



Agenda

Oxford City Council

Court House

TUESDAY, JUNE 21, 2022

EXECUTIVE SESSION

None.

TUESDAY, JUNE 21, 2022

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

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

REGULAR MEETING

7:30 P.M.

PLEDGE OF ALLEGIANCE

2. Approval of Agenda.

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

in advance so that reasonable accommodations can be made.

3. Public Participation.

A. 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 June 7, 2022 City Council Meeting (Heather Barbour, Clerk of Council) pg 5



Action Minutes June 7, 2022, and Full Transcription

- B. Minutes of the June 7, 2022 City Council Work Session (Heather Barbour, Clerk of Council) pg 13



Action Minutes June 7, 2022 Work Session and Slides

- C. Report regarding the May 13, 2022 Recreation Board Meeting (Casey Wooddell, Parks and Recreation Director) pg 43



Recreation Board Report

- D. Report regarding the June 2, 2022 Environmental Commission Meeting (Mike Dreisbach, Service Director) pg 44



Environmental Commission Report

- E. A Resolution declaring certain City property no longer needed for any municipal purpose as surplus and authorizing its advertisement and sale to the highest bidder on Govdeals.com (John Detherage, Fire Chief) pg 48



A Resolution declaring certain City property as surplus

5. Resolutions.

1. A Resolution to hire a full-time preschool teacher in the Parks and Recreation Department (Casey Wooddell, Parks and Recreation Director) pg 50



A Resolution to hire a full-time preschool teacher

2. A Resolution authorizing the City Manager to enter into an agreement of cooperation with Butler County, Ohio, Pursuant to the Provisions of the Housing and Community Development Act of 1974, as amended. (Sam Perry, Community Development Director) pg 52

A Resolution Agreement with Butler County Housing and Community Development Act of 1974

3. A Resolution waiving the penalty for nonpayment of the short-term rental tax section 183.10 for a period of one year after implementation. (Joe Newlin, Finance Director) pg 60

Waiving the penalty for nonpayment of Short-Term Rental Tax

4. A Resolution urging State and Federal Government to DO SOMETHING to confront epidemic gun violence by enacting common sense gun laws. (David Prytherch, Councilor; William Snively, Mayor) pg 63

DO SOMETHING Resolution6. Ordinances.

A. First Reading.

1. An Ordinance amending Ordinance No. 3654 Supplemental Budget Ordinance Number 5 to make supplemental appropriations for fiscal year 2022. (Joe Newlin, Finance Director) pg 66

Supplemental Budget #5

B. Second Reading

1. An Ordinance Accepting the Recommendation of Planning Commission and Approving the Conditional Use for a Major Change to the 2009 Talawanda High School Conditional Use to Add a Bus Garage/Maintenance Facility in the City of Oxford with Conditions. (Sam Perry, Community Development Director) pg 69

Conditional Use Permit Talawanda Bus Garage

2. An Ordinance Approving a Conditional Use Permit Application to allow for a new hotel to be located at 5470 College Corner Pike, Oxford, Ohio 45056 with Conditions. (Sam Perry, Community Development Director) pg 113

Conditional Use Permit Holiday Inn Express

3. An Ordinance Accepting the Recommendation of the Planning Commission and Approving the Final Planned Development for Owl's Landing Along Brookville Road in the City of Oxford with Conditions. (Sam Perry, Community Development Director) pg 162

Final Planned Development Owl's Landing

7. A. Announcements & Communications.

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

2. Future Meetings.

TUES – June 28 Board of Zoning Appeals Meeting 6:30 p.m.

MON – July 4 Holiday- City Offices Closed

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

WED – July 6 Environmental Commission Meeting 7 p.m. Municipal Building

MON – July 11 Parking & Transportation Advisory Board Meeting 9:30am Municipal Building

TUES – July 12 Public Arts Commission Meeting 4:30 p.m. Municipal Building

TUES – July 12 Planning Commission Meeting 7 p.m.

WED – July 13 Historic & Architectural Preservation Commission Meeting 6:15 p.m.

MON-July 18 Housing Advisory Commission Meeting 3:30 p.m. LCNB Community Room

TUES – July 19 City Council Meeting 7:30 p.m.

THUR- July 21 Climate Action Steering Committee Meeting 8:30 a.m. Municipal Building

TUES – July 26 Board of Zoning Appeals 6:30 p.m.

8. Adjourn.



OXFORD CITY COUNCIL Meeting Minutes

Tuesday, June 7, 2022
[Link for website video here](#)
Full Transcript available upon request.

Roll Call **TIME** 00:00

William Snavelly Mayor	Chantel Raghu Vice Mayor
Jason Bracken	Amber Franklin
Alex French	Glenn Ellerbe
David Prytherch	

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

Staff Members in Attendance

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

Motion – Enter Executive Session at 6:45 p.m. R.C. 121.22(G)(1) To Consider Appointments to Boards and Commissions.

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

AYE # 7

Mr. Bracken, Mr. Ellerbe, Ms. French, Mr. Prytherch, Ms. Raghu, and Mayor Snavelly

NAY # 0

ABS # 0

**Motion – To return from Executive Session at 7:30 p.m. R.C. 121.22(G)(4 To Consider
Appointments to Boards and Commissions.**

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

AYE # 7

NAY # 0

ABS # 0

Pledge of Allegiance [TIME 00:40](#)

Approval of the Agenda [TIME 01:05](#)

Motion – To Adopt

(Voice Vote) 1st Mr. Ellerbe 2nd Mr. Prytherch

AYE #7

NAY #0

ABS #0

Public Participation [TIME 01:20](#)

Appointments to Boards and Commissions.

Motion – To Appoint the following Applicants to the following Boards and Commissions

Planning Commission- Michael Smith

Board of Zoning Appeals – Philip Russo and D. Chadwick Smith

Personal Appeals Board – Brian Martin

Recreation Board – Adam Beissel

Historic & Architectural Preservation Commission – Brad Spurlock

Civil Rights Commission – Margaret Ziolkowski and Cathryn Loucas

McCullough-Hyde Hospital Board of Trustees – Amy Longcamp and Sibyl Miller

Environmental Commission – Jon Ralinovsky and Margaret Branstrator

Housing Advisory Commission – Shana Rosenberg, Cathryn Loucas, and Anne Bailey

Police Community Relations and Review Commission – Daniel Umbstead, Fritz Wellman,
Amin Wang, and G. Allen Ratliff

Public Arts Commission of Oxford – Rebecca Howard, Robert Benson, Carole Katz, and Joe Squance
(Voice Vote) 1st Ms. Raghu 2nd Mr. Prytherch

AYE #7

NAY #0

ABS #0

Motion – To Open Public Hearing

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

AYE #7

NAY #0

ABS #0

Public Hearing – 2023 Tax Budget – Mr. Joe Newlin, Finance Director read details from his staff report can be found on page 210 of the Agenda packet, and offered to answer any questions.

Motion – To Close Public Hearing

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

AYE #7

NAY #0

ABS #0

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.

Resident Name *Address* Resident Comment / Request

Carol Michael 409 E Chestnut St. Ms. Michael brought up the lack of street signs around the mile square. Mayor Snively asked Ms. Michael to please share her list with the Service Director, Mr. Dreisbach.

Andrew Amarantos Northridge Dr. Mr. Amarantos spoke about the mature trees outside of Skippers Pub. Mr. Amarantos mentioned the trees are dead and will be taken down. Mr. Amarantos explained that he would like to take the fence down for repairs and the tree removal then put it back up. Mr. Amarantos wanted to get clarification on the rules of the public right of way and putting the back fence up. Mayor Snively asked City Staff to see what is necessary to get the fence back up. Mr. Elliott noted he would look into this matter and bring it back to Council if necessary.

Clarissa Schnell 6 Olde Stone Ct. Ms. Schnell asked for clarification on separating from the Township, and what that means for people living in the Township. Ms. Schnell asked why this topic keeps coming up, and what the pros and cons would be. Mayor Snively asked Mr. Elliott to address this comment during announcements and communications.

Consent Agenda [TIME 19:41](#)

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

- A. Minutes of the May 17, 2022 City Council Meeting (Heather Barbour, Clerk of Council)
Page 5 of the Agenda Packet
- B. Minutes of the May 17, 2022 City Council Work Session (Heather Barbour, Clerk of Council) **Page 26 of the Agenda Packet**
- C. Report regarding the May 10, 2022 Planning Commission Meeting (Sam Perry, Community Development Director) **Page 29 of the Agenda Packet**

Motion – To Adopt

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

AYE #7

NAY #0

ABS #0

Resolutions

Resolution No. 7410 [TIME 20:08](#)

Page 31 of the Agenda Packet

1. A Resolution Authorizing the School Resource Officer Program Memorandum of Understanding between the Talawanda City School District and the City of Oxford and Authorizing the City Manager to sign the Memorandum of Understanding on behalf of the City. (John Jones, Police Chief)

Comments from the Public – None

Motion – To Adopt Resolution No. 7410

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

AYE #7

NAY #0

ABS #0

Resolution No. 7411 [TIME 25:45](#)

Page 42 of the Agenda Packet

2. A Resolution Authorizing the City Manager and the Chief of Police to Submit a Grant Application for the Community Oriented Police Services (COPS) Hiring Program Grant with the U.S. Department of Justice, Office of Community Oriented Policing Services. (John Jones, Police Chief)

Comments from the Public – None

Motion – To Adopt Resolution No. 7411

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

AYE #7

NAY #0

ABS #0

Resolution No. 7412 [TIME 29:51](#)

Page 45 of the Agenda Packet

3. A Resolution Accepting the bid and Authorizing the City Manager to enter into a Contract with Jackson Construction Co. for the Construction of ADA Sidewalk Ramps and Alternate Sidewalk for a total not to exceed \$222,451.46. (Mike Dreisbach, Service Director)

Comments from the Public –

Janet Fizzel 341 N. Locust St. Ms. Fizzel spoke about the mature trees that will be lost when the alternate sidewalk will be installed. Ms. Frizzel mentioned replacing trees as they are taken down. Mr. Dreisbach noted that Oxford is a Tree City and the City plants 1.5 trees for each tree taken down.

Ms. Raghu asked Mr. Mazer if she should recuse herself because she is a neighbor. Mr. Mazer responded that it is not a requirement, but if you feel the need you can. Ms. Raghu abstained.

Motion – To Adopt Resolution No. 7412

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

AYE #6

NAY #0

ABS #1

Ordinances

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

First Reading [TIME 40:48](#)

1. An Ordinance Accepting the Recommendation of Planning Commission and Approving the Conditional Use for a Major Change to the 2009 Talawanda High School Conditional Use to Add a Bus Garage/Maintenance Facility in the City of Oxford with Conditions. (Sam Perry, Community Development Director) Page 52 of the Agenda Packet

Comments from the Public – None

Shaunna Tafelski 2114 Dana Dr. Ms. Tafelski spoke on behalf of the Talawanda School District. Ms. Tafelski answered Mr. Ellerbe's question on new jobs. Ms. Tafelski noted this is net neutral, no new jobs.

2. An Ordinance Approving a Conditional Use Permit Application to allow for a new hotel to be located at 5470 College Corner Pike, Oxford, Ohio 45056 with Conditions. (Sam Perry, Community Development Director) Page 96 of the Agenda Packet.

Comments from the Public – None

Etta Reed 110 S. College Ave. Ms. Reed, Bayer Becker spoke on behalf of the applicant. Ms. Reed introduced High Point Lodging and shared slides of the hotel amenities. Ms. Reed noted the hotel will bring 31 new jobs to the city.

3. An Ordinance Accepting the Recommendation of the Planning Commission and Approving the Final Planned Development for Owl's Landing Along Brookville Road in the City of Oxford with Conditions. (Sam Perry, Community Development Director) Page 145 of the Agenda Packet.

Comments from the Public – None

John Bayer 110 S. College Ave. Mr. Bayer, Bayer Becker spoke on behalf of the applicant Todd Hall. Mr. Bayer thanked everyone's time in reviewing the project along the way and offered to answer any questions.

Second Reading

Ordinance No. 3679 [TIME 01:08:51](#)

Page 210 of the Agenda Packet

1. An Ordinance authorizing the Tax Budget for the year 2023 and directing that the same be transmitted to the Butler County Auditor. (Joe Newlin, Finance Director)

Motion – To Adopt Ordinance No. 3679

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

AYE #7

Mr. Ellerbe, Ms. Franklin, Ms. French, Mr. Prytherch, Ms. Raghu, Mr. Bracken, and Mayor Snively

NAY #0

Names Here

ABS #0

Names Here

Announcements & Communications

Remarks from City Council and City Staff [TIME 01:10:23](#)

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

Adjournment

Motion to Adjourn Meeting at 9:07 p.m. [TIME 01:37:15](#)

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

AYE #7

NAY #0

ABS #0

[background conversation]

0:00:22.1 Mayor Snavelly: I'd like to have a motion to adjourn from executive session.

0:00:26.3 Ms. Raghu: So moved.

0:00:26.5 Ms. Franklin: Second.

0:00:27.6 Mayor Snavelly: It's been moved and seconded. All those in favor say, aye.

0:00:31.6 Group: Aye.

0:00:32.4 Mayor Snavelly: Opposed. Next item is Pledge of Allegiance. If you are so inclined please join us.

0:00:42.3 Group: I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible with liberty and justice for all.

0:01:02.5 Mayor Snavelly: I would now entertain a motion to approve the agenda for tonight's meeting.

0:01:07.8 Mr. Ellerbe: So moved.

0:01:08.5 Mr. Prytherch: Second.

0:01:08.5 Mayor Snavelly: It's been moved by Mr. Ellerbe, seconded by Mr. Prytherch. Okay. All those in favor say, aye.

0:01:15.1 Group Aye.

0:01:15.9 Mayor Snavelly: Opposed. Thank you. This time we'll move to public participation and the first item is appointments to boards and commissions.

0:01:25.5 Ms. Raghu: I would like to make a nomination for the Planning Commission for Michael Smith and for Board of Zoning Appeals, Philip Russo and Chadwick Smith. For Personnel Appeals Board, Brian Martin, for Recreation Board Adam Beissel, Historic and Architectural Preservation Commission Brad Spurlock. Civil Rights Commission Gretchen Ziolkowski and Cathryn Loucas. For McCullough-Hyde Hospital Board of Trustees Amy Longcamp and Sibyl Miller. Environmental Commission, Jon Ralinovsky and Peggy Branstrator, Housing Advisory Commission. Shana Rosenberg, Cathryn Loucas and Anne Bailey. Police Community Relations and Review Commission Daniel Umbstead, Fritz Wellman, Aimin Wang and Alan Ratliff. Public Arts Commission of Oxford, Rebecca Howard, Robert Benson, Carole Katz, Joe Squance.

0:02:23.4 Mayor Snavelly: Is there a second?

0:02:25.3 Mr. Prytherch: Second.

0:02:25.4 Mayor Snavelly: Seconded by Mr. Prytherch. All those a favor indicate by saying, aye.

0:02:32.2 Group: Aye.

0:02:33.3 Mayor Snavelly: Opposed. Thank you. The next item is a public hearing on the 2023 tax budget and I would recognize, Joe. Can I have a motion to open to public hearing?

0:02:44.7 Ms. Raghu: So moved.

Mr. Prytherch: Second

0:02:46.3 Mayor Snavelly: It's been moved and seconded by Mr. Prytherch. All those in favor indicate by saying, aye.

0:02:51.6 Group: Aye.

0:02:52.4 Mayor Snavelly: Opposed. Okay. So for everybody who's watching, this is a public hearing and so everything is gonna be focused on the presentation and then we'll allow public comments on that issue. And then we will go about closing that issue and then we'll move on to other public comments.

0:03:11.8 Mr. Newlin: Thank you. This is annual tax budget to be submitted for the coming near to the Butler County Tax Commission in accordance with requirements stipulating the high revised code. Approval of the legislative body is required by July 15th and is due to the county by July 20th. The tax budget required by the county is essentially a preliminary budget estimate for next year. Beginning August we'll undertake our normal detailed line item analysis and preparation. We will spend about three months of intensive preparation for a detailed budget and the final approval budget will then be submitted to the county budget commission to replace these preliminary estimates.

0:03:54.9 Mr. Newlin: The tax budget provides the first glimpse in 2023 general fund budget. We prepared the budget with approximately 0% change from the 2022 Amended budget except for a few items that I'll mention. In exhibit B gives a glimpse of the general fund and C are all the other funds. I'll just concentrate on the general fund tonight since the tax budget is really looking to make sure you have enough property tax to pay any general obligation debt. Also on the revenue side from our 2022 estimate, which was the 2022 budget plus any encumbrances carried over from last year or any supplementals that we brought in for this year. The first decrease from that, for the 2023 budget, the federal grant that we received \$31,451 and that's for the Police Department, and that'll be spent this year.

0:04:58.8 Mr. Newlin: And return of advance on the Capital Improvement fund, since we don't know what the actual capital improvement funds are, we're not budgeting in advance at this point. So it would zero out, so it's a \$276,500 difference. Return of advanced Oxford Area Trails, there's \$11,059 in the budget estimate that's not in the 2022, so that's an increase in revenue in \$11,059. The advances from Oxford Area Trail, this year we advanced \$2,871,377 and in the preliminary budget, we only needed to advance \$560,000, so that's about \$2.3 million decrease. In another advance from the High Street Pedestrian Fund, in this year's budget we have \$400 and in next year's it'll be about \$350,098 but that probably will be taken care of before the end of the year but I just

included it in this budget estimate. On the expenditure side...

0:06:12.1 Mr. Newlin: Expenditures are decreasing by about \$2.8 million, law enforcement decreased by \$67,481. That was again, was in encumbrance of last year that we're bringing into this year's budget, public health and welfare \$24,473. That was for the one-time expense that we had this year for... That we won't have next year. So that's \$24,473. Leisure time activities about the aquatic... In the aquatic center, we had a decrease of \$1074 in recreation programs of \$4,581. And again, those were encumbrances carried over from 2021. Community environment, a \$100,000 decrease. And again, that was an encumbrance that we had for the... For the comp claim that we're doing this year that will be spent this year. So we won't have a recurrence next year. On the general government side, human resource, communications, assistant manager department, \$2240 decrease, municipal building there's \$3,088 decrease, in engineering there's \$19,519. And again, those were just encumbrances from the last year. On the transfer and advance side we had to increase the transfer to the aquatic debt service fund by \$5,800. And that's to meet our debt service in 2023 is eight, 5,800 more than it is in 2022.

0:07:42.9 Mr. Newlin: And in order to have a balanced budget going in into the tax budget, I decreased the amount of money transferred to the capital improvement fund by the same amount. So those two wash each other out. Advance the aquatic center capital improvement fund \$11,059 in the tax budget. And again, that should be taken care of this year, so that won't show up in next year's budget. The advance of the capital improvement fund. Again, I explained that the revenue wasn't coming back and we're not gonna do the advance. So that's the offsetting expenditure in the Oxford Area Trails fund. Again, the same thing, there's a decrease of \$2.3 million that's because we're advancing less next year. Again, that's offset by the revenue decrease. So those wash out and the same at the Pedestrian High Street fund of \$33,649.02. And again, these are preliminary numbers. It's not binding us to anything for our next budget next year, but again, this is a procedure we have to do by a high revised code. So I'd be glad to answer any questions.

0:09:19.3 Mayor Snavelly: Thank you very much. Is there anyone from the public who'd like to address this text budget for the... Is there anyone on Council has questions or concerns? Thank you.

Mr. Prytherch: I so move to close the public hearing

Mayor Snavelly: I would accept that motion to close public hearing. Is there a second?

0:09:40.9 Ms. Raghu: Second?

0:09:41.7 Mayor Snavelly: It's seconded. All those in favor, say aye.

0:09:42.5 Group: Aye.

0:09:43.7 Mayor Snavelly: Opposed.

0:09:44.0 Mr. Newlin: Thank you. And just to let you know, since I went through this now, when we have the second reading, I'll say nothing at that point.

0:09:51.6 Mayor Snavelly: I think you're good. [laughter] All right. We'll move then to public comments and anyone wishing to address Council about items that are not on the agenda or are not

on the consent agenda come forward at this time. Give us your name and address for the record. And we'll give you five minutes to say whatever you want.

0:10:15.5 Ms. Michael: Good evening. I'm Carol Michael, 409 East Chestnut Street, and it's good to be here and see all of you. And thank you all for your public service. I'm here tonight to express a concern during ShareFest in May. I spent a lot of time circulating in the miles square, and I became aware very quickly that there was an absence of signage and I was having difficulty navigating. I knew some major streets, but I didn't know all the streets.

0:10:51.7 Mayor Snavelly: Street signs. Yes.

0:11:51.8 Ms. Michael: So this morning I decided to document. So first of all, I went north and south. On south campus, there were three intersections missing street signs in a row, south of high, three in a row north of church, and one north of Sycamore. On Poplar street, one street south of Sycamore was missing and a second one, one north of Spring, the first second, third, fourth, and sixth intersections south of Spring and Poplar were missing signs, on main street, one north of Chestnut to the west and second and third to the east. There's no sign at Spring and Main the first north of spring and second north of spring and second north of High, at Main in Sycamore there was no sign indicating it was Main Street. On Beech Street, the second street north of Spring, the first second, third and fourth north of High were missing any signage at all. On college, first and second south from Sycamore, there were no signs in the first street, south from Spring Street and on Locust, there was no sign at High and Locust. So then I decided to go east and west for a couple of streets. [laughter] on Vine Street...

0:12:16.7 Mayor Snavelly: Oh, Vine Street, there's almost none.

0:12:19.5 Ms. Michael: On Vine Street, one street, south of Sycamore, east or west on Vine, I went through eight intersections...

0:12:26.5 Mayor Snavelly: I did that too.

0:12:28.3 Ms. Michael: With no signs at all. No signs. And then on Withrow, there were three streets with no signs until Main. So you get the idea. I counted all these up, our great city's missing at least 32 Street signs in a mile square, and I find that's totally unacceptable for a great city like Oxford. I think our permanent residents and our visitors deserve a full array of street signs, whether that means more sophisticated hardware to allay tampering and keep them where they are or elevate them so that they're not tampered with, but I think the City Council and City government needs to solve this problem.

0:13:17.3 Mayor Snavelly: Carol, thank you for bringing that up, 'cause I was gonna bring it up in my comments at the end, 'cause I went down Vine street, and I couldn't keep track of which street I was at, and I realized none of them said Vine street. So, could you leave that list with the Service Director Mike, thank you very much. Would anyone else like to address the Council? Mr. Amarantos, come forward.

0:13:49.1 Mr. Amarantos: Hello everybody, my name is Andrew Amarantos. My brother and I had been here in Oxford for almost 40 years now. We are the proprietors of Skippers pub up town and SDS pizza for maybe the last 15 or so years. There's two beautiful ash trees that aren't so

beautiful anymore in front of skippers in case nobody has noticed them. They're probably close to 100 years old. For the last five to seven or eight years, I have been trying to maintain them, take care of them, keep them alive as long as possible. Long story short they're totally hollow on the inside. They've become a nuisance. We don't want anybody to get hurt. I've been talking with the city about it for several years now, and long story short, they are coming down, so that's gonna happen probably in the next 15 days or something like that, and the cost is being worked out between the city and us, and since actually the patio at Skippers is public affair?

0:15:00.2 Mr. Dreisbach: Right of way.

0:15:01.5 Mr. Amarantos: Public right of way, we were grandfathered in 38 years ago. So there's a wrought iron fence around there that's probably maybe as old as the trees, if not older, that we installed back then, it's been painted many, many times. So we're trying to get bids to get the trees down, once the trees come down, all the roots have to come out, we have to grind 6 to 18 inches below, new concrete has to be poured, but while we were talking about all of this, we had asked the fence out there is like five-foot sections, and we said, Hey, can we take down a section of the fence for two reasons, one, to get the trees taken down, make it easier for the people that access... We're actually closing the street, the bagel shop is gonna close, we're gonna close, there used to be a crane there and all of that, and it'd be much easier if you can remove the fence and they can work right from that area. So we were told that if you remove a piece of the fence, there's a law statue or whatever that says once you move it, you can't put it back up again, so I don't know if anyone's aware of anything like that. So we said, well, there's two reasons.

0:16:15.6 Mr. Amarantos: First, we'd love to take the fence down, send it out, do a few repairs on it, where the spikes are, there's a couple of them that will come off, and second of all they have the chemicals nowadays that can get it back down to bare metal, and then you have it refurbished, and it looks brand new and it's pretty and everybody likes it. So we're kind of at an impasse right now. In the last couple of days, I spoke to a few people and they said, why don't you go to city council? So... And I know things don't move at the rapid speed in Oxford at times, we have to do what we have to do, but I'd really like it to maybe come before you people and ask somebody to say, Hey, I like to make a motion to... There's really no business in Oxford this summer.

0:17:02.8 Mayor Snavelly: So your plan is to put the fence back exactly the way it is.

0:17:06.0 Mr. Amarantos: Exactly the way... It might have new bolts, but there's no design difference, no changes, no... No, anything at all.

0:17:13.0 Mayor Snavelly: Got you.

0:17:14.1 Mr. Elliott: We'll talk to Andy about this.

0:17:15.4 Mayor Snavelly: Can you do that, and...

0:17:16.5 Mr. Elliott: I'm not familiar with the section.

0:17:18.4 Mayor Snavelly: See what's necessary to make it happen, so he can take his tree down, build the fence.

0:17:22.4 Mr. Elliott: If we need to bring something the Council will do that quickly.

0:17:25.6 Mayor Snavelly: Thank you. Alright, we'll get on it.

0:17:27.5 Mr. Amarantos: Yeah, that's supposed to be done in about 12 days or something like that. It's all scheduled up at the city, and everything else.

0:17:33.6 Mayor Snavelly: We'll get on it. Thank you Andrew.

0:17:33.7 Mr. Amarantos: So I appreciate your time and everybody, thank you very much. And it's nice to see everybody.

0:17:37.6 Ms. Franklin: Nice to see you.

0:17:37.6 Mayor Snavelly: Thank you Andy. Anyone else?

0:17:47.8 Ms. Schnell: Clarrisa Schnell 6 Olde Stone Court here in Oxford. I just noticed over the past couple of meetings, and maybe you guys can answer this at the end, when you guys get to your comments, that there's been some reference to possibly separating from the township or removing the city of Oxford from the township. And I was wondering just what that means for us as taxpayers, if the city does... If I'm reading what you are hinting around at, during the last couple of meetings, what that means for us as taxpayers, I don't know one way or the other what it means for our friends and families that live in the township, if it'll affect their services or not and what's causing this topic to keep arising? Is it something that's been on the city's agenda for a while? Is it something that's been mutually discussed between the township and the city? What's the benefit, or what are the pros and cons? Or is it strictly an emotional response to some recent conversations about the solar and wind project and the township deciding to keep their police force? So, if you guys could clarify that later on, I'm indifferent one way or the other. I would just like some more information before we go down that road and what that does for us as citizens within the community.

0:19:22.7 Mayor Snavelly: Thank you.

0:19:23.2 Ms. Schnell: Thanks.

0:19:23.6 Mayor Snavelly: Could you address that at the end? Thank you very much.

0:19:26.5 Mayor Snavelly: Anyone else? We really appreciate you all coming. We appreciate those who've come to speak before us. We will move then to the consent agenda. And can I have a motion to approve it?

0:19:39.2 Ms. Raghu: So moved.

0:19:40.1 Mayor Snavelly: It's been moved.

0:19:41.7 Ms. French: Second.

0:19:42.2 Mayor Snavelly: Seconded by Councilor French. Are there any items to be removed?

Hearing none, all those in favor of approving the consent agenda indicate by saying, "Aye"

0:19:53.5 Group: Aye.

0:19:54.1 Mayor Snavelly: Oppose? Thank you. It is agreed to. We'll move then to resolutions. If you would be kind enough to read that first one.

0:20:08.0 Clerk: A resolution authorizing the School Resource Officer Program memorandum of understanding between the Talawanda City school district and the City of Oxford and authorizing the city manager to sign the memorandum of understanding on behalf of the City.

0:20:23.5 Mayor Snavelly: Okay. Is there a motion to adopt this resolution?

0:20:27.3 Ms. Raghu: So moved.

0:20:28.8 Ms. Franklin: Second.

0:20:29.1 Mayor Snavelly: It's been moved and seconded. Chief, welcome.

0:20:32.5 Chief Jones: Thank you.

0:20:33.0 Mayor Snavelly: Give us a run down.

0:20:35.5 Chief Jones: Sure. This is our annual contract renewal with the Talawanda City school district. We provide three school resource officers in the district. They're stationed at Kramer, Talawanda Middle School, Talawanda High School. They work hand-in-hand with the administrators there to provide a safe environment and really work on building relationships with the kids. We have a very positive relationship with the school district. So, they're much more than just an armed security guard there. They work on emergency planning and work with the school. And relationship building, as I mentioned, is a big thing. So, this... The language in the proposed contract is similar to the language that's been there for a few years. The price... We raised the rate to \$31 an hour, over which it was \$30 last year, so it's a small increase to help cover our contract cost. So, I think that's... I'm happy to answer any questions you may have.

0:21:48.4 Mayor Snavelly: Super.

0:21:48.6 Mayor Snavelly: Thank you.

0:21:49.0 Chief Jones: Thank you.

0:21:49.5 Mayor Snavelly: Would anyone from the public like to address this item? Seeing none, any questions or comments from Council?

0:21:58.6 Ms. Franklin: I'll just say that at a police commission meeting a couple meetings ago, I had the opportunity to hear Officer Butler talk about the work that he does as an SRO and was impressed with what he does. I was curious about the fact that it said that raising it from \$30 to \$31 would increase the reimbursement to the City. What amount does the City put in over and above that \$31 an hour?

0:22:27.8 Chief Jones: So, that would be their contracted rate of pay, which I don't have in front of me. But it's...

0:22:33.4 Ms. Franklin: Yeah, I can't remember, yeah.

0:22:34.9 Chief Jones: In the past, it's been... That's covered about 78%. So, I don't know if that's still accurate, but the officers are making more than that per hour. But what it does is... We would have to respond to those schools anyway, so we're sharing the cost of what it takes to put an officer there. And of course, the city's incurring costs such as cruisers and computers and that type of stuff and training. But it's a similar... It's what... And fringe benefits, yeah. So, there's a lot of cost to the city as well. It's a similar contract to the sheriff's office.

0:23:18.0 Ms. Franklin: Okay.

0:23:18.9 Mr. Elliott: We tried to be... It's something we came up with several years ago, and we feel it's a fair reimbursement, even though it doesn't cover 100% of our cost. But they're not there 100% of the time either. The schools are closed during holidays and other times. But... So, I think it works for both the City and the school district.

0:23:39.7 Ms. Franklin: Thank you.

0:23:41.1 Mr. Elliott: Sorry.

0:23:42.0 Mayor Snavelly: Reminder to all in Council to speak close to the microphone so that our feed will pick it all up. Any other questions? Dave?

0:23:49.1 Mr. Prytherch: So, I guess I would just say that this has become fairly routine for us, and I think it's a really well-worked out arrangement both financial and institutional. I think obviously the events of the last few weeks have shown that unfortunately, we live in a world in which having security in our schools is paramount. And I'm grateful that the situation we have is highly trained Oxford police officers in the schools. So, I think that as much as that can give people a sense of security that we have really top people, again, in that emergency, but also with everything else that they're doing as school resource officers that goes far and above just with school security. It's hard to feel secure about anything these days, but this is something that Oxford and Talawanda can do together to make us feel as safe in our schools as we reasonably can.

0:24:41.4 Mayor Snavelly: Thanks, Dave. Anyone else?

0:24:44.6 Ms. French: Yeah, I would just like to... This is my first go round approving this, and for those who may not know, my work bring me very close to working with school resource officers and school safety in general. So, I was... Granted, I don't have a depth of knowledge in other contracts, but this looks as best in class as it could possibly be. I loved everything about how you've worked it out. And I have to say from knowing folks who teach in Talawanda, just huge kudos to your officers for really making themselves, you know, kind of like what we're alluding to, not just Hi, I'm here for, to be an armed member of the school community, but to really embed themselves in the school and the culture and to do a lot of work with the students in outreach into the community. So thanks.

0:25:28.7 Chief Jones: Thank you.

0:25:29.3 Mayor Snavelly: Thank you Alex. Anyone else? Are you ready to vote? Thank you, chief. All those in favor indicate by saying aye.

0:25:38.9 Group: Aye.

0:25:38.9 Mayor Snavelly: Opposed? Thank you. The resolution is adopted. Move to the second.

0:25:44.7 Clerk: A resolution authorizing the city manager and the chief of police to submit a grant application for the community oriented police services hiring program grant with the US Department of Justice Office of Community oriented Policing Services.

0:26:02.0 Mayor Snavelly: Is there a motion to adopt? .

0:26:03.7 Ms. Raghu: So moved.

0:26:04.2 Mayor Snavelly: It's been moved.

0:26:04.8 Ms. Franklin: Second.

0:26:05.3 Mayor Snavelly: Seconded. Thank you very much, chief.

0:26:08.8 Chief Jones: Thank you. This is a grant application for hiring. We're always looking for different ways to supplement city funds and this is for permission to apply for a cop's grant, they would provide up to \$125,000 and then we would obviously have to keep the officers on longer than that and also have matching cost. But this is something, you know, we've talked about adding staffing and this is just one method of trying to get that. And there's different categories we have to apply for. So we did our best to fit it into drug related violence to try to work that way towards the grant. We do have one other grant application out to the state kind of similar, but there was not time to bring that before you, so obviously if we get awarded that we would bring it in and ask for your permission to accept it as well, but, this is just an attempt to help supplement city funds.

0:27:11.7 Mayor Snavelly: Thank you. Would anyone from the public like to address this item before council? Seeing none comments or questions from council.

0:27:21.9 Ms. Raghu: When you say directed towards drug related violence? Does that mean just the grant is saying like, we have an increase of this and this is why we need someone?

0:27:29.7 Chief Jones: Yeah. There were different categories that we didn't always fit the category. We thought this was our best opportunity, we've not been successful with the cops hiring grant before that I'm aware of or well before my time. So we're just trying different, looking at different statistics and trying to fit it in a category. Yeah.

0:27:52.5 Ms. Raghu: Oh, we didn't get it before just because the crime level wasn't as high as other places.

0:27:58.3 Chief Jones: Yeah. I mean, there's other cities have been awarded it. We have not. So it's just a different way of... Just this is the category we applied for because we felt that we could show that there was increase in overdoses and we've had violence related to drugs that we could point to. And we used to have a undercover officer assigned to a task force, but we had to pull that because of staffing a few years ago. So that was our method of if we can get someone that would backfill that position. We could go back to that task force, if that makes sense.

0:28:40.1 Mayor Snavelly: Any additional questions.

0:28:42.7 Mr. Franklin: Question. So if you were to get funded and then they provide, is it 75%, I think it is.

0:28:51.0 Chief Jones: Yeah. Yes.

0:28:51.9 Ms. Franklin: Okay. And then the city has to pay for 12 months beyond the life of the grant at least a year of hire for the officer. So do we know that we have the funds to be able to do that in the third year?

0:29:08.2 Chief Jones: Well, what I would say is that every year we return a lot of money back to the general fund that we don't use in our budget. So I think in talking with the city manager and finance director, yes. We'd be able to support that.

0:29:18.5 Ms. Franklin: Okay. Thank you.

0:29:19.9 Ms. Raghu: And I think this will be relevant kind of leading into the next resolution, which we'll get into further, but I mean, I know that substance abuse has gone up. I mean, it's so obvious in the neighborhood, so hopefully you get it.

0:29:37.0 Chief Jones: Sure. Thank you.

0:29:38.0 Mayor Snavelly: Are you ready vote? All those in favor, indicate by saying aye.

0:29:41.7 Group: Aye.

0:29:41.9 Mayor Snavelly: Opposed? Resolution is adopted, we'll move to the third resolution.

0:29:49.7 Clerk: A resolution, accepting the bid and authorizing the city manager to enter into a contract with Jackson Construction Company for the construction of ADA sidewalk ramps and alternate sidewalk for a total not to exceed \$222,451.46.

0:30:09.8 Mayor Snavelly: Is there a motion to adopt the resolution?

0:30:12.3 Ms. Raghu: So moved.

0:30:13.2 Ms. French: Seconded.

0:30:14.2 Mayor Snavelly: Seconded by Ms. French and welcome Mike.

0:30:19.1 Mr. Dreisbach: Good evening.

0:30:21.1 Mayor Snavelly: So I've seen the little marks on a lot of sidewalks. So you must be getting ready.

0:30:26.2 Mr. Dreisbach: There's a lot of work going on in town.

0:30:27.9 Mayor Snavelly: Yes, sir.

0:30:28.5 Mr. Dreisbach: So pardon my voice. I'm finding a little summer head cold here tonight. For this agenda item, historically we've used CDBG funds to install or improve handicap ramps in the city sidewalk system. In April Council approved a resolution to, use ARPA funds to finish that project so that CDBG could use for other tasks in the future. So staff prepared plans and specifications to do that. And as an alternate, we also did plans for a new sidewalk on the west side of North Lucas Street to go to Kramer School. This has been a frequently mentioned deficiency, and it is part of the study area of safe routes to school. We advertised for bids, we had two bidders, one being Jackson Construction who already has two contracts with the city, so they are already mobilized, they're here, and they gave us very attractive pricing where we can afford to do the alternate sidewalk if you desire. We recommend doing that, and recommend you approve this contract. I'd be glad to answer any questions.

0:31:51.8 Mayor Snavelly: Thank you very much. Would anyone from the public like to address this item? Please come on forward...

0:31:55.6 Ms. Fizzel: I would like to...

0:31:57.1 Mayor Snavelly: Come on. Give us your name and your address and what you do... Five minutes to tell us everything you want.

0:32:03.1 Ms. Fizzel: Well, I'll talk fast. I waddled fast to get up here. I am Janet Fizzel. I was born in Oxford, and I live at 341 North Locust Street. I walked past my house my whole life to go to Kramer School, and I don't know if you all remember, 'cause you're also much younger than me, but Oxford used to be a tree City, and the trees on North Locust street used to arch right over the street, and what's proposed on my side of North Locust Street is sidewalks to be installed in an area in the 30... Let's see, 26 years that we've lived in the house, it's never been a problem that there's not been connectivity on that side of the street. I am concerned about not only the trees that'll be lost when the sidewalks will be installed, but also when you're on that side of Locust Street, down by the Locust Street building of McCullough-Hyde TriHealth.

0:33:00.0 Ms. Fizzel: There's an island there, and it just seems like a very awkward place for little children to cross the street to get to Kramer School, when the other side of the street is much better suited for that sort of traffic. So it would probably increase my property value to have sidewalks on my side of the street, because my house is known as the house where the sidewalk ends. But I will tell you, I think that we should be more concerned about other things in Oxford, and I think that we should be replacing some trees as they keep coming down. And if you've lived near in Oxford very long, and again, you're all much younger than me, I've lived here a really long time, but we lost lots of trees and we will lose a significant number of trees, if this proposed sidewalk install occurs.

0:33:45.8 Mayor Snavelly: Thank you.

0:33:46.7 Ms. Fizzel: Thank you.

0:33:47.2 Mayor Snavelly: Appreciate your time.

0:33:50.0 Ms. Fizzel: Thanks.

0:33:50.6 Mayor Snavelly: Anyone else like to address this item before. Mike? You wanna make a comment before I...

0:34:00.1 Mr. Dreisbach: Just a reminder that the city is a Tree City USA Community, and our internal goal for any tree we take down, we plan to plant one and a half trees, so we are planting more than what we are removing.

0:34:15.0 Mayor Snavelly: Thank you.

0:34:15.4 Mr. Dreisbach: Thank you.

0:34:17.4 Mayor Snavelly: Counselors? Discussion or?

0:34:19.3 Mr. Prytherch: So as someone who was involved and worked with Talawanda and parents to do the safe routes to school, which was... I was looking at a picture here on the way, my daughter was small, it was a long time ago that we did it, and that begins with kind of a needs assessment. You look at the schools, 'cause the premise is, if you have a school that's walkable, you need to analyze what are the barriers to stop people from being able to walk to school, and we're super fortunate to have an elementary school in town, but it's not the easiest to walk to, and there's a number of barriers. The intersection at Locust and Church is one of them, but it's not the only one. So at that time, and again, it was a group of parents and city staffers who were sitting at pre-approved engineers, I think Sam took part in that, and we did identify this as a deficiency.

0:35:03.9 Mr. Prytherch: I think there's a reason why the side walk hasn't been on that street because of this slope... Technically more difficult than it is in other places, but I've been really excited that something that was put on the plan, is a need we need to address, even if it takes a while to find the funding source. And I'm super sensitive to the idea that in the front yard, and I think... I know that the city will work with land owners and try to design it in a way that's sensitive and to replace the trees, but I think you're right. I think we need to look at the Locust and Church cause I think that's not a particularly walkable intersection but building the network as a one little piece at a time, and then you when you have an opportunity to fill a hole, so thank you, Mike, for putting that on there.

0:35:53.0 Mayor Snavelly: Other comments?

0:35:54.4 Ms. Raghu: I have a couple of questions, do I need to recuse myself, since I live across the street?

0:36:02.6 Mr. Mazer: There's really no requirement that you recuse yourself, you don't have any really specific interests that would be really unique in any way that differs from the rest of the

members. So there's no need really... You surely can, if you feel the need to, we believe there's no requirement.

0:36:17.7 Ms. Raghu: And then, the trees, when they're replaced, do they go in the same area? Do they go somewhere else in the city?

0:36:24.7 Mr. Dreisbach: We would work with the property owners, if they desire trees to be replanted, we would do that, some owners do not want trees back in their yard, and then we have other way, we have a list of places where we'd like to plant more trees. So we will work with the property owners.

0:36:44.9 Ms. Raghu: And this project is being targeted because of the elementary school and the of connectivity, right at this moment?

0:36:51.9 Mr. Dreisbach: Yes. And it's been noted as a deficiency in the Safe Routes to School study area. So we have an opportunity to correct that. The Council's goal has been to complete the city sidewalk network, where we have missing segments, that's what we're doing.

0:37:10.0 Ms. Raghu: And I think everyone's on the same page that we need that connectivity and sidewalks are good, always in favor of sidewalks. There was, there were some concerns raised in the neighborhood as far as... There's a lot going on right there. There's a lot going on that people don't even realize what is happening beyond the bushes in the woods, right behind on the west side of Locust. So before we make any comments as far as NIMBY-ism or anything like that, this ain't it. But there's a lot of concern about what will happen when this connectivity happens, and then connecting it to what is happening behind... Right behind where Ms. Fizel lives. So, I just wonder, is there any way that until that situation improves, is there any way this project could be put off?

