEAN BOARD, STAIN(TYP.)
11. CULTURED STONE
12. RETURN WALL TO BE SIDING
13. 3/4 X 6 CEDAR TRIM, STAIN, FORM ARCH IN (3) PIECES, SEAL ALL JOINTS
14. LOUVER, EYEBROW LOUVER (=6'X2'-0" #660SEM BY "EPCON" OR EQUAL(TOP RADIUS = (=6 3/4")
15. TRIPLE ROWLOCK ARCH, REFER TO DETAILS A/4.1 AND B/4.1 AND C/4.1
16. ADDRESS PLAQUE--USE DOUBLE-THICKNESS TRIM, MTD @ 5'-0" AFF AND CTR. ON WALL
17. EXTERIOR LIGHT--USE DOUBLE-THICKNESS TRIM, MTD @ 6'-7" AFF AND SPACE EQUALLY ON WALL
18. SOLDIER COURSE BRICK
19. DOUBLE ROWLOCK ARCH, REFER TO DETAILS A/4.1 AND B/4.1
20. ROWLOCK SILL COURSE
21. 6" PREFABRICATED METAL FLUE W/ BANDAID AND SCREEN WITH MANUFACTURERS INSTALLATION REQUIREMENTS
22. FLOW INVERTER
23. METAL INSULATED ENTRY DOOR, PAINT
24. 3/4" SMOOTH SAWN CEDAR, CUT TO MATCH RADIUS OF FACE ARCH ABOVE SEE DETAIL C/4.1
25. WOOD SHUTTERS, SEE DETAIL B/4.2
26. 1 1/2" KILN DRIED CEDAR TRIM
27. LOUVER, EYEBROW LOUVER (=10'X2'-0" #660SEM BY "EPCON" OR EQUAL(TOP RADIUS = (=11 3/8")
28. PROVIDE 2(2"X10") PLYWOOD BLOCKING FOR TELEPHONE AND CABLE BOXES. PROVIDE 6"x6" CEDAR BLOCKING FOR HOSE BIBBS, @ 18" ABOVE SLAB TO CENTER OF BLOCKING, TYP. COORDINATE LOCATIONS WITH PLUMBER
29. A/C DISCONNECT TO BE LOCATED 24" ABOVE SLAB, UNLESS CODE DICTATES OTHERWISE.) PUT TOGETHER ON ONE CEDAR BLOCK.
30. 5/4 X 10 KILN DRIED CEDAR TRIM, STAIN (TYP.)
31. 5/4 6" X KILN DRIED CEDAR TRIM, STAIN (TYP.)
32. OPTIONAL PATIO AND FENCE ENCLOSURE.

GENERAL NOTES:

1. WITH CEDAR TRIM, NEED TO HAVE MIN 1/4" OFFSET WHERE WINDOW MEETS TRIM FOR CAULKING. COORDINATE WITH WINDOW SELECTION (PAD OUT THE TRIM IF NEEDED.)
2. EPCON RECOMMENDS THAT UTILITY METERS BE KEPT ALONG OUTSIDE PROPERTY LINES IF POSSIBLE.
3. CEDAR, LP SMART TRIM, LP SMART SIDING, MASONITE SIDING AND EPCON TO BE CONSIDERED EQUALS AND FULLY INTERCHANGEABLE MATERIALS WHEN USED IN THE SAME SIZE AND CONFIGURATION AS INDICATED ON THE DRAWINGS.



ABBEY-CANTERBURY END ELEVATION

SCALE: 1/4"=1'-0"