0:38:13.1 Mr. Dreisbach: We have deadlines published in our specifications. So the contractor could claim damages against the city if we did not follow through once the contract's awarded. I'm not prepared to answer that question. I didn't anticipate that tonight.

0:38:40.8 Mr. Ellerbe: Okay. I got a quick question.

0:38:41.4 Mr. Dreisbach: Yes.

0:38:41.8 Mr. Ellerbe: Two actually, a question and a statement. All of the discussion that has happened up until I started speaking was regarding the alternate correct?

0:38:53.2 Mr. Dreisbach: So we have the main base bid of...

0:38:55.1 Mr. Ellerbe: Yeah. Like the, all the...

0:38:56.3 Mr. Dreisbach: Handicap ramps?

0:38:57.3 Mr. Ellerbe: Yeah. Then the ramps and all that other stuff. And then this is the alternate.

0:39:00.4 Mr. Dreisbach: And then the citizen's comment and discussion is solely about this north Locust sidewalk?

0:39:06.7 Mr. Ellerbe: I wanna talk about the other stuff. Thank you for doing that. I mean, I've been on council when I think you guys were at like 30 of these things and you're rapidly approaching, completing everything in the city to be ADA accessible. I appreciate all the years that you guys have been doing this year in, year out every year, it actually... I've been noticing in the town it's making a difference. And thank you for doing that.

0:39:33.7 Mr. Dreisbach: Thank you. So this contract will buy 44 more ramps 3,800 square feet of a new sidewalk and ramp area and about 800 new feet of curb gutter and sidewalk. And that will complete the program.

0:39:55.0 Mayor Snavelly: Additional comments or questions.

0:39:56.8 Ms. Franklin: I just want... I wanna say I understand that there's no replacing a mature tree. I mean, there just isn't and I appreciate you working with the homeowners and I am supportive of this, but I understand we have a lot of mature trees at our home and you just can't replace one. It's not gonna be the same.

0:40:22.3 Mayor Snavelly: I echo those thoughts exactly. Are you ready to vote? All those in favor, indicate by saying aye.

0:40:29.1 Group: Aye.

0:40:29.4 Mayor Snavelly: Opposed.

0:40:33.1 Ms. Raghu: I'm gonna abstain.

0:40:35.2 Mayor Snavelly: Alright. I wanna...

0:40:38.2 Mayor Snavelly: The resolutions adopted, please work with the homeowners. I appreciate that. Ordinance is the first reading, you may read the first one.

0:40:47.1 Clerk: An ordinance accepting the recommendation of the planning commission and approving the conditional use for a major change to the 2009 Talawanda High School conditional use to add a bus garage/maintenance facility in the city of Oxford with conditions.

0:41:06.7 Mayor Snavelly: Okay. This is the first reading, so we don't need motions. And we will turn to Sam.

0:41:14.4 Mr. Perry: Good evening everyone. May was a busy month for the planning commission. So I have three first readings tonight. The first one, and we have a significantly reduced set of slides so they'll go quickly since the planning commission has spent a lot of time on these, you may remember in February, there was a road easement discussed and council approved a relocation of a roadway easement on this private property that's owned by Talawanda School district? And the reason for that, I'll show you on the map here was for a proposal from the school district to relocate the current bus storage facility and garage from Chestnut Street, where it is now to the current high school property to serve the district for busing storage, staffing, maintenance. And so you can see on the map I have highlighted where it would be located. The high school was

approved by council in 2009 and then completed in 2012 and 2013 as a conditional use permit which is a, just kind of the typical process for schools and restaurants. Those types of uses that are special that require some additional detailed analysis to determine their level of appropriateness in a certain area.

0:42:26.8 Mr. Perry: And so because of that conditional use approval in 2009 for the school it was determined that adding a bus storage facility to that would be an amendment. So that was actually discussed administratively and then at planning commission for a potential minor or administrative amendment. And it was determined that that would need to come through the full process for a major amendment, which finds its way back to council. So here we are now planning commission did a thorough review of it and actually some of... And I'll go to the next slide there. Some of the comments that were provided in March in the discussion of a potential minor amendment resulted in some revisions which were then accepted by the majority of the commission at the May meeting. So some of the aspects that we were in discussion had to do with potential noise or light traffic, kind of the typical things that a conditional use discussion should contain. What are the impacts to the surrounding property owners and residents, those types of things. So the school district and their consultant added additional trees to the surrounding perimeter of the site and also some privacy slats to the chain link fence. If you're familiar with those fences that have the kind of the vinyl slats in them.

0:43:46.3 Mr. Perry: So this project would include storage for 42 buses about a half dozen staff, and it's a 7500 square foot building. And you can kind of see in the center here, this is where the maintenance barn would be, kind of a pole barn type of structure that would match the... Some of the colors of the district. And then there's existing trees along the driveway, and they would be adding some more. And then the front half facing the driveway would be like the staff and visitor parking. And then the back part would be the bus storage. So waivers and conditions were discussed and added into the recommendation. You may be familiar with the high school parking lot. It's not designed like a lot of the other parking lots in town. It has some of the low impact features, some of which are being taken over to this design but to a little bit lesser degree just to help to prevent some of the damage to the grass in the area. And then the easement for the roadway which had already been approved by council that has been drafted up and ready to be signed. And that's a condition as well. And what that would do was allow... Would allow for the public interest to be served by maintaining a roadway in the future to the east of the garage rather than through the middle of it... If you remember that discussion. And that is all I have and Shaunna Tafelski is here as well. If you have any questions for her, from the district, happy to answer any questions.

0:45:22.9 Mayor Snavelly: Super, thank you very much. And I will ask if anyone from the public would like to address this. Did you wanna make a comment or just here for questions?

0:45:35.1 Ms. Tafelski: I'm literally just here to answer immediate questions.

0:45:38.8 Mayor Snavelly: All right. I didn't wanna take away your opportunity.

0:45:41.2 Ms. Tafelski: No, you are not. I appreciate you asking and for this opportunity so...

0:45:47.2 Mayor Snavelly: Okay. So I see no one jumping up to take that opportunity. So we'll move on to discussion and questions by council, planning members do you want to give us a summary there of your discussion. Was it well received?

0:46:07.1 Mr. Prytherch: Yeah, I mean, I think that the main... Just to summarize, so you can understand one, I think at first the planning commission had debates about whether this was minor or not, but because of the scale of it it was difficult for many commission members to put this in the minor administrative category, given the number of buses. And, so it came through. But in that initial conversation with the main conditional use is really about, are there negative, secondary impacts that you have to mitigate? And if you can mitigate them, they probably should be approved. And the main thing with this is that it is a bus facility with buses that will be idling and turning on lights at 4 o'clock in the morning, or 4:30 or 5:00, or whatever it is with the noise and the lights and some fumes.

0:46:49.2 Mr. Prytherch: So it was visual, so, but they came back and, and so there's the tree planting schedule and the slat is really meant to mini... It's to mitigate it. It won't... There will still will be noise from buses, there was a specific effort to reach out to the owners or the managers of what's the aviary, and to try to get a sense of whether the neighbors had concerns about it, but I guess no one showed up what, whatever that means. So, yeah, I mean, I think there was... This is kind of the facility. This is the reason why this is a conditional use. This is a residential area. This is on R 1, and this is a the kind of industrial sort of facility, but it's part of what school districts do and have to do in 2022. And I think there's some hope that there will be a time in not too different future where they won't be diesel buses, but they'll be electric buses and that will address one of the concerns. So yeah, I think that ultimately the planning commission, I think there was some qualms about the way things might have gone differently about the easement or whatever, but I think the majority was in support so...

0:47:53.0 Mayor Snavelly: Okay. Anyone else wanna address this claim?

0:47:56.8 Mr. Ellerbe: Is there a net job creation from this facility?

0:48:01.1 Mr. Perry: I don't know the answer to that.

0:48:02.4 Mayor Snavelly: Go ahead.

0:48:03.5 Ms. Tafelski: What's the question.

0:48:05.8 Mayor Snavelly: I bet we can have an answer.

0:48:09.1 Mr. Perry: Is it creating new jobs.

0:48:10.0 Mr. Ellerbe: Is there a net? Okay.

0:48:12.3 Ms. Tafelski: No. It's... I'm.

[laughter]

0:48:14.5 Ms. Tafelski: It is net neutral.

0:48:15.1 Mr. Ellerbe: Okay. Thank you. I was just curious if they are giving some new job.

0:48:16.8 Mayor Snavelly: For the record, tell the clerk, your name ma'am.

0:48:19.6 Ms. Tafelski: I'm sorry. I'm Shaunna Tafelski. I'm at, 2114 Dana drive, and I represent Talawanda city school district.

0:48:26.5 Mr. Ellerbe: Including, custodial or any other administrative services, like no net new jobs at all.

0:48:33.5 Ms. Tafelski: No, there's no new jobs. We're literally moving our Chestnut hub. The Peterman services there, as well as our custodial and maintenance. We're literally moving them from one spot to the next.

0:48:44.8 Mr. Ellerbe: Understood.

0:48:45.7 Ms. Tafelski: Okay. I'll stay here for any other questions.

0:48:48.8 Mayor Snavelly: If you have any questions for her while she's here for the school district. So, when the high school was there, it was right next to the high school.

0:48:57.3 Ms. Tafelski: Yes.

0:48:58.3 Mayor Snavelly: So this will take it to that state again.

0:49:01.3 Ms. Tafelski: Basically a couple of hundred feet extra, but yes, it will.

0:49:05.5 Mayor Snavelly: Okay. Thank you.

0:49:06.4 Mr. Prytherch: And just to Glenn's point, I mean, there is an economic development piece to this because the school district will be vacating a piece of property that it's been occupying at South Locust, which is going to transform a lot, the BCRTA multi-modal facility.

0:49:21.2 Ms. Tafelski: Correct.

0:49:22.8 Mr. Prytherch: Or investments in Amtrak. And so in terms of the pieces of the puzzle, there will now be a piece that's available. I mean, it's Miami is owns it, right.

0:49:31.2 Ms. Tafelski: Miami currently owns it. We lease it from them.

0:49:33.3 Mr. Prytherch: So you know, that that will open the door to something potentially future in that location, in south locust.

0:49:40.0 Mayor Snavelly: Or the Main Street here instead.

0:49:41.7 Mr. Prytherch: Me... Yeah. I'm sorry.

0:49:42.8 Mayor Snavelly: I think you may have to say... Yeah.

0:49:45.2 Mr. Prytherch: That's fine.

0:49:45.3 Ms. Tafelski: Correct.

0:49:45.7 Mr. Prytherch: Thank. You.

0:49:46.3 Mayor Snavelly: All right. Thank you.

0:49:47.3 Ms. Tafelski: Thank you.

0:49:49.4 Mayor Snavelly: Any other questions or concerns? Okay. I do think, it does make space for the new multimodal facility. So there's a side advantage on that. Okay. We will hear it, next meeting, we'll have a second reading then vote on it. Second, first reading.

0:50:12.5 Clerk: An ordinance, approving a conditional use permit application to allow for a new hotel to be located at 5470 College Corner Pike, Oxford Ohio 45056 with conditions.

0:50:25.6 Mayor Snavelly: Thank you, Sam.

0:50:29.5 Mr. Perry: Okay. So another conditional use this one for a new holiday inn express. So you're probably familiar with the Wild Berry warehouse in ambassador's point church area on college corner pike. And this will be directly past or to the left of the ambassador's point church and across from Wild Berry. And the proposal is an 83 room hotel, which requires a conditional use process and recommendation from planning commission, which is what you have in front of you. The zoning shows general business and, light industrial and residential. So it's kind of a mixture of uses around the area, which is a good reason to have the conditional use, to determine if there are negative impacts as we have talked about before, that can or cannot be mitigated.

0:51:21.6 Mr. Perry: The site plan that you have on the screen there was actually the one that was reviewed by Planning Commission, but it's not the one that you have now, because of some changes that have been made. This particular one has gone through several revisions, a lot of which actually happened before it came to Planning Commission because of staff feedback and so there was additional conversation that happened at the Planning Commission about access to the site from College Corner Pike and the number of curb cuts, there was discussion about whether additional parking spaces would help to mitigate that additional access and to navigate around the site, and so what we ended up with, which was actually the result of a condition of a recommendation that we intended to bring, but since the revised site plan addressed that, that condition has been recommended to be removed, and so that's for that second curb cut. So again, here you can see the plantings around the area.

0:52:22.0 Mr. Perry: Just to kind of give a little bit more life, I included that slide instead of the... Just purely the engineered site plan, but there are plenty of other drawings that are available and that you probably have seen in the packet or online. Now, this next slide shows elevation views, there is a height limit in the zoning district of 45 feet, and the request is to exceed that by an additional four feet, and you can see where those portions of what we call the parapet wall, will go above that to 49 feet. There's another one of the glass requirement for the general business district, or the glazing requirement, now that's an additional waiver as well. When that was written, I believe it was intended to speak mostly to kind of the one-story storefronts, so you didn't just have the blank walls, but since this has several stories with glazing, I think it was seen that that would accomplished a the

similar purpose, so we're not looking at completely blank walls, but it doesn't meet the 60% windows square footage either. The sign issue was discussed a fair bit as well, and as far as the square footage, this has been a popular theme over the past few months with different cases, and we do spend a lot of time on that.

0:53:41.8 Mr. Perry: And I'm glad to see that in a sense, because it does show our attention to detail that we for our design of the community and aesthetics. So the one that's here on the lower image shows the original proposal, which is several fold higher than what would be allowed by zoning code, and you can see in the next slide how it's been reduced. This was another item that has been addressed by the revisions of the applicant very quickly turned around those revisions and that made it easy for the process to continue on without additional discussion, so that's what we have here. One of the commissioners actually referenced another hotel in town, and so that was how we ended up with that. So again, it was...

0:54:27.2 Mr. Perry: And I'll go back to the site plan, the access and there was a pretty good pro and con discussion about additional access and whether that would be negative, what were the trade-offs for having that additional access point because the multi-use path there and that potential conflict and it was determined that having the additional curb cut and vehicular access, especially for emergency services and also for patrons would be the greater good in this case, and so that is what you have here in front of you.

0:55:00.3 Mayor Snavelly: Okay, thank you. Is there anyone from the public who would like to address this? Etta would you like to talk to for the petitioner?

0:55:19.3 Ms. Reed: Oh yes please. Good evening, I'm Etta Reed with Bayer Becker, I'm here on behalf of the applicant, which is High Point Lodging. And my address is 110, South College Avenue. I'm not gonna go through the whole presentation, I think staff did a very good job, but I will definitely answer any questions coming up, but I did not wanna just give you a little feel for what the quality, that High Point can bring to the Oxford community and some of the economics that this hotel will bring also. So High Point Lodging, they have 40 years of experience, they are family-owned and operated business, they do... This is their livelihood. They're sitting here in the audience ready to answer any questions you have, they also build and operate these hotels.

0:56:03.5 Ms. Reed: As Sam has indicated it is an 83 guest room hotel, they do have a number of suites, extended stay suites, so something that really a lot of the hotels in town do not have. They also offer up a 50-person meeting room as well as another smaller board room, so that you could have some conferences, smaller scale, but still has some conferences and bring some visitors into the community. They have a fitness center, indoor pool and a business center. Here's just some of the nice photos of what you can expect to see, a very colorful, inviting lobby, plenty of seating for your guests to kind of hang out, very up-to-date beautiful rooms, lit hallways, a business center, so if someone is here for a conference, they can continue to operate their business. Fitness center, just kind of a visual of the outside pool.

0:57:07.8 Ms. Reed: Again, here's your board... Here's your meeting room, as well as a smaller board room, another guest room, and just kind of... This is the sign as Sam has indicated, we are asking for several waivers, one of them is the signage. We took the ground sign, which is the sign you see here, we've dropped it to six feet, which does meet code, so we do not need that waiver anymore, and then with regards to the wall signage, we are still are at requesting too, but we

reduced the size from almost 17 feet tall down to just over three feet tall to be in compliance with what the Hampton it has in town. And one thing about Holiday Inn Express and Suites, they do have loyal customers, so they will follow them, so hopefully once a visitor comes they'll see how great Oxford is and they'll come back. And some items about the economic impact, this will create 31 jobs anywhere from food and beverage, front desk, all the way down to management, as you can see, there'll be six full-time and 25 part-time employees.

0:58:13.9 Ms. Reed: They are projecting 25,000 stays a year and in year one, that'd be \$2.9 million. And there are some tax benefits both to the county and the city with the hotel they will be adding again, 83 more rooms, which would bring your count up to just over 400 here in town. Which is really good because we were kind of more in a rural area. We could use more, especially with Spooky Nook coming into Hamilton, Riley Hanover, Milford township, the joining townships really don't have the hotels. So rather than have the individuals go to Colerain or Fairfield, even Hamilton, let's bring them here. So this is just some more bullet points. That's where it mentions the shortage of hotels in Oxford. So this will fill that need, this is a \$10 million project. It takes them two years to build this hotel. So that's two years of just construction workers. They'll use local contractors as much as possible, but you will have some outside contractors. So again, that's just bringing more people into the community and more dollars into Oxford.

0:59:23.8 Ms. Reed: And then just quickly as Sam has indicated, this was the previous plan, we had one access point and then this is the proposed plan that we're asking for approval on tonight. We worked back and forth significantly with the fire chief and staff to really meet the needs. And our original plan had 100 parking spaces. We only lost one by adding that access drive. The access drive more to the south or to the right side of the screen will align with Raeghs Way. So it will be... It will not create an unsafe situation with an offset intersection. So I'm prepared to answer any questions you may have.

1:00:00.0 Mayor Snavelly: I have one quick question. I believe that there are streams running through there. Can you show us where those are and how if any impact they would have on this project?

1:00:12.2 Ms. Reed: Sure. Do you have a pointer?

1:00:14.4 Mr. Dreisbach: I have one for rent.

[laughter]

1:00:16.8 Ms. Reed: For rent, I'll use the cursor.

1:00:20.4 Mayor Snavelly: Yeah she's gonna confess it.

1:00:23.2 Ms. Reed: I'm not paying, sorry Mike. It's right over here. There we go. It's right over. It's come on over here in the woods, the area that we are not going to touch. Yes.

1:00:32.8 Mayor Snavelly: So it's all over there. And does this drainage basin then drain into those creeks?

1:00:40.5 Ms. Reed: I'm sorry.

1:00:41.6 Mayor Snavelly: Does the drainage basin then drain into the creeks.

1:00:45.7 Ms. Reed: Yes, it will. And there is a drain... There's a 48 inch pipe here and a smaller pipe coming outta this catch basin here. Now that we have to put an access point in here, we're gonna have to kind of fill that area in. So if you've been out there, you've seen that depressed area, we're gonna connect these pipes up and clean that up and there, but yes, all the drainage will essentially pretty much go this basin... Detention basin, which will be dry and then outlet into the drainage way.

1:01:12.5 Mayor Snavelly: Thank you. Would anyone else from the public like to address this proposal, seeing them, questions, comments from council?

1:01:22.0 Ms. Franklin: I think I saw some Palm trees and water.

[laughter]

1:01:27.6 Ms. Franklin: If you could do that [laughter], I'm all in.

1:01:29.7 Mr. Ellerbe: The slideshow answered all the questions I had. It seems like a net positive to the community.

1:01:37.9 Mr. Prytherch: So here's just a question and I really respect, there was a lot of back and forth about the right way to handle. I mean, just so you understand what the logic was, is from a fire safety point of view, the desires have more than one at point of ingress and egress to a site. But on the flip side, when you have something like a multi-use path, you're trying to limiting the number of access points. This is in part why College Corner Pike is a little bit messy, because you've got a lot of points of ingress and egress. So there was a way of the debate was like is their way to do this shy of two entrances. But that... This is... That's fine, the conditional use doesn't get into the level, but is there signage then to mitigate the potential conflict point with the user on the trail?

1:02:25.2 Mr. Prytherch: In terms of like the stop bar being behind the sidewalk, again, it's not to that level here, but I'm sure that the multimodal design guidelines that are available from the state DOT probably there's a way that you can, 'cause what's gonna happen is people are gonna pull across to get to the street and then they'll be blocking. So thinking about that and I... It doesn't need to be conditioned, but because now we are increasing points of contact on the trail, it would be nice if we used best practices to mitigate that. Here's just a question that's totally just occurred to me and it's not apropos of our code. Are hotels installing electric vehicle charging as an amenity for their clients, 'cause I imagine it has to be a growing demand? Again this is not at all part of the approval process. It's just pure curiosity.

1:03:13.4 Mayor Snavelly: It will not affect your decision.

1:03:14.8 Mr. Prytherch: Yeah. It doesn't affect the decision, but I'm just curious whether it's that... We don't require my code, but I think I see a lot of people driving to campus with their kids in electric vehicles. It's just something to think about. I think there might be demand for it.

1:03:27.2 Mayor Snavelly: I think you're right I can tell you, it's almost impossible to even get an

electric car right now because the demand is so high.

1:03:34.4 Mr. Prytherch: And I just think that if people arrive and they often arrive from distances such that they would want to charge it. And we have, yeah... So we don't have a ton of infrastructure in Oxford right now. We're trying to get back, but thank you for working with staff. I know there was a lot of back and forth. I think this is going to as somebody who's on the parents page, I see the demand that the hot market people trading hotel rooms with each other. And so it would be really nice if we had a town where people could find a place to stay. And as Jason will also attest this will help us with our Airbnb conversion housing affordability problem. I'd rather have people stay in a holiday Inn express than in a converted house.

1:04:22.9 Mayor Snavelly: Yeah, this is not designed to compete with houses. It just may have that impact. I just want to congratulate you for coming to our town and building the hotel. And when I visit my in... This is totally irrelevant. When I visit my in-laws, we always stay at the Holiday Inn Express and I have... So you chose a good brand because I think they have high standards and we always know what to expect when you get there. And so I think it has a good chance of success.

1:04:55.4 Ms. Raghu: I would second what David said, if you could put some electric chargers, that would be amazing.

1:05:00.2 Mayor Snavelly: Yeah. Council would be really appreciative.

1:05:03.0 Ms. Raghu: And if you could make it safe so that cyclists are not hit, that'd be awesome.

[laughter]

1:05:09.0 Ms. Raghu: My husband was personally hit, at the front of an apartment because a car pulled up. So I'd appreciate that as well.

1:05:19.3 Mayor Snavelly: Okay. Any other comments or questions? Hearing none. We thank you very much for the presentation again, that will be decided upon at our next meeting. And then we have a third first reading.

1:05:37.1 Clerk: An ordinance accepting the recommendation of the planning commission and approving the final plan development for Owl's Landing along Brookville road in the city of Oxford with conditions.

1:05:47.8 Mayor Snavelly: Okay. Thank you very much, Sam.

1:05:52.5 Mr. Perry: Okay.

1:05:52.6 Mayor Snavelly: This is your third.

1:05:53.4 Mr. Perry: This is it. Third one. So this is a final plan development, you've seen a few times. So Owl's Landing, it's a 22 acre site that went through several steps. So annexation, zoning, preliminary plan development. There's a little bit of a timeline there. And the applicant reminded the planning commission of the length of the process and has asked us to consider revisions to that. So that's, if you're interested in what it takes to get through the process there's... That's where we're

at now. This is actually... There's still another step too. There's an addition to the vote for this plan development, there is also the division of the land itself, which is the plat. They actually... Even after this is approved, still would not be able to sell lots because this is a plan development and a subdivision.

1:06:47.0 Mr. Perry: So the site itself, which is a lot of open farm land and a farm site... So it's in three parcels, consolidation of 22 acres. This is the preliminary plan, which you have already approved. And as I go to the next slide, you can see that there's very little change, just a little bit more detail on the topographic lines. And then as I flip back and forth from the original preliminary to the approved, you can see on the east side there's been some additional plantings added, based on some comments and suggestions from the planning commission city council. And so that has been done. And other than that, there's really no changes. So the staff and planning commission found that it substantially conformed to the preliminary plan.

1:07:37.1 Mayor Snavelly: Okay. Thank you. Is there someone from the petitioner who would like to talk about this? Yeah. Welcome.

1:07:45.9 Mr. Bayer: Good evening. Oxford City Council, John Bayer with Bayer Becker, 110 South College Avenue. I'm here on behalf of the applicant, Todd Hall. Unfortunately he had a scheduling conflict this evening or else he would've been here. But I just wanna extend on behalf of Todd and myself, we appreciate everyone's time. As Sam showed, there's quite a few steps in the process and we appreciate everyone's time in reviewing this along the way. So if you have any detailed questions, I'm here for that. Thank you.

1:08:14.2 Mayor Snavelly: Thank you very much. Okay. Is there anyone from the public, anyone else who would like to address this proposal? Seeing no other questions or comments from council. We've seen it all before. So probably the same thing we've seen before. Anyone? Seeing none. Thank you very much. Again, we'll deal with the second reading at our next meeting. We do have one second reading for this meeting and read it.

1:08:50.3 Clerk: An ordinance authorizing the tax budget for the year 2023 and directing that the same be transmitted to the Butler County Auditor.

1:09:00.3 Mayor Snavelly: Is there a motion to adopt? Thank you. Is there a second?

1:09:04.8 Ms. Raghu: So moved.

Mr. Prytherch: Second.

1:09:05.3 Mayor Snavelly: Thank you. It's been moved and seconded. You don't have anything else?

1:09:09.6 Mr. Newlin: No. It's promised to have nothing, but do you have any questions?

1:09:11.9 Mayor Snavelly: You gave a nice long dissertation on this. Is there anyone from the public who would like to address any of these numbers? Seeing none, any discussion?

1:09:26.0 Mr. Prytherch: Well, I think it's interesting. I think it's just a fiscal exercise that we're in

a healthy position. So as we enter the budgeting process, trying to figure out how to spend the money that we have, we do it from a... We just have to answer to the state that we are not in distress and we are not thankful. So.

1:09:43.1 Mayor Snavelly: We have challenges ahead.

1:09:45.3 Mr. Prytherch: We have challenges, but for other cities, this wouldn't be just a pro forma exercise. If we were in distress, this would be red flag time and luckily we're well managed but somewhat it's not a problem...

1:09:56.7 Mayor Snavelly: You still need to hire some firefighters and do some other things, but okay. You may call the roll.

1:10:03.8 Clerk: Mr. Ellerbe.

1:10:05.3 Mr. Ellerbe: Yes.

1:10:06.6 Clerk: Ms. Franklin.

1:10:08.1 Ms. Franklin: Yes.

1:10:09.5 Clerk: Ms. French.

1:10:09.9 Ms. French: Yes.

1:10:10.1 Clerk: Mr. Prytherch.

1:10:10.4 Mr. Prytherch: Yes.

1:10:11.1 Clerk: Ms. Raghu.

1:10:13.3 Ms. Raghu: Yes.

1:10:14.8 Clerk: Mr. Bracken.

1:10:15.1 Mr. Bracken: Yes.

1:10:15.4 Clerk: Mayor Snavelly.

1:10:15.6 Mayor Snavelly: Yes.

Mr. Newlin: Thank you.

1:10:16.4 Mayor Snavelly: Ordinance is adopted. Thank you very much, Joe. And we will move to announcements and communications and I'll start with City Manager, Elliott.

1:10:25.5 Mr. Elliott: All right. Thank you. Recently council adopted legislation as you know to reopen our designated outdoor refreshment area. But usually the microphone does a little better than

that, but I guess I'll have to be very close to it. So I apologize if you couldn't hear me earlier, but anyway, you adopted legislation to reopen our DORA without a closing date. And we had stated at that time that we would be bringing forth a new application to amend the boundaries. So we did file that with the city clerk recently, and we did post a public notice. It'll be appearing in the journal news on June the sixth and June 13th, stating that it's available in the clerk's office and also on our website to take a look at it. And then on July 19th, you'll be able to consider that expansion of the DORA. And so the only change is the expansion of the boundary to include four additional blocks from Beech to Elm Street.

1:11:24.2 Mr. Elliott: And so I do want to thank Seth assistant to the city manager, because he did a lot of the legwork in putting the application together on that. A couple of other things are municipal income tax collection. As you know, we have a contract with the regional income tax agency, RITA, to administer our local income tax. This service I believe has proven to be very effective and efficient in the collection administration of our income tax. In 2021, RITA collected a little over \$9.7 million and that's for both the general fund and the fire and EMS fund with an administrative cost of \$110,892. This cost represents 1.14% of the city's collection total. We have an agreement with RITA that calls for a 3% retainage. So we'll get a refund amount of \$178,668 from RITA. So I just wanted to share that with you. A couple of other things I wanted to share.

1:12:28.6 Mr. Elliott: We, Jessica and Casey and I met recently to discuss expanding the childcare service, daycare service that we provide at the try. And so probably at the next meeting, we'll be introducing legislation to create a full-time position there, along with keeping one part-time position. This expansion will I believe, allow us to add four more children at our daycare. It's a drop in the bucket, but it is helping with the daycare situation. And the reason we'll need to bring legislation in as you know, we have a number of positions outlined in our pay ordinance. And so we would be creating a new position before we introduce new legislation, which we'll do in the fall, but I wanna make sure you're on board because not only will it increase a full time position or create one, but we'll also need a supplemental appropriation to do it too, because we'd like to be in it with the school year.

1:13:27.3 Mr. Elliott: So I wanted you to know that, Ms. Schnell asked the question about conforming boundaries and it's something that we've discussed before, but I don't believe we've gone into detail publicly. So the notion here is that unlike Middletown, unlike Hamilton, unlike Trenton, we're still part of our township, those other communities that I mentioned have separated from their township long time ago, they did what's called conforming boundaries. And I propose that several times, and the reason for that is that if you think about it, we get no services from the township. In fact, we provide services to them. For example, we take care of their dispatching, and we also store salt for them, we provide fuel both diesel and regular gasoline at no cost. So the idea here is that by conforming our boundaries, the residents of Oxford would no longer pay that inside millage which total, for the township I believe amounts to about \$80,000 a year.

1:14:38.5 Mr. Elliott: So that is why I've recommended that to city council. We would save that money, we would have to approach the county budget commission to see if they would in turn, allow us to capture that money if you will, if not, it would resolve in a decrease in individual tax, property taxes for those individual property taxpayers. So I think it's made sense. We've discussed it briefly at our retreat. We're planning to bring some legislation in soon on that and we'll have a discussion. I believe it would probably take an ordinance. I'm working with the city attorney to put that legislation together. And of course, if it's an ordinance, it's two readings, but that's the notion

behind the conforming, the boundaries, if you will. And that's all I had this evening, unless you have some questions for me. Yes.

1:15:27.8 Ms. Raghu: Can I ask you about RITA? Is there any other entity that would handle that local income tax or is it just them?

1:15:34.9 Mr. Elliott: There's the clearing house, CCA. I forget the exact abbreviations for it, but Hamilton, I think there have been several communities that have used them and went to RITA. So really only two other places. Now a lot of cities administer their own income tax, which I think is difficult to justify because number one, a business income tax form is a little different than an individual. And when I was in Washington Courthouse, we administered the income tax and I had to have two individuals for a community smaller than the City of Oxford, one to do the business taxes and one to do the local income taxes. And we still needed a CPA to help us from time to time. So I think utilizing RITA is a very, very good idea, contracting it out, but I believe it's called the clearing house CCA.

1:16:30.1 Mr. Newlin: Yeah, it's located up in Cleveland and there's a lot of people that wrote CCA.

1:16:36.4 Mr. Elliott: Yeah, RITA serves, I believe I wrote in...

1:16:39.0 Mr. Newlin: It serves 200 and something communities in Ohio.

1:16:41.3 Mr. Elliott: Yes. Yeah, over 330 Ohio communities are served by RITA.

1:16:45.8 Ms. Raghu: As a personal note, it's been challenging, if you work in another city, but you live here, if your business is not withholding the right amount, you'll get hit with a huge fine, one that they might not tell you about for years later and then make accrued interest. So which ends up being thousands of dollars. So I don't know if there's any way we could pass that along to...

1:17:06.6 Mr. Elliott: Well, there's an appeal process too if your employer wasn't withholding the right amount, but I understand it's difficult if you work in several communities. And much as I didn't favor it, I think that had something to do with the state stepping in to deal with the business taxes and collecting that for cities. But I understand that's difficult, and even if we administered on our own, it would still be difficult because you gotta pay to each different community. We have different rates. We have maybe different credits, so on and so forth.

1:17:41.7 Ms. Raghu: Mainly just wondering if there was a competitive market, but doesn't sound like there is.

1:17:46.0 Mr. Elliott: Yeah, just two and I think RITA is clearly the front runner.

1:17:51.1 Mayor Snavelly: Okay. Thank you, Mike.

1:17:53.3 Mr. Dreisbach: Mr. Elliott asked that I provide a quick update on our water softening project for water utility.

1:18:00.8 Mayor Snavelly: Thank you.

1:18:03.2 Mr. Dreisbach: As you recall, we looked at four different technologies to soften water at the plant and landed on membrane softening. And upon further evaluation, we wanted to study whether we could buy wholesale water from the City of Hamilton and transport that water more cost effectively to the city. We looked at several routes. Pardon me. Hamilton's plant is down here. We looked at running up 127, we looked at going up 177, and we looked at going up 27, and none of those options was an attractive option versus softening here in the city. We also looked briefly at Southwest Regional's plant, and they cannot provide the capacity without upgrading their plant. So if we're gonna spend money, we might as well upgrade our own plant. So this is difficult to read I know, but just to give you a base cost of 20 year costs, if we bought water from another agency and transported it to Oxford, it's about \$52 million over 20 years. If we build our own plant and manage it ourselves, it's about half of that, \$24 million. So if you go through the lifetime of the plant at 50 years, the savings are staggering there. So it's very evident we should design our own plant, get the proper permits from the EPA, and keep this in-house.

1:20:02.0 Mr. Dreisbach: So as far as next steps. We're almost complete with the request for qualifications and we'll publish that. Various engineering firms will provide us their qualifications and we'll negotiate a contract with them, of which ultimately, city council will approve that contract. We expect to make a recommendation to you sometime in August for a design firm. Concurrently with that, we need to plan for the installation of an additional well at our Seven Mile well field. The membrane technology requires about 25% more raw water for the process above and beyond what the consumer demands. So we will be working on that and also an important piece of this is getting the EPA to not only approve the softening portion, but also the effluent from the plant, what we would discharge to Four Mile Creek. So we'll be working on all of those ends and hope to have a recommendation for you in August.

1:21:17.7 Mayor Snavelly: Thank you.

1:21:18.3 Mr. Dreisbach: Thank you.

1:21:19.3 Mayor Snavelly: I'm sure many people in the community are anxious about that.

1:21:21.8 Mr. Bracken: Can I ask a question real quick?

1:21:22.8 Mayor Snavelly: Absolutely.

1:21:24.3 Mr. Bracken: So will this be able to resolve any issues with drought conditions and lower water levels?

1:21:30.8 Mr. Dreisbach: Well, having an additional well will give us more raw water.

1:21:35.9 Mr. Bracken: I wasn't sure if that was suffice since we need extra percentage to handle the process as well.

1:21:40.4 Mr. Dreisbach: Yes, so we will design this with our largest well out of service. So it is rare that we take a well out of service, and if it is, it's typically just for a few weeks, but we will have ample water for the short term. Oxford is isolated from the Great Miami Aquifer. So raw water is precious here and it's difficult to get to and if we have to pump from Seven Mile, it's a lot more

expensive than our local resource.

1:22:14.5 Mayor Snavelly: Okay. Any other questions?

1:22:16.9 Ms. Raghu: I know when we were talking about water softening before talking about the pipeline, there were three different options, and one of them was the type that can take care of the forever chemicals, the PFAs. Is this the... Is this best...

1:22:29.7 Mr. Dreisbach: Yeah, that's the technology that we're proposing is the membrane softening.

1:22:34.6 Ms. Raghu: Okay.

1:22:35.5 Mr. Dreisbach: It has the most potential of any of the softening to remove particulates of any type.

1:22:41.3 Ms. Raghu: That's awesome.

1:22:42.1 Mr. Dreisbach: It costs a little bit more to operate, but it is the best.

1:22:47.0 Mr. Prytherch: Thank you. So Mike, we were talking earlier about the APA and energy efficiency. Going with this, does... I was just looking at your table. It does include additional energy demands, and maybe that's probably you need 25% extra amount of water to pump and also for the treatment. Can we do it as a bit alternate, for example, that the water treatment plan could be suitable for something like solar development? As it's part of the long-term investment in this, have you looked at how we're gonna power this and how that fits with our climate goals?

1:23:25.9 Mr. Dreisbach: Well, solar could be a part of what our needs are, but water uses a lot of power. Wastewater uses lots and lots of power. So I've told Mr. Elliott we will have an item in our CIP this year to hire a consultant to let us know what can we realistically expect if we chose to put solar at our facilities and is it cost-effective? And right now we can say yeah, we can put some solar on the roof at the water plant, but it's not gonna be enough to drive those pumps. The motors are bigger than I am.

1:24:09.1 Mr. Prytherch: Yeah, no, I just think that since we're going into the capital project, it would be really nice to have firm numbers on what that kind of stuff would be, so you could figure out, does it fit in the budget now. You got a lot of land near to the water treatment plant. So yeah, just thinking about how you can meet the power goals over the long-term and how that could help us achieve our neutrality goals. It seems like now is the time to flush that out.

1:24:34.2 Mr. Dreisbach: Yes, we will have a line item for evaluation there.

1:24:37.4 Ms. Raghu: And would that consultant look at other renewable energy or just solar?

1:24:41.9 Mr. Dreisbach: Well, council has said they want solar on every city property, so that is what we were evaluating.

1:24:50.2 Ms. Raghu: Okay.

1:24:52.5 Mayor Snavelly: Thank you, Mike.

1:24:53.3 Mr. Dreisbach: Thank you.

1:24:53.6 Mayor Snavelly: Appreciate it. JJ?

1:24:54.3 Chief Jones: I think I'm good.

1:24:55.0 Mayor Snavelly: Okay. Joe?

1:24:56.3 Mr. Newlin: That's it. Thank you.

1:24:57.4 Mayor Snavelly: John?

1:25:00.1 Chief Detherage: Not tonight.

Mayor Snavelly: Casey?

Mr. Wooddell: Not tonight

1:25:05.6 Speaker 5: Thank you Casey. Sam?

1:25:08.4 Mr. Perry: It was in my weekly report, but I wanted to verbally report that the Episcopal Retirement project was not funded by Ohio Housing Finance for the Western Knolls site. So we haven't met with them yet, but we'll be doing that and seeing what their next steps are, and then we'll decide what we should recommend to council, whether to extend the option to purchase or think about something else for the Western Knolls property. So I just wanted to let you know.

1:25:34.4 Mayor Snavelly: Thank you. Jessica?

1:25:43.5 Ms. Greene: We have two announcements this evening. The first is just during the meeting, if anyone's streaming and it was a little glitchy tonight, we just noticed during the meeting that the clerk of council's internet kept going in and out, and she is someone one who's like streaming from her device. So we got it fixed several times, but there might be several little glitches. So we don't know why, we don't know what's going on, but we will look into it. Hence, the audio-visual review that we're doing very, very soon. Second, to the more happy news, this Friday is our first Red Brick Friday of the season, and we are partnering with Miami University Alumni office. And in the past three alumni weekend, they've had like a big event down on campus, and they've really stayed down there. We're really happy to be partnering this year and this year, the Brick Friday event is town. And so they're doing like a 'remember when' walk and all these kinds of things like what used to be here and that kind of stuff. They're bringing in a band. They are expecting quite a good crowd. So let's hope for good weather and please join us for the first Red Brick Friday. Thanks.

1:26:47.3 Mayor Snavelly: Thank you, Jessica. Heather?

1:26:49.1 Clerk: Nothing. Thank you.

1:26:49.9 Mayor Snavelly: Okay. Ben?

1:26:51.5 Mr. Mazer: Nothing tonight. Thank you.

1:26:52.0 Mayor Snavelly: Glenn?

1:26:53.9 Mr. Ellerbe: I'm just looking forward to Friday. [laughter]

1:26:56.3 Mayor Snavelly: It should be fun. Alex?

1:26:58.9 Ms. French: A couple of things. One, I am also looking forward to Red Brick Friday both as an alumni and a city council member. So I guess I will be remembering one. Probably not that excitedly. It's already been too long since I graduated. The second thing is just I kind of alluded to this when we were talking about the school resource officers, but for those who don't know, my work is in youth violence prevention. And so I would be remiss to not mention how heart-wrenching and terrifying the events in Texas and Buffalo have been. And when I was running for council, I got asked a lot based on what you do for work, is there anything that you plan on doing in so far as gun violence goes?

1:27:42.9 Ms. French: And the short answer to that was legislatively, we can't do a lot in town, but the longer answer is that I do... Where I find faith in these times is in communities and the way that communities come together. So with what Councilor Franklin is proposing for these living room conversations, I think this would be a great space for us to come together, whether you have kids, don't have kids, work in a school, don't work in a school, own a gun, don't own a gun, these are conversations that we can all have together because the bottom line is keeping our children in our community and our community at large safe. So stay tuned. Councilor Franklin, and I are gonna do some work on maybe scheduling some sessions over the summer to have these conversations and I look forward to digging in and figuring out what we can all do together to keep each other safe. Thank you.

1:28:32.5 Mayor Snavelly: Chantel?

1:28:35.3 Ms. Raghu: I wanna give a shout-out to Carol Michael. Not only is she the creator and founder of ShareFest many, many years ago and saved literally so many tons, like hundreds of tons of stuff from going to a landfill and to nonprofits who give it to people who need it, but she's also really strong. So she can pick up a queen size mattress on her own and shove it into a minivan.

[laughter]

1:28:58.2 Ms. Raghu: And I am super impressed and I think she's a testament to what happens when one person says, "There is a problem and I'm gonna do something about it," And it's made a huge impact. And I think that the thing that I can take away from this is that what can we do about the things that we can't find a home for? Which is why Carol was picking up every single mattress and shoving it in her minivan and delivering it to someone tonight or earlier today who needed it. Mattresses do not have a home. Whenever you throw them away, there's nowhere we can recycle it. There's no recipient organization that will take it. Maybe we can get lucky on Facebook if someone is in need, but that's few and far between. There are... We are a college town. There's a high

turnover. As Sam has taught me, there's many really nice apartment complexes in town who reuse mattresses. They have nice covers on it. They're really nice apartments and a lot nicer than some of the places that don't reuse mattresses.

1:30:04.9 Ms. Raghu: And so I would challenge us to, how can we, from a policy and a legislative perspective, try to keep mattresses out of the landfill? They should be lasting 12 to 15 years. They are not a disposable item to be thrown away from single year. If you look at... And we might not have seen the trash as much this year because we're a little bit beyond COVID and our trash pick-up was not interrupted, and there were more huge dumpsters. I have tons of pictures if you like to see what those dumpsters look like, and there's a ton of mattresses and other stuff that should have gone to ShareFest, but I would challenge us to look forward to what we can do from a the legislative perspective to incentivize landlords with high turnover to reuse mattresses.

1:30:52.7 Mayor Snavelly: Thank you.

1:30:54.9 Ms. Franklin: Two things, I went to the OCAC, the Oxford Community Art Center movie night, family movie night outdoors last Friday night, and it was a lot of fun. We saw "The Mitchells vs. The Machines". I don't even know it existed, but it was a great, great fun movie, so look out for the other ones coming up. The other thing I wanted to say is that a couple of weeks ago, I got a call from a community member who wanted me to share some compliments with one of our police officers. She saw him interact with an individual in our community who has some mental health challenges, and she thought he handled it very well, but she was also concerned about this individual because he's a large person and he yells and shouts a lot and hasn't been violent with anyone, but she's worried that someone could be violent toward him if they feel intimidated by him.

1:31:46.3 Ms. Franklin: And so we really definitely have some mental health challenges within our community, but I was able to visit OPD and saw the body cam footage from Officer Bobby Reese as he interacted with this gentleman, and it was textbook. He de-escalated. It was really well done, and I know our officers do first aid mental health training and it's showing them, but they can't do it all by themselves. So I'm really excited about the police social liaison position. We've had 40 wonderful applicants. I think we're down to maybe three, but in that one day, I learned that there were four calls for this one gentleman, and he's not the only person in our community that needs support and services. So I just wanna continue to compliment OPD on the good job they're doing, but understand that they need resources and we're gonna try and work to do that. We've lost some services in town, but the Butler Behavioral Health was at least here once a week, and I think they were closed a bit during the pandemic, but now they're no longer here. So we need to find solutions to try and get some of these services closer to home. That's all.

1:32:54.4 Mayor Snavelly: Thank you. Jason

1:32:56.2 Mr. Bracken: Nothing for me today.

1:32:58.1 Mayor Snavelly: David.

1:32:58.5 Mr. Prytherch: So two things. One, I just wanna thank Ms. Schnell for asking the question that I've been asking which is, what is our relationship with the township and what are we doing and why? And I think that... I'm glad to hear we're asking the question. I really do think whether... I think looking at a specific piece of legislation, I think it's worth having a wide-ranging

conversation about what are the various goals. I think there are some clear fiscal pros and at one level it makes a lot of logical sense, but I think that it will change the dynamic of the relationship, and I just think we need to think through what that would mean and whether there might not be potential negative repercussions that we're not thinking about. So I think I wanna take a 360 view on it, so that we weigh all the different things.

1:33:49.4 Mr. Prytherch: And for that, I think if we're gonna spend an hour in a work session talking about what's the best way to let people plant grasses in their front yard, I think we could spare a work session to talk about our relationship with the township. The second thing is, is it is super frustrating when I feel like I'm talking about gun violence and as a municipality, how limited what we can do, but I think I'm gonna put together just to do something resolution to ask our legislators in Columbus and DC to do something. They so often preempt or take control over the things that we cannot control and then they don't exercise the problem-solving ability. So it may just be a symbolic gesture, but I'm gonna bring it forward just because somebody's gotta do something and I would hope our legislators in Columbus and DC would do something.

1:34:43.5 Mayor Snavelly: Thank you. I have some thank yous. I wanna thank Casey Wooddell. He did a wonderful job at the opening and made sure that I didn't die when I started the aquatic center. I actually had a really good time and I thank you very much, Casey. The aquatic center just looks great. If you haven't been there...

1:35:06.9 Mr. Elliott: Did you do a cannonball?

1:35:08.7 Mayor Snavelly: I did not. [laughter] I told you I wouldn't. I did go down the big yellow slide, however, which that was pretty cool. I saw a video of previous mayors doing the cannonball, and I think the slide is a better choice.

1:35:26.5 Mayor Snavelly Alright. [laughter]

1:35:27.6 Mayor Snavelly: I want to also thank Jessica for all the work that you and the other staff have done to prepare us for the work session we had today. We know it's a lot of work and we really appreciate what you do. I also wanna thank all the people who apply to boards and commissions. If you heard at the beginning when we read off all those nominations, it may not be clear that there were a lot of other people who also volunteered and we appreciate it, and it's unfortunate that we can't find places for all the people who were interested, and that is a much better situation than one which we have vacancies and nobody is interested in filling them.

1:36:12.8 Mayor Snavelly: So I wanna thank everybody who applied and especially those who were not appointed, and it wasn't really a reflection on you so much as it was the rich nature of the pool from which we selected. Lastly, I wanna let you know that the city manager and I will be absent at our next meeting, and that is because we're representing the City of Oxford in Differdange, Luxemburg for their Sister City celebration, and so we will bring all the good wishes from the people of Oxford. I know you wish them well, I know they wish us well, and so we'll be there for their celebration, and it culminates with the Grand Duke's holiday, and those who've been to Luxemburg know what that means. We'll be at Differdange, not in Luxemburg city, so it will not be nearly as chaotic, and then we'll be back. If there's no other business, I would recommend a motion to adjourn.

1:37:14.8 Ms. Raghu: So moved.

1:37:16.3 Mr. Prytherch: Second.

1:37:17.6 Mayor Snavelly: It's moved and second. All those in favor say aye.

1:37:19.2 Group: Aye.

1:37:19.3 Mayor Snavelly: Opposed? Thank you.



OXFORD CITY COUNCIL Work Session Meeting Minutes

Tuesday, June 7, 2022

Roll Call TIME 00:00

William Snavelly Mayor	Chantel Raghu Vice Mayor
Jason Bracken	Amber Franklin
Alex French	Glenn Ellerbe
David Prytherch	

A Work Session Meeting of the Oxford City Council was called to order by Mayor William Snavelly on Tuesday, June 7, 2022 at 5:30 p.m. Members in attendance were, Amber Franklin, Alex French, Glenn Ellerbe, Jason Bracken, David Prytherch, and Chantel Raghu.

Staff Members in Attendance

Mr. Doug Elliott, City Manager; Ms. Jessica Greene, Assistant City Manager; Mr. Sam Perry, Community Development Director; Mr. Casey Wooddell, Parks and Recreation Director; Mr. Dreisbach, Service Director; Mr. John Detherage, Fire Chief; Ms. Heather Barbour, Clerk of Council; and Mr. Ben Mazer, Law Director at 6:30 p.m.

Approval of the Agenda TIME 00:00

Motion – To Adopt

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

AYE #7

NAY #0

ABS #0

American Rescue Plan Act Discussion

Ms. Greene shared the following slides and offered to answer questions. Councilors were instructed to vote using stickers for their top two choices. Followed by another round of voting to determine the options with the most interest. Ms. Greene will compile the results and bring forward legislation soon.

Council indicated to staff that they want to vote on the following:

- Plan for Western Knolls
- \$25K to FRC for case management hoping that STR tax will support in the future.
- \$900K to purchase housing and work with nonprofit to manage
 - Need to develop RFQ to find housing nonprofit partner
- \$900K to purchase commercial space and work with nonprofit to manage.
 - Plan to work with CIC as this partner.

Adjournment

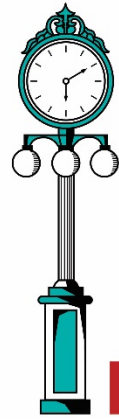
Motion to Adjourn Meeting at 6:45 p.m. **TIME** 00:00

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

AYE #7

NAY #0

ABS #0



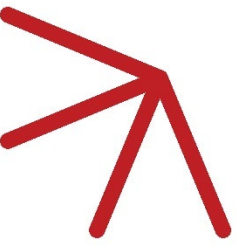
City of
Oxford OHIO

HOME OF MIAMI UNIVERSITY

American Rescue Plan Act

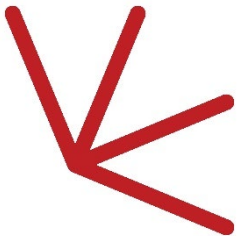
Review of allowable uses and adjusted staff recommendations.





Funds Available: \$2,420,796

Distributed in two payments, a year apart.



How it can be used:

- Respond to public health emergency and negative economic impacts.
 - Includes affordable housing
- Revenue loss for the City.
- Premium Pay.
- Water, sewer, and broadband infrastructure.

Of special consideration...

- This is a once in a generation opportunity.
 - How are you investing for the future of your community?
- What is the harm or disparity caused/exacerbated by COVID that you are trying to address?
 - How are the proposed projects addressing that need?
- Is your proposed project self-sustainable without future aid?



We can take our time

- We have until 2024 to decide how to use funds
- They need to be utilized by 2026



Already spent

Project Title	Project description	Category	Amount	Status
Vaccine Incentive program	Gift cards for staff to encourage them to get a covid vaccine.	Public Health	\$ 6,444.90	Project complete
Personal Protective Equipment	Digital thermometers for each city department.	Public Health	\$ 56.77	Project complete
Long Term Housing Security-Affordable Housing	Purchase of land for cottage community project with Community Development Professionals.	Housing	\$ 150,000.00	Project complete
Public Wi-Fi	Ran new electric lines at Oxford Community Park for Public Wi-Fi.	Broadband	\$ 13,595.77	Project complete
ADA accessible curbs	Finish ADA curb installation city wide.	Infrastructure	\$ 200,000.00	Allocated
College@Elm	Assist with infrastructure needs at College@Elm a workforce development and innovation center partnership with MU.	Ec Dev	\$ 113,000.00	Allocated
Spent to Date			\$ 483,097.44	



Review of Top 3 Council Priorities

- Climate Sustainability
- Economic Development
- Housing for All



Housing:

Objective: Address affordable housing needs in our community.

Not ARPA but I think we should
still do...

Establish Nonprofit Partner and CLT

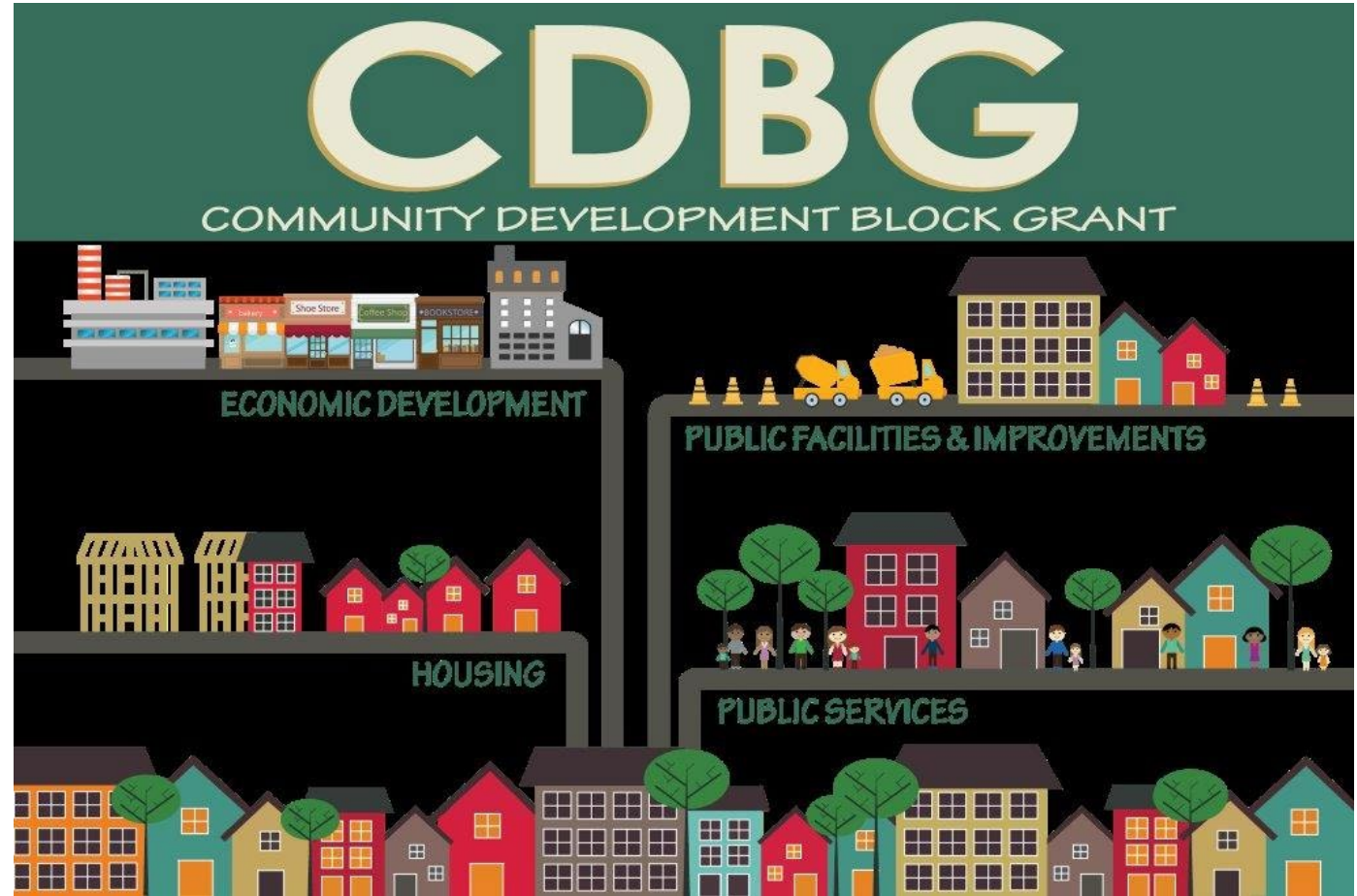
- Manage proposed Community Land Trust (CLT)
- Manage future sales of homes owned on CLT land
- With City Assistance, apply for CDBG, Home Funds and other grants
 - Administer funds in partnership with City
- Develop protocols for CLT and educate public about options.
- Build capacity for future CLT investments
- Longer term- build infrastructure to assist with more affordable housing.

Nonprofit cost:
% of home sale fees.
Similar to a realtor.



CDBG Funds

- Apply annually for CDBG funds (\$100 to \$150K on average) and use them toward supporting affordable housing projects.



Housing:

ARPA ideas

Transitional Housing



Already invested \$150K of
ARPA

Purchase the land for the Cottage Home
Community.

CDP will build 12 cottage homes.



Status: In process

Local Nonprofit



\$25K ARPA Funds.

\$20K/yr. from Short Term Rental (STR)

Lodging Tax ongoing.

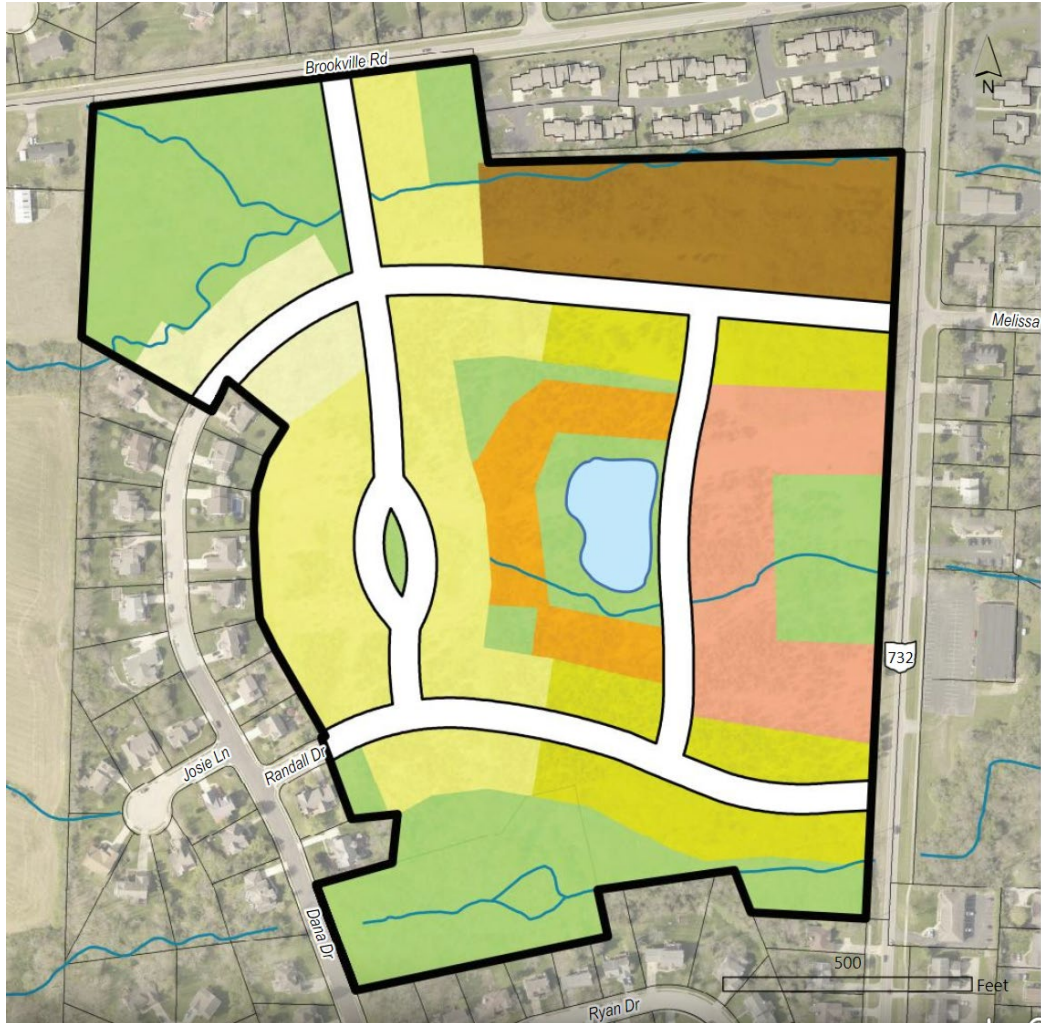
Give Family Resource Center (FRC) \$25K of ARPA funds **this year**, to give time for the STR fund to build a balance for future years.

Annual contribution of our STR funds (estimated \$20K) to local non profit, FRC, to hire social worker to assist with housing needs.

This is in addition to the \$48,600 annual contribution that we give to them.

In 2020, we gave \$21K additional funds to FRC for a .6 FTE case manager. Their program was able to find 13 families permanent housing after using their cold shelter.

Design for City Owned Land at Western Knolls area



\$50K of ARPA

‘Schematic Design’ Plan for use of 47 acres of City Owned Land

Explore use of a portion of the land in this area to be established as Community Land Trust and Deed restricted “pay it forward” area.

\$900K remaining in housing

Option 1: Western Knolls Infrastructure

(City-Owned Land Infrastructure Assistance)

\$900K toward road/utilities infrastructure on City Owned Land

RFP to invite private or nonprofit developer to build homes.

City keeps ownership of land and builds infrastructure.

Developer focuses resources on buildings

Future sales will be kept affordable with “pay it forward” deed restriction model in certain areas.

Future sales managed by nonprofit partner.



Pros:

- City owned-city led. We can strongly influence the “end product”
- New housing (maybe several units)
- Catalyst for private construction

Cons:

- Does not address *loss* of affordable homes/apartments occurring now.
- Will be slow to build new homes. (2 year process at least)
- Strong community concerns

Future sales:

- Need organization to manage the deed restricted sales. (Who and how much?)
- % of home sales in theory will help pay the nonprofit to manage home sales.

Option 2: Rent Control - Existing Development

\$900K to help existing naturally occurring affordable housing (NOAH) continue

Assist private owner with infrastructure upgrades.



In exchange for keeping prices affordable and/or growing new units of affordable housing.



Pros:

- May help keep current NOAH homes and *possibly* encourage expansion of more.
- Fewer displaced families
- Limited long term city/non-profit staff time involvement

Cons:

- How to guarantee owner/s keep prices affordable for current locations
- Enforcement challenge: If they don't hold up their end of bargain, likely unable to get funds back.
- # of new affordable units may not be guaranteed.

Option 3: Purchase rental housing. Nonprofit manages.

\$900K to purchase property.

RFP



Nonprofits respond with their proposals of how they will support affordable housing in our community



Anticipated Result: City will purchase apartment complexes or homes.

Management and upkeep property is turned over to selected nonprofit partner.

Rents go to nonprofit who uses the funds toward future maintenance expenses and/or future investments in housing.



Pros:

- Rental housing to new customers.
- Existing construction, quick start.
- Distributed location vs. clustered density.
- Can grow over time (Council can commit funds each year to build a balance. Or staff/nonprofit can seek grants.) Every few years, acquire new property for this program.

Cons:

- Small start. Rental properties for purchase are \$500K+ for 3 or so units.
- Doesn't help keep current affordable units.



Staff Housing Recommendation

Option 1: Western Knolls Infrastructure

Option 3: Purchase Rental Housing



Economic Development & Infrastructure

Objective: Encourage high quality job growth in our community .
As measured by 100 new jobs making \$20+/hr.

Infrastructure



Already Invested \$113K in College @ Elm

Parking lot for work force development center - College@Elm that will result in 50 new FT Jobs making \$18/Hr +

\$200K ADA Curbs

Finishes curb ADA compliance and frees up CDBG funds to support a future housing nonprofit.



\$900K remaining in Economic
Development

Option 1: Work Force Development



Pros:

- New skills for residents=better jobs
- Partnership with TSD
- May attract employers to this area
- Resident population retention

Possible Investment \$900K

Goal: Residents learn skills/knowledge that allow them to enter workforce at higher rates of pay but with little or no debt. These are needed jobs skills our area employers have identified.

Objective: 100 new job placements at rates \$18/hr or higher.

Funds to assist with the start up of an Industrial Arts Educational Center partnership with TSD, Butler Tech, Cincinnati State and Miami University.

- High School Students learn skills in carpentry, welding, electrical work, etc. on location at TSD. Can intern at local companies and/or have an associates upon HS graduation.
- Adult Education and workforce re-development can occur in the evenings.

Time and credit can be applied toward admission at Miami University or roll into WorkPlus program providing PT work and free tuition.

Cons:

- Residents may take their skills elsewhere
- Operations funding needs to be worked out.

Option 2: Ownership of Commercial space



Pros:

- You control it, you can rent it to who you want.
- Strong model in other communities (3CDC in OTR and CORE in Hamilton)

Possible Investment \$900K

Purchase 1st floor property of commercial districts to attract/control occupancy.

Donate property to nonprofit to attract/manage new tenants.

Cons:

- Expensive! Unsure of what is for sale in our price range.
- Coordination required with condo style ownership (utility access etc)
- Takes a non profit to manage

Option 3:

College@Elm Partnership

- Build out and establish an economic development presence in College@Elm.
- Place Ec Dev staff there to support business start ups and help navigate City operations.
- Synergy and cooperation with MU on business growth.

Pros:

- College@Elm tied directly to Council goals of new jobs.
- 50 new jobs = income tax
- Staff to help with business startup and growth opportunities.
- Manage improvement districts
- Manage and promote RLF
- Apply for Ec Dev grants.
- Housed at College@Elm to build synergy with MU

Possible Investment \$900K



Cons:

- Risk of sustainability after start up funds expired.
- Mission and objectives of Ec Dev are broad-centralizing will be difficult.



Staff Ec Dev Recommendation

Option 3: Support College@Elm Development to encourage new high quality jobs.



ARPA Amount			\$ 2,420,796.00	
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Spent to Date			\$ 483,097.44	
Family Resource Center Case Manager		Housing	\$ 25,000.00	Proposed
Master Plan for Western Knolls		Housing	\$ 50,000.00	Proposed
Housing Project		Housing	\$ 900,000.00	Proposed
Ec Dev Project		Ec Dev	\$ 900,000.00	Proposed
Total			\$ 2,358,097.44	

\$62,699 remaining.

Discussion



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

STAFF REPORT

ORIGINATING DEPARTMENT:	Parks & Recreation
PREPARED BY:	Casey Wooddell
DATE PREPARED:	May 13, 2022
COUNCIL MEETING DATE:	June 21, 2022
AGENDA TITLE:	Oxford Recreation Board – May 12, 2022
BUDGETED AMOUNT:	
ACCOUNT CODE:	
RECOMMENDATION:	Approve
CITY MANAGER/DEPT HEAD APPROVAL:	CDW 6/8/2022 <i>DRC</i> 6.13.22

DISCUSSION:

Attendance: Ken Bogard, Kevin Ackley, Casey Wooddell, Alex French (Council Rep.)

The Oxford Recreation Board met in the Municipal Building on Thursday, May 12, 2022. The Oxford Recreation Board has 5 official members, not including the Council Rep. (Alex French) and City Liason (Casey Wooddell).

Only two of the five members were present at this meeting, so a quorum was not present to proceed with an official meeting.

Director Casey Wooddell proceeded by providing those present with updates about the Oxford Parks and Recreation Department's programs, staffing and facilities, including the Oxford Aquatic Center. Mr. Wooddell also discussed summer camp, facility projects, and an upcoming grant application.

No official decisions or new business items were discussed due to a quorum of members not being present for the meeting.

Next Meeting Date: TBD



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

STAFF REPORT

ORIGINATING DEPARTMENT:	Service Department
PREPARED BY:	David Treleaven, Environmental Specialist
DATE PREPARED:	June 2, 2022
COUNCIL MEETING DATE:	June 21, 2022
AGENDA TITLE:	June 1, 2022 Environmental Commission Meeting Summary
BUDGETED AMOUNT:	N/A
ACCOUNT CODE:	N/A
RECOMMENDATION:	Approve
CITY MANAGER/DEPT HEAD APPROVAL:	<i>DRC</i> 6.13.22

Environmental Commission members in attendance at the Wednesday, June 1, 2022 meeting were: Chair, Mr. Jon Ralinovsky; Vice-Chair and City Council Representative, Ms. Chantel Raghu; Planning Commission Representative, Mr. Jason Bracken, and Mr. Justin Fain. A quorum was present. Mr. Steve Elliott, and Ms. Heather Barrett had previously notified the Commission that they would not be present at the meeting. Also in attendance were City of Oxford (Oxford) residents Ms. Peggy Branstrator, Ms. Allie Gresham, and Mr. Abdul-Mujib Mumuni, a Miami University Graduate Student who is to assist Oxford with its community-scale greenhouse gas inventory.

Approval of Agenda

Motion: Ms. Raghu
2nd: Mr. Bracken
Vote: Unanimous

Approval of Minutes

Motion: Ms. Raghu
2nd: Mr. Fain
Vote: Unanimous



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

Discussion:

Mr. Bracken updated the Commission on the City Council May 17th work session regarding the proposed Managed Natural Lawn Area (MNLA) Ordinance. After discussion, no action was taken, as Oxford's existing codes do not prohibit maintained garden and/or landscaped spaces with vegetation exceeding 10 inches in height. The existing restrictions come into play with neglected and/or non-maintained vegetated areas. There was also concern of the potential increase to staff's workload to oversee residential MNLA's. Mr. Bracken did not dispute either point, but was concerned that there was not a single, concise statement within Oxford's Codified Ordinances and Codes concerning maintained, taller vegetation (the information is spread out between several Ordinance chapters and/or Code sections). Mr. Bracken believed that the two pages of the proposed MNLA Ordinance provided a clear presentation of what was allowed and expected of a residential property owner to establish a MNLA, while presenting consequences of not maintaining the area. Mr. Bracken and Ms. Raghu indicated that they intended to bring the MNLA Ordinance to a vote of the full City Council at an upcoming meeting, and also intend to invite the MNLA Ordinance authors, Mr. Steven Sullivan, Miami University (MU) Biology Department, and Mr. A. J. Alejandro, MU undergraduate Senior, to make a presentation to the City Council regarding the MNLA Ordinance. Ms. Raghu and Mr. Bracken are to keep the Commission updated to when the MNLA Ordinance is to be brought before City Council, and encouraged Commissioners to attend and show support for the legislation.

At the May 4th, Environmental Commission meeting, Mr. David Prytherch presented a proposal for a pilot project establishing up to three pollinator gardens at the Oxford Community Park (OCP). The May 4th proposal listed Mr. Sullivan and Mr. Prytherch as citizen volunteer partners in the development of the pollinator gardens. Ms. Branstrator informed the Commissioners that the Audubon Miami Valley (AMV) is in favor of the proposal, and has experience in development, establishment, and maintenance of pollinator gardens, such as the one at the Oxford Community Arts Center. AMV is willing to assist Oxford and the volunteer citizen partners with the pilot pollinator garden project, potentially providing some plant stock and labor, and has appointed Ms. Branstrator as their representative should Oxford choose to proceed with the pilot project. Commissioners indicated that they were in support of recommending Oxford proceed with establishing the proposed three pilot pollinator gardens at the OCP.

The following motion concerning the pilot pollinator gardens was proposed by Mr. Fain and seconded by Ms. Raghu:



The City of Oxford
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Oxford, OH 45056

Motion:

The Environmental Commission recommends that the City of Oxford proceed with establishment and maintenance of three pilot pollinator gardens at three separate locations at the Oxford Community Park.

The motion passed unanimously.

Staff informed the Commission that the results of the Arbor Foundation's (Foundation's) pending audit of Oxford's tree ordinance has not yet been received. The purpose of the Foundation's audit was to ensure Tree City USA communities meet the Foundation's current standard for a public tree care ordinance. Staff is of the opinion that the Foundation will request Oxford's existing Codified Ordinance pertaining to its urban forest (Chapter 935, entitled: "Trees, Shrubs and Other Plants") be revised. Staff believes the existing Ordinance would only need the addition of a new section, referencing open-source guidance documents for tree care (such as the U.S. Department of Agriculture Forest Service's "Tree Owner's Manual"). Any guidance documents referenced would need to be available (and/or their internet links) on the City's web site. Staff is to prepare a draft of the new section and provide it to the Environmental Commissioners in preparation for the attendance of the Ohio Department of Natural Resources' Urban Forester, Ms. Wendi Van Buren, at the July 6th Commission meeting to assist the Commission in the revision of Oxford's Codified Ordinance Chapter 935.

Staff informed the Commissioners that Goodwill Industries reported receiving approximately 112,000 pounds (56 tons) of materials during the ShareFest event associated with the end of MU's academic year. Ms. Raghu reported that the Butler County Recycling and Solid Waste District reported approximately 1,920 pounds (0.96 tons) of electronics were dropped-off at their collection event associated with ShareFest.

Staff updated the Commission on the monthly emission monitoring event of the landfill's 23 passive gas vents for May. The total estimated carbon dioxide equivalent (CO₂e) for the entire landfill during the month of May was estimated to be approximately 134 metric tons (MT). This was below the 20-month average monthly estimate of approximately 147 MT CO₂e per month. This value is some 63% lower than the USEPA's model estimate for the closed landfill emissions (392 MT) that was used in previous calculations of the inventory of Oxford's greenhouse gas emissions.

Staff provided a summary of the on-going residential food scraps drop-off program. After the most recent weekly collection (164 weeks since April 2019), the total weight of collected food scraps was approximately 121,900 pounds (60.45 tons), averaging 737 pounds per



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week. For the year 2022, a total of approximately 15,400 pounds (7.7 tons) had been collected in 21 weeks, averaging 732 pounds per week.

Approval of Adjournment:

Motion:	Ms. Raghu
2 nd :	Mr. Ralinovsky
Vote:	Unanimous

Commissioners concluded discussions at 8:20 p.m. The next regularly scheduled monthly Environmental Commission meeting is scheduled for 7:00 p.m. on July 6, 2022, in the Municipal Building's first floor conference room.



The City of Oxford
(513) 524-5200
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Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	Fire Department
PREPARED BY:	John Detherage
DATE PREPARED:	6.10.22
COUNCIL MEETING DATE:	6.21.22
AGENDA TITLE:	A Resolution authorizing the on-line auction sale of a 2000 Ferrara fire engine that is surplus to the fire department.
BUDGETED AMOUNT:	
ACCOUNT CODE:	
RECOMMENDATION:	Approve
CITY MANAGER/DEPT HEAD APPROVAL:	<i>DRE</i> 6.13.22

DISCUSSION:

SCHEDULED REPLACEMENT. THIS ENGINE WILL BE SOLD BY AUCTION ON GOVDEALS.COM ONCE THE NEW VEHICLE IS PLACED IN SERVICE

RESOLUTION NO.

A RESOLUTION DECLARING CERTAIN CITY PROPERTY NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE AS SURPLUS AND AUTHORIZING ITS ADVERTISEMENT AND SALE TO THE HIGHEST BIDDER ON GOVDEALS.COM.

WHEREAS, the 2000 Ferrara Fire Engine is no longer needed for Fire Division operations; and

WHEREAS, the City Manager and the Fire Chief recommend the 2000 Ferrara Fire Engine be declared surplus and that the same be advertised and sold to the highest bidder on Govdeals.com once the new vehicle is placed in service.

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

SECTION 1: Council accepts the recommendation of the City Manager and the Fire Chief and hereby declares the 2000 Ferrara Fire Engine as surplus.

SECTION 2: Council further authorizes the advertisement and sale of the 2000 Ferrara Fire Engine to the highest bidder on Govdeals.com with proceeds thereof deposited in the Fire Fund.

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

VICE-MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: CHANTEL RAGHU

PREPARED BY: LAW (STAFF)



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

STAFF REPORT

ORIGINATING DEPARTMENT:	Parks and Recreation
PREPARED BY:	Casey D. Wooddell
DATE PREPARED:	June 8, 2022
COUNCIL MEETING DATE:	June 21, 2022
AGENDA TITLE:	Resolution to hire a full-time preschool teacher in the Parks and Recreation Department
BUDGETED AMOUNT:	
ACCOUNT CODE:	
RECOMMENDATION:	Approve
CITY MANAGER/DEPT HEAD APPROVAL:	CDW 6/8/2022 <i>DRC</i> 6.13.22

DISCUSSION:

In 2021, Oxford Parks and Recreation made the decision to switch the long standing part-time preschool program to a full-day, full-time preschool and childcare program during the academic year. This change proved to be very successful, as the program was full most of the 2021-22 academic year. However, sustaining the workload required to operate a full time preschool and childcare facility using part-time staff has proven to be a very difficult task. The full-time program requires full-time hours during the academic year. Being a professional educator also requires an employee with experience, and preferably, an education degree.

Hiring a full-time teacher will allow the program to expand and offer full-time childcare year-round, rather than just during the academic year. The current summer program is only part-time due to a constraint on the amount of annual hours part-time employees can work for the City. This change to a full-time employee will allow OPRD to serve at least 14 children year-round, including summer care. OPRD does not currently offer any full-time care for preschool aged children during the summer.

The revenues obtained from the year-round program have the ability to cover the total costs of the staffing, supplies and other related expenses associated with the operation of the full-time program.

RESOLUTION NO.

A RESOLUTION TO HIRE A FULL-TIME PRESCHOOL TEACHER IN THE PARKS AND RECREATION DEPARTMENT.

WHEREAS, in 2021, the Oxford Parks and Recreation Department made the decision to switch their part-time preschool program to a full-time, full-day preschool and childcare program during the academic year; and

WHEREAS, this change proved to be successful, however operating a full time preschool with part-time staff is difficult to sustain; and

WHEREAS, hiring a full-time teacher will allow the program to expand and offer full-time childcare on a year-round basis; and

WHEREAS, Council has made the goal of affordable childcare a priority; and

WHEREAS, Council having identified the need to hire a full-time preschool teacher accepts the recommendation of the City Manager and the Parks and Recreation Director.

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

SECTION 1: Council accepts and approves the recommendation of the City Manager and Parks and Recreation Department Director to hire a full-time preschool teacher.

SECTION 2: This resolution shall take effect at the earliest date allowed by law.

VICE-MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: CHANTEL RAGHU

PREPARED BY: LAW (STAFF)



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

STAFF REPORT

ORIGINATING DEPARTMENT:	Community Development
PREPARED BY:	Sam Perry
DATE PREPARED:	June 13, 2022
COUNCIL MEETING DATE:	June 21, 2022
AGENDA TITLE:	2023-2025 Butler County CDBG Cooperation Agreement
CITY MANAGER/DEPT HEAD APPROVAL:	<i>Sam Perry</i> DRC 6.13.22

The U.S. Department of Housing and Urban Development (HUD) is requesting all Urban Counties to sign new Cooperation Agreements with their sub-recipients as soon as possible. This includes the City of Oxford, because Oxford's population is under 50,000. The City of Oxford does not have a direct agreement with HUD. The proposed sub-recipient allocation continues to be 10%, which has been roughly \$130,000 per year. The City has nearly completed the curb ramp improvement program with these funds. Moving forward, these funds will be directed to other community needs; therefore it is important to re-approve the agreement.

The usage of the funds will be coordinated with departments by the City Manager's office, under Council's direction. The attached Resolution allows the City Manager to renew the Cooperation Agreement with Butler County for participation in the Community Development Block Grant and HOME programs for the years 2023, 2024 and 2025. The agreement can automatically renew every three years unless terminated in advance.

The City of Oxford has been a sub-recipient under Butler County's Urban County status since 1998.

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT OF COOPERATION WITH BUTLER COUNTY, OHIO, PURSUANT TO THE PROVISIONS OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED.

WHEREAS, Council hereby acknowledges the enactment by the Congress of the United States of the Housing and Community Development Act of 1974, which has as its primary objective the development of viable communities; and

WHEREAS, Council supports the Act in that it provides for and encourages units of local government to enter into agreements of cooperation with urban counties for the purposes of undertaking central community development and housing assistance activities; and

WHEREAS, the City of Oxford will receive not less than ten percent (10%) of Butler County's total CDBG allocation annually; and

WHEREAS, the City of Oxford has been a sub-recipient of Butler County since 1998.

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

SECTION I: Council desires to enter into a renewable cooperative agreement with Butler County, Ohio, for the 3-year qualification period of 2023-2025.

SECTION II: Council authorizes the City Manager to sign said agreement.

SECTION III: This resolution shall take effect at the earliest date and time allowed by law.

VICE-MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: CHANTEL RAGHU

PREPARED BY: LAW (STAFF)

COOPERATION AGREEMENT
for the
BUTLER COUNTY ENTITLEMENT PROGRAM
Program Years 2023-2025

This Agreement between the County of Butler, Ohio, hereinafter referred to as “County” and the City of Oxford, Ohio, hereinafter referred to as “City”.

WITNESSETH:

WHEREAS, the Congress of the United States has enacted the Housing and Community Development Act of 1974, as amended, (hereinafter called the “Act”), which has as its primary objective, the development of viable urban communities, and whereby federal assistance will be provided for the support of community development activities which are directed toward the following specific objectives:

- 1) The elimination of slums and blight and the prevention of blighting influences and the deterioration of property and neighborhood and community facilities of importance to the welfare of the community, principally persons of low and moderate income;
- 2) The elimination of conditions which are detrimental to health, safety, and public welfare, through code enforcement, demolition, interim rehabilitation assistance, and related activities;
- 3) The conservation and expansion of the Nation’s housing stock in order to provide a decent home and suitable living environment for all persons, but principally those of low and moderate income;
- 4) The expansion and improvement of the quantity and quality of community services, principally for persons of low and moderate income, which are essential for sound community development and for the development of viable urban communities;
- 5) A more rational utilization of land and other natural resources and the better arrangement of residential, commercial, industrial, recreation, and other needed activity centers;
- 6) The reduction of the isolation of income groups within communities and geographical areas and the promotion of an increase in the diversity and vitality of neighborhoods through the spatial deconcentration of housing opportunities for

persons of lower income and the revitalization of deteriorating or deteriorated neighborhoods to attract persons of higher income;

- 7) The restoration and preservation of properties of special value for historic, architectural, or esthetic reasons;
- 8) The alleviation of physical and economic distress through the stimulation of private investment and downtown revitalization in Neighborhood Business Districts.

WHEREAS, both the City and the County are desirous of entering into community development activities within Butler County, which are directed toward the above and specific objectives, and for that reason, desirous of seeking such federal funding as may be available to them pursuant to the Act; and

WHEREAS, the City and the County each have the authority under Ohio law to carry out the kinds of activities which are the objectives of the Act; and

WHEREAS, the Act contemplates and encourages the joining together, by agreement, of counties with cities having populations less than 50,000 for the purpose of carrying out the objectives of the Act; and

WHEREAS, cities and counties in Ohio have authority under Section 307.15 of the Ohio Revised Code (ORC) to enter into agreements whereby a Board of County Commissioners undertakes, and is authorized by the contracting City, to exercise any power, perform any function, or render any service, on behalf of the City which such City may exercise, perform or render; and

WHEREAS, the County has authority under Section 307.85(A) of the Ohio Revised Code to cooperate with other governmental agencies in operating any federal program enacted by the United States Congress; and

WHEREAS, the City and the County have agreed that it is in the best interest of carrying out the objectives of the Act within Butler County that the City and the County should join together by agreement in both the CDBG and HOME Investment Partnership Programs.

IT IS AGREED BETWEEN PARTIES THAT:

1. This Agreement covers Program Years 2023, 2024, and 2025 (May 1, 2023 through April 30, 2025) of both the Community Development Block Grant (CDBG) Program and the HOME Investment Partnership Program. By executing this Agreement and participating

in the Butler County Programs, the City understands that it may not apply for grants under the Small Cities or State CDBG Program, and that it may receive a formula allocation under the HOME Program only through the County. Even if the County does not receive a HOME formula allocation, the City cannot form a HOME consortium with other local governments.

2. The County shall prepare and submit an application to the Secretary of Housing and Urban Development for grants under the terms of the Housing and Community Development Act of 1974, as amended. These applications shall set forth a summary of a community development plan which identifies community development needs, demonstrates a comprehensive strategy for meeting those needs, and specifies both short and long term community development objectives, which have been developed in accordance with area wide development planning and national urban growth policies, and otherwise conforms with Section 104 of the Act. The community development plan described above shall hereinafter be called the “Plan”.
3. The City may prepare applications of recommended projects and activities for community development within its boundaries, of which the activities and objectives must be in accordance with the objectives of the Act. These applications shall be submitted to the Butler County Department of Development, which will be the reviewing agency for all proposed activities and objectives to be included in the Plan. The Butler County Department of Development shall make recommendations to the Board of County Commissioners for the contents of the plan and for recommended priorities among these various projects and activities which may be submitted. Final approval of projects and activities to be included in the plan is the responsibility of the Board of County Commissioners. It is also understood between the parties that the County has the authority and responsibility to make decisions concerning the contents of the applications, and that the projects and activities for which approval and urban county formula funding is sought under these applications shall be in conformance with the purposes of the Act and the Plan.
4. If projects or activities with the City are approved and funded, pursuant to the applications, the County will have the responsibility and authority for the overall implementation of the programs and for the proper use of the urban county formula funds and any and all program income generated from the expenditure of these funds in accordance with the requirements of the Act.
5. The County shall develop and maintain a uniform administrative procedure for the development of applications and the distribution of urban county formula funds. These procedures will of necessity reflect the requirements of the Secretary of Housing and Urban Development and the regulations which the secretary may develop for the distribution and expenditure of urban county formula funds.