The Villas on the Bluff
at Glenview Ridge

EPCON Communities

Drawing Issued — Date
Permit — 11/15/04
Bid
Construction

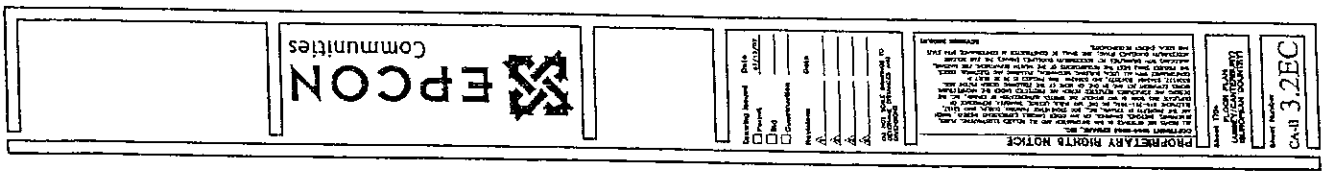
Revisions — Date

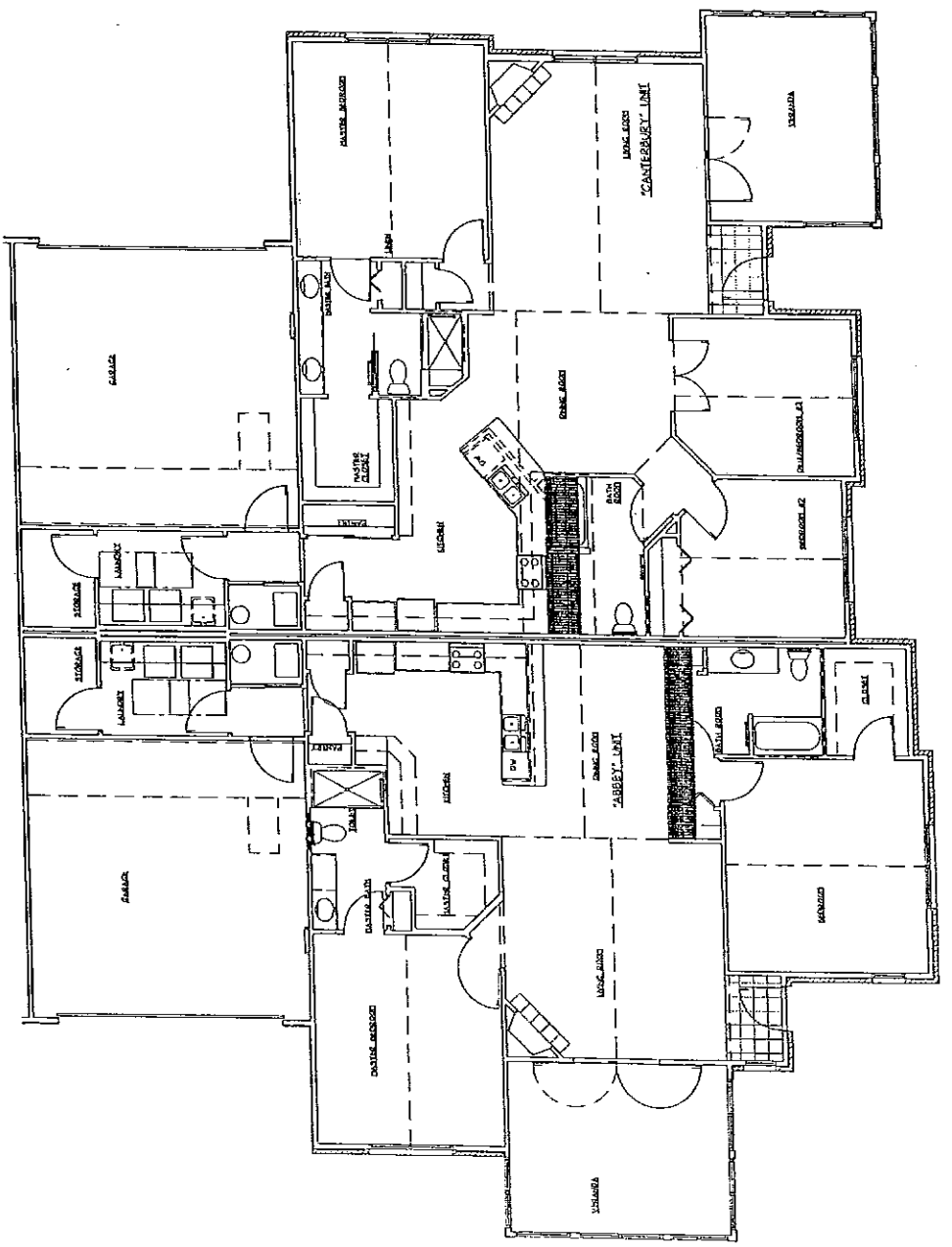
USE THIS SCALE DRAWINGS TO DETERMINE DISTANCES AND DIMENSIONS

PROPRIETARY RIGHTS NOTICE

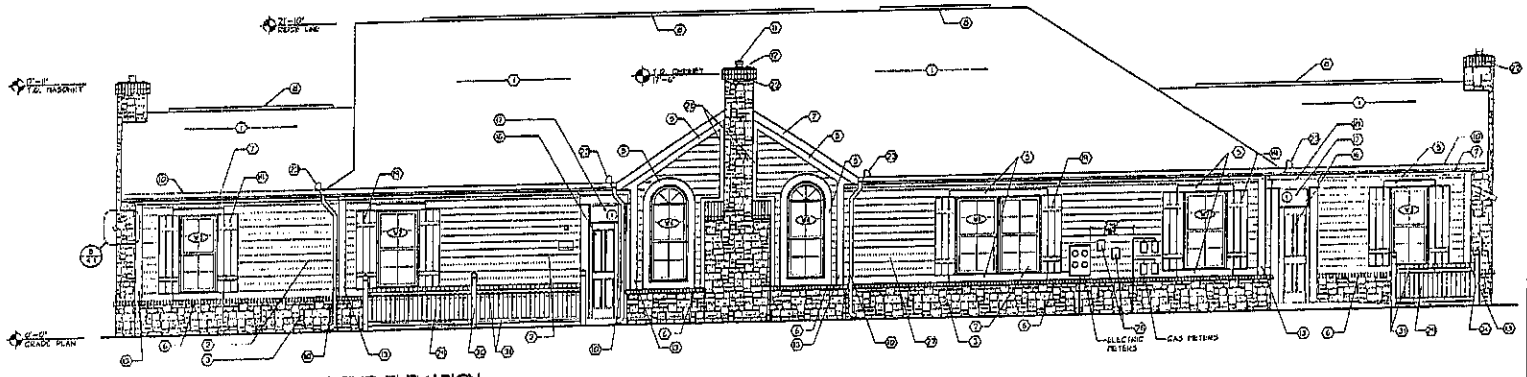
Sheet Title
EXTERIOR ELEVATIONS (EUROPEAN COUNTRY) (ENGLISH)