The annual allocation of CDBG funds to the City will be no less than 10% of the CDBG funds the County receives in Program Years 2023, 2024, and 2025. The City may apply to the County for additional CDBG funding in any of these same Program Years. The foregoing minimum allocation and opportunity for additional funding shall be null and void (a) if such procedures are contrary to the Act or contrary to present or future requirements or regulations of the Secretary of Housing and Urban Development, or (b) if the County receives no CDBG funds in any Program Year.

6. The City authorizes the County to do on behalf of the City, in accordance with the conditions of this agreement, all things which the City could do for itself in the making of the application for, and the expenditure of, urban county formula funds.
7. The City and the County agree to cooperate to undertake, or assist in undertaking, community renewal and lower income housing assistance activities, specifically urban renewal and publicly assisted housing.
8. Pursuant to 24 CFR 570.501 (b), the City shall be subject to the same requirements as subrecipients, including the requirement of a written agreement, where applicable in accordance with 24 CFR 570.503.
9. If a City is a subrecipient, it must inform the County of any income generated by the expenditure of CDBG funds and return such income to the County within thirty (30) days of its receipt, unless other specific arrangements have been negotiated and agreed to by the City and the County. The City shall maintain and supply such records and supporting documentation to the County to assure program income is being accurately reported and correctly expended. Any program income that is on hand or received subsequent to close out of the activity shall be paid to the County within thirty (30) days.
10. For any real property acquired or improved in whole or in part using CDBG funds, the City agrees:
 - a) To notify the County within thirty (30) days of any proposed modification or change in the use of real property from that planned at the time of acquisition or improvement including disposition.
 - b) To reimburse the County in an amount equal to the current Fair Market Value (less any portion thereof attributable to expenditures of non-CDBG funds) of the property acquired or improved with CDBG funds that is sold or transferred for a use which does not qualify under CDBG regulations.
 - c) To return to the County (as provided in Section 8 and Section 9 above) all program income generated from the disposition, transfer, or rent of property acquired or improved with CDBG funds.

11. Both the County and City/Village agree to take all actions necessary to assure compliance with the urban county's certification under section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, regarding Title VI of the Civil Rights Act of 1964, the Fair Housing Act, and will affirmatively further fair housing per 24 CFR 91.225(a) and Affirmatively Furthering Fair Housing Definitions and Certifications (86 FR 30779, June 10, 2021).

Both the County and City/Village agree to take all actions necessary to assure compliance with the urban county's certification under section 109 of Title I of the Housing and Community Development Act of 1974, which incorporates Section 504 of the Rehabilitation Act of 1973 and the Age discrimination Act of 1975, and Section 3 of the Housing and Urban Development Act of 1968, and affirmatively furthering fair housing. Further, no funding shall be made for activities in, or in support of, any cooperating unit of general local government that does not affirmatively further fair housing within its own jurisdiction or that impedes the County's actions to comply with the county's fair housing certification.

12. The City has adopted and is enforcing:
 - a) a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
 - b) a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.
13. This agreement shall remain in effect for Program Years 2023, 2024, and 2025, and cannot be terminated, until CDBG and HOME funds, as well as any program income received are expended, and the funded activities are completed, and that the county and participating unit of local government cannot terminate or withdraw from the cooperation agreement while it remains in effect.
14. Any amendments to the Housing and Community Development Act of 1974, as currently amended, necessitating a change to this agreement, shall be incorporated by a formal amendment to this agreement. Failure by either party to adopt an amendment incorporating all changes necessary to meet the requirements set forth in the Urban County Qualification Notice applicable for the year in which the next qualification is scheduled, shall automatically terminate the agreement following the expenditure of all CDBG funds allocated for use in the City's jurisdiction, and that such failure to comply will void the automatic renewal of such qualification period.
15. Other conditions:

The City and the County further agree that the following conditions shall be also part of this agreement:

Social service agencies and not-for-profit agencies serving the Oxford area shall be given the opportunity to apply for and receive CDBG/HOME funding directly from Butler County's allocation not the City of Oxford's allocations;

16. This agreement shall be automatically renewed in successive three-year qualification periods unless either party exercised the option to terminate the agreement at the end of the urban county qualification period. If the City fails to exercise that option before the end of the urban county qualification period it will not have the opportunity to exercise that option until the end of the subsequent urban county qualification period. Such termination will be accepted only if it is submitted in writing before the end of each qualification period. Butler County will notify the City by the date specified in HUD's Urban County Qualification Notice, of its right to terminate the Agreement.
17. The city/village may not sell, trade, or otherwise transfer all or any portion of such funds to another such metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act.

BUTLER COUNTY:

President

Witness

Vice-President

Member

CITY OF OXFORD:

City Manager

Witness

LEGAL OPINION ATTACHED and made part of this Agreement.



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

STAFF REPORT

ORIGINATING DEPARTMENT:	Finance
PREPARED BY:	Joe Newlin
DATE PREPARED:	6/14/2022
COUNCIL MEETING DATE:	6/21/2022
AGENDA TITLE:	Short-Term Rental Penalty Waiver Resolution
BUDGETED AMOUNT:	
ACCOUNT CODE:	Various
RECOMMENDATION:	Approval
CITY MANAGER/DEPT HEAD APPROVAL:	JN 6/14/2022 <i>DRC</i> 6.15.22

DISCUSSION:

Staff is requesting Council to approve the Short-Term Rental Penalty Waiver resolution. On August 3, 2021 Council approved the addition of Short-Term to Chapter 183 "Hotel and Convention Tax". After this different software solutions were studied to find a suitable solution for tracking Short-Term Rental properties and tax remittance. On February 15, 2022 a resolution was passed by Council authorizing the City Manager to enter into a contract with GovOS our chosen software provider. Since that time we have been working with GovOS implementing this software solution. At this time we are hopeful to go live sometime in July of 2022. We are suggesting that we waive the penalty for late filing for one year after GovOS is implemented. This is a fair and equitable request due to the fact this is brand new process for the effected property owners and we want to ensure a smooth transition as issues come up during the implementation of this type of process.

RESOLUTION NO.

A RESOLUTION WAIVING THE PENALTY FOR NONPAYMENT OF THE SHORT-TERM RENTAL TAX SECTION 183.10 FOR A PERIOD OF ONE YEAR AFTER IMPLEMENTATION.

WHEREAS, the City Council has established the goal of affordable housing and extended the hotel and lodging tax to Short-Term Rentals, to support the City's Housing Trust Fund; and

WHEREAS, Short-Term Rentals were added to Chapter 183 entitled "Hotel, Short-Term Rental and Convention Tax" on August 3, 2021; and

WHEREAS, section 183.10 "Penalty for NonPayment" includes 10% of the amount of such tax for the first month, or part thereof, that the amount is unpaid, and for each and every month thereafter one percent (1%) of the amount of such tax shall be added until the same is paid in full; and

WHEREAS, the City Council adopted Resolution #7377 to contract with GovOS on February 15, 2022 for the implementation and enforcement of short-term rental tax; and

WHEREAS, to remain fair and equitable with tracking and enforcement, the City should be fully utilizing GovOS and the contract implementation process will take several months; and

WHEREAS, the City Manager and Finance Director recommend waving the "Penalty for NonPayment" during the implementation of the Short-Term Rental tracking and enforcement tool GovOS for the first year after implementation.

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

SECTION 1: Council hereby accepts the recommendation of the City Manager and the Finance Director and authorizes the waving of Section 183.10 "Penalty for NonPayment" during implementation of the Short-Term Rental tracking and enforcement tool GovOS for the first year after implementation.

SECTION 2: This resolution shall take effect at the earliest date allowed by law.

VICE-MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: CHANTEL RAGHU

PREPARED BY: LAW (STAFF)



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

STAFF REPORT

ORIGINATING DEPARTMENT:	City Council
PREPARED BY:	Councilor Prytherch and Mayor Snively
DATE PREPARED:	6-14-22
COUNCIL MEETING DATE:	6-21-22
AGENDA TITLE:	A Resolution urging State and Federal Government to DO SOMETHING to confront epidemic gun violence by enacting common sense gun laws.
BUDGETED AMOUNT:	N/A
ACCOUNT CODE:	N/A
RECOMMENDATION:	Approval
CITY MANAGER/DEPT HEAD APPROVAL:	<i>DRC</i> 6.15.22

DISCUSSION:

Resolution requested by Councilor Prytherch and Mayor Snively.

RESOLUTION NO.

A RESOLUTION URGING STATE AND FEDERAL GOVERNMENT TO “DO SOMETHING” TO CONFRONT EPIDEMIC GUN VIOLENCE BY ENACTING COMMON SENSE GUN LAWS

WHEREAS, America is enduring an unbearable toll of gun violence, including horrific mass shootings in Buffalo, NY and Uvalde, TX, just two of the more 250 mass shootings so far in 2022 alone; and

WHEREAS, more than 45,000 people die annually from gun-related injuries in the U.S. (according to the Center for Disease Control’s most recent data from 2020), representing a 43% increase from a decade prior, making gun-related homicide and suicide among the leading causes of injury-related death in the United States; and

WHEREAS, all gun violence is local – taking people’s lives in supermarkets and schools and homes – and the grievous costs must be borne locally, yet Ohio municipalities are effectively preempted from enacting gun control laws to protect their communities; and

WHEREAS, Oxford residents and City Council firmly believe common sense gun laws can balance the right to own a firearm with the right to protect our residents and businesses from gun violence. Since local ordinances dealing with firearms have been found to be in conflict with general laws and, therefore unconstitutional, we must trust our state and local legislators to take responsibility to act on our behalf.

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

SECTION 1. City Council asks our state and federal governments to “do something” to combat the epidemic of gun violence in Ohio and America by enacting common sense gun control laws.

SECTION 2. We urge the enactment of legislation (1) banning the sale of assault-style firearms; (2) raising the minimum age to purchase firearms to 21; (3) banning high capacity magazines and bump stocks; (4) requiring universal background checks that include relevant mental health information and previous interactions with the law; (5) enacting a mandatory waiting period for firearm purchases; (6) ensuring a complete universal database of those banned from purchasing firearms; and (7) closing the private sale and gun show loophole that waives the necessity of background checks.

SECTION 3. City Council directs this resolution to our U.S. Representative Warren Davidson, Senator Sherrod Brown, and Senator Rob Portman, as well as our Ohio State Representative Thomas Hall, State Senator George Lang, and Governor Mike DeWine.

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

VICE-MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRYTHERCH/SNAVELY

PREPARED BY: LAW (STAFF)



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

STAFF REPORT

ORIGINATING DEPARTMENT:	Finance
PREPARED BY:	Joe Newlin
DATE PREPARED:	6/13/2022
COUNCIL MEETING DATE:	6/21
AGENDA TITLE:	Supplemental Budget Ordinance
BUDGETED AMOUNT:	
ACCOUNT CODE:	
RECOMMENDATION:	Approval
CITY MANAGER/DEPT HEAD APPROVAL:	
	JN 6-12-2022 <i>DRC</i> 6.13.22

DISCUSSION:

Issue 1

To make adjustment to budgeted expenditures for Salary & Wages (\$17,600) and Fringe Benefits for (\$9,630) full time Preschool Teacher in fall of 2022

Action Needed:

Revenue Side

Expense Side

General Fund (110)	27,230.00
Net Effect on Fund Balance/(s) Increase/(Decrease)	(27,230.00)



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15 S. College Ave.
Oxford, OH 45056

Total Net Effect on Fund Balance/(s) Increase/(Decrease)	(27,230.00)
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Breakdown by Fund

General Fund (110)	(27,230.00)
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Net Effect on Fund Balance/(s) Increase/(Decrease)	(27,230.00)
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ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3654 SUPPLEMENTAL BUDGET ORDINANCE NUMBER 5 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2022.

WHEREAS, additional appropriations are needed for the current fiscal year and monies are available for appropriation in those funds, and changes to estimated revenues.

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

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

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

General Fund 110	27,230.00
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SECTION 3: In all other respects, Ordinance No. 3654 shall remain in full force and effect.

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

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)



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

STAFF REPORT

ORIGINATING DEPARTMENT:	Community Development
PREPARED BY:	Sam Perry
DATE PREPARED:	May 28, 2022
COUNCIL MEETING DATE:	June 7, 2022
AGENDA TITLE:	PC-2022-01, Conditional Use for a Major Amendment to the 2009 Talawanda High School Conditional Use, to add a Bus Garage/Maintenance Facility
CITY MANAGER/DEPT HEAD APPROVAL:	  6.1.22

Proposal Summary:

The applicant is requesting Conditional Use approval for a major amendment to the 2009 approved Talawanda High School Conditional Use. This amendment would allow construction of a bus garage/maintenance facility along the north side of the entry drive to the school. The 7,500 square foot building and supporting parking would provide office space for 4 full time staff and storage of 42 buses. A potential minor amendment was discussed on March 8, 2022 and not supported as a minor change by a majority of the Commission. Therefore, the request returned to the Planning Commission on May 10, 2022 as a major change, which required and received a recommendation from Planning Commission to City Council.

Background:

In 2009, the Planning Commission and City Council reviewed and approved a conditional use for the high school in its current location on University Park Boulevard. A bus garage at the site was not part of the scope. This is the first requested major amendment. Since that time the Talawanda School District (TSD) has used the former high school site on Chestnut Street for bus storage. Miami University purchased the Chestnut property and is now developing the Butler County Regional Transit Intermodal Center at that location. TSD considered its various properties and decided to use the high school site as its bus storage for the district. At the March and May 2022 Planning Commission meetings, the Commission discussed the appropriateness of the bus garage at the site. Discussion topics were: future roadways, size/scope, site location choice, traffic, lighting, exhaust fumes/noise and screening.



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Future Roadways: In 2014, the City of Oxford gained roadway easements from TSD for the support long range transportation goals. One of the easements conflicted with this proposed bus garage at the high school site. Therefore, in February 2022, City Council authorized the easement to be relocated. Not all Commission members at the March and May meetings agreed with the Council's February decision. Per one of the recommended approval conditions below, TSD staff have proactively submitted the easement documents for staff to sign and release so that this can be finalized.

Size/Scope: The conditional use amendment process allows either the minor or major amendment process. The initial minor method was not successful, therefore the applicant chose the major method. A primary reason cited by some Commission members at the initial March meeting was the size and scope of the bus garage. The major amendment process requires public notice, potentially inviting comments to the discussion. There were no new comments or meeting attendees at the second meeting. The applicant did previously send notice directly to the owner of the adjacent apartment complex and received no response.

Exhaust fumes/noise/screening: Commission members were concerned about the impacts of the noise and fumes, particularly at early morning hours. It was hoped that someday buses would be electric powered. The applicant added privacy slats to the security fence as well as additional trees.

Traffic: Though a traffic impact analysis was not required by City staff, Commission members asked how future negative impacts would be mitigated. Staff stated that an approved conditional use could be revoked if the operator of the conditional use is not properly managing their impacts on the operation of surrounding public roadways or intersections. Examples of existing drive-through restaurants in town were discussed.

Waivers: The existing high school parking lot design does not have perimeter curbing; however some will be required for the bus garage. The bus storage side of the site will not require islands; however additional perimeter trees help to compensate for the loss of landscaped islands. The proposed site is open grass area, with existing perimeter trees being preserved and 58 new trees being planted; therefore a tree survey is not needed.

The Commission voted 4-2-0 (1 absent) to recommend approval of the Conditional Use at 5302 University Park Blvd to allow for a new bus maintenance facility, subject to the following conditions:

1. Evidence that the new roadway easement has been recorded, shall be submitted prior to issuance of the building permit.



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2. A waiver to *Section 1149.07(e)(4)(E)* is hereby granted to not require continuous perimeter parking lot curbing. However, curbing in key impact areas, shall be installed as shown.
3. A waiver to *Section 1149.07(e)(4)(F)* is hereby granted to not require the installation of parking lot islands.
4. A waiver to *Section 1148.04* and *1148.05* is hereby granted to accept the proposed tree planting schedule and relieve the developer from the Tree Survey requirement. The planting of 58 new trees as shown, is required. The preservation of existing vegetation along east and north property lines is required as shown.

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE RECOMMENDATION OF THE PLANNING COMMISSION AND APPROVING THE CONDITIONAL USE FOR A MAJOR CHANGE TO THE 2009 TALAWANDA HIGH SCHOOL CONDITIONAL USE TO ADD A BUS GARAGE/MAINTENANCE FACILITY IN THE CITY OF OXFORD WITH CONDITIONS.

WHEREAS, Council hereby finds the Planning Commission held a public hearing on May 10, 2022 in accordance with Chapter 1147 of the Codified Ordinances of the City of Oxford, on the application of Talawanda City School District for a conditional use to amend the 2009 approval of the high school conditional use to add a bus garage/maintenance facility which includes a 7,500 square foot building, office space and storage for 42 buses, to be located along the north side of the entry drive to the existing high school; and

WHEREAS, on February 1, 2022, Council authorized the relocation of a roadway easement to accommodate the bus garage/maintenance facility; and

WHEREAS, Talawanda City School District revised the plans after the March 8 meeting to include additional screening and vegetation; and

WHEREAS, the Planning Commission, after due deliberation found the application satisfied the basic code requirements in Chapter 1147 of the Codified Ordinances of the City of Oxford, and recommended approval of the Conditional Use application for a major change of the 2009 conditional use with a condition and three waivers.

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

SECTION 1: Council hereby accepts the recommendation of the Planning Commission and further approves the Conditional Use application for the Talawanda City School District bus garage/maintenance facility located along the north side of the entry drive to the Talawanda high school in the City of Oxford with the following condition and waivers:

1. Evidence that the new roadway easement has been recorded, shall be submitted prior to issuance of the building permit.
2. A waiver to Section 1149.07(e)(4)(E) is hereby granted to not require continuous perimeter parking lot curbing. However, curbing in key impact areas, shall be installed as shown.
3. A waiver to Section 1149.07(e)(4)(F) is hereby granted to not require the installation of parking lot islands.
4. A waiver to Section 1148.04 and 1148.05 is hereby granted to accept the proposed tree planting schedule and relieve the developer from the Tree Survey requirement. The planting of 58 new trees as shown, is required. The preservation of existing vegetation along east and north property lines is required as shown.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: JASON BRACKEN/DAVID PRYTHERCH

PREPARED BY: LAW (STAFF)

Case No:
PC-2022-01



Meeting Date:
May 10, 2022

STAFF REPORT

Community Development | Planning Commission

APPLICATION DETAILS

Applicant	TSD Board of Education, c/o Shaunna Tafelski
Location	5302 University Park Blvd – Parcel ID H4100134000015
Action Request	Conditional Use for a Major Amendment to the 2009 Approved Talawanda High School Conditional Use, to add a Bus Garage/Maintenance Facility
Engineer	Bayer Becker, c/o Etta Reed
Owner	Board of Education of the Talawanda City School District
Current Use	High School Campus / Undeveloped Land
Current Zoning	R1A Single-Family Low-Density Residential District
Site Area	154.487 acres
Site Frontage	Currently 100 feet at the transition of University Park Boulevard to the privately owned school driveway
Surrounding Land Uses	Undeveloped/natural land to the north; The Aviary (f.k.a Indian Trace Apts) Apartments to the east; high school campus to the south; undeveloped/natural land to the southeast
Staff Recommendation	Approval , subject to recommended conditions

PROPOSAL SUMMARY

The applicant is requesting Conditional Use approval for a major amendment to the 2009 approved Talawanda High School Conditional Use. This amendment would allow construction of a bus garage/maintenance facility. The 7,500 square foot building and supporting parking would provide office space for 4 full time staff and storage of 42 buses. A potential minor amendment was discussed on March 8, 2022 and not supported as a minor change by a majority of the Commission. Therefore, the request has returned as a major change, which will require a recommendation to City Council.

PUBLIC COMMENTS

Public notices were mailed to surrounding property owners and a sign was posted at the front of the proposed location as well as along U.S. 27, near University Park Blvd. No public comments have been received as of the writing of this report.

DEPARTMENT COMMENTS

Below are comments from City departments:

Department	Respondent	Response
Economic Development	Seth Copenbaker, Assistant to the City Manager	Returned with Comments
<i>-The Relocation of the Talawanda School District (TSD) busing operations, including; parking, maintenance, etc. to this site represents significant opportunity for development at the "Chestnut Fields" location.</i> <i>-Relocating the TSD busing operations away from its current site, would allow for development at the "Chestnut Fields" location including the development of multimodal transportation options within Oxford, (rail, bus, trail, etc.).</i> <i>The Economic Development Staff support this application without concern.</i>		
Engineering	Scott Otto, City Engineer	Returned without Comments
<i>No comments on the Major amendment</i>		
Fire	John Detherage, Fire Chief	Returned with Comments
<i>Access by fire apparatus within the site has been demonstrated</i>		
Police	John Jones, Police Chief	Returned without Comments
<i>No additional comments beyond what was previously submitted for the Minor.</i>		

CASE HISTORY

A summary of relevant case history is provided below:

Case No.	Application	Decision
BZA-2009-07	Variances	Approved
Building Height, Light Pole Height, Parking Lot landscaping		
PC-2009-12	Conditional Use	Approved with conditions
Original Conditional Use for School		

PC-2009-13	Zoning Map Amendment	Approved
Establishing zoning for annexed land		
PC-2010-ADM-01	Lot Split	
Did not research		
PC-2017-15	Minor Amendment	Approved
Pole barn		
PC-2021-38	Minor Amendment	Denied/ Determined should be Major
Bus garage		

COMMENTARY

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

- **Architectural Materials:** The building is a pole barn style, pre-engineered building, which is planned to be the same color scheme as the adjacent high school.
- **Landscaping and Tree Preservation:** The project is subject to the standards of Chapter 1148 Landscaping and Tree Preservation, which includes both tree planting and tree preservation requirements. It should be noted however that the Commission has the ability to waive or modify such standards, or impose more stringent requirements, inherent to a more discretionary review process involved with a Conditional Use. Summaries by subject are provided below:
 - **Tree Planting:** 58 new trees are proposed surrounding the new development, which exceeds code requirements.
 - **Tree Preservation:** Existing trees/vegetation is intended to be retained, as it is not within the project construction limits.
- **Lighting:** No lighting information has been submitted at this time; therefore any proposed outdoor site lighting will be required to comply with Oxford Code. The 2009 light pole height variance does not automatically extend to this site.
- **Lot Coverage:** Existing lot coverage is 13.2%. This amendment would raise the lot coverage a fraction of a percent, which would maintain the requirement well under the 35% limit.
- **Non-Vehicular Mobility:** Relevant topics are discussed below:
 - **Pedestrian Mobility:** The facility is intended to house 4 to 6 staff, not including part-time bus driver access. It is not expected that there will be pedestrian activity between the main campus and this facility. However, TSD has agreed to extend a sidewalk from the building to the existing sidewalk along the driveway/roadway.
 - **Bicycle Parking:** Outside bicycle parking has been added to the design. However, if employees do desire to report to work by bicycle, a facility of this type and size could easily house bicycles indoors for temporary employee storage. No general public or students are intended to access this property on a regular basis.

- **Signage:** One ground sign is shown on the site plans near the first driveway. Height, square footage and type have not been specified. If the proposed signage is consistent with existing directional signage on campus, city staff would like the authority to approve without Planning Commission review. The sign along U.S. 27 would not be considered as a comparable in that process.
- **Stormwater Management:** On-site storm water detention is provided by a basin east of the building, near the drive/s. No comments of concern were submitted by the City Engineer.
- **Circulation & Parking:** Parking is provided for bus storage, staff, drivers and business visitors/vendors. Bus parking, storage, vegetative screening and engine idling was a subject of the March 8 discussion, which has been mitigated by the revised plan. Additional landscape plantings and privacy slats have been added. Additional turning radius drawings have been submitted and approved by the Fire Department.
- **Parking Lot Design:** As noted in March, the design lacks required parking lot islands, which is mitigated by the surrounding green space/open space. Additionally, perimeter tree plantings mitigate the absence of the islands; which would be difficult to maintain because of the impact/height of buses conflicting with trees in islands. The main campus site has islands without curbing, that are commonly driven through by vehicles.
- **Traffic Impact:** A traffic impact analysis (of impact on public roadways) was not required by the City Engineer.
- **Utilities:** Comments on individual utility services are provided below.
 - **Sewer and Water:** No comments of concern have been submitted by the City Engineer.
 - **Garbage & Recycling Collection:** A dumpster storage location is shown in the secured bus storage area. No comments of concern for access or capacity have been submitted by the City Engineer.

DECISION CRITERIA

- A. **The proposed use is in fact a Conditional Use appropriate in the zoning district in which it is proposed.**
Yes, “schools” are listed in *Section 1143.01(b)* as being a Conditional Use in the R1A District.
- B. **The use and site will satisfy the general intent of the Zoning Code.**
The proposed bus garage is minimal in size, compared to the overall school property, which is likely to minimize nuisances to surrounding properties. Nuisances such as noise and light are addressed below.
- C. **The use and site will be compatible with the general intent of the Comprehensive Plan.**
Sustaining the evolving needs of community facilities, such as schools, are within the general intent of the Comprehensive Plan.
- D. **The use and shape of the site are sufficient for the proposed use.**
The shape of the site is existing; however, the options for selection within the site was considered by the owner. The use is accessory in nature, because it is supportive of the school, but also principal in nature because it supports multiple school sites.

- E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.**
As discussed on March 8, some noise, light and fumes will be generated by the bus garage. Additional landscaping and privacy screening has been added to help with mitigation. No comments have been received as of this date from surrounding property owners.
- F. The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.**
This has been addressed above.
- G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.**
As noted above, the bus garage supports this school and other TSD school sites.
- H. The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.**
Police, Fire and City Engineer have had satisfactory responses about this development plan.
- I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.**
The proposed location of the bus garage has resulted in an approved relocation of a road easement for a future cross-town roadway. The new easement has not yet been recorded. If the road easement is not recorded, then substantial public expenditure could result, only if a new cross-town roadway were to become a reality.
- J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.**
The building will not match the school but is intended to match the color scheme. It is far enough away from the main campus that it can be a different building material.
- K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.**
Traffic impact was considered by the applicant, owner and city staff and not found to be an inappropriate impact at this time. However, an approved Conditional Use can be revoked if there are inappropriate impacts that result from changes in the Conditional Use that were not within the scope of approval.
- L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.**
The site is undeveloped (no buildings) and existing vegetation is outside construction limits to be retained/preserved.
- M. Proposed construction will not result in the complete elimination of existing mature trees on the site. Effort shall be made to direct disturbance and construction around or away from the existing mature trees without completely taking away use of the site or connectivity to existing infrastructure.**
Addressed above; mature trees not observed or impacted, due to open site conditions.

- N. All necessary permits and licenses for the Conditional Use and its operation have been or can be obtained for the use at the proposed location.

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

STAFF RECOMMENDATION

Based upon a review of the relevant Decision Standards, staff recommends **approval** of the Major Amendment to the 2009 Conditional Use subject to the following conditions and waivers:

1. Evidence that the new roadway easement has been recorded, shall be submitted prior to issuance of the building permit.
2. A waiver to **Section 1149.07(e)(4)(E)** is hereby granted to not require continuous perimeter parking lot curbing. However, curbing in key impact areas, shall be installed as shown.
3. A waiver to **Section 1149.07(e)(4)(F)** is hereby granted to not require the installation of parking lot islands.
4. A waiver to **Sections 1148.04** and **1148.05** is hereby granted to accept the proposed tree planting schedule and relieve the developer from the Tree Survey requirement. The planting of 58 new trees as shown, is required. The preservation of existing vegetation along east and north property lines is required as shown.

SUBMITTED BY:



Sam Perry, AICP
Community Development Director

DATE: May 5, 2022

APPENDIX A

RELEVANT ZONING CODE PROVISIONS

Within the Oxford Zoning Code, *Section 1143.01* provides the base zoning standards for the R1A Residential District. *Section 1147.02(c)-(d)* governs the Planning Commission's decision making process on Conditional Uses. *Section 1147.03(b)(27)* provides Conditional Use provisions specific to motels.

1143.01 – R1A Residential District.

1143.01 – R-1A Single-Family Low-Density Residential District.

(a) Purpose.

This district is intended to provide areas for low-density single-family residential development, generally located within the outlying areas of the City. Such development would be located and designed to protect and enhance the open space character of selected areas within the City.

(b) Uses.

(1) Permitted uses.

A. Single-family dwellings.

B. Accessory buildings and uses incidental to the principal use as provided in Chapter 1141.

C. Day Care Home Type B family.

(2) Conditional uses.

The following Conditional Uses are subject to review and regulation in accordance with Chapter 1141.

A. Community-Oriented Residential Social Service Facilities (CORSSF's).

B. Shared Housing and Congregate Housing for the elderly.

C. Government owned and/or operated parks and recreation facilities.

D. Bed & Breakfasts.

E. Open space recreation areas that are privately or publicly owned, such as golf courses, tennis courts, parks, forests, or wildlife preserves.

F. Cemeteries.

G. Day care facilities, including Child Day Care, Child Day Care Center, and Day Care Home Type A family.

H. Schools: primary, intermediate, and secondary, both public and private.

I. Places of worship.

(c) Site Development Regulations. (Unless superseded by Conditional Use Requirements)

(1) Lot requirements.

A. Minimum lot area 15,000 sq. feet

B. Minimum lot width 90 feet

C. Minimum lot frontage 90 feet (not applicable to cul-de-sac lots)

(2) Yard requirements.

A. Minimum front yard depth 30 feet

- B. Minimum rear yard depth 40 feet
- C. Minimum side yard width 10 feet on each side
- (3) Structural requirements.
 - A. Maximum building height 35 feet
- (4) Lot coverage.
 - A. Lots with vehicular access from a public street
 - 1. Lot total – Maximum 35 percent
 - 2. All enclosed buildings – Maximum 25 percent of lot
 - 3. Front yard – Maximum 25 percent of front yard
 - B. Lots with vehicular access from a rear or side alley, and no access from a public street
 - 1. Lot total – Maximum 40 percent
 - 2. All enclosed buildings – Maximum 25 percent of lot
 - 3. Front yard – Maximum 15 percent of front yard
- (2) Conditional uses.

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

1147.02(c) – Planning Commission Review.

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

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

- (1) Burden of Proof.
 - A. Planning Commission has no obligation to recommend approval and City Council has no obligation to approve a Conditional Use. This Zoning Code assumes that the uses listed in this section are not appropriate unless an applicant proves that the use will not be detrimental to the public health, safety, or general welfare of the City or the neighborhood in which it is proposed.
 - B. Applicants shall prove that potential negative impacts of elements such as location, size and extent of facilities and operations, site design, traffic generation, site access, and potential impact upon public facilities will be adequately mitigated.
- (2) General Decision Standards.

All Conditional Uses shall satisfy these General Decision Standards.

 - A. The proposed use is in fact a Conditional Use appropriate for in the zoning district in which it is proposed.
 - B. The use and site will satisfy the general intent of this Zoning Code.
 - C. The use and site will be compatible with the general intent of the Comprehensive Plan.
 - D. The size and shape of the site are sufficient for the proposed use.
 - E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.
 - F. The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare

because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.

- G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.
- H. The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.
- I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
- J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.
- K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.
- L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
- M. Proposed construction will not result in the complete elimination of existing mature trees on the site. Effort shall be made to direct disturbance and construction around or away from existing mature trees without completely taking away use of the site or connectivity to existing infrastructure.
- N. All necessary permits and licenses for the Conditional Use and its operation have been or can be obtained for the use at the proposed location.

1147.02(d) – Action by Planning Commission.

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

1147.03(b)(30) – Schools.

- A. Potential Concerns.
 - 1. Adequate lot size to permit future expansion.
 - 2. Bus and van storage.
 - 3. Access to streets that can handle traffic generated by the use.
 - 4. Design of vehicle management area.
 - 5. Location of outdoor facilities such as ball fields and band practice areas.
 - 6. Proximity to incompatible uses (establishments serving alcohol).
- B. Regulations.
 - 1. Parking spaces shall not be located in a yard adjacent to a residential zoning district.
 - 2. Structure shall be setback a minimum of 30 feet from a residential zoning district.

ORDINANCE NO. 3663

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ADDENDUM AGREEMENT WITH THE BOARD OF EDUCATION OF THE TALAWANDA SCHOOL DISTRICT FOR THE PURPOSE OF RELEASING AND TERMINATING A PERMANENT ROADWAY AND UTILITY EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT, SITUATED IN PART OF LOT #3772.

WHEREAS, the Board of Education of the Talawanda School District (the “District”) owns real property located at 5301 University Park Blvd, Oxford, Ohio 45056 and situated in Part of Lot #3772; and

WHEREAS, in February 2014, the District and the City entered into an agreement (“Easement Agreement”) whereby the District granted a permanent roadway and utility easement and temporary construction easement in Part of Lot #3772 to the City of Oxford (the “Old Easement” attached hereto as Exhibit A); and

WHEREAS, The Easement Agreement also included two unrelated easements known as Easement for Lot #2665 and Easement for Part of Lot #2821. These easements shall not be released and are intended to remain of record.

WHEREAS, the District wishes to construct a bus and maintenance garage and the Easement is located within the desired location of such garage. The District has asked the City of Oxford to release and terminate the Old Easement so that it may move forward with constructing the bus and maintenance garage; and

WHEREAS, the City of Oxford agrees to release and terminate the Old Easement so that the District may construct the bus and maintenance garage because it is in the best interest of the citizens of Oxford and the citizens of the Talawanda School District; and

WHEREAS, the District and the City of Oxford wish to enter into an Addendum to the Easement Agreement for the purpose of releasing and terminating the Old Easement (the “Addendum to the Easement Agreement”, is attached hereto as Exhibit B); and

WHEREAS, the City Manager recommends the City Council of the City of Oxford (“Council”) authorize him to enter into the Addendum with the District releasing the Old Easement.

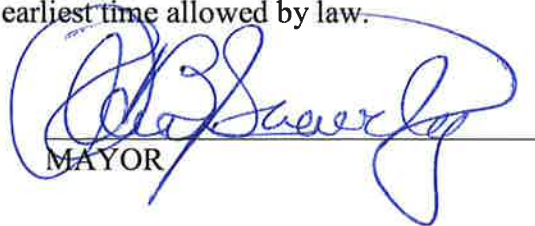
NOW THEREFORE, THE COUNCIL OF THE CITY OF OXFORD HEREBY ORDAINS THAT:

Section 1: Council has reviewed the Easement Agreement and the Addendum and finds the same to be acceptable in form and finds it is in the best interest of the citizens of Oxford and the Talawanda School District.

Section 2: The City Manager is authorized to execute the attached Addendum, in the same or substantially similar form, and such other documents as may be required in order to release the Easement in Part of Lot #3772.

Section 3. The Clerk of Council shall cause this release to be officially recorded at the Butler County Recorder's Office.

Section 4. This ordinance shall take effect at the earliest time allowed by law.



MAYOR

ADOPTED: FEBRUARY 1, 2022

ATTEST:



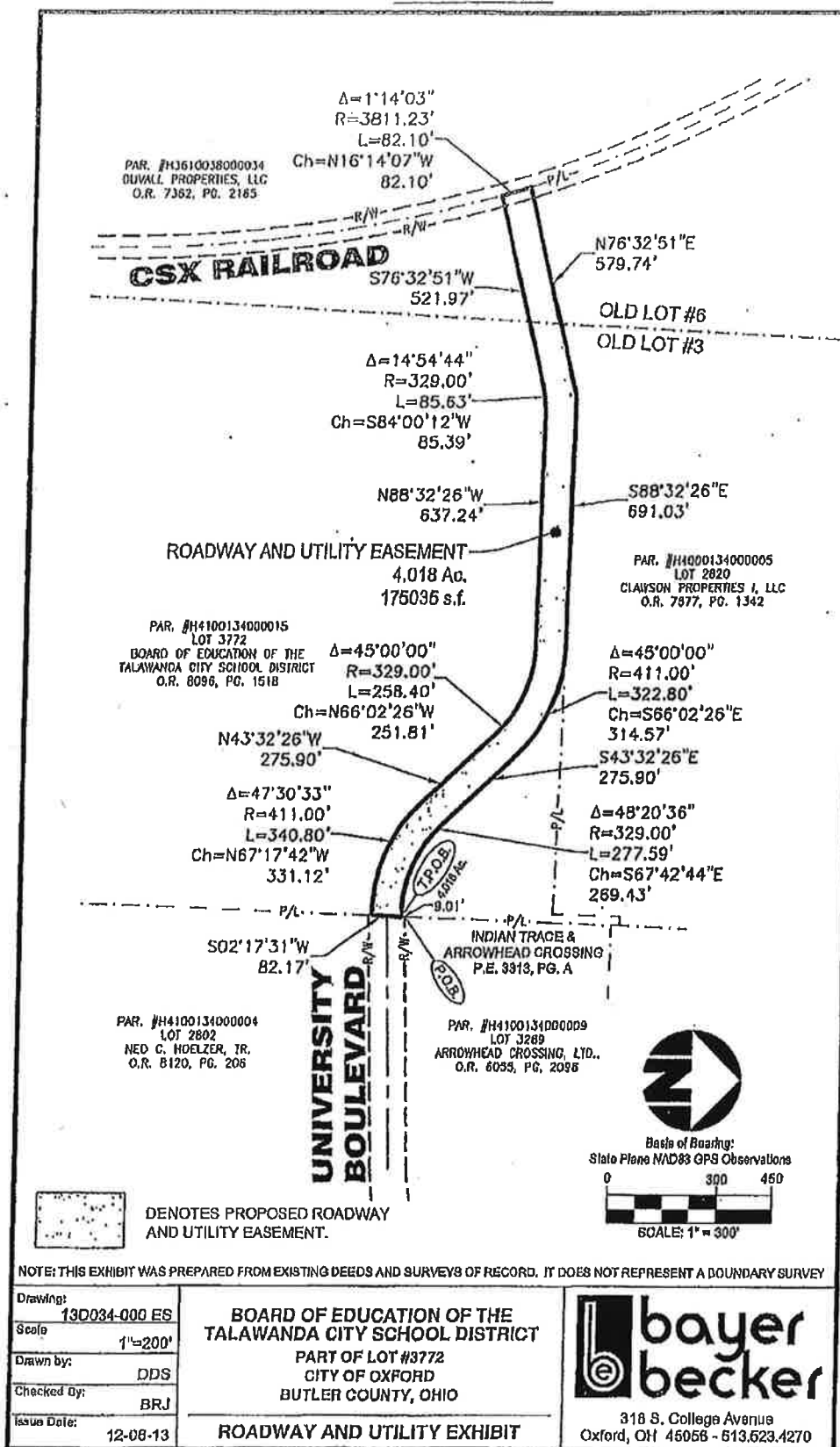
Clerk of Oxford City Council

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)

EXHIBIT B (1)

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File# 2014-00016416 Page 20 of 36
BK 8690 Pct 470



ORDINANCE NO. 3664

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ACCEPT A PERMANENT ROADWAY AND UTILITY EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT, SITUATED IN LOT #3772 FROM THE BOARD OF EDUCATION OF THE TALAWANDA SCHOOL DISTRICT A PERMANENT ROADWAY.

WHEREAS, the Board of Education of the Talawanda School District (the “District”) owns real property located at 5301 University Park Blvd, Oxford, Ohio 45056 and situated in Lot #3772; and

WHEREAS, the District wishes to grant a permanent roadway and utility easement and temporary construction easement in part of Lot #3772 to the City of Oxford (the “New Roadway and Utility Easement” a diagram depicting the easement area is attached hereto as Exhibit A); and

WHEREAS, the District and the City will enter into an Addendum to an Easement Agreement dated February 21, 2014 (the “Addendum”, a copy of which is attached hereto as Exhibit B) granting the New Roadway and Utility Easement that will include the area in Exhibit A ; and

WHEREAS, the City Manager recommends the City Council of the City of Oxford (“Council”) authorize him to accept the New Roadway and Utility Easement.

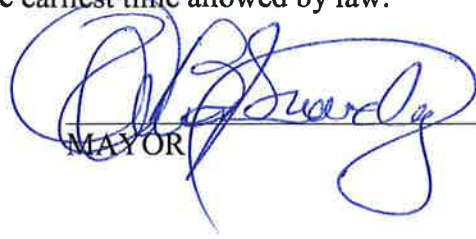
NOW THEREFORE, THE COUNCIL OF THE CITY OF OXFORD HEREBY ORDAINS THAT:

Section 1: Council has reviewed the New Roadway and Utility Easement finds the same to be acceptable in form and finds it is in the best interest of the citizens of Oxford and the Talawanda School District.

Section 2: The City Manager is authorized to execute the attached New Roadway and Utility Easement and the Addendum and such other documents as may be required in same or substantially similar form in order to create the new easement as depicted in Exhibit A.

Section 3. The Clerk of Council shall cause this easement to be officially recorded at the Butler County Recorder’s Office.

Section 4. This ordinance shall take effect at the earliest time allowed by law.