Sheet Number
CA-II4.1EC





ABBEY-CANTERBURY UNIT PLAN

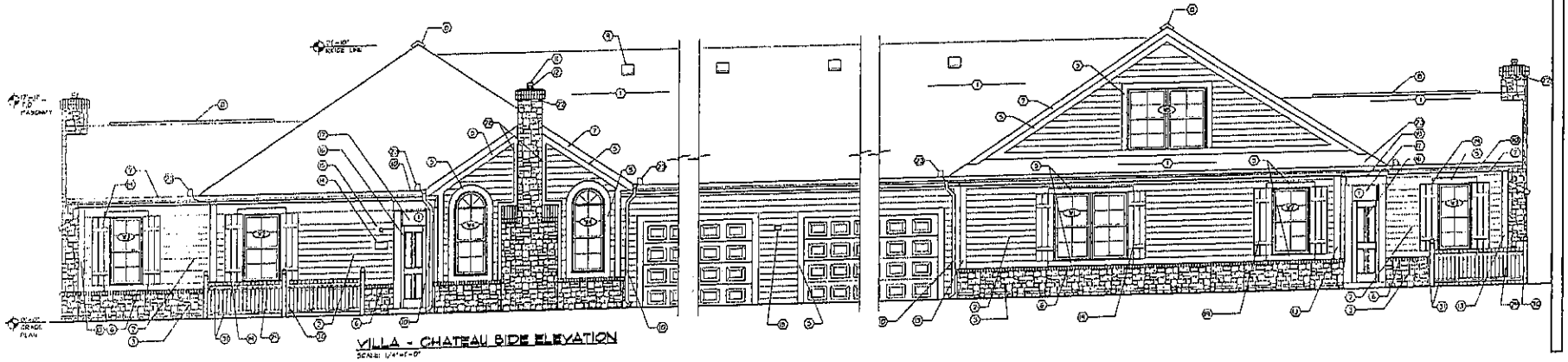


CHATEAU-VILLA END ELEVATION
SCALE: 1/4"=1'-0"

CODED NOTES

1. ASPHALT/FIBERGLASS SHINGLES TO BE OWENS CORNING SUPREME 25 DRIFTWOOD OR SIMILAR OVER 15 # FELT
2. PRE-FINISHED COMPOSITION LAP SIDING BY LOUISIANA PACIFIC (OR EQUAL), SOLID STAIN
3. CULTURED STONE
4. DOUBLE ROWLOCK ARCH, REFER TO DETAILS A/4.1 AND A/4.2
5. 5/4 X 6 CEDAR TRIM (PAD), RADIUS TRIM TO BE CUT FROM 5/4 X 12 IN 2 OR 3 PIECES, PROVIDE 2-FLASHING AT RADIUS.
6. ROWLOCK SILL COURSE
7. PREFINISHED ALUMINUM FASCIA, PERFORATED SOFFIT
8. PREFINISHED RIDGE VENT (COORDINATE COLOR WITH SHINGLE SELECTION)
9. PREFINISHED HAT LOUVER RVS1 (COORDINATE COLOR WITH SHINGLE SELECTION), 3 EACH PER GARAGE COMPARTMENT, TOTAL OF 12 PER BUILDING
10. PREFINISHED DOWNSPOUT AND GUTTER W/ SPLASH BLOCK
11. FIREPLACE FLUE
12. PREFABRICATED CHIMNEY CAP
13. 5/4 X 4 & 5/4 X 6 CEDAR PARTIALLY AIR DRIED (PAD) (RIPPED) AT CORNER TRIM TO PROVIDE SAME WIDTH EA SIDE
14. ADDRESS PLAQUE-USE DOUBLE-THICKNESS TRIM, MTD @ 5'-5" AFF AND CTR. ON WALL
15. EXTERIOR LIGHT-USE DOUBLE-THICKNESS TRIM, MTD @ 6'-7" AFF AND CTR. ON WALL
16. METAL INSULATED ENTRY DOOR, W/ GLASS TRANSOM, REFER TO DOOR SCHEDULE
17. TEMPERED GLASS TRANSOM
18. WOOD TRIM AT ENTRY DOOR SEE ENLARGED DETAIL THIS SHEET
19. WOOD PLANK SHUTTERS, SEE DETAIL B/4.2.
20. 10" HEADER WITH BOTTOM RAIL, 54" LONG BY "NU-WOOD" OR EQUAL
21. FLUTED PLASTER "PL7466" BY "NU WOOD" OR EQUAL BACKED W/ 1 X 12 CEDAR ON EACH SIDE AND 1 X CEDAR (RIPPED TO FIT) AT HEAD
22. ROWLOCK COURSE
23. FLOW DIVERTER
24. 1/2" CEDAR PLYWOOD, PAINT
25. WOOD BRICKMOLD, PAINT
26. PROVIDE 2(12"X10") PLYWOOD BLOCKING FOR TELEPHONE AND CABLE BOXES. PROVIDE 6"x6" CEDAR BLOCKING FOR HOSE BIBBS, @ 10" ABOVE SLAB TO CENTER OF BLOCKING, TYP. COORDINATE LOCATIONS WITH PLUMBER
27. A/C DISCONNECT TO BE LOCATED 24" ABOVE SLAB, (UNLESS CODE DICTATES OTHERWISE.) PUT TOGETHER IN ONE CEDAR BLOCK.
28. 5/4 X 6 CEDAR TRIM OR EQ. RIPPED IN HALF AT FIREPLACE PERIMETER. INSTALL PRIOR TO CULTURED STONE AND SIDING.
29. 1x6 CEDAR, ROUGH SIDE OUT, SLIM-SMOOTH SIDE IN. INSTALL EACH BOARD TIGHT TO NEXT ONE. (35" HIGH)
30. 4x4 CEDAR POSTS, TRIM CARPENTER TO MODIFY TOP TO MATCH POOL FENCE, 2 CEDAR 2X4'S FOR HORIZONTAL MEMBERS
31. 3/4" X 4" PAD CEDAR HORIZONTAL MEMBER

GENERAL NOTES:
1. WITH CEDAR TRIM, NEED TO HAVE MIN 1/4" OFFSET WHERE WINDOW MEETS TRIM FOR CAULKING. COORDINATE WITH WINDOW SELECTION. (PAD OUT THE TRIM IF NEEDED.)
2. EXTERIOR RECOMMENDS THAT UTILITY METERS BE KEPT ALONG OUTSIDE PROPERTY LINES IF POSSIBLE.
3. CEDAR, LP SMART TRIM, LP SMART SIDING, HARDI-PLANK AND FYPON TO BE CONSIDERED EQUALS AND FULLY INTERCHANGEABLE MATERIALS WHEN USED IN THE SAME SIZE AND CONSIDERATION AS INDICATED ON THE DRAWINGS



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

The Villas on the Bluff
at Glenview Ridge

EPCON Communities

Drawing Issued | Date
Permit | 11/13/04
Bid
Construction

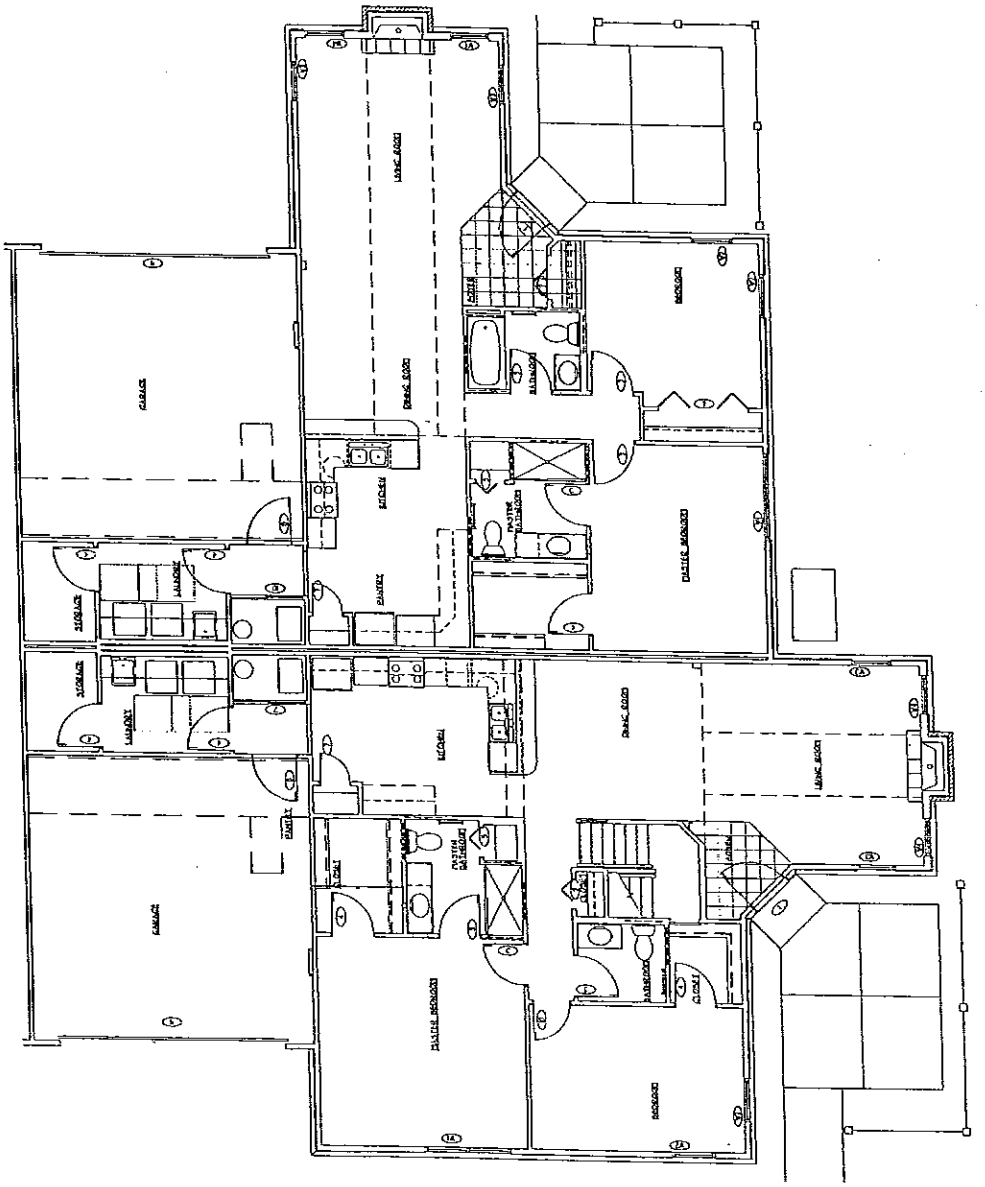
Revision | Date
1.
2.
3.
4.