MAYOR

ADOPTED: FEBRUARY 1, 2022

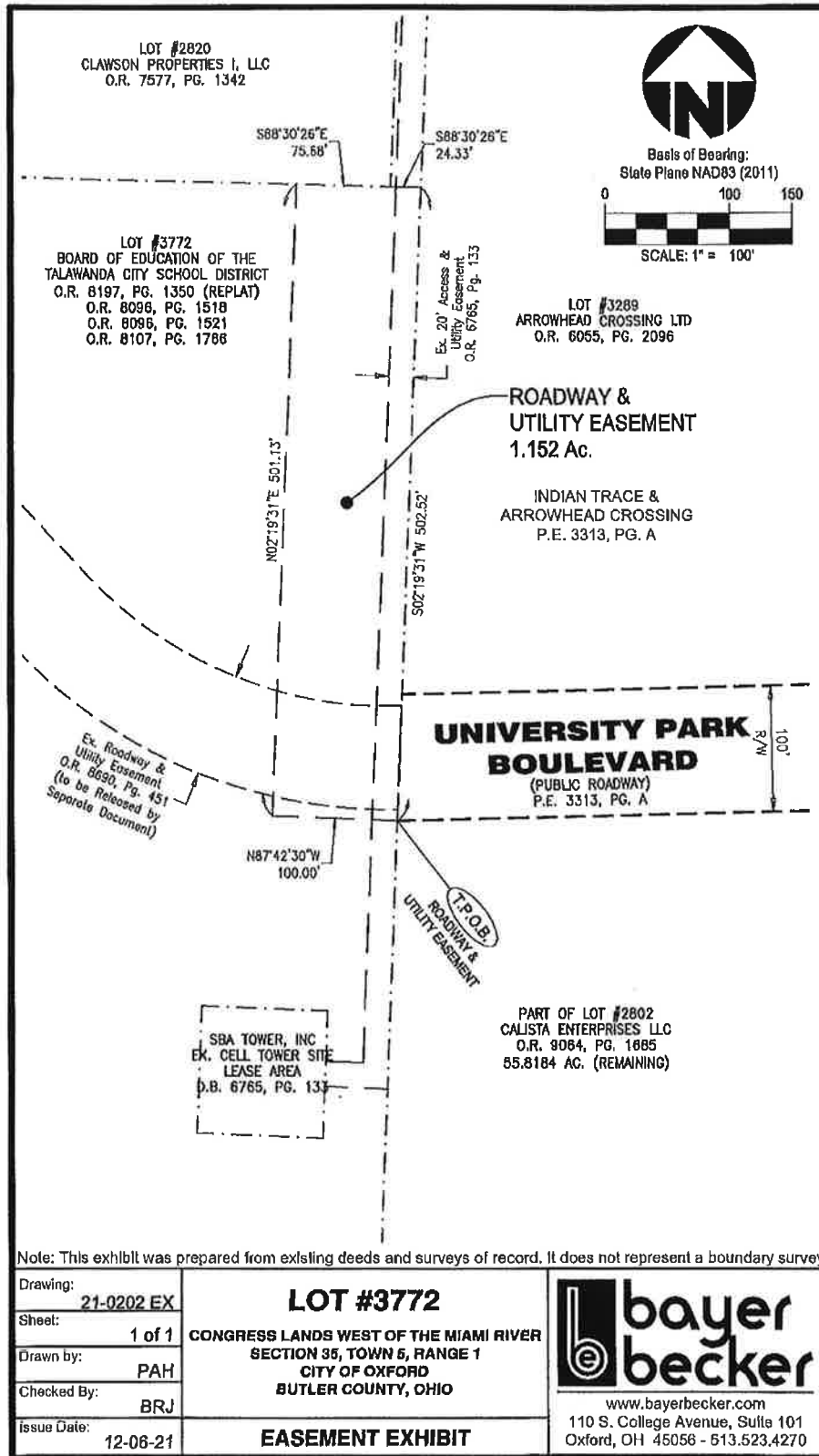
ATTEST:

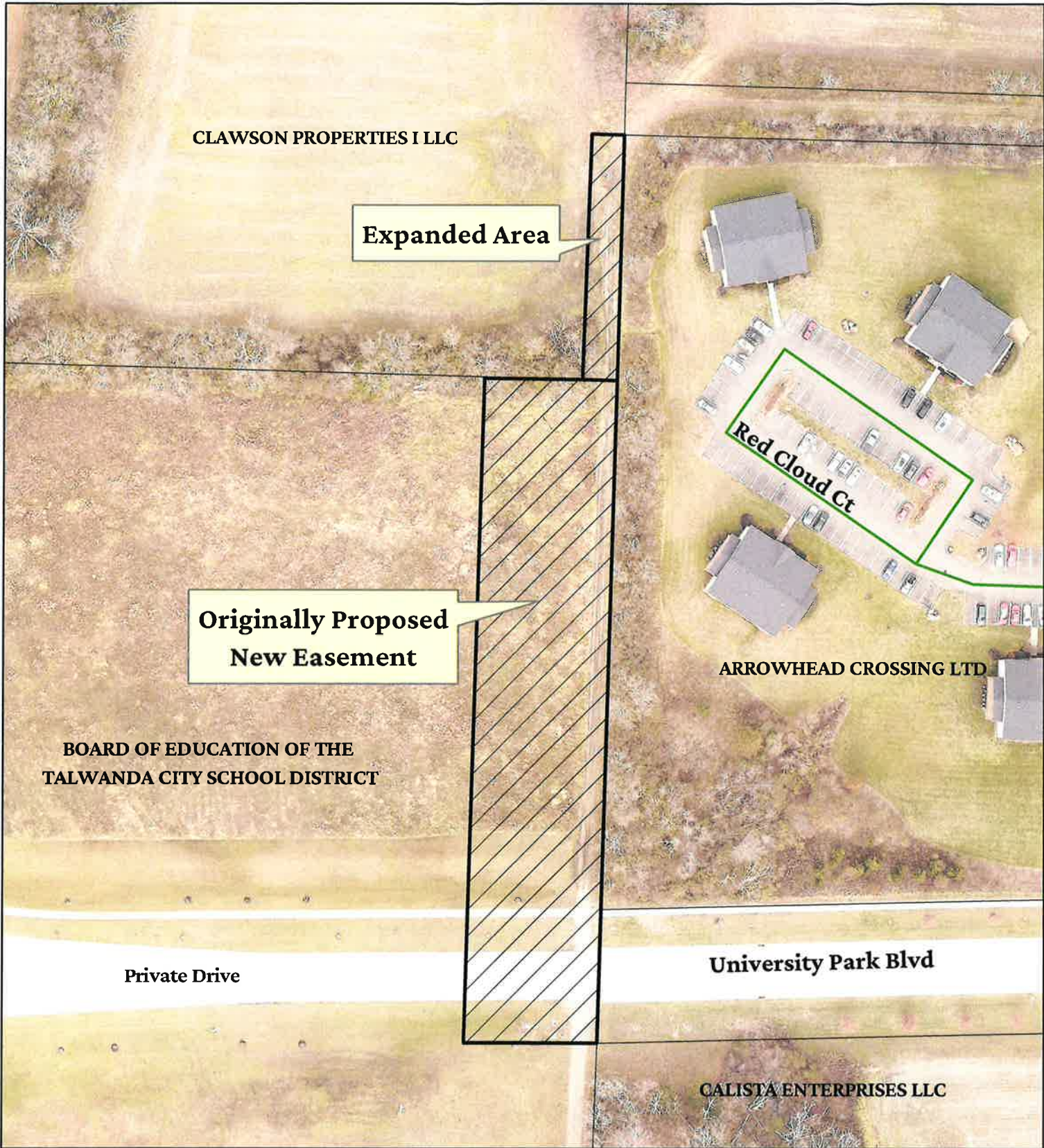

Clerk of Oxford City Council

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)

Exhibit A

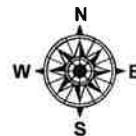




0 50 100 200 Feet

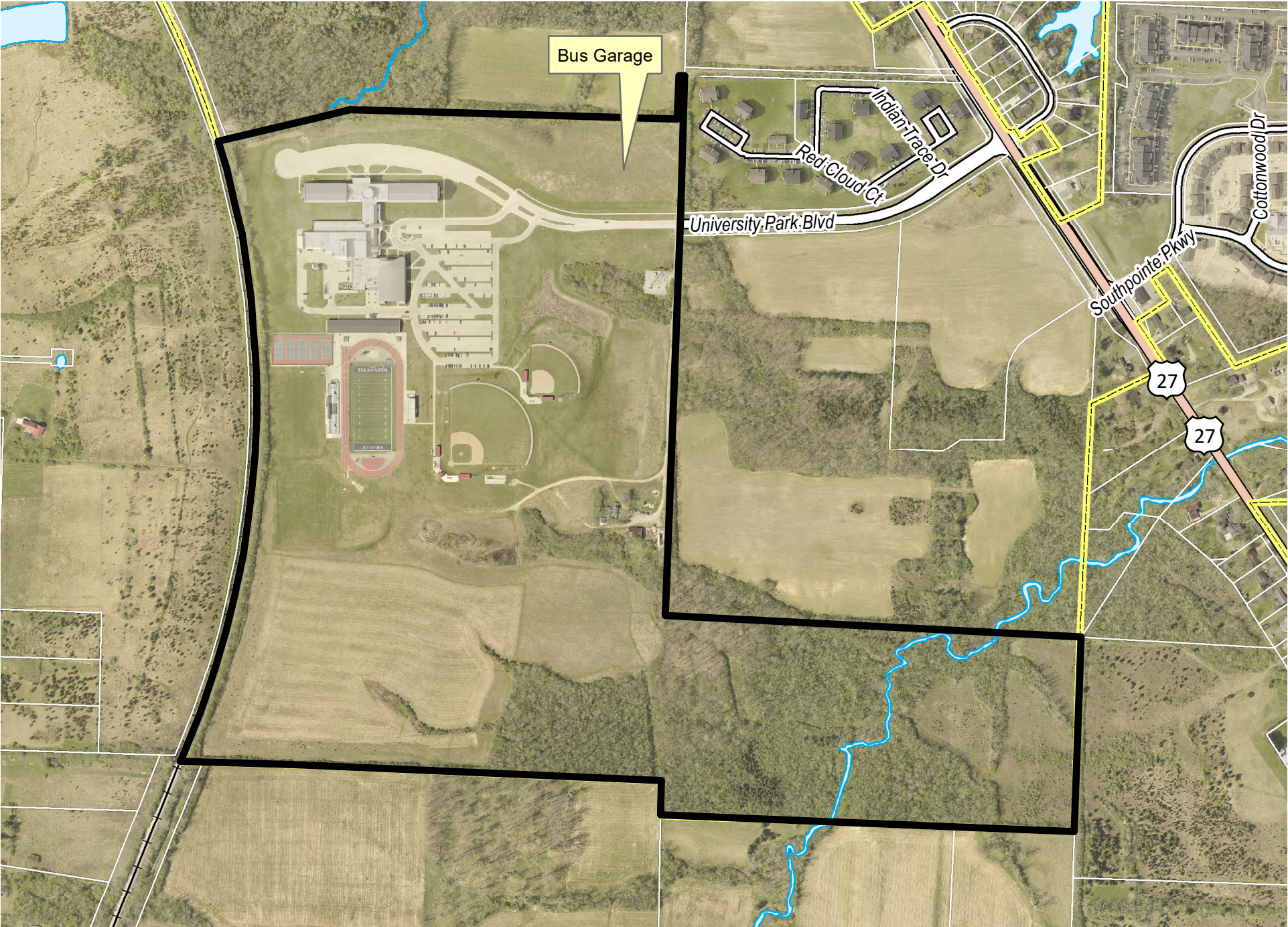
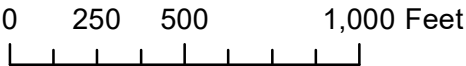


Roadway & Utility Easement Revision Talawanda High School Property

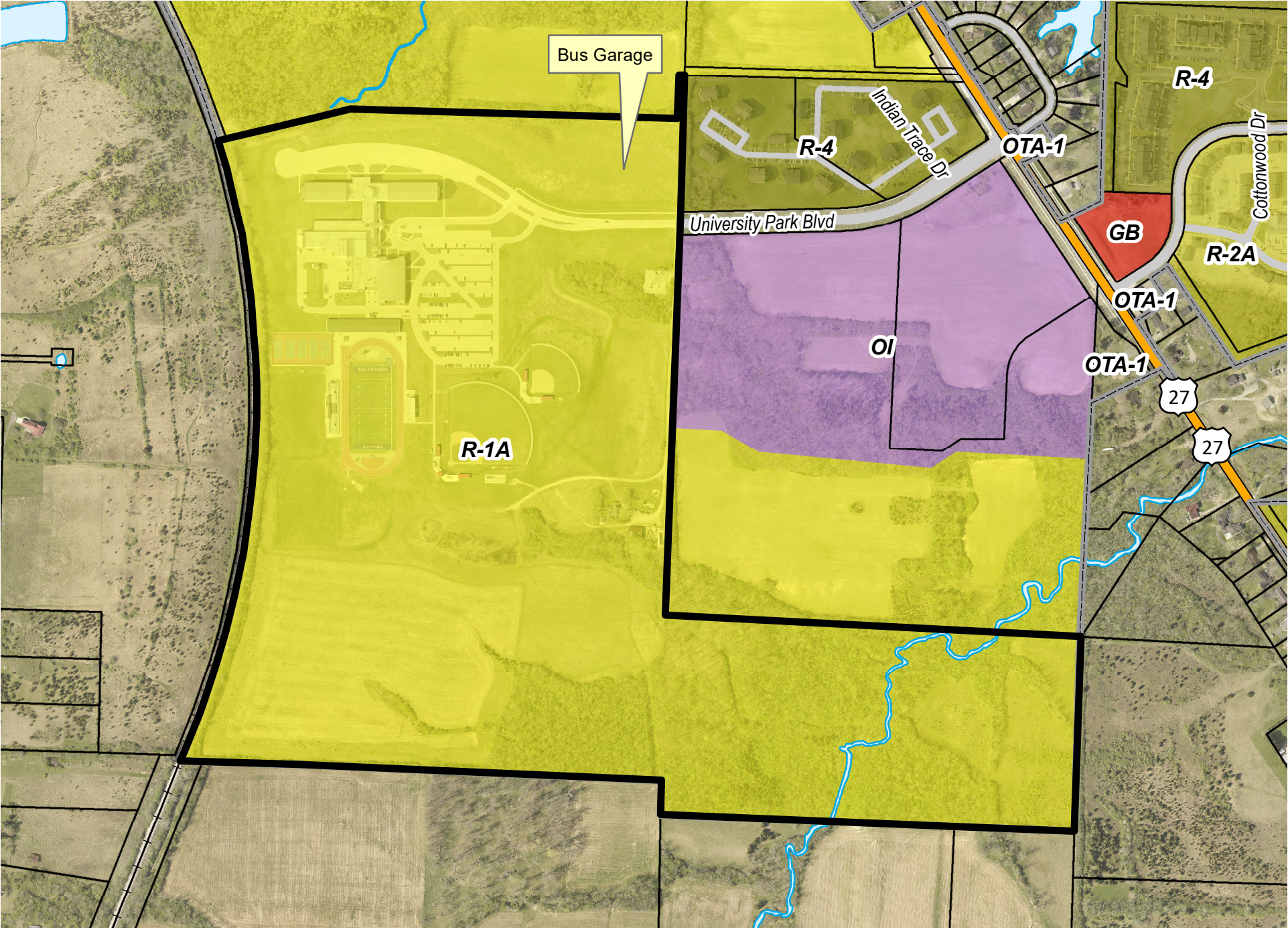
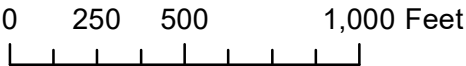


Drawing Created 1-26-22

Location Map



Location Map





PC-2022-01

**Surrounding
Property Owners
Notifications Map**

Legend

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



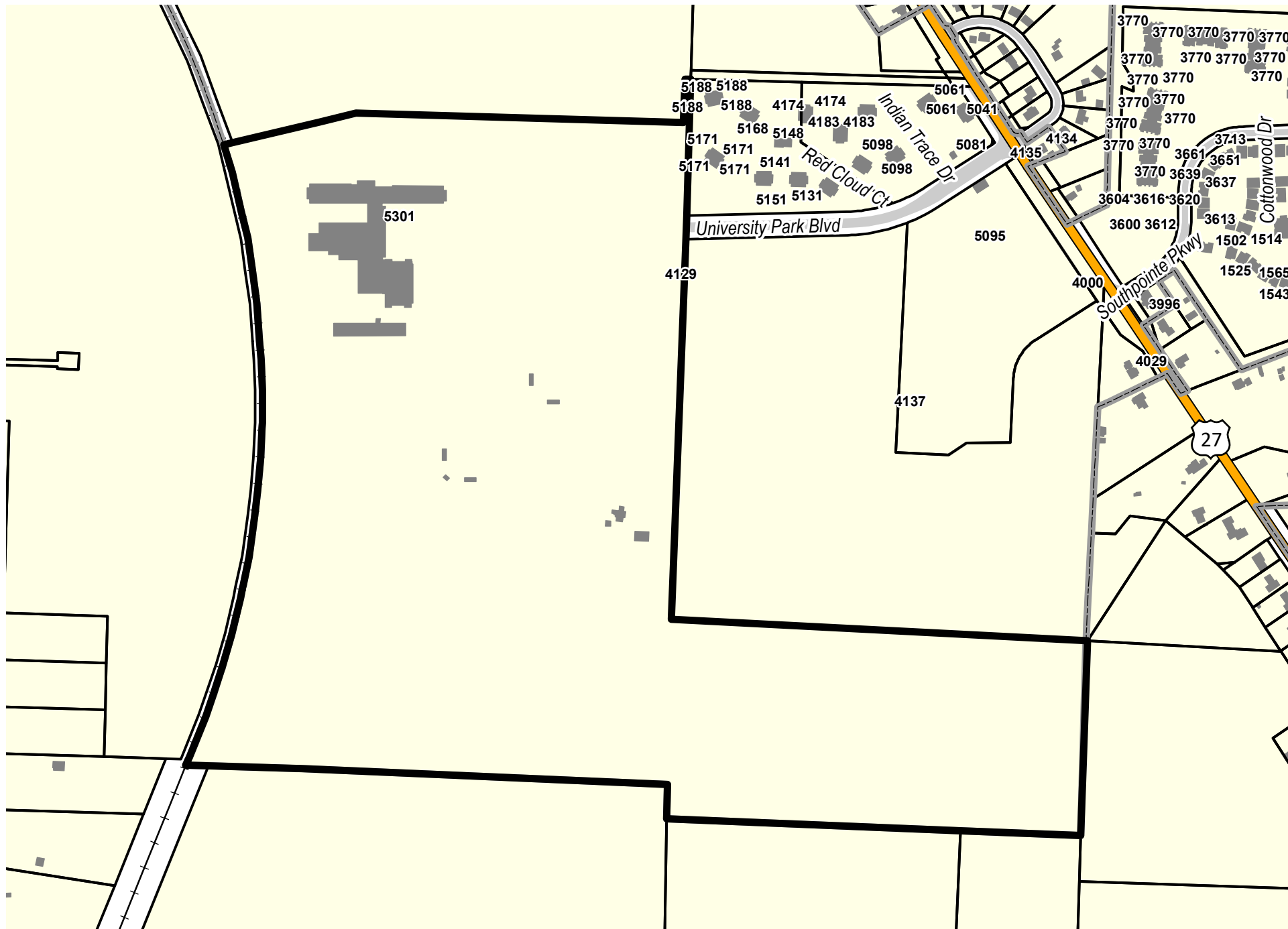
1 inch = 600 feet

Prepared on Thursday, April 21, 2022

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



Location Map





TALAWANDA SCHOOL DISTRICT

131 W. Chestnut Street, Oxford, Ohio 45056 | www.talawanda.org

Talawanda School District EMPOWERS Every Learner Every Day

March 16, 2022

Mr. Sam Perry
Director of Community Development, City of Oxford
15 S. College Ave.
Oxford, OH 45056

RE: Submission for Conditional Use/University Park Blvd. #H4100134000015

Dear Mr. Perry,

On behalf of the Talawanda School District I wish to thank you and Zachary for your assistance in providing guidance through the processes of this submission for Conditional Use approval. This request is for permanent occupancy by our district bus and maintenance departments within the 154.48 acres that the Board of Education owns on University Park Blvd.

SUBMISSION REQUIREMENTS: CONDITIONAL USE

Section 1147

1147.02 Procedure

A. Fee: Addressed with application.

B. Description of Use:

1. Applicant/Property Owner: Talawanda City School District Board of Education
c/o Shaunna Tafelski, Treasurer/CFO
131 W. Chestnut St.
Oxford, OH 45056
513-273-3100
tafelskis@talawanda.org
2. Applicant is the Property Owner
3. Legal Description: School District
4. Existing Uses at Site: Talawanda High School, Athletic Fields
5. Existing Zoning District: R1A- Residential
6. Proposed Use at Site (Description of the Proposed Use):
 - a. Use and Occupancy: The intended use is to relocate our District Bus and Maintenance departments from its West Chestnut location to the Northeast section of the Board of Education property on University Park Blvd. Daily activities would include:
 - Storage of maintenance and custodial supplies, equipment including, but not limited to; lawnmowers, trucks, snow plows, tires, replacement parts, etc.
 - Office space for approximately four (4) full time personnel, thirty-six (36) part time drivers and work space to allow up to two (2) buses to

be maintained and/or repaired to ensure the daily operation of transportation for the Talawanda School District.

- Office space for approximately (2) full time personnel, four (4) maintenance personnel, and work space to allow up to two (2) trucks, two (2) lawnmowers, and other maintenance equipment to be repaired, tuned up, prepared for current or next season, and other work needed to ensure the facility operations for each of Talawanda School District's buildings.
- Anticipated deliveries would include 1-2 deliveries per week containing supplies, fuel, replacement parts, equipment, and potential vendors meeting with staff in hopes of doing business with the district.
- Parking space for up to 42 mini and full buses
- Parking for personnel and/or visitors.
- Maintenance of buses, trucks, lawnmowers, and other bus and facilities equipment such as oil changing, tune ups, safety inspections, etc.
- Fueling of buses (daily) on diesel only vehicles will occur on the site to ensure transportation for the Talawanda School District.
- Professional development, training, and safety meetings as required by the State of Ohio and the federal government to ensure the transportation and facilities departments meet required standards.

b. Hours of Operation:

- August-May Monday through Friday 5:30 AM - 6:00 PM with potential for upwards of 10 PM drop off **if** athletic events or extra curricular activities are occurring. Weekend activity will occur if athletic events are occurring within the district. Saturday 7:00 AM - 10:00 PM depending on athletics and not an every Saturday occurrence.
- On occasion, there is a potential for Sunday activities from 7 AM to 10 PM. This would be a rare activity.
- June - July Monday through Friday 7:00 AM to 4 PM with potential for weekday and weekend extra curricular field trips and athletic events

7. Comparability Narrative:

- a. The bus and maintenance facility is similar to the existing high school in the fact that both are for the purpose of educating our students, one being the physical address that educates them and the other being the address that not only transports the students to the high school but holds necessary supplies to maintain and service the high school. The facility is different from the adjacent properties in the fact that the bus and maintenance facility will be office, storage, fueling, training, inspections, professional development, maintenance of buses, trucks, lawnmowers, and other equipment and bus parking space and the adjacent property is currently planned or existing residential space. Interaction will be limited to the shared road that each individual or staff member will travel on to either reach their home and/or work space. There shouldn't be any additional interaction between the two + entities.

- b. This proposed facility relates to the existing structure on the property as they both serve the school district. Size and scope of the proposed space is being kept to an absolute minimum, nothing in excess in order to keep as much green space as possible. The proposed building will be in the same color scheme as the adjacent high school.
- c. There is no getting around it, there will be an increase in traffic flow; creating additional noise, and fumes with the potential of odors. Buses will be coming and going, stored when not in use, and for safety reasons there will be appropriate lighting throughout the parking lot. However, all of the buses currently go to the high school each day two (2) times a day with a mid day route and beyond the school day athletic, extracurricular, and field trip activities. The buses already travel in and out of this area. The maintenance equipment including trucks, trucks with plows, lawnmowers, and other equipment (depending on the season and need) already travel in and out of the high school areas (part of this project).
- d. Any potentially negative impacts created by this proposed bus and maintenance facility will be addressed by:
 - Adding in another layer of trees on the northern and eastern side of the property. Currently, there is substantial vegetation along these perimeters, by adding in additional trees it will not only create a noise buffer but visually will hide the buses when not in use.
 - In winter months the buses will be plugged in keeping batteries warm reducing the amount of time needed to warm them up in the mornings.
 - The current flow of bus traffic **will not** impede the flow of traffic for adjacent property owners during peak times on University Park Blvd. Bus departure for morning pickup will be approximately 5:30am and return between 9:30 - 10:00 AM. Mid day routes will occur between 10:30 to 1:00 PM (usually 3 or less buses). Afternoon routes consist of the buses departing at 2 PM to start the process of transporting the students home and will return between 5:00 - 6:00 PM. Field trips during the day (8:00-3:00 PM, extracurricular activities (2:00-10:00 PM) and athletic activities (2:00-10:00 PM) for transporting students will occur during the school year. The number of buses needed will change based upon the activity or sport.
 - Detention pond will be on the Eastern side of the property, taking care of any additional run-off with rain water. This should alleviate any water flowing to adjacent property owners.
 - Slats will be installed in the fence to provide another barrier both visually and auditorily.
 - Buses and diesel equipment will be refueled at this site creating some fumes and noise which should be buffered by the fence, trees, and vegetation.

8. Appropriate Location:

Proximity of utilities and soil suitability make this area the best location for the bus and maintenance building. Traffic patterns and fuel usage were also analyzed in determining whether this particular site would be better than any other location within our school district. Alternative locations were considered and rejected due to safety, traffic, proximity to utilities, and the ability to carry out the transportation and maintenance

requirements needed to operate the Talawanda School District efficiently, effectively, and within local, state, and federal regulations.

9. Location Desirability:

Being great stewards of taxpayer funds, it is imperative to have a bus and maintenance building that is conducive to the outstanding Talawanda education at the best price and location possible. In reviewing all of the district land, we reviewed everything from bus routes, fuel usage, time the students would be sitting on a bus, ease of getting buses into traffic, safety, soil conditions of each property and location/proximity to utilities to minimize the costs of construction. It was determined that this is the most ideal location within our district.

10. Separate, detailed statements that individually address each of the items listed as potential concerns for the proposed use:

As stated in 7D:

- a. Adding in another layer of trees on the northern and eastern side of the property. Currently, there is substantial vegetation along these perimeters, by adding in additional trees it will not only create a noise buffer but visually will hide the buses when not in use.
- b. In winter months the buses will be plugged in keeping batteries warm reducing the amount of time needed to warm them up in the mornings.
- c. The current flow of bus traffic **will not** impede the flow of traffic for adjacent property owners during peak times on University Park Blvd. Bus departure for morning pickup will be approximately 5:30am and return between 9:30 - 10:00 AM. Mid day routes will occur between 10:30 to 1:00 PM (usually 3 or less buses). Afternoon routes consist of the buses departing at 2 PM to start the process of transporting the students home and will return between 5:00 - 6:00 PM. Field trips during the day (8:00-3:00 PM, extracurricular activities (2:00-10:00 PM) and athletic activities (2:00-10:00 PM) for transporting students will occur during the school year. The number of buses needed will change based upon the activity or sport.
- d. Detention pond will be on the Eastern side of the property, taking care of any additional run-off with rain water. This should alleviate any water flowing to adjacent property owners.
- e. Slats will be installed in the fence to provide another barrier both visually and auditorily.
- f. Buses and diesel equipment will be refueled at this site creating some fumes and noise which should be buffered by the fence, trees, and vegetation.

11. Names and Addresses:

See attached list which states:

- a. Arrowhead Crossing, LTD
H4100134000009
9349 Waterstone Blvd.

Cincinnati, OH 45249

- b. Clawson Properties I, LLC
H4000134000005
125 Spring St.
Oxford, OH 45056
- c. Calista Enterprises, LLC
H4100134000004
116 E. High St.
Oxford, OH 45056

12. A Review and Comment Form were submitted to the property owners of both Indian Trace Apartments (Arrowhead Crossing) and Kettering Health Group asking for input/concerns that they might have regarding TSD's desired location. Both entities were also invited to an Amendment to Conditional Use Hearing that TSD held at the THS Media Center on December 6, 2021 at 11:00 A.M. Neither parties were present, nor did they submit comments or concerns.

C. Site Plan:

See attached document

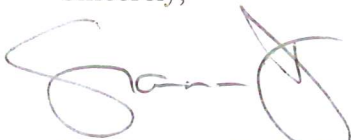
D. Elevations of proposed structures:

See attached document

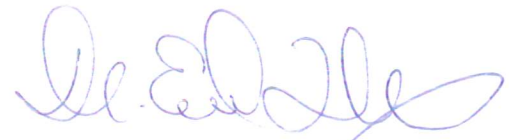
E. Other: Photographs of the existing use and its surroundings:

See attached document

Sincerely,



Ms. Shaunna Tafelski
Talawanda CFO/Treasurer



Dr. Edward Theroux
Talawanda Superintendent



Internal Use Only:	
Case No.	PC-2022-01
Date Filed	3/24/22

Conditional Use Permit Application

Applicant Information

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

Name * Shaunna Tafelski c/o Board of Education of the Talawanda City School District

Mailing Address * 131 W. Chestnut St.

City, State & Zip Code * Oxford, OH 45056

Telephone Number(s) * 513-273-3107

Email Address tafelskis@talawanda.org

Owner Information

Name * Board of Education of the Talawanda City School District

Mailing Address * 131 W. Chestnut St.

City, State & Zip Code * Oxford, OH 45056

Telephone Number(s) * 513-273-3107

Email Address tafelskis@talawanda.org

Location and Lot Information

Location of Property * Talawanda High School: H4100134000015 (NW of University Park Blvd)

Legal Description * High School

Zoning District * R1A

Total Area * 154.487 → Check One * Acres ☒ Square Feet ☐

Existing Use Description * School District Property

Proposed Use Description * School District Property: Bus and Maintenance Facility

Submission Requirements and Documentation

From Section 1147.02(a)¹.

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

A. Application Fee.

B. Description of Use and Site.

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

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

4. A description of the existing uses of the site.
 5. The zoning district in which the site is located.
 6. A description of the proposed use.
 - a. A description of operations, including type of goods sold, services performed, and expected number of customer, clientele, delivery, and service vehicles.
 - b. The hours of operation.
 7. A narrative statement that evaluates the compatibility of the proposed use with the general vicinity and adjacent properties.
 - a. How the use is similar to or different from existing area uses and if there will be any interaction between the proposed use and existing uses.
 - b. How any existing structures, proposed structures, and the site design relate to adjacent structures and sites.
 - c. If the use will involve any operations that create potential nuisances such as excessive noise, lighting, odor, fumes, vibration, or emissions.
 - d. How any potential negative effects on adjacent land will be mitigated.
 8. A statement about why the location proposed is more appropriate for the use than other locations.
 9. A statement of the necessity or desirability of the proposed use to the neighborhood or community.
 10. Separate, detailed statements that individually address each of the items listed as potential concerns for the proposed use.
 11. A list of the names and mailing addresses of all land owners within 200 feet of the site (see [next section](#)).
 12. Such other information regarding the proposed use, site, or surrounding area as may be pertinent to the application or required by Planning Commission.
- C. Site Plan. A scaled site plan shall include the following information in detail. The required information may be submitted on multiple site plans if inclusion of all information on a single plan makes it illegible or difficult to understand.
1. North arrow.
 2. Scale.
 3. Vicinity map.
 4. All existing and proposed lot lines within the site.
 5. Dimensions of all lots and of the entire site and any adjacent rights-of-way.
 6. Location, height, and use of all proposed and existing structures.
 7. Location and design of all proposed vehicle management areas.
 8. Location, size, and type of all proposed signs.
 9. Location, height, and type of all proposed screening and landscaping.
 10. Distances to residential zoning districts if within 1,000 feet.
 11. The use of land and location of structures on adjacent property and across adjacent rights-of-way.
 12. Other information as required by the Planning Commission.
- D. Elevations of proposed structures, or typical elevations if structures are not yet designed, shall be required by the Zoning Administrator if the proposed location, height, or bulk of the structure is such that it may negatively affect an adjacent use.
- E. Other. Photographs of the existing use and its surroundings.

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

Surrounding Property Owners

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

Planning Commission Review

From Section 1147.02(c)¹.

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

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

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

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

Fees & Receipt

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

Sign and Date

Applicant Signature _____

Date _____

Shaunna Tafelski
3.17.22

Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

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

For Staff Use Only

Fee Paid Date *

Receipt Number *

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

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

1. THE CONTRACTOR SHALL VISIT THE SITE AND COMPLETELY REVIEW THESE DOCUMENTS AND FULLY UNDERSTAND THE NATURE AND SCOPE OF WORK NEEDED TO ACHIEVE THE FINISHED PRODUCT INTENDED BY THE OWNER. IN ADDITION, THE CONTRACTOR SHALL AT ONCE REPORT TO THE LANDSCAPE ARCHITECT ANY OBSCURES OR INCONSISTENCIES DISCOVERED. FAILURE TO REASONABLY RECOGNIZE OR NOTIFY THE LANDSCAPE ARCHITECT OF SUCH ITEMS SHALL RELEASE THE LANDSCAPE ARCHITECT AND OWNER OF ALL LIABILITY. ANY DEVIATIONS FROM THESE DOCUMENTS WITHOUT WRITTEN APPROVAL FROM THE LANDSCAPE ARCHITECT SHALL BE CORRECTED AT THE CONTRACTORS EXPENSE.

2. PROTECT ALL EXISTING VEGETATION TO REMAIN WITHIN 2' OF CONSTRUCTION DISTURBANCE AS PER PLANS AND SPECIFICATIONS. INSTALL MINIMUM 4" TALL FENCE S' OUTSIDE THE DRIPLINE OF TREES TO REMAIN. WATER TREES AND VEGETATION TO BE REMOVED WITH A MIN. (RAIN GAUGE OR NOAA LOCAL WEATHER VERIFIED) PER WEEK FOR DURATION OF CONSTRUCTION PROJECT.

3. PRIOR TO CONSTRUCTION, THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL PERMITS NECESSARY TO COMPLETE THE WORK. LOCATING ALL UNDERGROUND UTILITIES, AND SHALL AVOID DAMAGE TO ALL UTILITIES DURING INSTALLATION. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ALL DAMAGE TO UTILITIES, STRUCTURES, SITE APPURTENANCES, ETC., WHICH MAY OCCUR AS A RESULT OF LANDSCAPE CONSTRUCTION.

4. CONTRACTOR MUST CERTIFY THAT ITS SAFETY PROGRAM MEETS REGULATORY REQUIREMENTS AT A MINIMUM. CONTRACTOR TO PROVIDE DOCUMENTATION OF THE OSHA RECORD KEEPING SUMMARY.

5. LANDSCAPE ARCHITECT MAY OBSERVE TREES AND SHRUBS EITHER AT PLACE OF GROWTH OR SITE BEFORE PLANTING FOR COMPLIANCE WITH REQUIREMENTS FOR GENUS, SPECIES, VARIETY, SIZE, AND QUALITY. LANDSCAPE ARCHITECT HAS THE RIGHT TO REJECT ANY SHRUBS EITHER FOR SIZE AND CONDITION OF BALLS, ROOT SYSTEMS, INSECTS, INJURIES, AND LATENT DEFECTS AND TO SELECT UNSATISFACTORY OR DEFECTIVE MATERIAL AT ANY TIME DURING PROGRESS OF WORK. LANDSCAPE CONTRACTOR SHALL REMOVE REJECTED TREES OR SHRUBS IMMEDIATELY FROM PROJECT SITE.

6. IF EXISTING ECOLOGY CAUSES ADJUSTMENTS OF LANDSCAPE PLANS TO FIT THE SITE CONDITIONS, A STAKE OUT BY LANDSCAPE CONTRACTOR AND ADJUSTMENTS BY LANDSCAPE ARCHITECT SHALL BE REQUIRED PRIOR TO INSTALLATION.

7. ALL PLANTING AREAS SHOWN ON PLANS SHALL BE TO WITHIN 2" OF FINAL GRADE BEFORE LANDSCAPE CONTRACTOR COMMENCES INSTALLATION.

8. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR COORDINATING WITH OTHER CONTRACTORS AND/OR LOCATING PROPOSED SITE UTILITIES. CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT OF ANY DEFECTS, ETC.

9. ALL PLANT MATERIAL MUST BE INSTALLED ACCORDING TO THE APPROVED LANDSCAPING PLAN BY NO LATER THAN THE NEXT PLANTING SEASON OR WITHIN 6 MONTHS FROM THE COMPLETION OF ALL SITE CONSTRUCTION.

10. CONTRACTOR TO VERIFY ALL PLANT QUANTITIES. ANY DISCREPANCY BETWEEN THE PLANTING LIST AND THE PLAN SHALL BE VERIFIED BY THE LANDSCAPE ARCHITECT. ALL SUBSTITUTIONS AND/OR CHANGES SHALL BE REQUESTED IN WRITING TO THE OWNER OR OWNERS REPRESENTATIVE AND BE APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.

11. THE CONTRACTOR SHALL PROVIDE QUALITY, SIZE, GENUS, SPECIES, AND VARIETY OF EXTERIOR PLANTS INDICATED, COMPLYING WITH APPLICABLE REQUIREMENTS IN ANSI Z60.1, "AMERICAN STANDARD FOR NURSERY STOCK."

12. THE CONTRACTOR SHALL FURNISH NURSERY-GROWN TREES AND SHRUBS COMPLYING WITH ANSI Z60.1, WITH HEALTHY ROOT SYSTEMS DEVELOPED, TRANSPARENT AND ROOT PRUNING, PROVIDE WELL-SHAPED, FULLY BRANCHED, HEALTHY, SOUND STOCK, FREE OF DISEASE, INSECTS, EGGS, LARVAE, AND DEFECTS SUCH AS KNOTS, SUN SCALD, INJURIES, ABRASIONS, AND DISFIGUREMENT.

13. TREES AND SHRUBS OF A LARGER SIZE MAY BE USED, IF ACCEPTABLE TO LANDSCAPE ARCHITECT, WITH A PROPORTIONATE INCREASE IN SIZE OF ROOTS OR BALLS.

14. IF FORMAL ARRANGEMENTS OR CONSECUTIVE ORDER OF TREES OR SHRUBS IS SHOWN, SELECT STOCK FOR LANDSCAPE ARCHITECT'S REVIEW AND APPROVAL TO ASSURE SYMMETRY IN PLANTING.

15. THE CONTRACTOR SHALL LABEL ONE TREE AND ONE SHRUB OF EACH VARIETY AND CALIPER WITH A SECURELY ATTACHED, WATERPROOF TAG BEARING LEGIBLE DESIGNATION OF BOTH THE BOTANICAL AND COMMON NAME.

16. PLANT TAGS SHALL REMAIN ON INSTALLED PLANT MATERIAL UNTIL THE WORK HAS BEEN APPROVED BY LOCAL INSPECTOR AND/OR THE OWNER OR OWNER'S REPRESENTATIVE.

17. LANDSCAPE CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE FROM ALL PLANT BEDS WITHOUT ADVERSELY AFFECTING SITE DRAINAGE. GRADES BEHIND CURBS FOR AREAS TO RECEIVE MULCH SHALL BE HELD 4 INCHES BELOW TOP OF CURB AND 2 INCHES BELOW TOP OF CURB FOR SOD.

18. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR FULLY MAINTAINING, INCLUDING, BUT NOT LIMITED TO, WATERING, SPRAYING, MULCHING, FERTILIZING, ETC., ALL PLANTING AREAS AND LAWN UNTIL THE WORK IS COMPLETED BY THE OWNER OR THE OWNER'S REPRESENTATIVE.

19. CONTRACTOR TO CONDUCT SOIL AND ROOT SYSTEM TESTS TO DETERMINE PROPER DRAINAGE IN PLANTING AREAS.

20. ADDITIONAL ROCK EXCAVATION AND TOPSOIL MAY BE REQUIRED TO OBTAIN SPECIFIED PLANTING DEPTHS FOR ROOT COVERAGE BASED ON SITE CONDITIONS.

21. IF IRRIGATION IS PART OF THE PROJECT, THE LANDSCAPE CONTRACTOR SHALL COORDINATE THE LOCATION OF ALL PLANT MATERIAL WITH THE IRRIGATION CONTRACTOR. ACTIVATE IRRIGATION SYSTEM UPON COMPLETION OF PLANTING.

22. ALL IRRIGATION COMPONENTS SHALL BE OF THE SAME MANUFACTURER & INSTALLED PER MANUFACTURER'S SPECIFICATIONS.

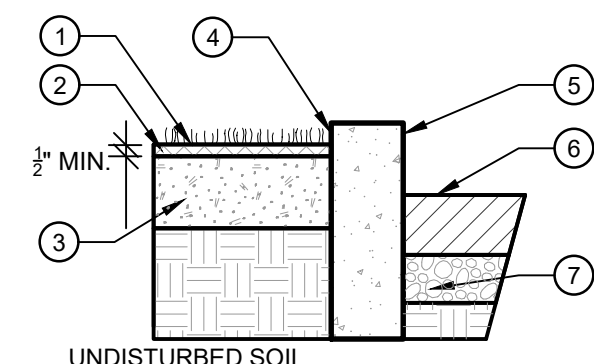
SECTION

Diagram illustrating the root and trunk development of a tree in a container, showing stages 1 through 8. The diagram includes labels for the container, soil, and trunk development.

- 1: Trunk
- 2: Root system
- 3: Root system
- 4: Root system
- 5: Root system
- 6: Root system
- 7: Root system
- 8: Root system

Labels in the diagram include: 2" - 4", FINISH GRADE, UNDISTURBED SOIL, and 2R.

NOT TO SCALE 329343.46-06



- NOTES:
- A. SEE SODDING AND/OR SEEDING NOTES.
- B. IF LAWN AREAS ARE NOT IDENTIFIED ON PLANS TO BE SEED OR SOD, CONTACT LANDSCAPE ARCHITECT OR OWNER FOR VERIFICATION.
- (6) PAVEMENT. SEE PAVEMENT DETAILS
- (7) PAVING BASE. SEE PAVEMENT DETAILS

2 NOT TO SCALE 321613.16-11

A. LOOSEN SUBGRADE OF PLANTING AREAS TO A DEPTH OF TWELVE (12) INCHES. REMOVE STONES LARGER THAN ONE (1) INCH IN ANY DIMENSION, STICKS, RUBBISH, AND OTHER EXTRANEOUS MATTER AND LEGALLY DISPOSE OF THEM OFF OF THE OWNER'S PROPERTY.