DO NOT SCALE DRAWINGS TO DETERMINE DISTANCES AND DIMENSIONS

PROPRIETARY RIGHTS NOTICE

Sheet Title
EXTERIOR ELEVATIONS (EUROPEAN COUNTRY)

Sheet Number
CL-III 4.1



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

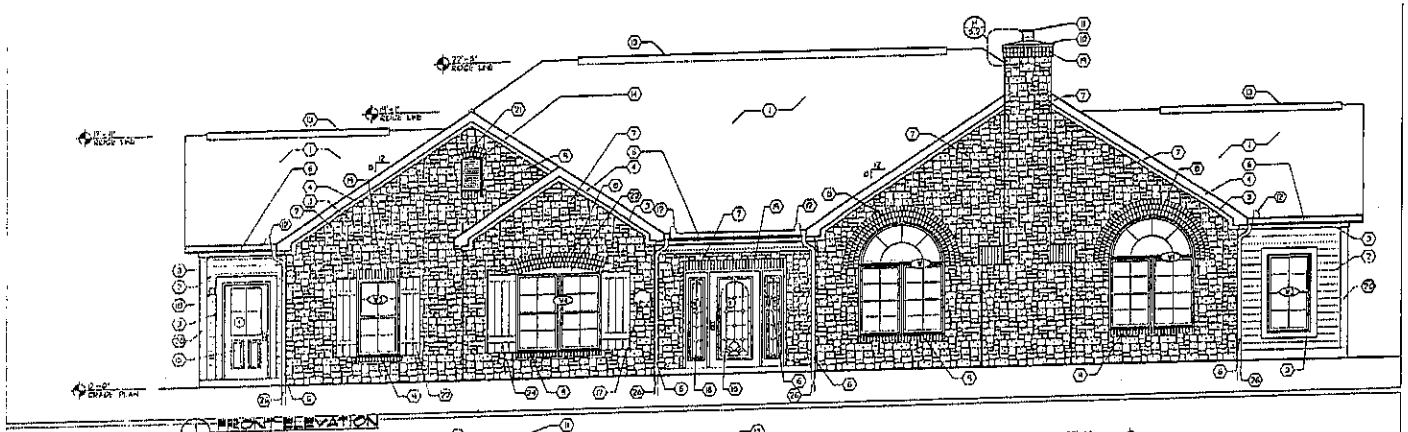
EPCON Communities

PROPRIETARY RIGHTS NOTICE

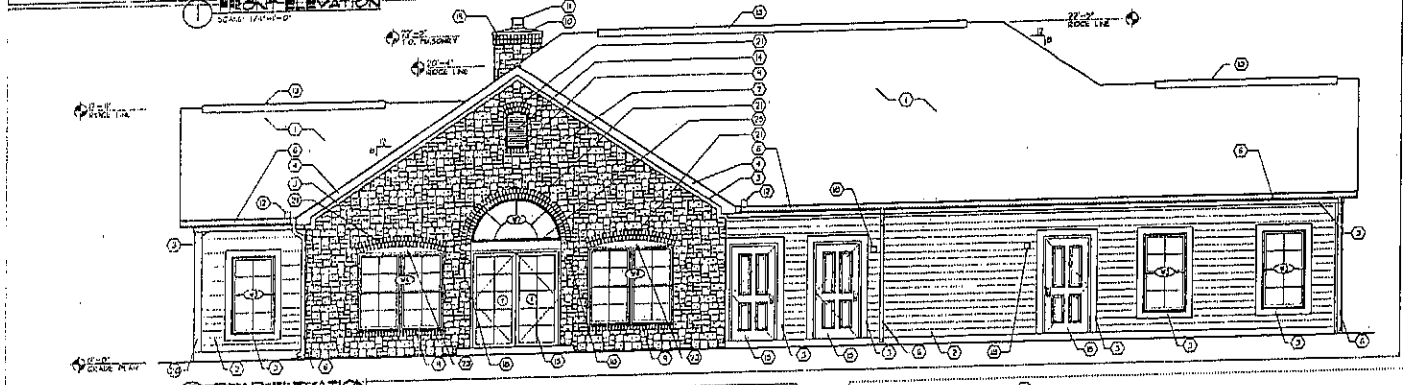
CL-III 3.1.5

CHATEAU - VILLA SECOND FLOOR PLAN

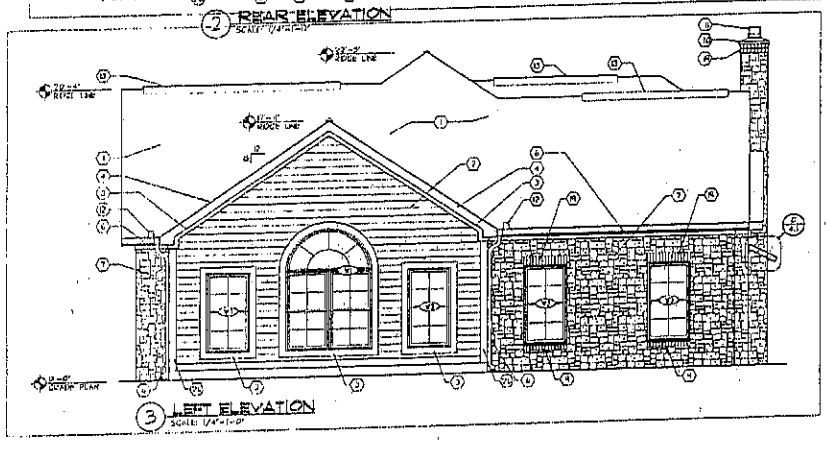
EPCON
Communities



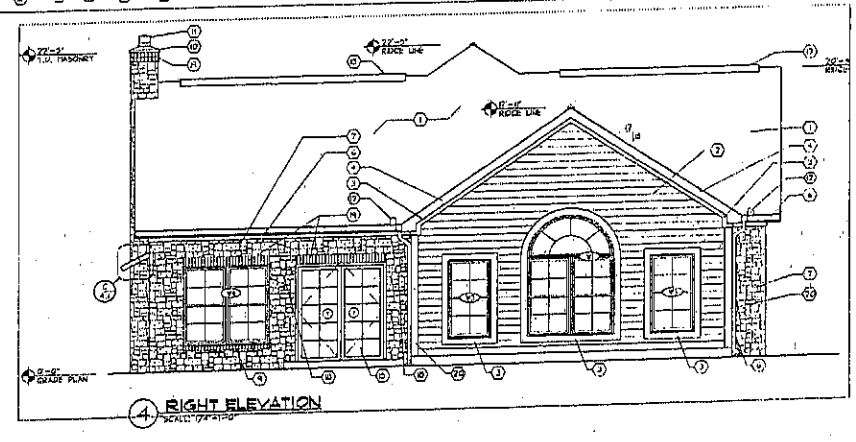
1 FRONT ELEVATION
SCALE: 1/4"=1'-0"



2 REAR ELEVATION
SCALE: 1/4"=1'-0"



3 LEFT ELEVATION
SCALE: 1/4"=1'-0"



4 RIGHT ELEVATION
SCALE: 1/4"=1'-0"

CODED NOTES

1. ASPHALT/FIBERGLASS SHINGLES TO BE OWENS CORNING SUPREME 25 DIMENSIONAL OR SIMILAR OVER 15 # FELT
2. PRE-FINISHED COMPOSITION LAP SIDING BY LOUISIANA PACIFIC (OR EQUAL), SOLID STAIN
3. 5/4 X 6 CEDAR TRIM, REFER TO WALL SECTIONS, SHEETS 5.1 AND 5.2
4. 5/4 X 8 CEDAR FASCIA, REFER TO WALL SECTIONS, SHEETS 5.1 AND 5.2
5. NOT USED
6. PRE-FINISHED GUTTER AND DOWNSPOUT W/ SPLASH BLOCK.
7. CULTURED STONE
8. TRIPLE KNOWLOCK ARCH
9. KNOWLOCK SILL COURSE
10. PREFABRICATED CHIMNEY CAP
11. FIREPLACE FLUE
12. FLOW DIVERTER
13. RIDGE VENT
14. 18"X30" CLOSED EYEBROW LOUVER BY FYPON MASONRY OR EQ. INSTALL OVER SCRATCH COAT
15. INSULATED ENTRY DOOR, REFER TO DOOR SCHEDULE, SHEET 6.2
16. INSULATED SIDE LIGHT, REFER TO DOOR SCHEDULE, SHEET 6.2
17. ADDRESS PLAQUE
18. EXTERIOR LIGHT
19. SOLDIER COURSE BRICK
20. 5/4 X 4 & 5/4 X 6 (REPEAT) AT CORNER TRIM TO PROVIDE SAFE WIDTH EA SIDE
21. DOUBLE KNOWLOCK ARCH
22. WOODEN PLANK SHUTTERS
23. 5/4 SMOOTH SAWN CEDAR, CUT TO RADIUS(10'-3 1/2"). SEE DETAIL E/4.1