B. APPLY FERTILIZER DIRECTLY TO THE SUBGRADE BEFORE LOOSENING.

C. SPREAD TOPSOIL, APPLY SOIL AMENDMENTS AND FERTILIZER ON SURFACE, AND THOROUGHLY BLEND PLANTING SOIL. APPLY TURF/MATRIX SOIL AMENDMENT AT THE FOLLOWING RATES:

 4" DEEP BEDS - 450 LBS / 1000 SF; 4" DEEP BEDS - 900 LBS / 1000 SF;
 6" DEEP BEDS - 1,300 LBS / 1000 SF; 8" DEEP BEDS - 1,750 LBS / 1000 SF

D. DELAY MIXING FERTILIZER WITH PLANTING SOIL IF PLANTING WILL NOT PROCEED WITHIN A FEW DAYS.

E. MIX LIMB WITH DRY SOIL PRIOR TO MIXING FERTILIZER.

F. SPREAD TOPSOIL TO A DEPTH OF (6) SIX INCHES FOR LAWN OR (12) TWELVE INCHES FOR BEDS BUT NOT LESS THAN REQUIRED TO MEET FINISH GRADES AFTER NATURAL SETTLING. DO NOT SPREAD IF PLANTING SOIL IF SUBGRADE IS FROZEN, MUDDY OR EXPOSED.

G. GRADE PLANTING AREAS TO A SMOOTH, UNIFORM, SURFACE PLANE WITH LOOSE, UNIFORM FINE TEXTURE. ROLL AND RAKE, REMOVE RIDGES, AND FILL DEPRESSION TO MEET FINISH GRADES.

H. RESTORE PLANTING AREAS IF ERODED OR OTHERWISE DISTURBED AFTER FINISH GRADING.

I. FOR PLANTING PITS AND TRENCHES, EXCAVATE CIRCULAR PLANTING PITS WITH SIDES SLOPING INWARD AT A FORTY-FIVE (45) DEGREE ANGLE. EXCAVATIONS WITH VERTICAL SIDES ARE NOT ACCEPTABLE. TRIM PERIMETER OF BOTTOM TO FOLLOW THE CENTER AREA OF THE BOTTOM RADIUS 9" TO SUPPORT THE ROOT BALL AND ASSIST WITH DRAINAGE AWAY FROM THE CENTER. DO NOT FURTHER DISTURB THE BASE. ENSURE THAT THE ROOT BALL WILL SIT ON UNDISTURBED BASE SOIL TO PREVENT SETTLING. SCARIFY SIDES OF THE PLANTING PIT SMEARED OR SMOTHERED DURING EXCAVATION.

 - EXCAVATE APPROXIMATELY TWO (2) TIMES THE DIAMETER OF THE ROOT BALL FOR BALLED AND BURLAPPED STOCK.

 - FOR BARE ROOT STOCK, EXCAVATE AT LEAST TWELVE (12) INCHES WIDER THAN THE ROOT SPREAD AND DEEP ENOUGH TO ACCOMMODATE VERTICAL ROOTS

 - IF DRAIN LINE IS SHOWN ON DRAWINGS OR DETAILS, OR REQUIRED UNDER PLANTING AREAS, EXCAVATE TO TOP OF POROUS BACKFILL OVER LINE.

J. SUBSOIL AND TOPSOIL REMOVED FROM EXCAVATION MAY BE USED AS PLANTING SOIL PROVIDED IT IS FREE FROM ROCKS AND OTHER DELETERIOUS MATERIAL.

K. NOTIFY LANDSCAPE ARCHITECT IF UNEXPECTED ROCK OR OBSTRUCTIONS DETRIMENTAL TO TREES OR SHRUBS ARE ENCOUNTERED DURING EXCAVATION.

L. NOTIFY LANDSCAPE ARCHITECT IF SUBSOIL CONDITIONS EVIDENCE UNEXPECTED WATER SEEPAGE OR RETENTION IN TREE OR SHRUB PLANTING PITS.

M. FILL EXCAVATIONS WITH WATER AND ALLOW TO PERCOLATE AWAY BEFORE POSITIONING TREES AND SHRUBS.

N. INSTALL PLANTS - REFER TO TYPICAL PLANTING DETAILS ON THIS SHEET FOR PLANT INSTALLATION.

O. IT IS THE CONTRACTOR'S OPTION WHETHER OR NOT TO STAKE A TREE UNDER 5" CALIBER, BUT IT IS ALSO THE CONTRACTOR'S RESPONSIBILITY TO ASSURE THAT PLANTS REMAIN IN AN UPRIGHT POSITION UNTIL THE END OF THE WARRANTY PERIOD, AT WHICH POINT ANY STAKES & WIRE ARE TO BE REMOVED BY THE CONTRACTOR.

P. ALL DECIDUOUS TREES SHALL BE WRAPPED WITH STANDARD MANUFACTURER'S TREE WRAP TO PREVENT WINTER DAMAGE. TREE WRAP TO BE REMOVED AFTER THE FIRST WINTER BY THE LANDSCAPE CONTRACTOR.

Q. LANDSCAPE CONTRACTOR SHALL INSTALL GATOR BAGS, PER MANUFACTURER'S RECOMMENDATION FOR ALL TREES THAT ARE NOT OTHERWISE IRRIGATED.

R. PRIORS TO PLANTING, APPLY PRE-EMERGENT HERBICIDE (PREEN OR EQUIVALENT) PER MANUFACTURER'S RECOMMENDATION.

S. IF NOTED ON PLAN TO USE WEED CONTROL FABRIC, INSTALL WEED CONTROL ACCORDING TO MANUFACTURER'S WRITTEN INSTRUCTIONS. COMPLETELY COVER AREA TO RECEIVE FABRIC, OVERLAPPING EDGES A MINIMUM OF SIX (6) INCHES. SECURE THE SEAMS WITH GALVANIZED PINS. PINS TO BE 8" -10" APART ALONG EDGES AND 12" MIN. IN CENTER.

T. MULCH BACKFILLED SURFACES OF PLANTING AREAS AND OTHER AREAS AS INDICATED.

U. APPLY MULCH ACCORDING TO THE FOLLOWING:

 - DO NOT PLACE MULCH WITHIN THREE (3) INCHES OF THE TRUNKS OR STEMS OR VOLCANO MULCH.

 - FOR TREES AND SHRUBS IN TURF AREAS - APPLY ORGANIC MULCH RING OF FOUR (4) INCH AVERAGE THICKNESS, WITH THIRTY-SIX (36) INCH RADIUS AROUND TRUNKS OR STEMS.

 - FOR PLANTS IN BEDS, APPLY ORGANIC MULCH TWO (2) INCH AVERAGE THICKNESS AND EXTENDING TWELVE (12) INCHES BEYOND THE EDGES OF INDIVIDUAL PLANTING PIT OR TRENCH AND OVER THE WHOLE SURFACE OF THE PLANTING AREA, AND FINISH WITH ADJACENT FINISH GRADES.

V. THE LANDSCAPE CONTRACTOR SHALL INSTRUCT THE OWNER OR OWNER REPRESENTATIVE ON WATERING NEEDS OF INSTALLED PLANTINGS.

- B. DE-COMPACT AREAS HEAVILY TRAFFICKED BY CONSTRUCTION ACTIVITIES WITH HOE OR OTHER APPROVED METHOD
- C. GRADE SURFACES TO ASSURE DRAINAGE AWAY FROM STRUCTURES AND TO PREVENT PONDING AND POCKETS OF SURFACE DRAINAGE. PROVIDE SUBGRADE FREE FROM IRREGULAR SURFACE CHANGES AND AS FOLLOWS:
 - ROUGH GRADE SHALL EQUAL PLUS/ MINUS TWO TENTHS (0.20) FEET. SUBGRADE TOLERANCE AND SHALL BE FREE OF EXPOSED Boulders OR STONE EXCEEDING ONE (1) INCH IN GREATEST DIMENSION.
 - IN AREAS OF SOIL OR FILL, GRADE TO BE THE SUBSEQUENT PLACEMENT OF TOPSOIL.
- D. PLACE TOPSOIL A MINIMUM OF SIX (6) INCHES AVERAGE DEPTH.
- E. GRADE AREA TO A SMOOTH, FINE DRAINING EVEN SURFACE WITH A LOOSE, MODERATELY COARSE TEXTURE. ROLL, SCARIFY, RAKE, AND LEVEL AS NECESSARY TO OBTAIN A TRUE, EVEN LAWN SURFACE AND FILL DEPRESSIONS AS REQUIRED TO DRAIN. SEED BED TO BE APPROXIMATELY ONE HALF (1/2) TO ONE (1) INCH BELOW ALL SIDEWALKS AND CURBS. DO NOT KNOW THE HAVING OBJECTS EXISTING IN SOIL. COVER LAWN MAKING EQUIPMENT OVER LAWN AREAS AFTER THE PREPARED AREAS IS LOOKED OVER AND RE-GRADED. RESTORE PREPARED AREAS TO SPECIFIED CONDITIONS IF ERODED, SETTLED, OR OTHERWISE DISTURBED.
- F. APPLY TYPE A / STARTER FERTILIZER TO INDICATED TURF AREAS AT A RATE EQUAL TO ONE (1) POUND OF ACTUAL NITROGEN PER ONE THOUSAND (1,000) SQUARE FEET OR AS OTHERWISE INDICATED. APPLY FERTILIZERS BY MECHANICAL DROP OR ROTARY DISTRIBUTOR, THOROUGHLY AND EVENING INCORPORATED WITH THE SOIL TO A DEPTH OF THREE (3) INCHES. FERTILIZER TO BE APPLIED BEFORE TOPSOIL. FERTILIZER AREAS INACCESSIBLE TO POWER EQUIPMENT WITH HAND TOOLS AN INCORPORATE INTO THE SOIL.
- G. ACCEPTABLE SEEDING TIMES: SPRING SEED PLANTING - APRIL 1 TO JUNE 1; FALL SEED PLANTING - AUG. 15 TO OCT. 1.

A. STRIP TOPSOIL TO ITS FULDEPTH AT AREAS IMPACTED AND AT ALL AREAS TO BE RE-GRADED AND RESURFACED. TOPSOIL STRIPPING OUTSIDE THE DRIP LINE OF TREES TO REMAIN / DO NOT STRIP AS TO IMPACT THE ROOT LINE OF TREES TO REMAIN.

B. COORDINATE WITH THE OWNER PRIOR TO ESTABLISHING TOPSOIL STORAGE AREAS. GRADE AND SLOPE STOCKPILES FOR PROPER DRAINAGE AND TO PREVENT EROSION. THE REUSE OF STOCKPILE TOPSOIL WITHIN THE PROJECT AREA MUST BE PRE-APPROVED FOR PLACEMENT BY THE LANDSCAPE ARCHITECT.

C. ALL TOPSOIL SHALL BE SHREDDED, CLEAN, AND UNIFORM IN QUALITY FREE FROM HARD CLODS, STIFF CLAY, PARTIALLY DISINTEGRATED STONE, LIME, CEMENT, SLAG, OR OTHER UNDESIRABLE MATERIAL. TOPSOIL SHALL CONFORM TO THE FOLLOWING:

- ORGANIC CONTENT - BETWEEN 3% - 10% ORGANIC MATTER
- pH - SHALL RANGE BETWEEN 6.0 - 7.5
- SOIL TEXTURE - TOPSOIL SHALL CONSIST OF THE FOLLOWING PERCENTAGES OF SAND, SILT, AND CLAY PASSING THROUGH A 2.00 MM (#10) SIEVE (SAND - 30%-75%, SILT - 15%-70%, CLAY - 10%-30%)

D. TOPSOIL MUST BE APPROVED PRIOR TO PLACEMENT. TOPSOIL TEXT RESULTS SHALL SHOW RECOMMENDATION FOR SOIL ADDITIVES FOR FERTILIZERS TO CORRECT NUTRIENT DEFICIENCIES AS NECESSARY

E. INORGANIC SOIL AMENDMENTS INCLUDE THE FOLLOWING:

- LIME - ASTM C 602, AGGREGATE FINE FRACTIONAL LIME MATERIAL CONTAINING A MINIMUM OF 80% CALCIUM CARBONATE EQUIVALENT AS FOLLOWS:
 - a. PROVIDE LIME IN FORM OF GROUND DOLOMITIC LIMESTONE PER ASTM 605, CONTAINING NO LESS THAN 85% OF TOTAL CARBONATES AND SHALL BE GROUND TO SUCH A FINENESS THAT 50% WILL PASS THROUGH A 100 MESH SIEVE AND 90% WILL PASS THROUGH A MESH SIEVE. COARSER MATERIAL WILL BE ACCEPTABLE, PROVIDED THAT THE PERCENTAGE OF FINE APPLICATION ARE INCREASED PROPORTIONALLY ON THE BASIS OF QUANTITIES PASSING THE 100 MESH SIEVE.
 - SFLUR - GRANULAR, BIODEGRADABLE, AND CONTAINING A MINIMUM OF 90% SULFUR, WITH A MINIMUM OF 99% PASSING THROUGH NUMBER 6 SIEVE AND A MAXIMUM OF 10% PASSING THROUGH A NUMBER 40 SIEVE.
 - AXIC - CALCINED DIATOMACEOUS EARTH SOIL AMENDMENT - USE PREPARATION AND PLANTING NOTES FOR APPLICATION RATES

F. ORGANIC MULCH - FREE FROM DELETERIOUS MATERIALS AND SUITABLE AS A TOP DRESSING OF TREES AND SHRUBS, CONSISTING OF ONE DOUBLE SHREDDED HARDWOOD BARK.

- A. EXAMINE AREAS TO RECEIVE PLANTS FOR COMPLIANCE WITH REQUIREMENTS AND CONDITIONS AFFECTING INSTALLATION AND PERFORMANCE. PROCEED WITH INSTALLATION ONLY AFTER UNSATISFACTORY CONDITIONS ARE CORRECTED.
- B. PROTECT STRUCTURES, UTILITIES, SIDEWALKS, PAVEMENTS, AND OTHER FACILITIES AND TURF AREAS AND EXISTING PLANTS FROM DAMAGE CAUSED BY PLANTING OPERATIONS.
- C. INSTALL EROSION-CONTROL MEASURES TO PREVENT EROSION OR DISPLACEMENT OF SOILS AND DISCHARGE OF SOIL-BEARING WATER RUNOFF OR AIRBORNE DUST TO ADJACENT PROPERTIES AND WALKWAYS.
- D. APPLY ANTI-DESICCANT TO PLANTS BEING PLANTED TO PROVIDE ADEQUATE FILM OVER TRUNKS (BEFORE WRAPPING), BRANCHES, STEMS, TWIGS, AND FOLIAGE TO PROTECT DURING HANDLING AND TRANSPORTATION. IF DECIDUOUS TREES OR SHRUBS ARE MOVED IN FULL LEAF, SPRAY ANTIDESICCANT AT NURSERY BEFORE MOVING AND AGAIN TWO (2) WEEKS AFTER PLANTING.
- E. WRAP TREES AND SHRUBS WITH BURLAP FABRIC OVER TRUNKS, BRANCHES, STEMS, TWIGS, AND FOLIAGE TO PROTECT FROM WIND AND OTHER DAMAGE DURING DIGGING, HANDLING, AND TRANSPORTATION.
- F. LAY OUT INDIVIDUAL TREE AND SHRUB LOCATIONS AND BED EDGES FOR ALL EXTERIOR PLANTINGS. STAKE LOCATIONS, LOCATIONS OF PLANTINGS, AND BED EDGES AND OBTAIN LANDSCAPE ARCHITECT'S AND/OR OWNER'S, OR OWNER REPRESENTATIVE'S WRITTEN ACCEPTANCE OF LAYOUT PRIOR TO PLANTING. TREES SHALL BE SITED IN THE FIELD BY THE LANDSCAPE ARCHITECT WHERE NOTED ON THE PLAN. CONTACT THE LANDSCAPE ARCHITECT WITH ANY DISCREPANCIES OR ISSUES WITH PLACEMENT.

A. CONTRACTOR SHALL PROVIDE OWNER WITH A MINIMUM ONE YEAR WRITTEN WARRANTY FOR LABOR AND MATERIALS.

B. CONTRACTOR SHALL WARRANT EXTERIOR PLANTS AGAINST DEFECTS, INCLUDING DEATH AND UNSATISFACTORY GROWTH, EXCEPT FOR DEFECTS RESULTING FROM LACK OF ADEQUATE MAINTENANCE, NEGLECT OR ABUSE BY OWNER, OR INCIDENTS THAT ARE BEYOND CONTRACTOR'S CONTROL.

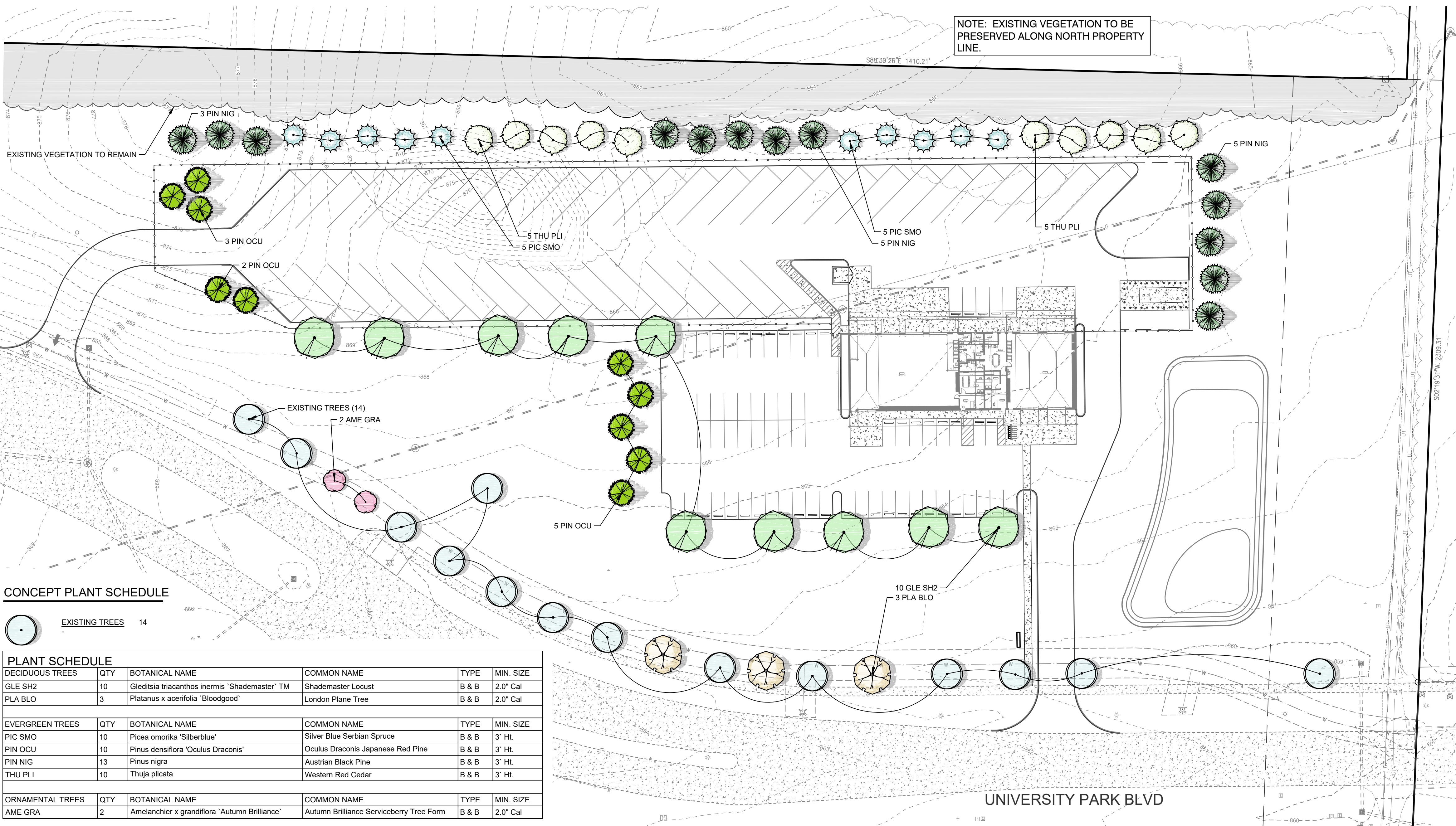
C. WARRANTY SHALL INCLUDE SPECIFIC WARRANTY PERIODS FROM DATE OF ACCEPTANCE FOR TREES AND SHRUBS, GROUND COVER AND OTHER EXTERIOR PLANTS.

D. WARRANTY SHALL BE LIMITED TO ONE REPLACEMENT OF EACH EXTERIOR PLANT, EXCEPT FOR LOSSES OR REPLACEMENTS DUE TO FAILURE OF CONTRACTOR TO COMPLY WITH REQUIREMENTS.

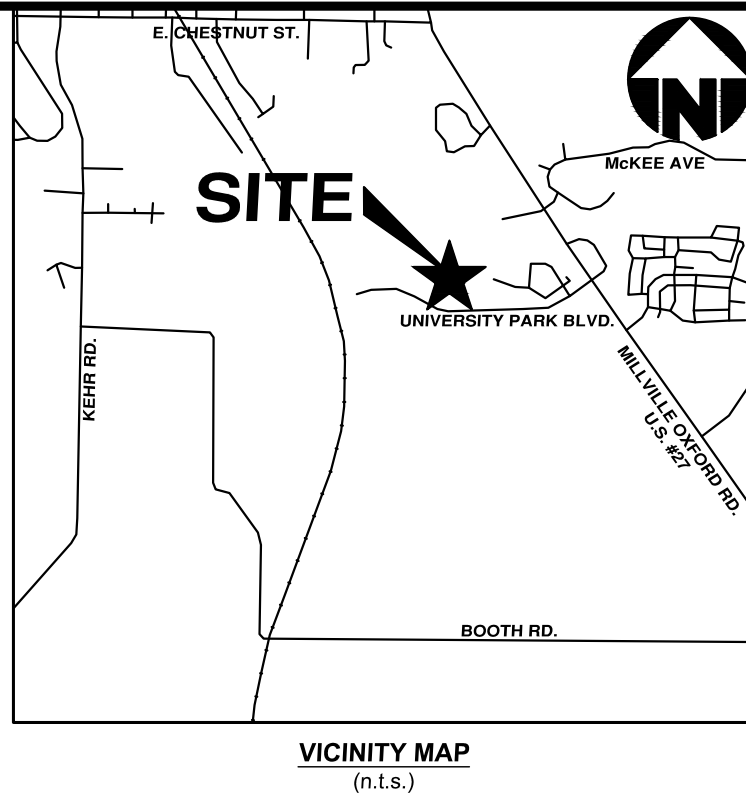
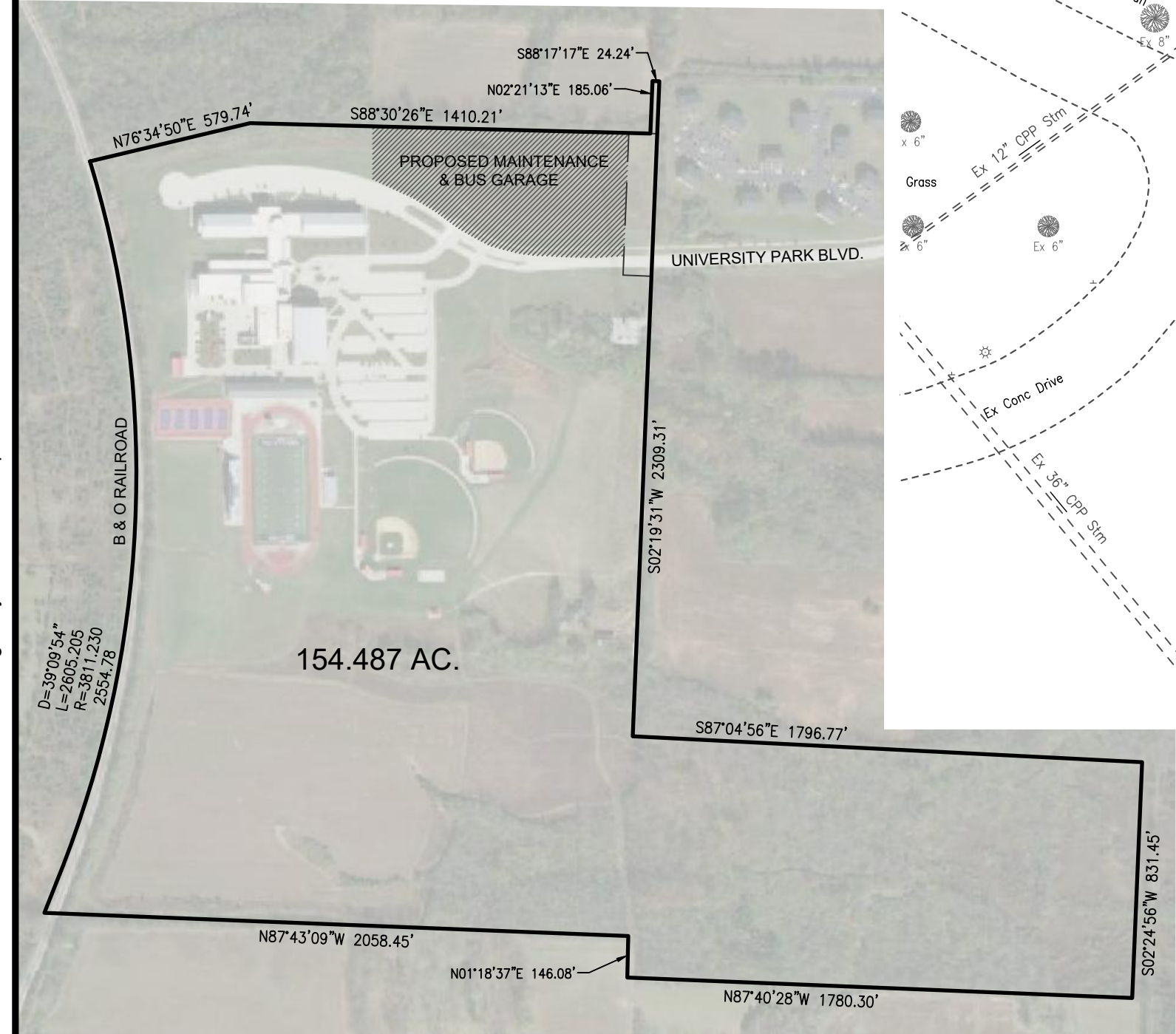
E. WARRANTY FOR IRRIGATION SERVICE, PLUMBING, & DRAINAGE SHALL BE GUARANTEED FOR A PERIOD OF 1 YEAR AND WILL INCLUDE START-UP, WINTERIZATION, AND SECOND SEASON START-UP. WARRANTY SHALL INCLUDE ALL LABOR, MATERIAL, TOOLS, AND EQUIPMENT AS NECESSARY TO PROVIDE A FUNCTIONING SYSTEM, FREE FROM DEFECTS AND ADJUSTED PROPERLY FOR APPROPRIATE WATER DELIVERY TO ALL PLANT MATERIAL.

A. REFER TO BID DOCUMENTS AND COMPLY WITH ALL STATE & LOCAL REQUIREMENTS REGARDING APPROVED WORK TIMES, SCHEDULING OF INSTALLATION, AND ALL OTHER REQUIREMENTS.

NOTE: ALL DISTURBED AREAS TO BE RE-SEEDED.



EXISTING TREES		14			
PLANT SCHEDULE					
DECIDUOUS TREES	QTY	BOTANICAL NAME	COMMON NAME	TYPE	MIN. SIZE
GLE SH2	10	Gleditsia triacanthos inermis 'Shademaster' TM	Shademaster Locust	B & B	2.0' Cal
PLA BLO	3	Platanus x acerifolia 'Bloodgood'	London Plane Tree	B & B	2.0' Cal
EVERGREEN TREES	QTY	BOTANICAL NAME	COMMON NAME	TYPE	MIN. SIZE
PIC SMO	10	Picea omorika 'Silberblue'	Silver Blue Serbian Spruce	B & B	3' Ht.
PIN OCU	10	Pinus densiflora 'Oculus Draconis'	Oculus Draconis Japanese Red Pine	B & B	3' Ht.
PIN NIG	13	Pinus nigra	Austrian Black Pine	B & B	3' Ht.
THU PLI	10	Thuja plicata	Western Red Cedar	B & B	3' Ht.
ORNAMENTAL TREES	QTY	BOTANICAL NAME	COMMON NAME	TYPE	MIN. SIZE
AME GRA	2	Amelanchier x grandiflora 'Autumn Brilliance'	Autumn Brilliance Serviceberry Tree Form	B & B	2.0' Cal



PROJECT SUMMARY

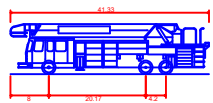
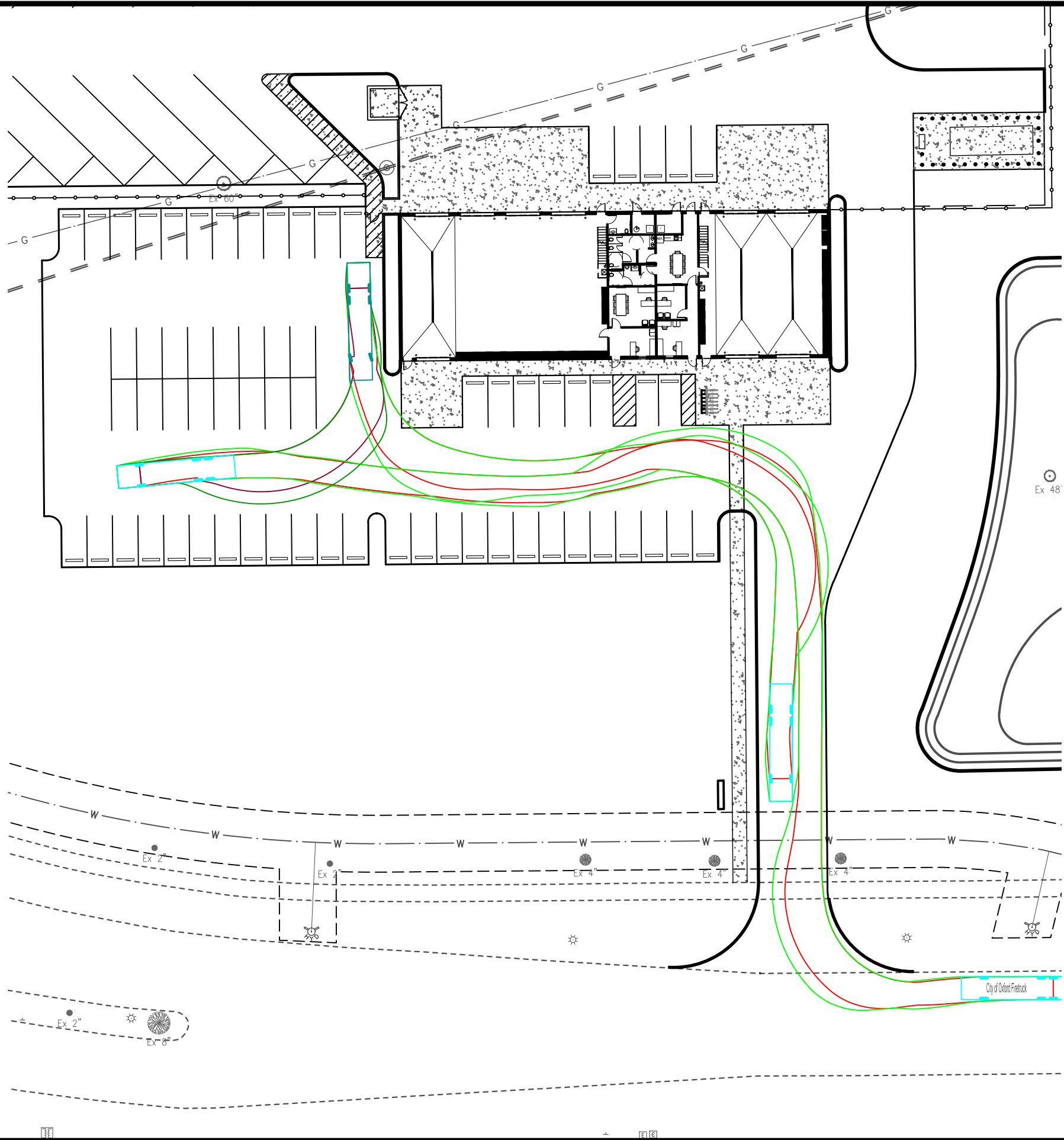
EXISTING ZONING: R-1A SINGLE FAMILY LOW DENSITY RESIDENTIAL
TOTAL SITE ACREAGE: 154.487 Ac.

MINIMUM FRONT YARD DEPTH: 30FT
MINIMUM REAR YARD DEPTH: 40 FT
MINIMUM SIDE YARD DEPTH: 10 FT
MINIMUM PAVEMENT SETBACK (ALONG RESIDENTIAL): 10FT

LEGEND

- [illegible]

[illegible]

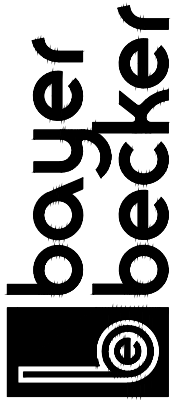


City of Oxford Firetruck
Overall Length 41.330ft
Overall Width 8.000ft
Overall Body Height 10.430ft
Min Body Ground Clearance 0.862ft
Track Width 8.000ft
Lock-to-lock time 6.00s
Max Steering Angle (Virtual) 32.10°

NEW MAINTENANCE & BUS GARAGE TALAWANDA CITY SCHOOL DISTRICT

5301 UNIVERSITY PARK BLVD
CITY OF OXFORD
BUTLER COUNTY, OHIO

AUTOTURN EXHIBIT - 4



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

Drawing:

21-0202 PL

Scale

1"=40'

Drawn by:

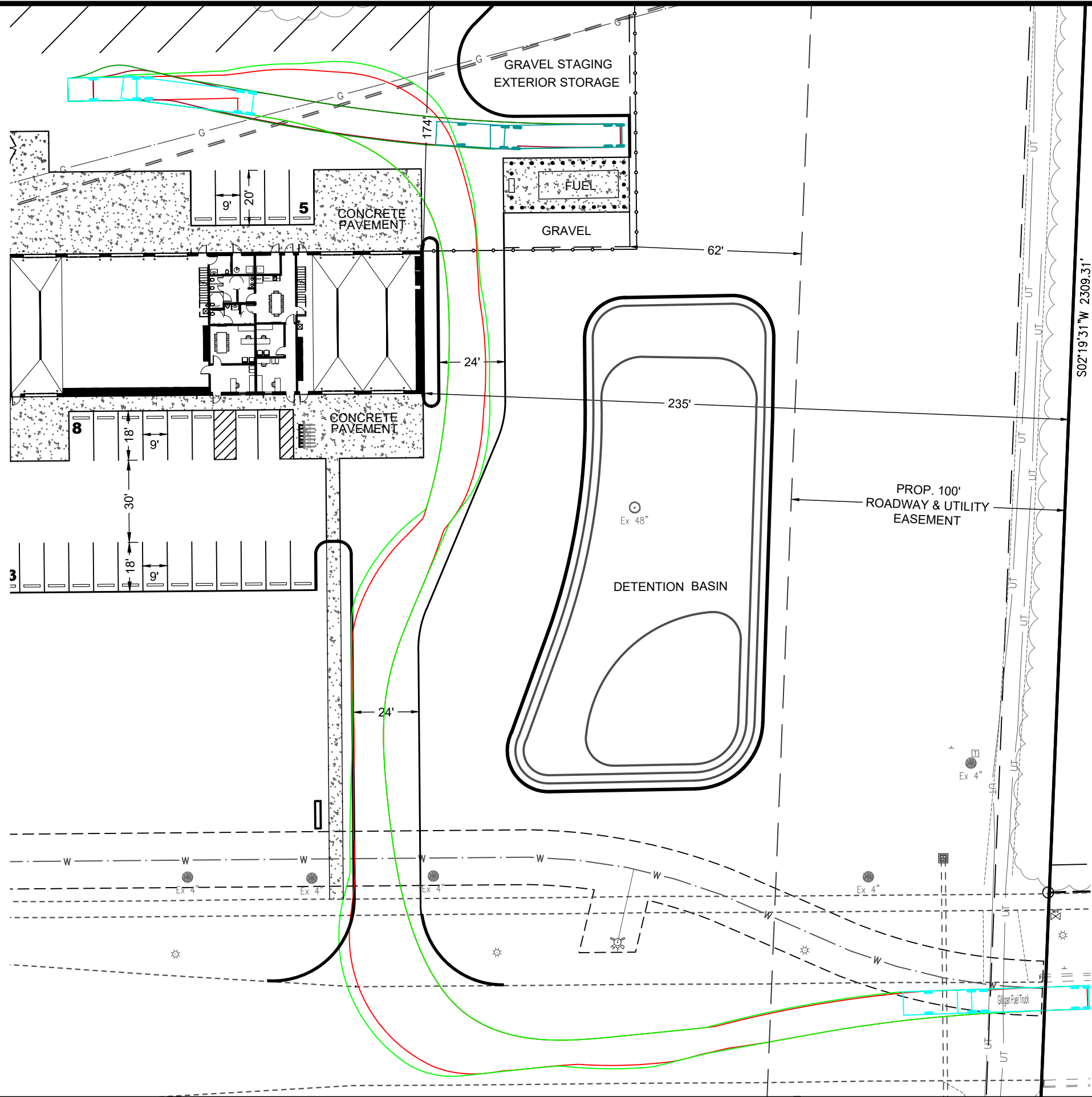
JLE

Checked By:

EMR

Issue Date:

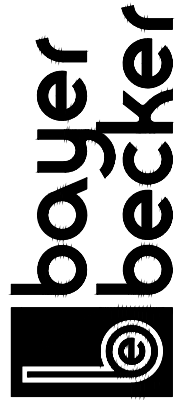
05-02-22



NEW MAINTENANCE & BUS GARAGE TALAWANDA CITY SCHOOL DISTRICT

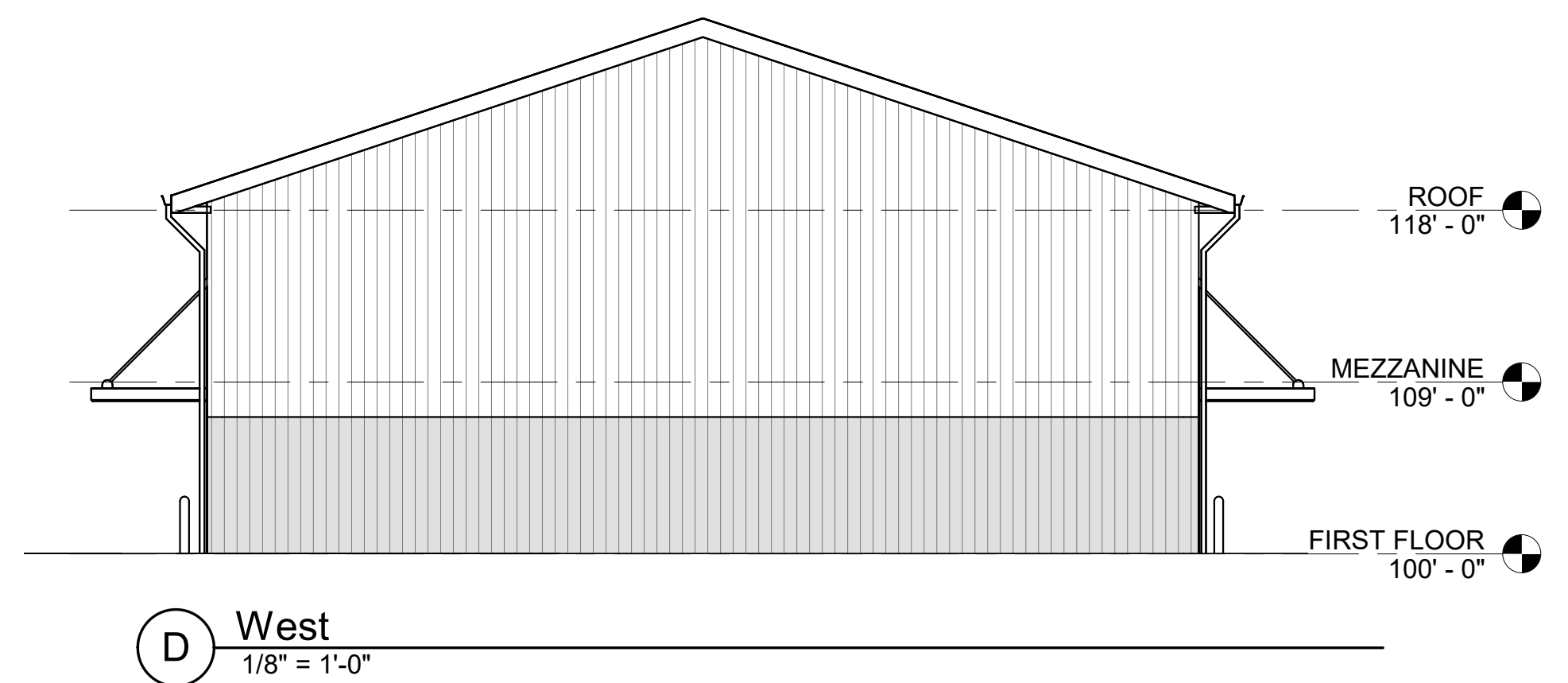
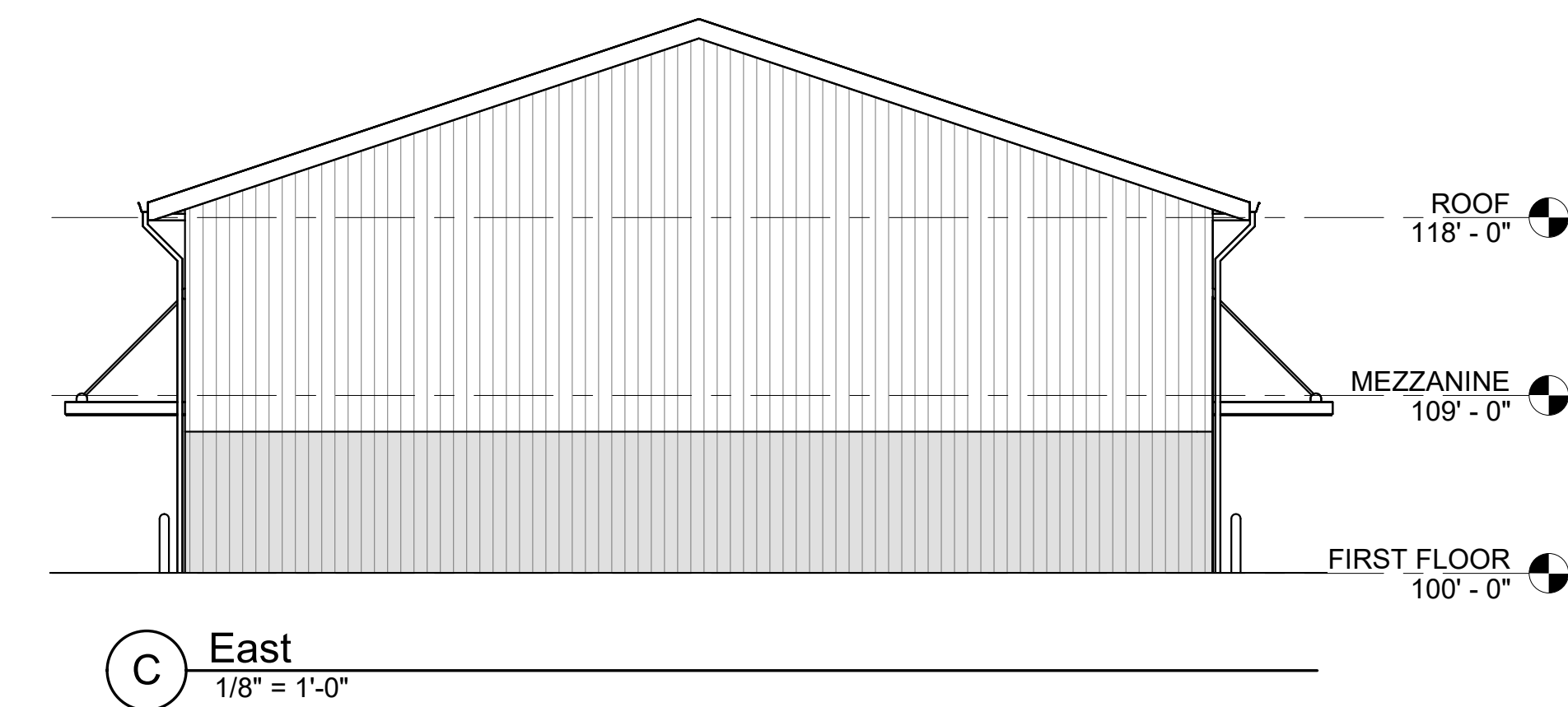
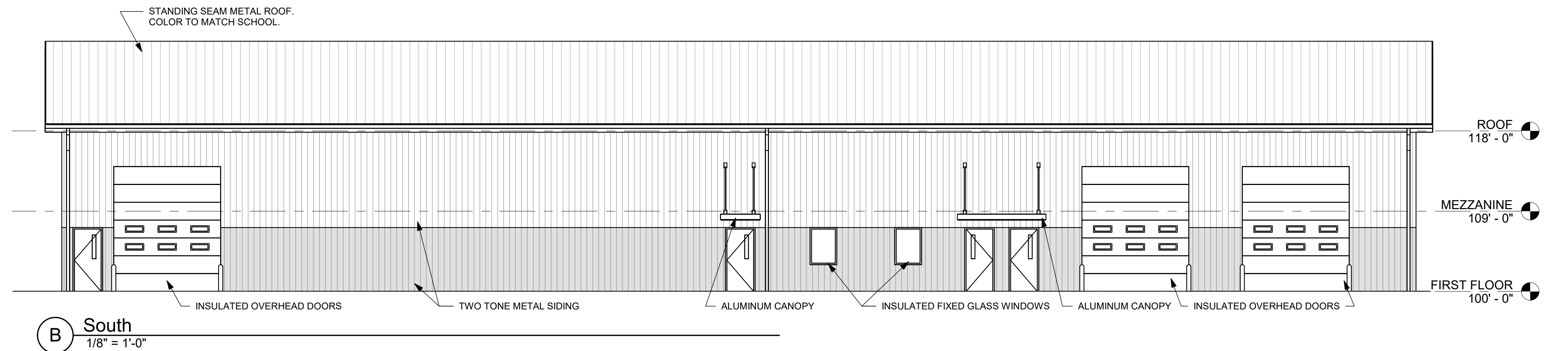
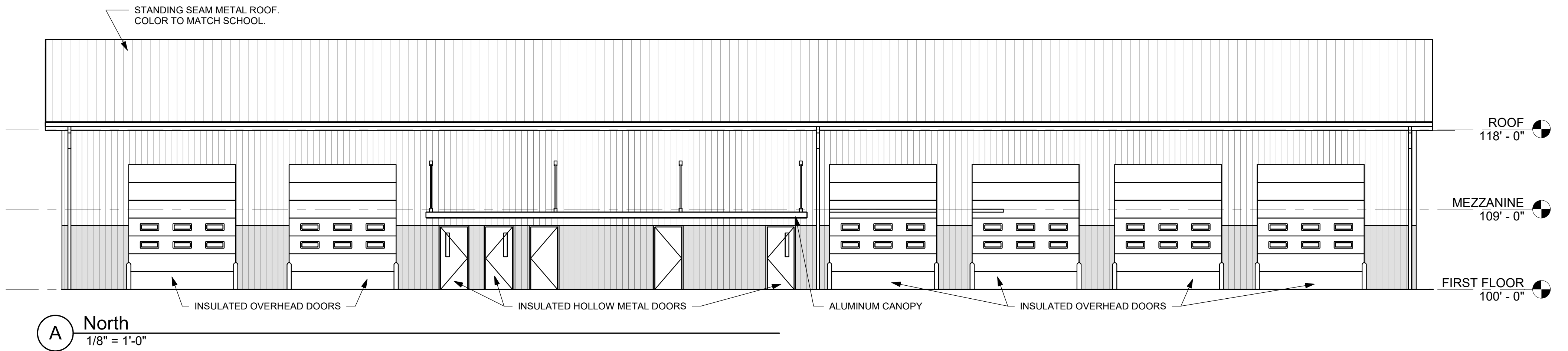
5301 UNIVERSITY PARK BLVD
CITY OF OXFORD
BUTLER COUNTY, OHIO

AUTOTURN EXHIBIT - 2



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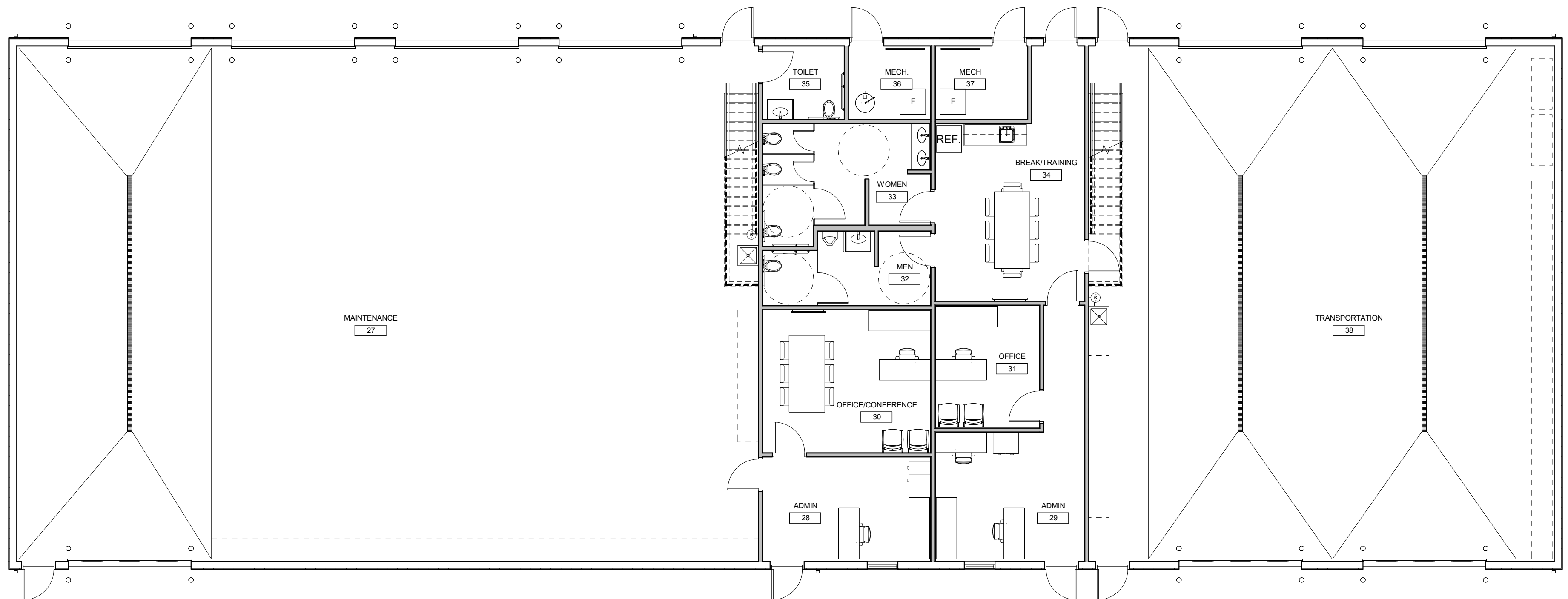
Drawing:	21-0202 PL
Scale	1"=40'
Drawn by:	JLE
Checked By:	EMR
Issue Date:	03-23-22



TALAWANDA SCHOOL DISTRICT
MAINTENANCE AND BUS GARAGE

EXTERIOR ELEVATIONS
Scale: 1/8" = 1'-0"
01/11/2022

SCHEME C

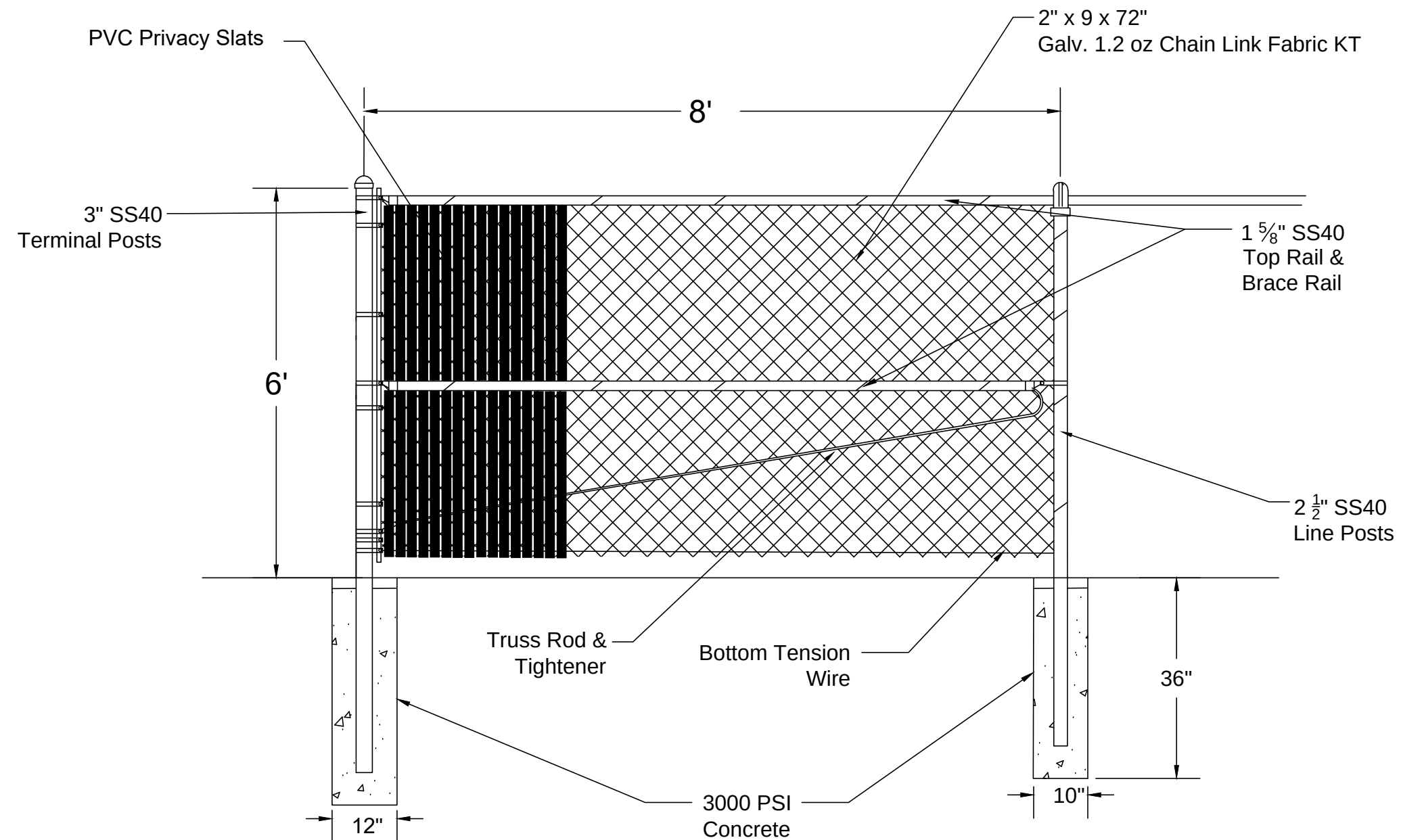


1 SCHEMATIC FLOOR PLAN
1/8" = 1'-0"

TALAWANDA SCHOOL DISTRICT
MAINTENANCE AND BUS GARAGE

SCHEMATIC FLOOR PLAN
Scale: 1/8" = 1'-0"
01/11/2022

SCHEME C



FENCE SUBMITTAL



General Notes

6 ft high Galvanized
Chain Link Fence
With Privacy Slats

Firm Info

Allied Fence Builders Inc.
1644 Kuntz Rd.
Dayton OH, 45404
Tel: (937) 226-0311

Project Location

Dayton OH

Project
Dayton/Department of Veterans Affairs Medical
Center/Community Living Center 552-161

Date
1/31/2020

Drawn by

Revision Dates
N/A

Scale

N.T.S.

Sheet Number

1 of 1



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

STAFF REPORT

ORIGINATING DEPARTMENT:	Community Development
PREPARED BY:	Zachary Moore
DATE PREPARED:	May 25, 2022
COUNCIL MEETING DATE:	June 7, 2022
AGENDA TITLE:	PC-2022-02, 5470 College Corner Pike, CONDITIONAL USE, new hotel, High Point Lodging, Applicant
CITY MANAGER/DEPT HEAD APPROVAL:	<i>DRC</i> 6.1.22

Proposal Summary:

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

Background:

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



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Oxford, OH 45056

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

Planning Commission Discussion/Recommendation:

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

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

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



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

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

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



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

Updated Staff Recommendation:

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



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

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

1. **Waivers to Section 1151.05(a)(3)(A) are hereby granted to allow for 1 freestanding sign and 2 wall signs on the site (in excess of the usual restriction for no more than 2 total signs) and to also allow a wall sign height of 3 feet 7 inches (in excess of the usual restriction of 3 feet).**
2. Plans submitted for a Building Permit application shall substantially conform to the architectural elevations depicted on Sheets A.201-A.202 and A408-A409, all dated 1/6/22. This includes conformance with respect to exterior building materials.
3. Appropriate lighting systems, which may include pole and wall pack fixtures, are to be reviews for conformance with the Oxford Zoning Code as part of a Building Permit application.
4. This Conditional Use approval shall not prelude a possible widening of the entry / exit drive off US 27 to better accommodate traffic flow, so long as such widening conforms to the Oxford Zoning Code and meets all other departmental requirements.
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6. A waiver to Section 1143.12(c)(3) is hereby granted to allow an increase in maximum building height from 45 feet to 49 feet to account for a parapet wall as proposed in the application.
7. A waiver to Section 1148.04 and 1148.05 is hereby granted to accept the proposed tree planting schedule and relieve the developer from the Tree Survey requirement. These waivers are contingent upon the following two items: (1) The Landscaping Plan is fulfilled as submitted; (2) All portions of the mature vegetation area in the northwestern corner of the site which are free and



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clear of planned development features (driveways, detention area, etc.) shall remain undisturbed.

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

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

ORDINANCE NO.

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

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

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

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

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

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

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

- 1) Waivers to Section 1151.05(a)(3)(A) are hereby granted to allow for 1 freestanding sign and 2 wall signs on the site (in excess of the usual restriction for no more than 2 total signs) and to also allow a wall sign height of 3 feet 7 inches (in excess of the usual restriction of 3 feet).
- 2) Plans submitted for a Building Permit application shall substantially conform to the architectural elevations depicted on Sheets A.201-A.202 and A408-A409, all dated 1/6/22. This includes conformance with respect to exterior building materials.
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- 10) A waiver to Section 1149.07(e)(4)(P) is hereby granted to allow for drive aisles which are not perpendicular to one another, as shown on the site plan.
- 11) A fire hydrant shall be installed as deemed necessary by the Fire Chief.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: JASON BRACKEN/DAVID PRYTHERCH

PREPARED BY: LAW (STAFF)



Memo

Service Department
Engineering Division
513/524-5208

TO: Community Development Department

FROM: Scott Otto, P.E.
City Engineer

RE: Application #PPC-2022-02
5470 College Corner Pike – Conditional Use

DATE: May 23, 2022

The Engineering Division offers the following comments:

The future detailed grading plan and construction drawing submittal will need to provide design solutions for:

- The proposed detention basin and northern section of parking lot that are currently shown directly on the existing bank of a drainage area.
- The proposed southern driveway across from Reagh's Way will require removal of a bikeway railing, and will require a new culvert to cross an existing drainage area.

Case No:
PC-2022-02



Meeting Date:
May 10, 2022

STAFF REPORT

Community Development | Planning Commission

APPLICATION DETAILS

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

PROPOSAL SUMMARY

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

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

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

PUBLIC COMMENTS

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

DEPARTMENT COMMENTS

Below are comments from City departments:

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

CASE HISTORY

A summary of relevant case history is provided below:

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

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

COMMENTARY

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

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

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

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

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

DECISION CRITERIA

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

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

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

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

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

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

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

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

N. All necessary permits and licenses for the Conditional Use and its operation have been or can be obtained for the use at the proposed location.

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

STAFF RECOMMENDATION

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

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

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

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

SUBMITTED BY:



Zachary Moore, AICP
City Planner / GIS Coordinator

DATE: April 29, 2022



Sam Perry, AICP
Community Development Director

DATE: May 5, 2022

APPENDIX A

RELEVANT ZONING CODE PROVISIONS

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

1143.12 – GB General Business District.

(a) Purpose.

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

(b) Uses.

(1) Permitted uses.

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

(d) Supplementary Regulations.

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

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

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

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

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

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

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

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

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

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

(2) Conditional uses.

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

1147.02(c) – Planning Commission Review.

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

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

(1) Burden of Proof.

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

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

(2) General Decision Standards.

All Conditional Uses shall satisfy these General Decision Standards.

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

1147.02(d) – Action by Planning Commission.

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

1147.03(b)(27) – Motels.

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



PC-2022-02

**Surrounding
Property Owners
Notifications Map**

Legend

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



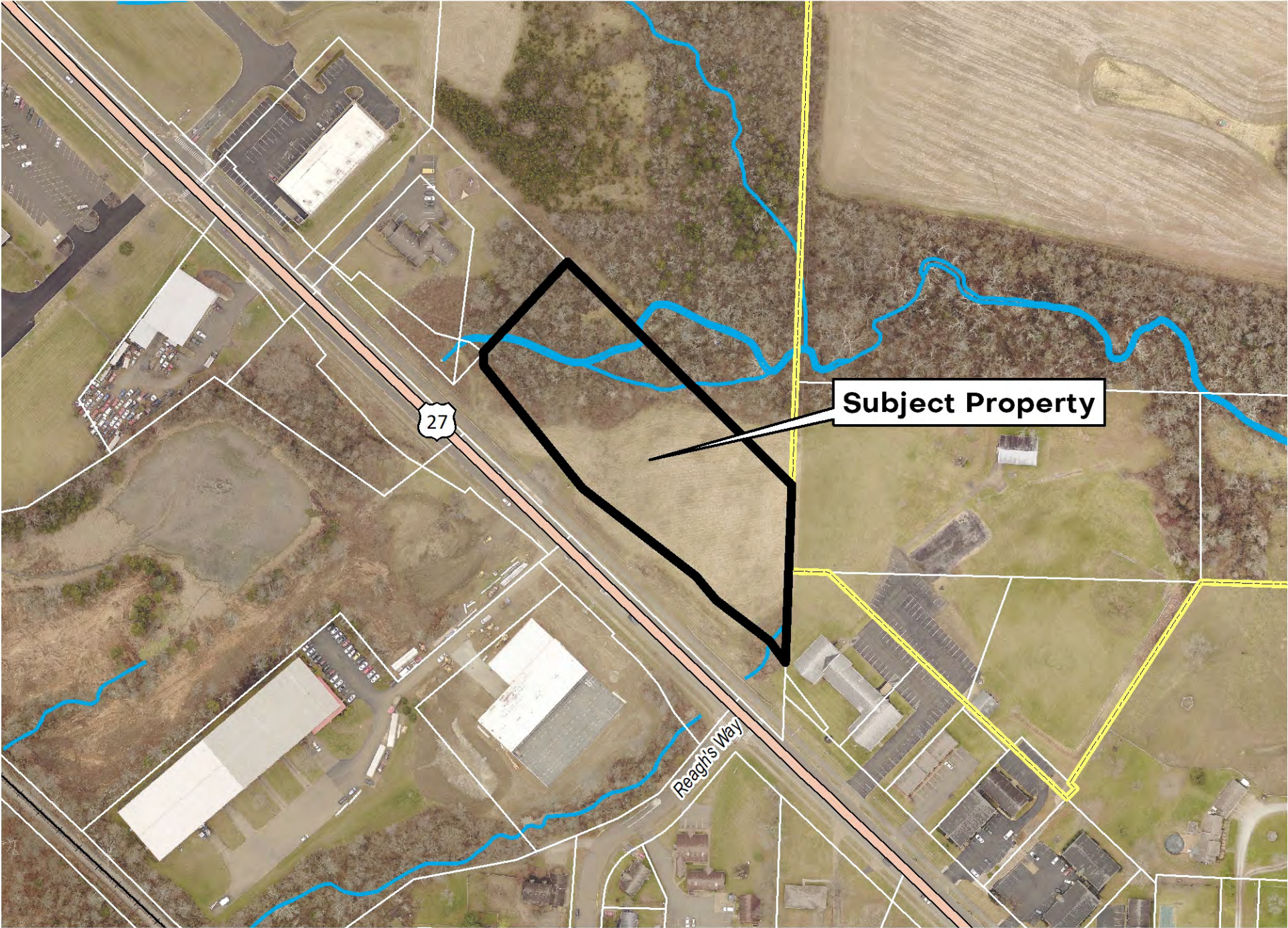
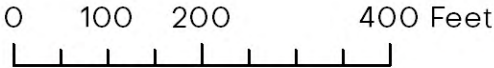
1 inch = 150 feet

Prepared on Thursday, April 21, 2022

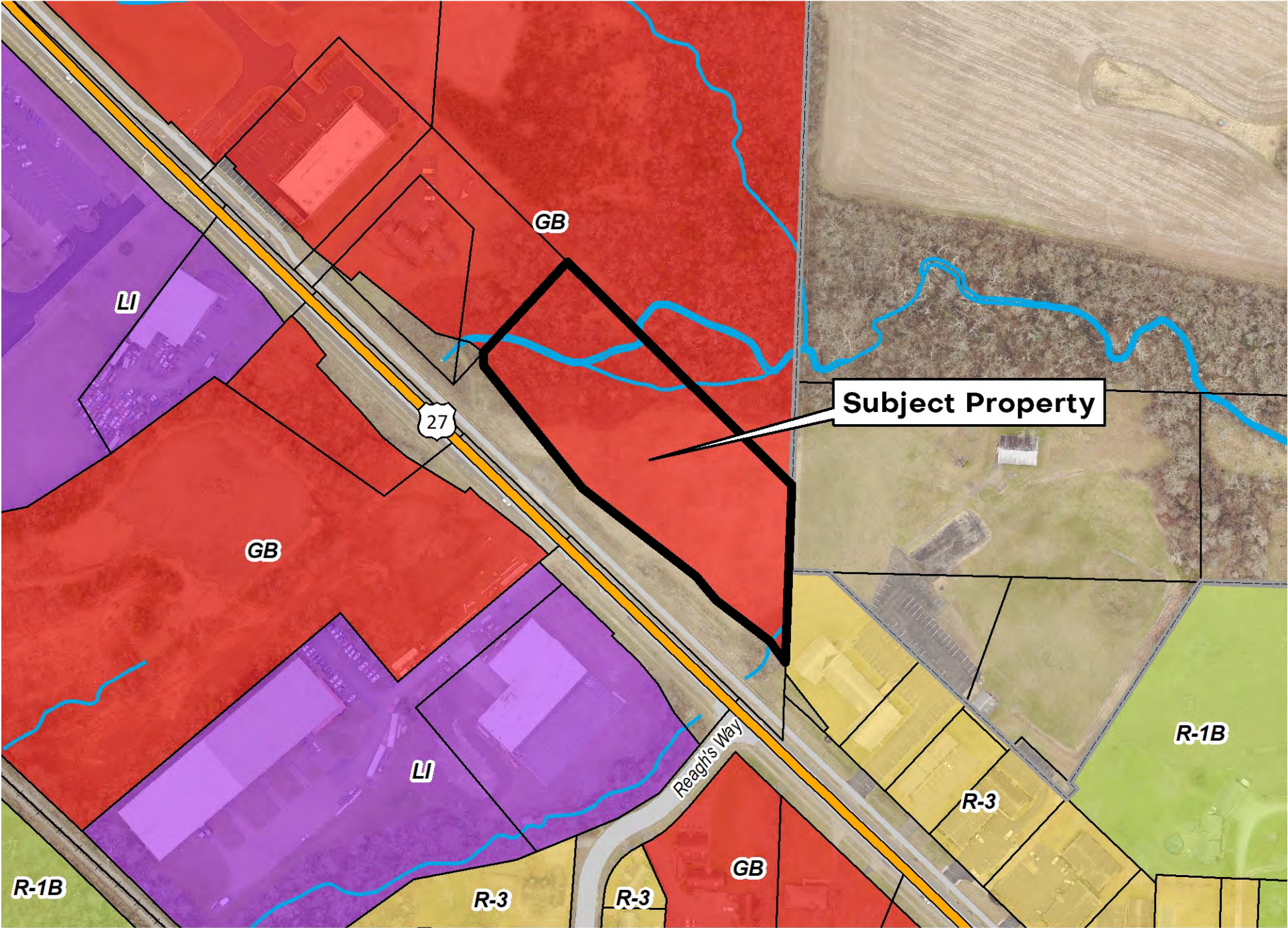
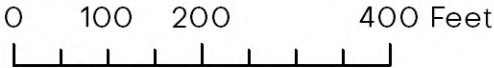
The City of Oxford does not guarantee the dimensional accuracy of this map. Precise dimensional accuracy should be based upon recorded deeds, plats or a professional survey.



Location Map

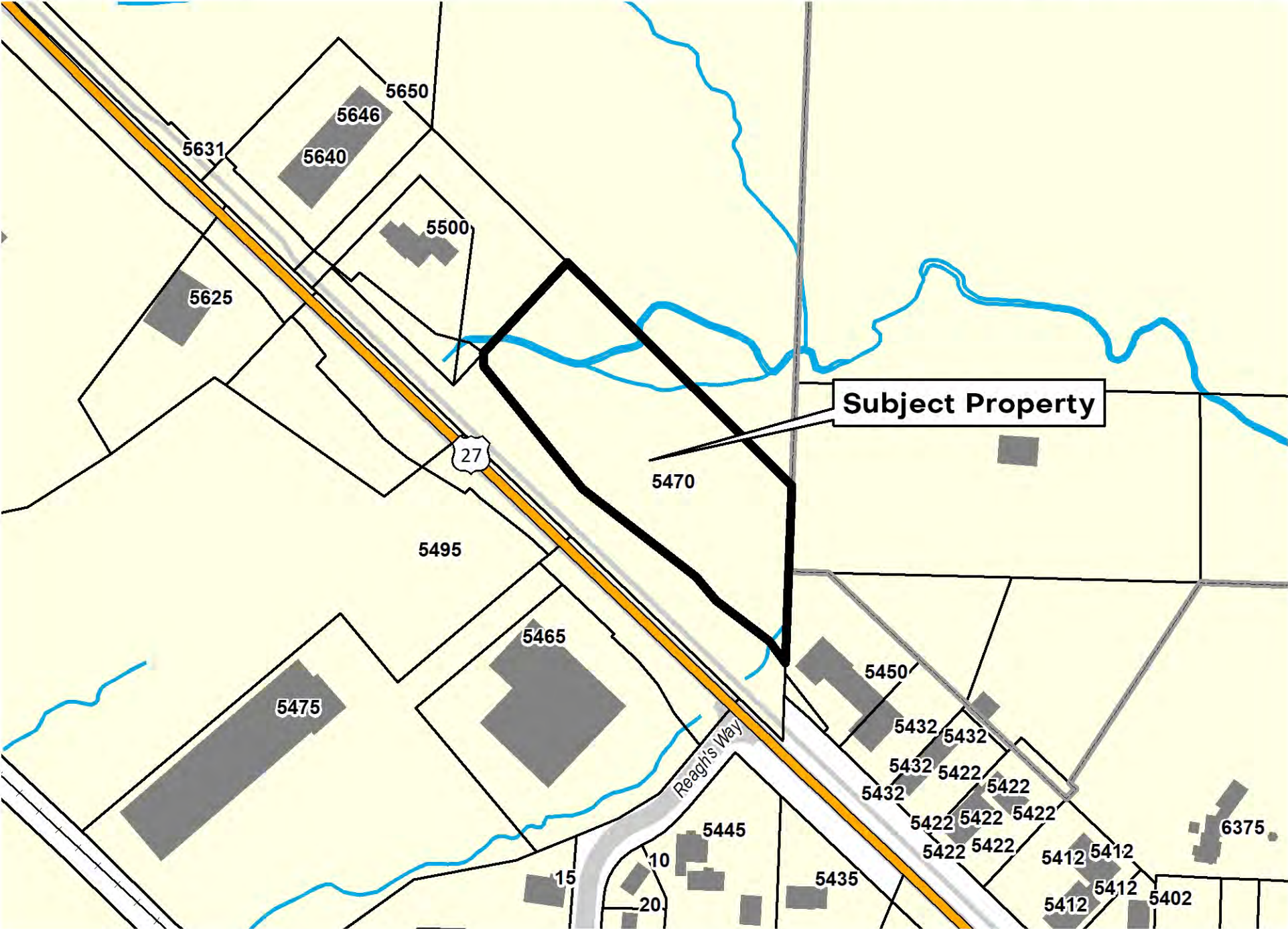
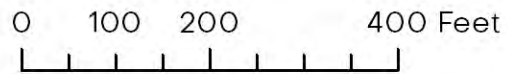


Location Map



Location Map

 Site





Internal Use Only:

Case No.

PC-2022-02

Date Filed

3/25/22

Conditional Use Permit Application

Applicant Information

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

Name * Sam Chaudhry - High Point Lodging

Mailing Address * 14916 Braemar Avenue East

City, State & Zip Code * Noblesville, Indiana 46062

Telephone Number(s) * 574-298-0410

Email Address rosehillhotels@gmail.com

Owner Information

Name * Marcia A. Haughey & Lindsey J. Zink

Mailing Address * 755 S. Palm Avenue, Unit 605

City, State & Zip Code * Sarasota, FL 34236

Telephone Number(s) *

Email Address ljzink17@gmail.com

Location and Lot Information

Location of Property * US 27 (College Corner Pike)

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

Zoning District * GB

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

Existing Use Description * vacant

Proposed Use Description * 83 room hotel

Submission Requirements and Documentation

From Section 1147.02(a)¹.

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

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

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

4. A description of the existing uses of the site.
 5. The zoning district in which the site is located.
 6. A description of the proposed use.
 - a. A description of operations, including type of goods sold, services performed, and expected number of customer, clientele, delivery, and service vehicles.
 - b. The hours of operation.
 7. A narrative statement that evaluates the compatibility of the proposed use with the general vicinity and adjacent properties.
 - a. How the use is similar to or different from existing area uses and if there will be any interaction between the proposed use and existing uses.
 - b. How any existing structures, proposed structures, and the site design relate to adjacent structures and sites.
 - c. If the use will involve any operations that create potential nuisances such as excessive noise, lighting, odor, fumes, vibration, or emissions.
 - d. How any potential negative effects on adjacent land will be mitigated.
 8. A statement about why the location proposed is more appropriate for the use than other locations.
 9. A statement of the necessity or desirability of the proposed use to the neighborhood or community.
 10. Separate, detailed statements that individually address each of the items listed as potential concerns for the proposed use.
 11. A list of the names and mailing addresses of all land owners within 200 feet of the site (see next section).
 12. Such other information regarding the proposed use, site, or surrounding area as may be pertinent to the application or required by Planning Commission.
- C. **Site Plan.** A scaled site plan shall include the following information in detail. The required information may be submitted on multiple site plans if inclusion of all information on a single plan makes it illegible or difficult to understand.
1. North arrow.
 2. Scale.
 3. Vicinity map.
 4. All existing and proposed lot lines within the site.
 5. Dimensions of all lots and of the entire site and any adjacent rights-of-way.
 6. Location, height, and use of all proposed and existing structures.
 7. Location and design of all proposed vehicle management areas.
 8. Location, size, and type of all proposed signs.
 9. Location, height, and type of all proposed screening and landscaping.
 10. Distances to residential zoning districts if within 1,000 feet.
 11. The use of land and location of structures on adjacent property and across adjacent rights-of-way.
 12. Other information as required by the Planning Commission.
- D. Elevations of proposed structures, or typical elevations if structures are not yet designed, shall be required by the Zoning Administrator if the proposed location, height, or bulk of the structure is such that it may negatively affect an adjacent use.
- E. Other. Photographs of the existing use and its surroundings.

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

Surrounding Property Owners

On a separate sheet, provide the parcel numbers, names, and mailing addresses of all property owners within 200 feet of all boundaries of the property in question. The Butler County Auditor Real Estate Search² is helpful when searching for the mailing address of adjoining property owners. It allows you to search by owner, address, or parcel number.

Planning Commission Review

From Section 1147.02(c)¹.

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

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

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

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

Fees & Receipt

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

Sign and Date

Applicant Signature *

M. Alaudhry

Date *

3-21-2022

Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

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

For Staff Use Only

Fee Paid Date *

Receipt Number *

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

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

March 22, 2022

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

Re: Holiday Inn Express
Conditional Use Submittal

Dear Mr. Moore,

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

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

Sincerely,

Marcia A. Haughey

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

Lindsey J. Link

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

Properties within 200' of the property:

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

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

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

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

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

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

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

H41000300000005

March 24, 2022

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

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

Dear Mr. Moore:

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

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

The aforementioned items have been submitted electronically online.

3) Applicant:

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

Owner:

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

4) Design Professionals:

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

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

- 6) A legal description of the boundary of the property is enclosed.
- 7) The property is currently vacant.
- 8) The property is zoned GB – General Business District.
- 9) Description of proposed use:
 - a) A description of operations, including types of goods sold, services performed, and expected number of customers, clientele, delivery, and service vehicles.

Holiday Inn Express & Suites will contain 83 guest rooms, a meeting room, business center, fitness center and indoor pool. Typical delivery and service vehicles will consist of panel trucks/vans typical for UPS and Fed Ex deliveries.
 - b) Hours of operation.

Holiday Inn Express & Suites will be open 24 hours a day, 7 days a week.
- 10) A narrative statement that evaluates the compatibility of the proposed use with the general vicinity and adjacent properties.
 - a) How the use is similar to or different from existing area uses and if there will be any interaction between the proposed use and existing uses.

Property is surrounded by commercial and institutional uses. A multi-use trail currently exists along the frontage of the property and connects the property to the commercial area (Walmart and retail center) to the north and extends south to Hester Road, where it changes to a traditional sidewalk and will allow an individual to walk or bicycle into the downtown area. An extension of the multi-use trail into the site is proposed. The proposed extension will allow a guest to be connected to both the retail to the north and the downtown area.
 - b) How any existing structures, proposed structures, and the site design relate to adjacent structures and sites..

The proposed Holiday Inn Express & Suites will be constructed with a mix of brick and stone materials, with glass windows. The hotel will consist of 4 stories, with a maximum building height of 48 ft. 9 ½ inches. The adjacent church to the southeast, is a single story building constructed of brick. While the Wildberry retail building to the southwest is a metal industrial style building.
 - c) If the use will involve any operations that create potential nuisances such as excessive noise, lighting, odor, fumes, vibrations or emissions.

The proposed Holiday Inn Express & Suites will not involve any operations that create potential nuisances.
 - d) How any potential negative effects on adjacent land will be mitigated.

The proposed Holiday Inn Express & Suites will not have a negative effect on adjacent land. Landscape buffering will be provided along the southeast property line, adjacent to the church.
- 11) A statement about why the location proposed is more appropriate for the use than other locations.

The proposed site is an ideal location for a Holiday Inn Express & Suites for the following reasons:

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

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

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

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

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

- a) Proximity to residential.

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

- b) Screening from residential.

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

- c) Appropriate street access.

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

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

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

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

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

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'Etta M. Reed'.