24. WOOD PLANK SHUTTER, TOP RADIUS OF SHUTTER CUT TO MATCH TOP RADIUS OF SMOOTH SAWN CEDAR(10'-3 1/2")
25. 5/4 X 8 PRE-PRIMED SMOOTH COMPOSITE TRIM
26. EXTEND CONDUCTORS 50 D.S. DISCHARGES UNDERGROUND, UNDER SIDEWALK. CUT TO GRADE. COORDINATE LAYOUT WITH PROJECT SUPERINTENDANT.

GENERAL NOTES:

1. WITH CEDAR TRIM, NEED TO HAVE MIN. 1/4" OFFSET WHERE WINDOW MEETS TRIM FOR CAULKING. COORDINATE WITH WINDOW SELECTION. (PAD OUT THE TRIM IF NEEDED)
2. EXTERIOR RECEPTACLES THAT UTILITY METERS BE KEPT ALONG OUTSIDE PROPERTY LINES IF POSSIBLE
3. CLOAK, LP SMART TRIM, LP SMART SIDING, HARDIPLANK AND FYPON TO BE CONSIDERED EQUALS AND MAY INTERCHANGEABLE MATERIALS WHEN USED IN THE SAME SIZE AND CONFIGURATION AS INDICATED ON THE DRAWINGS

The Villas on the Bluff
at Glenview Ridge

EPCON Communities

Drawing Issued — Date
☐ Permit — 11/12/06
☐ Bid
☐ Construction

Revisions — Date
1.
2.
3.
4.

DO NOT SCALE DRAWINGS TO DETERMINE DISTANCES AND DIMENSIONS

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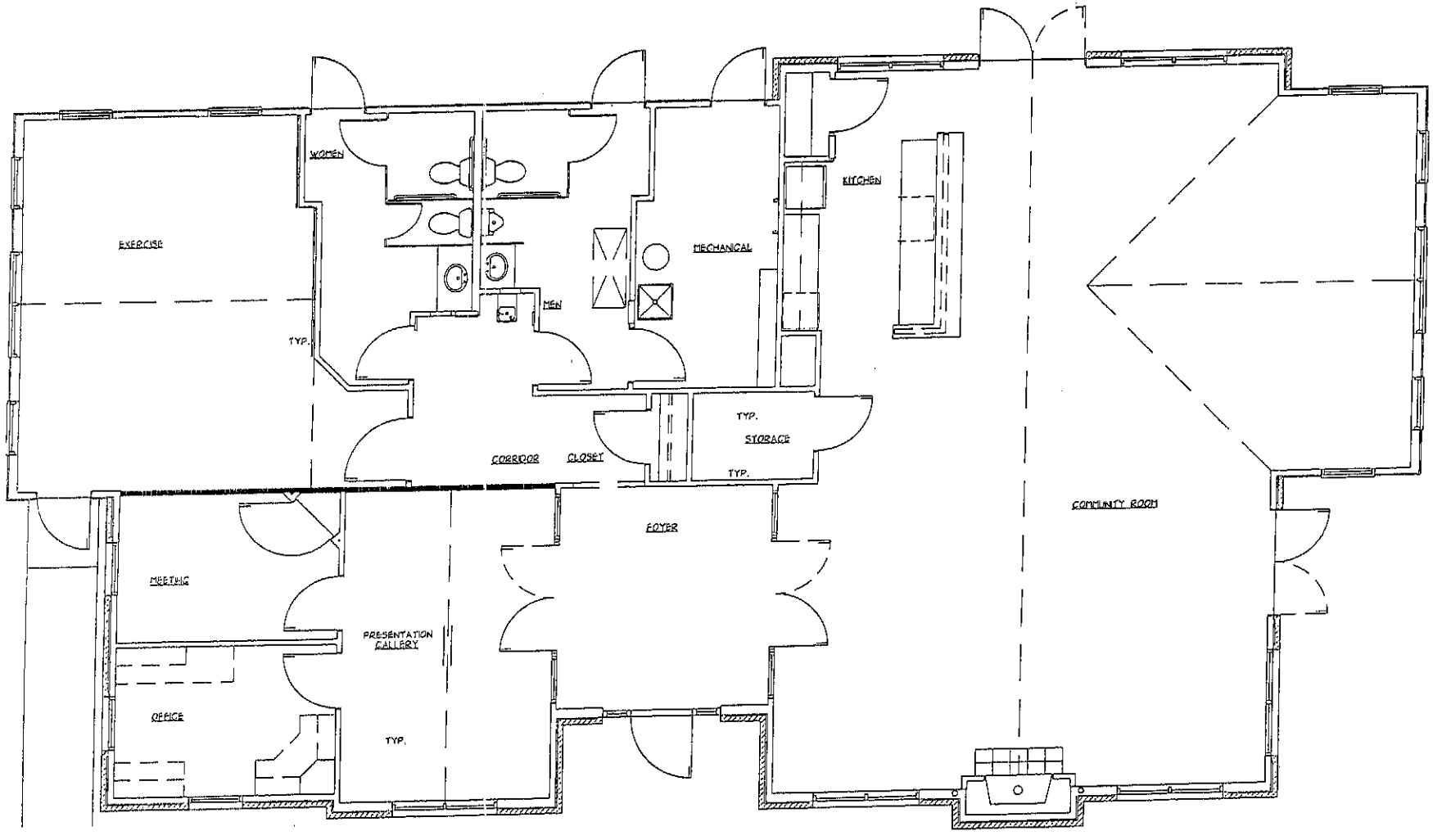
COPYRIGHT [illegible]

Sheet Title
EXTERIOR ELEVATIONS
STONE & NEAR w/ EXT.
EUROPEAN COUNTRY OPTION

Sheet Number
CH 4.1EC



FLOOR PLAN
SCALE: 3/8"=1'-0"

140

EPCON Communities

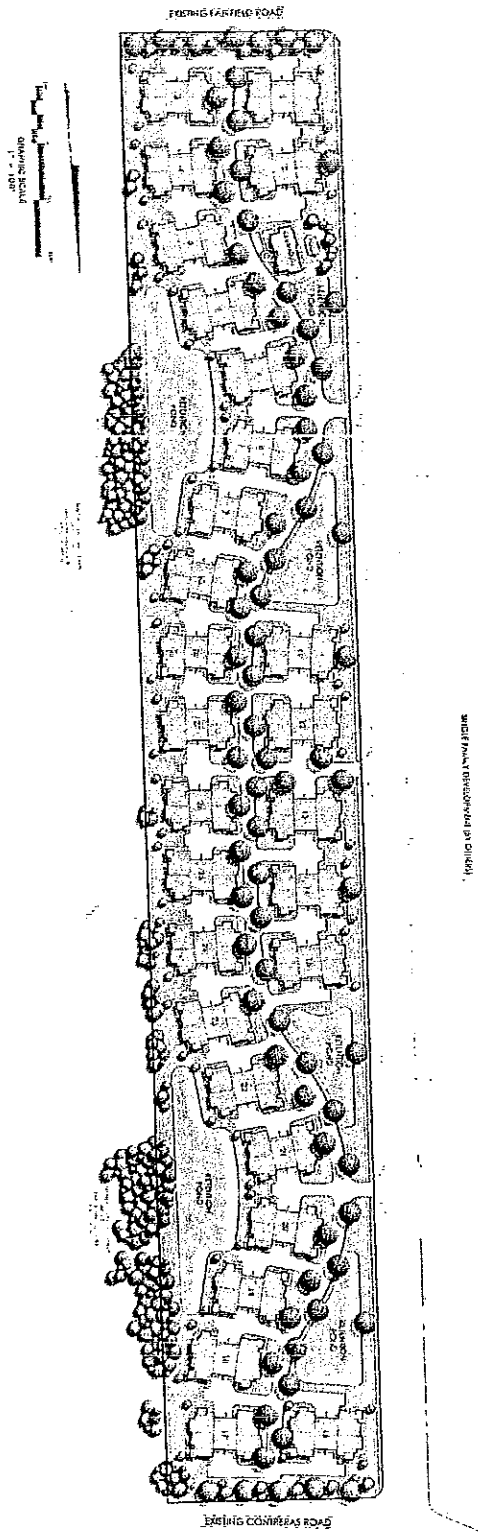
PROPRIETARY RIGHTS NOTICE

Sheet Title
FLOOR PLAN w/ EXTERIOR ELEVATION COUNTRY OPTION STONE REAR GABLE

Sheet Number
CH 3.1EC

OLD PLAN

141



2007-2375	NOVEMBER, 2006	EMH	EPCON COMMUNITIES OF OXFORD COLOR SITE PLAN	SITE LOCATION Section 20, Range 1 City rd Butler C. , Ohio		REVISIONS
1 of 1	1" = 100'					