Etta M. Reed, PE

Enclosures

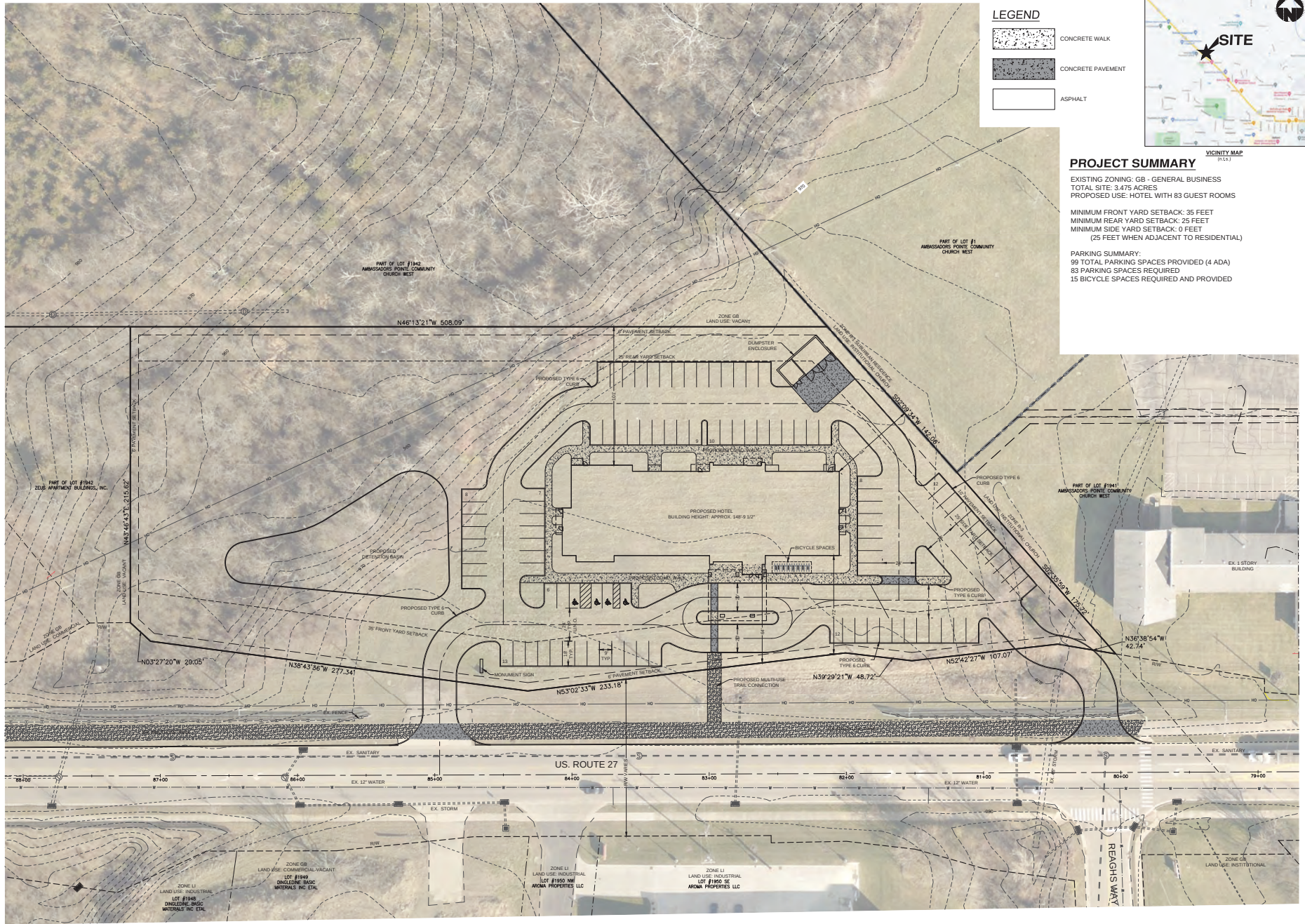
Cc: Sam Chaudhry



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



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



LEGEND

- CONCRETE WALK
- CONCRETE PAVEMENT
- ASPHALT



PROJECT SUMMARY

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

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

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

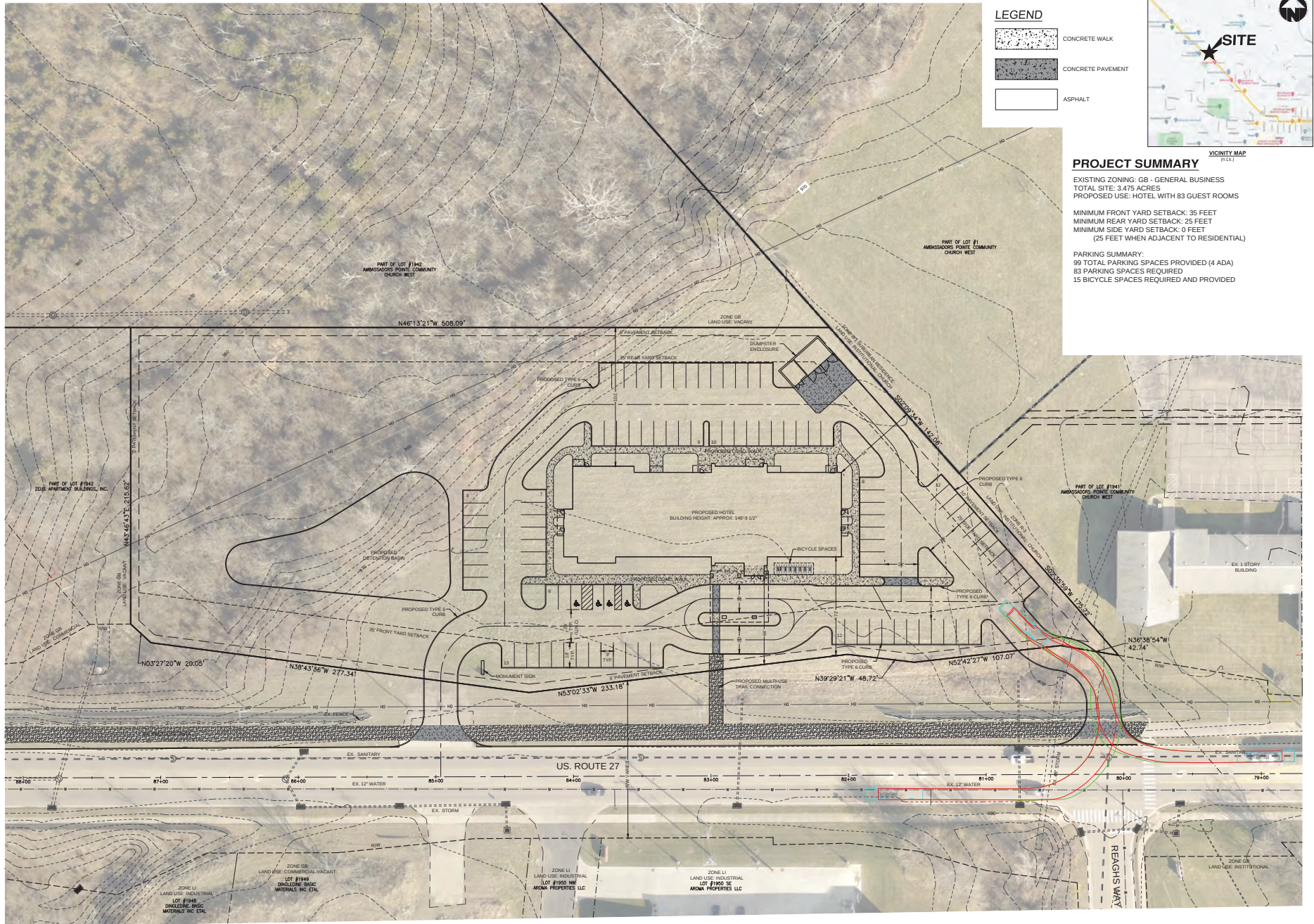
DATE	DRAWN BY	CHECKED BY	REVISION DESCRIPTION
05/23/22	ALB	EMR	1. ISSUED FOR CITY COMMENTS
05/23/22	ALB	EMR	2. REVISED FOR CITY COMMENTS
05/23/22	ALB	EMR	3. REVISED FOR CITY COMMENTS

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

boyer becker
www.boyerbecker.com
130 S. College Avenue, Suite 101
Cincinnati, OH 45202-1111

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

Sheet: 1/1



LEGEND

- CONCRETE WALK
- CONCRETE PAVEMENT
- ASPHALT



PROJECT SUMMARY

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

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

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

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



Drawing: 22-0022 CP
Drawn By: AJB
Checked By: EMR
Issue Date: 03/24/2022
Sheet:

PLANT SCHEDULE						
DECIDUOUS TREES		QTY	BOTANICAL NAME	COMMON NAME	TYPE	MIN. SIZE
ACE ARM	6	6	<i>Acer rubrum</i> 'Fremontii'	Amersburg Red Maple	8.6 ft	2 1/2' CA
FAG GRN	6	6	<i>Frax grandifolia</i>	American Beech	8.6 ft	2 1/2' CA
GLE SH2	5	5	<i>Gleditsia tinctoria</i> 'Inermis' 'Shademeer' TM	Shademeer Locust	8.6 ft	2 1/2' CA
QYM DIO	5	5	<i>Gymnocladus dioica</i> 'Espresso'	Kentucky Coffeebree	8.6 ft	2 1/2' CA
LIB L	5	5	<i>Liriodendron tulipifera</i>	Tulip Tree	8.6 ft	2 1/2' CA
MIT GLY	4	4	<i>Metasequoia glyptostrobilus</i>	Dawn Redwood	8.6 ft	2 1/2' CA
ULM PR1	8	8	<i>Ulmus americana</i> 'Princeton'	American Elm	8.6 ft	2 1/2' CA
EVERGREEN TREES		QTY	BOTANICAL NAME	COMMON NAME	TYPE	MIN. SIZE
THU GA	16	16	<i>Thuja plicata</i> 'Green Giant'	Western Red Cedar	8.6 ft	6 ft H
ORNAMENTAL TREES		QTY	BOTANICAL NAME	COMMON NAME	TYPE	MIN. SIZE
GER ARP	4	4	<i>Crataegus canadensis</i> 'Appalachian Red'	Appalachian Red Eastern Redstart	8.6 ft	2 1/2' CA
SYR VO	4	4	<i>Syringa reticulata</i> ' Ivory Silk'	Ivory Silk Japanese Tree Lilac	8.6 ft	2 1/2' CA
DECIDUOUS SHRUBS		QTY	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT
PHY OBS	10	10	<i>Physocarpus opulifolius</i> 'Obidian'	Obsidian Ninebark	3 gal	24" H
EVERGREEN SHRUBS		QTY	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT
ILE CH	4	4	<i>Illex cernuus</i> 'China Boy' TM	China Boy Holly	3 gal	30" H
ILE CH3	4	4	<i>Illex cernuus</i> 'China Girl' TM	China Girl Holly	3 gal	30" H
JUN SAD	10	10	<i>Juniperus horizontalis</i> 'Savoybrook Gold'	Golden Juniper	3 gal	18" H
JUN BAR	8	8	<i>Juniperus horizontalis</i> 'Bar Harbor'	Bar Harbor Creeping Juniper	3 gal	Clamp
TAX DEX	8	8	<i>Taxus x media</i> 'Densiformis'	Allegheny White Pine	3 gal	30" H
VIB RH1	8	8	<i>Viburnum x rhyddolphysifolius</i> 'Alegany'	Alegany Viburnum	8.6 ft	4 ft H

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

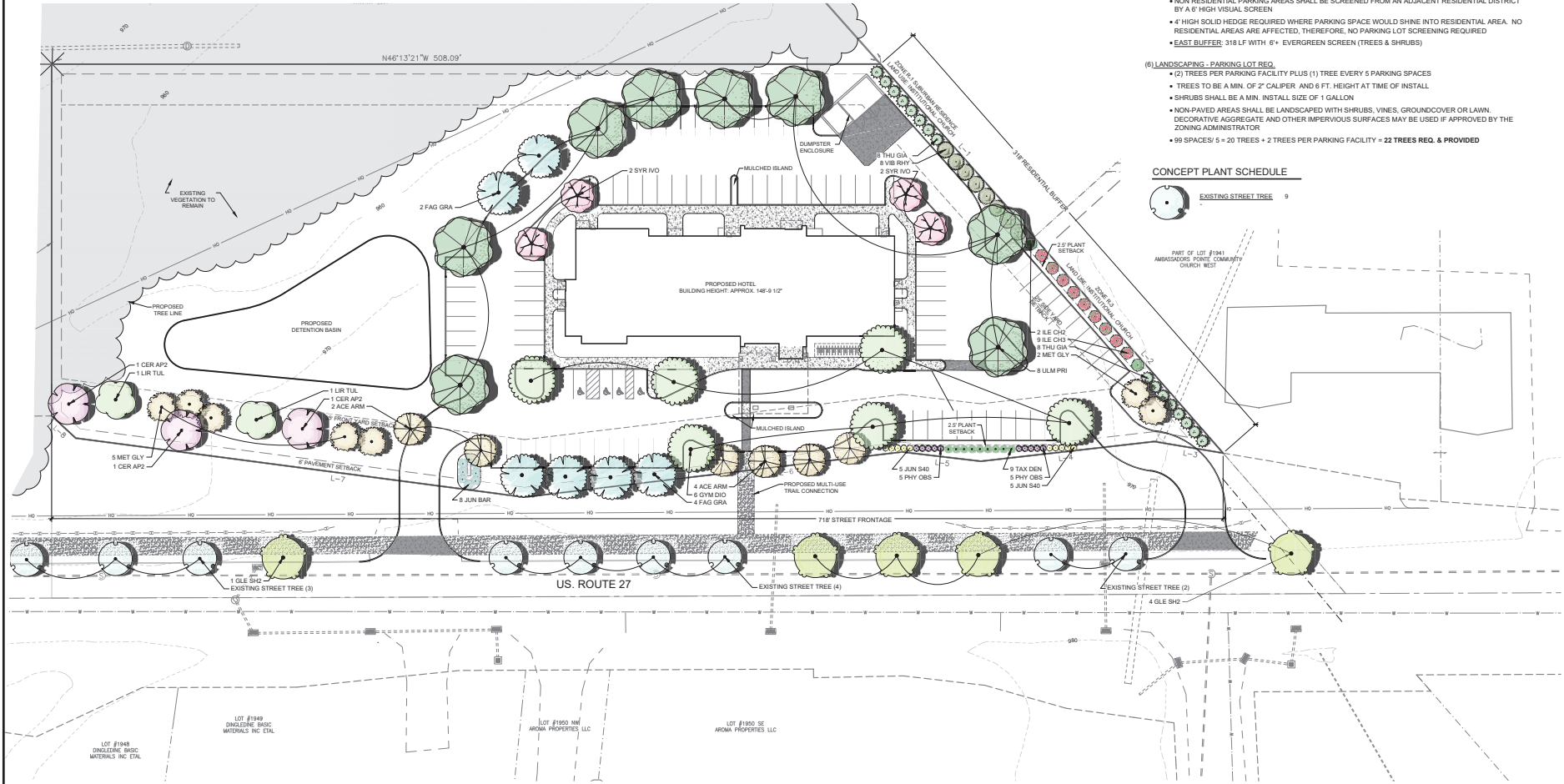
- STREET TREE MIN. SPACING: SMALL TREES: 30FT, MEDIUM TREES: 40FT, LARGE TREES: 50FT
- ALL NEWLY PLANTED STREET TREES SHALL BE PLANTED EQUAL DISTANCE BETWEEN THE SIDE AND THE CURB.
- CALCULATION: $718 \text{ LF} \cdot 45' \text{ DRIVEWAY} = 673 \text{ LF OF STREET FRONTAGE ON U.S. 27}$
 $673 \text{ LF}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

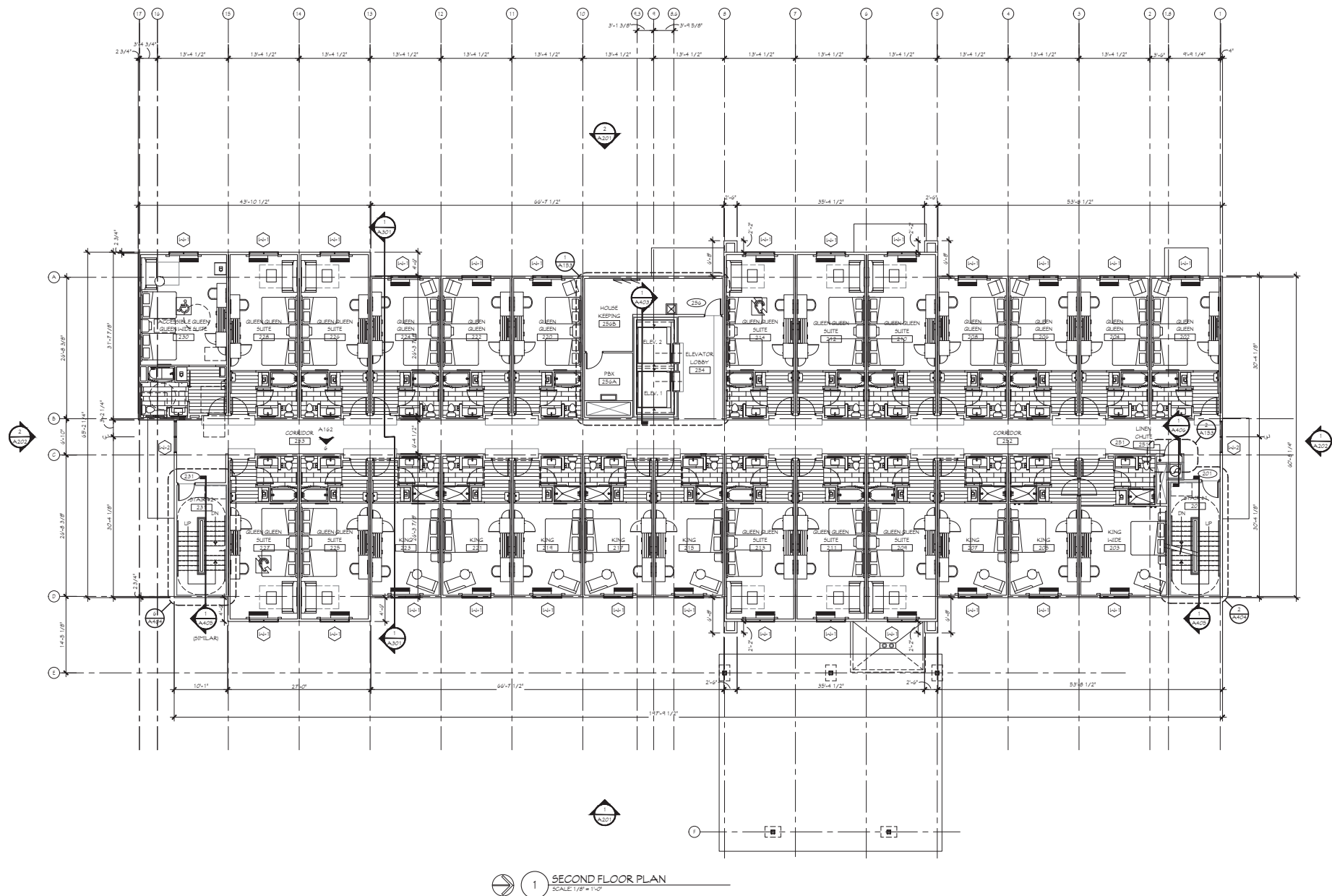
(c) NON-RESIDENTIAL & RESIDENTIAL MULTI-FAMILY

- 1) **OVERALL SITE TREES:** (1) TREE PER 10 LF OF LOT FRONTAGE ON A PUBLIC STREET
718 LF STREET FRONTAGE / 10 LF = **72 OVERALL SITE TREES REQ. & PROVIDED** (83 PROPOSED TREES - 9 EXISTING STREET TREES)
- *EACH EXISTING TREE MEETING THE STANDARDS FOR MIN. CALIPER THAT IS PRESERVED MAY BE COUNTED AS (1) REQ TREE (1148.04c)
- 2) **FRONT YARD TREES:** (1) TREE PER 25 LF OF LOT FRONTAGE ON A PUBLIC STREET MUST BE PROVIDED IN THE FRONT YARD AREA OF THE PROPERTY
718 LF STREET FRONTAGE / 25 LF = **29 FRONT YARD TREES REQUIRED & PROVIDED**
- ANY SITE TREE, INCLUDING PARKING LOT TREES, CAN COUNT TOWARDS OVERALL SITE TREES, BUT NOT FRONT YARD TREES.

(e) **ADDITIONAL REQUIREMENTS**

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





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

GENERAL NOTES

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

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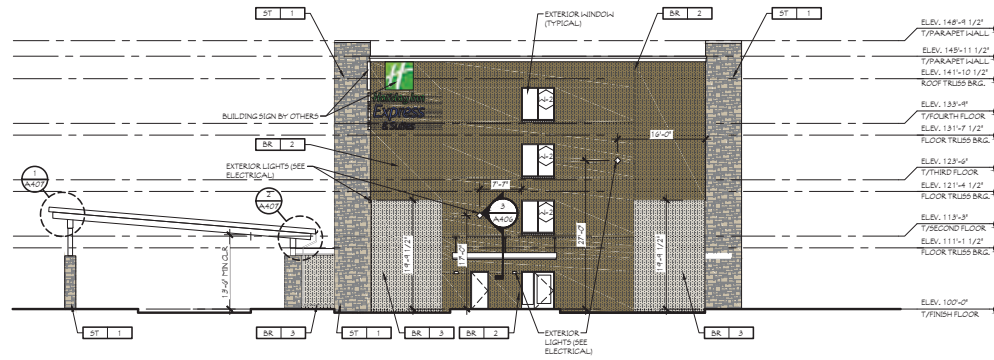
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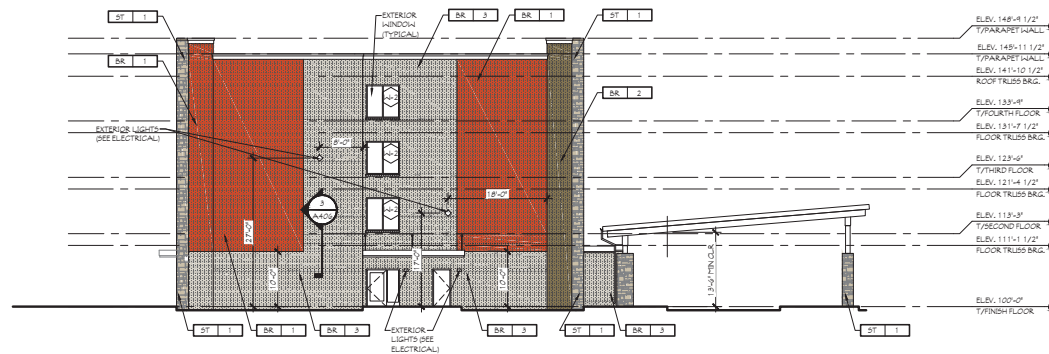
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1 EXTERIOR ELEVATION
SCALE: 3/32" = 1'-0" (RIGHT SIDE ELEVATION)

MATERIAL LEGEND	
APPLIED STONE VENEER (ST-1)	EPS-1: 5/4x7036 ACCESSIBLE BEIGE
(BK-1) BRICK-1: 5/4x2803 ROCKWOOD TERRA COTTA	(BK-3) BRICK-3: 5/4x7036 ACCESSIBLE BEIGE
(BK-2) BRICK-2: 5/4x7036 VIRTUAL TAUPÉ	

NOTE:
-ALL MECHANICAL GRILLES TO BE PAINTED TO MATCH THE SURROUNDING BRICK COLOR.



2 EXTERIOR ELEVATION
SCALE: 3/32" = 1'-0" (LEFT SIDE ELEVATION)

GENERAL NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FOLLOWING:

- ARCHITECTURAL STANDARDS
- CONSTRUCTION METHODS
- MATERIALS

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY MATERIALS AND LABOR.

4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY UTILITIES AND SERVICES.

5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE AND BONDING.

6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SCHEDULING AND LOGISTICS.

7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SAFETY AND SECURITY.

8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY COMMUNICATIONS AND MARKETING.

9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY LEGAL AND FINANCIAL.

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HOLIDAY INN EXPRESS

OXFORD, OHIO

REVISIONS:

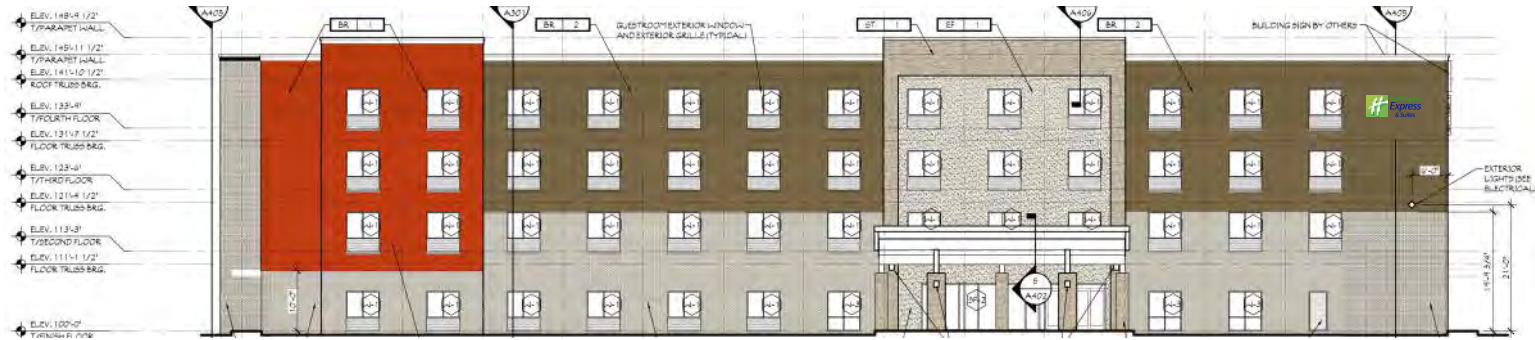
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JOB NO.: MAS-22-108
NAME:
EXTERIOR ELEVATIONS
SHEET:

A202

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EAST ELEVATION

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

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

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

APPROVAL BOX - PLEASE INITIAL

CUSTOMER APPROVAL

Date

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

Customer:
HOLIDAY INN EXPRESS & SUITES

Date:
05/18/22

Prepared By:
CTM

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

Location:
OXFORD, OH

File Name:
369131 - R1 - OXFORD, OH

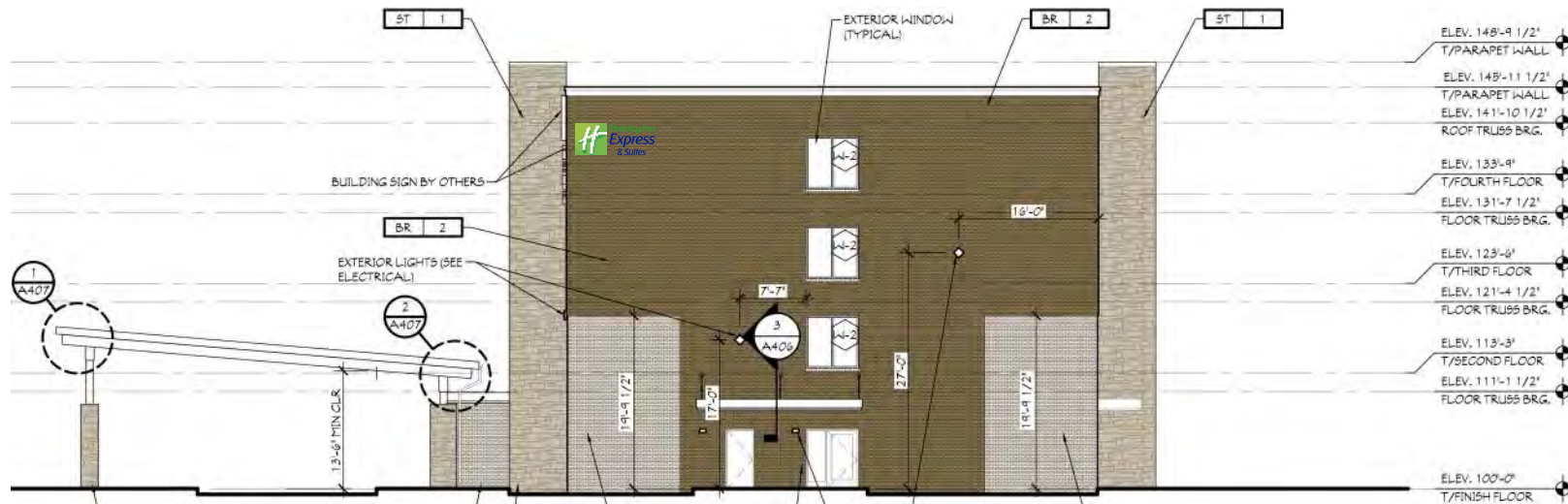
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EAST ELEVATION

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OXFORD, OH

File Name:
369131 - R1 - OXFORD, OH

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3



GRAPHIC DETAIL
SCALE: 1/2" = 1'-0"

PROPOSED:
XPS-20 - 3'1" X 6'3 1/4"
MONUMENT AT 6' OAH
BOXED AREA: 19.34 SQ FT

APPROVAL BOX - PLEASE INITIAL

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

STAFF REPORT

ORIGINATING DEPARTMENT:	Community Development
PREPARED BY:	Zachary Moore
DATE PREPARED:	May 22, 2022
COUNCIL MEETING DATE:	June 7, 2022
AGENDA TITLE:	PC-2022-03, FINAL PLANNED DEVELOPMENT, Owl's Landing , single-family residential subdivision with 86 lots, Todd Homes LLC, Applicant
CITY MANAGER/DEPT HEAD APPROVAL:	<i>DRC</i> 6.1.22

Proposal Summary:

The applicant is requesting approval of a Final Planned Development for the Owl's Landing subdivision to be located off of Brookville Road, immediately west of the Muskopf Farms subdivision (Autumn Drive) and south of the Oxford Community Park. The subdivision is planned to consist of 86 single-family lots, private streets, sidewalks, and a variety of open spaces. The plan includes a connector trail to be built by the developer, which will link the planned Phase 4 of the Oxford Area Trail System (OATS) along Brookville Road to the southern property line of the Oxford Community Park.

Background:

Preliminary Subdivision and Preliminary Planned Development applications were approved together by City Council on January 18, 2022 by Ordinance No. 3658, subject to 11 conditions. A number of Zoning Code waivers were granted by virtue of this approval, including such items as a reduction in front yard setbacks (from 30 feet to 20 feet), a reduction in calculable open space (20% to 14.2%), and relief from the Code's Tree Survey requirement contingent on tree plantings per the landscaping plan and conservation restrictions being put in place at appropriate locations along the northern and western boundaries of the site. During the Planning Commission hearing, nearby residents shared some concerns regarding the adequacy of water pressure, thus another condition of Preliminary approval was to have a water pressure study conducted by City staff. A study was later done by the Service Department, and no pressures were found to be below the expected range. Lastly, another notable condition dealt with the provision of



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additional screening vegetation/landscaping along Brookville Road as well as along the eastern site boundary adjacent to Muskopf Farms. The developer has since provided a more robust landscaping plan showing additional plantings in these areas designed to achieve a better screening effect.

Planning Commission Recommendation:

On May 10, 2022, the Oxford Planning Commission held an in-person public hearing on the request.

Mr. Todd Hall, applicant for the request, spoke at the hearing and complimented City of Oxford staff. Mr. Hall noted that the OATS trail easement had already been deeded to the City of Oxford. Mr. Hall also commented on the duration of application processing being a struggle for him as a small business, and offered to meet with board members and/or City employees to explore ways to shorten the process while at the same time protecting City interests. Mr. Hall specified that in his business, time is money, and in this particular circumstance with Owl's Landing he did not need to obtain outside financing, but if he had the timeframe to achieve zoning approval likely would have been too long.

Mr. Seth Copenbaker, Assistant to the City Manager, spoke in favor of the project, stating that it was fulfilling a need by providing additional housing. Mr. Copenbaker was also appreciative that the project enabled the OATS Phase 4 project to proceed forward.

Mr. Michael Glaser, Oxford Township resident to the west at 6788 Brookville Road, also spoke at the hearing. Mr. Glaser was concerned about financial feasibility and whether or not the project could be completed, given rising costs and mortgage rates. Mr. Glaser stated it was his belief the OATS trail would not continue past the western boundary of the Owl's Landing site. Mr. Glaser also shared concerns about traffic speed along Brookville Road, along with line of sight visibility in connection with trees being planted.

Upon closure of the public hearing and following further discussion and consideration of the decision standards, the Commission voted 6-0-0 (with 1 member absent) to recommend approval of the application subject to the following 10 conditions as originally recommended by City staff:

1. Final PD Plan approval shall be valid for 5 years, with an opportunity for the Planning Commission to grant an additional 1 year extension per the Zoning Code.
2. The developer shall be responsible for constructing all mounding and landscaping shown on the submitted Landscaping Plan, inclusive of such elements shown in the right-of-way and trail easements along Brookville Road. These elements shall be bonded as deemed appropriate by the Service Department. The developer shall not commence work on the mounding and landscaping



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along Brookville Road until first authorized by the Service Department, to ensure appropriate sequencing of work with respect to the City's Oxford Area Trail System (OATS) project.

3. The north-south trail segment shall be built in its entirety (from the publicly funded trail segment parallel to Brookville Road, to the Community Park property line) at the time the first phase of the project is constructed, regardless of final phasing boundaries. This trail segment shall be bonded as deemed appropriate by the Service Department.
4. All aspects related to dedication of easements, including but not limited to public access easements, utility easements, trail easements, conservation easements, and HOA drainage easements, shall be determined more concretely during review of a Final Subdivision application. In any case where this is a conflict between easements shown on the Final PD and those that are recorded on the final plat, the easements and associated provisions depicted on the plat shall prevail.
5. Construction of any kind (structure, fencing, etc.) shall not be permitted in any area designated as a conservation easement on the recorded final plat, unless the terms of easement explicitly allow for such activity.
6. Sufficient lighting shall be provided to comply with the City of Oxford Subdivision Regulations and all other City specifications, such as color temperature. Pedestrian and bicycle crossings, as well as cluster mailbox locations, shall be appropriately lit for security and safety purposes.
7. Street infrastructure details shall be revised as necessary to accommodate appropriate turnaround space (either permanent or temporary) for emergency vehicles at any point during the construction period.
8. The inclusion of any gateway sign or entryway monument shall first require an amendment to the Final PD, unless determined otherwise by City staff.
9. The following shall be approved, signed and/or recorded as necessary prior to approval of the project's first Building Permit: (1) Final PD Plan; (2) Construction Drawings; (3) Financial Security for public and private improvements; (4) Final Plat; and (5) HOA Declaration & Restrictions.
10. All other Preliminary PD conditions per Ord. No. 3658 shall remain in effect, to the extent that they are not overwritten or revised by nature of the Final PD approval.

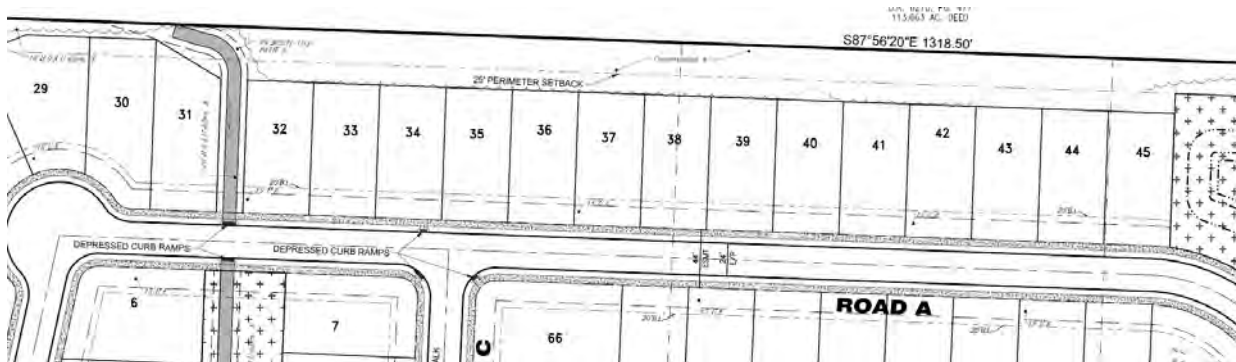


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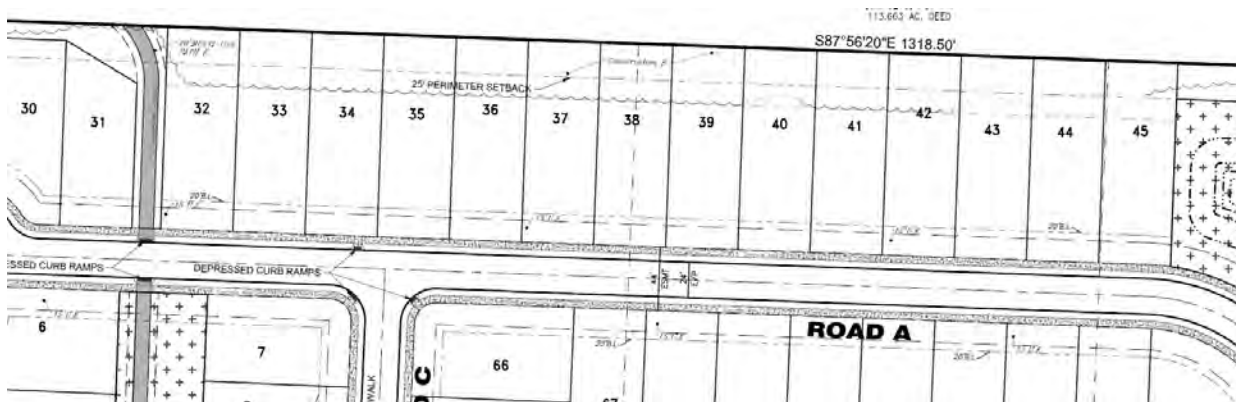
Minor Change to Lot Lines Following Planning Commission Meeting:

Construction Drawings are currently under administrative review with City departments for this project. As part of the latest set of revised plans submitted to the City, the applicant has provided an updated version of the Final PD Plan which includes one notable change when compared to the version examined by the Planning Commission. City staff had verbally communicated the possibility of this change at the Planning Commission hearing, though the updated plan was not received in time to be included in the agenda/packet or slideshow presentation. The applicant has decided to extend the depth of residential lots along the northern and western boundaries all the way to the site property line, as opposed to leaving a strip of land deeded to the HOA. This should in no way affect the feasibility of future conservation easements, nor does it reduce the calculable open space for the development that was approved at the Preliminary stage. Sample before and after images are provided below to help communicate this change.

PRIOR VERSION – Version seen by Planning Commission; Strip of land to rear of lots owned by HOA



LATEST VERSION – Depth of residential Lots has been increased



ORDINANCE NO.

AN ORDINANCE ACCEPTING THE RECOMMENDATION OF THE PLANNING COMMISSION AND APPROVING THE FINAL PLANNED DEVELOPMENT APPLICATION FOR OWL'S LANDING ALONG BROOKVILLE ROAD IN THE CITY OF OXFORD WITH CONDITIONS.

WHEREAS, Council hereby finds the Planning Commission held a public hearing on May 10, 2022 in accordance with Chapter 1145 of the Codified Ordinances of the City of Oxford, on the application of Todd Homes LLC for a Final Planned Development for Owl's Landing consisting of 22 acres with 86 single-family lots; and

WHEREAS, the Planning Commission, after due deliberation found the application satisfied the basic code requirements in Chapter 1145 of the Codified Ordinances of the City of Oxford, and recommended approval of the Final Planned Development application for Owl's Landing with conditions.

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

SECTION 1: Council hereby accepts the recommendation of the Planning Commission and further approves the Final Planned Development application for Owl's Landing located along Brookville Road in the City of Oxford with the following conditions:

1. Final PD Plan approval shall be valid for 5 years, with an opportunity for the Planning Commission to grant an additional 1 year extension per the Zoning Code.
2. The developer shall be responsible for constructing all mounding and landscaping shown on the submitted Landscaping Plan, inclusive of such elements shown in the right-of-way and trail easements along Brookville Road. These elements shall be bonded as deemed appropriate by the Service Department. The developer shall not commence work on the mounding and landscaping along Brookville Road until first authorized by the Service Department, to ensure appropriate sequencing of work with respect to the City's Oxford Area Trail System (OATS) project.
3. The north-south trail segment shall be built in its entirety (from the publicly funded trail segment parallel to Brookville Road, to the Community Park property line) at the time the first phase of the project is constructed, regardless of final phasing boundaries. This trail segment shall be bonded as deemed appropriate by the Service Department.
4. All aspects related to dedication of easements, including but not limited to public access easements, utility easements, trail easements, conservation easements, and HOA drainage easements, shall be determined more concretely during review of a Final Subdivision application. In any case where this is a conflict between easements shown on the Final PD and those that are recorded on the final plat, the easements and associated provisions depicted on the plat shall prevail.
5. Construction of any kind (structure, fencing, etc.) shall not be permitted in any area designated as a conservation easement on the recorded final plat, unless the terms of easement explicitly allow for such activity.
6. Sufficient lighting shall be provided to comply with the City of Oxford Subdivision Regulations and all other City specifications, such as color temperature. Pedestrian and bicycle crossings, as well as cluster mailbox locations, shall be appropriately lit for security and safety purposes.
7. Street infrastructure details shall be revised as necessary to accommodate

appropriate turnaround space (either permanent or temporary) for emergency vehicles at any point during the construction period.

8. The inclusion of any gateway sign or entryway monument shall first require an amendment to the Final PD, unless determined otherwise by City staff.
9. The following shall be approved, signed and/or recorded as necessary prior to approval of the project's first Building Permit: (1) Final PD Plan; (2) Construction Drawings; (3) Financial Security for public and private improvements; (4) Final Plat; and (5) HOA Declaration & Restrictions.
10. All other Preliminary PD conditions per Ord. No. 3658 shall remain in effect, to the extent that they are not overwritten or revised by nature of the Final PD approval.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: JASON BRACKEN/DAVID PRYTHERCH

PREPARED BY: LAW (STAFF)

STAFF REPORT

Community Development | Planning Commission

APPLICATION DETAILS

Applicant	Todd Homes LLC, c/o Todd Hall
Location	6610 Brookville Road
Action Request	Final Planned Development (PD)
Engineer	Bayer Becker, c/o John Bayer
Owner	Buck Creek Farm LLC
Current Use	Agricultural / Undeveloped Land
Current Zoning	R-1B Single-Family Medium Density Residential District
Site Area	22 acres
Site Frontage	1,334 feet along Brookville Road
Surrounding Land Uses	Community Park to the north; agricultural/rural residential to the west and south; single-family residential neighborhood (Muskopf Farms) to the east
Staff Recommendation	Approval , subject to recommended conditions

PROPOSAL SUMMARY

The applicant is requesting approval of a Final Planned Development for the Owl's Landing subdivision to be located off of Brookville Road. The subdivision is planned to consist of 86 single-family lots, private streets, sidewalks, and a variety of open spaces including space for 2 stormwater ponds/basins. The plan also includes a connector trail to be built by the developer, which will link the planned Phase 4 of the Oxford Area Trail System (OATS) along Brookville Road to the southern property line of the Oxford Community Park.

The Owl's Landing proposal was previously seen by the Planning Commission and City Council between December 2021 and January 2022, in the form of two applications for a Preliminary Planned Development & Preliminary Subdivision. Owl's Landing garnered approval of both Preliminary applications from City Council on January 18, 2022. The developer is now proceeding forward with the next steps in the process in working toward eventual construction. The purpose of a Final Planned Development review is to ensure adequate correspondence with the plans and details approved at the Preliminary stage, as well as to ensure that conditions attached to the Preliminary approval have been met or are in the process of being met.

PUBLIC COMMENTS

Public notices were mailed to surrounding property owners and a sign was posted at the front of the property. One inquiry from a homeowner on neighboring Autumn Drive has been received as of the writing of this report.

DEPARTMENT COMMENTS

Below are comments from City departments:

Department	Respondent	Response
Economic Development	Seth Copenbaker, Assistant to the City Manager	Returned with Comments
<i>The proposed development of 86 single-family homes helps fill a high need for housing in the Oxford area. The availability of this housing would encourage residency and growth of our population and available local labor force.</i> <i>Several factors could contribute to encourage residency; proposed HOA to maintain a unified and polished aesthetic for the community, proximity to planned Oxford Area Trail System routes and the Oxford Community Park, and Aquatic Center.</i> <i>The construction period of the proposed development represents employment opportunities for local residents, as well as income tax revenue opportunities for the City of Oxford. -The description of the homes, HOA, etc. will likely lead to price points above what could be considered affordable housing. While this development represents opportunity and filling a housing need for the City, development of affordable housing in Oxford still remains a top priority.</i> <i>The Economic Development department views the proposed development as an asset to the community, and has no reservations at this time.</i>		
Engineering	Scott Otto, City Engineer	Returned with Comments
See memo dated April 21, 2022 regarding: HOA documents, bonding, trail construction, light fixtures and multi-modal transportation safety.		
Fire	John Detherage, Fire Chief	Returned without Comments
[Note: Although no formal comments were submitted, the Fire Chief has voiced concerns about the phasing of the project and accessibility to units throughout the duration of the construction period]		
Police	John Jones, Police Chief	Returned with Comments
<i>LED lamps for outdoor lighting are nice. Please consider security lighting on the multi-use path and near the cluster mailbox open area if not already a part of the plan.</i>		

CASE HISTORY

A summary of relevant case history is provided below:

Case No.	Application	Decision
PC-2021-20	Zoning Map Amendment	Council approved 8/3/2021 by Ord No. 3628
The City of Oxford submitted a request to rezone the property to the R-1B zoning district, matching the classification of the adjacent Muskopf Farms subdivision to the east. The site was previously zoned A-1 Agricultural under the Butler County Rural Zoning Resolution (Oxford Township). The action to rezone the site with a City zoning classification dovetailed with the petition to annex the 22 acres into the City's corporate limits, after having been filed with the Butler County Commissioners in March 2021.		
None	Concept Plan Review	Planning Commission review at 4/13/21 meeting
The applicant had shared a Concept Plan with the City earlier last year, which was brought to the Planning Commission in April for feedback and comments. The Concept Plan at this time included 4 quad-unit buildings in addition to 76 single-family lots (92 total units). The Commission generally expressed support for the project, though desiring greater connectivity with the proposed pathways.		
PC-2021-31	Preliminary Subdivision	Council approved 1/31/2022 by Ord No. 3658
The Preliminary Subdivision application was considered simultaneously with the Preliminary PD. A "Subdivision" application is necessary whenever a property is being officially divided into multiple lots/parcels, often together with right-of-way dedication and designation of easements for various forms of infrastructure. In this case, certain forms of infrastructure will be a private responsibility as opposed to being public. The plan submitted at this stage sought to remove the quad-unit buildings previously proposed at the Concept stage, instead favoring an exclusively single-family development with 86 total lots. The application was approved by Council in conjunction with the Preliminary PD, subject to 11 conditions.		
PC-2021-32	Preliminary PD	Council approved 1/31/2022 by Ord No. 3658
The Preliminary Planned Development (PD) application was considered simultaneously with the Preliminary Subdivision. The developer chose to submit for a "Planned Development" in order for the development proposal to be considered in a more flexible manner which doesn't strictly adhere to underlying zoning provisions, in exchange for more discretionary review and negotiation on the part of the City. The application was approved by Council in conjunction with the Preliminary Subdivision, subject to 11 conditions.		

COMMENTARY

Below are staff comments on noteworthy items pertaining to changes or updates which have occurred since approval of the Preliminary PD & Preliminary Subdivision for Owl's Landing:

- **Conformance with Preliminary Plan:** The Final PD Plan is nearly identical to the Preliminary in terms of form and configuration. A total of 3 lots near the western border of the site slightly shifted their side lot line positions, but all other lots have otherwise remained in-tact as compared to the Preliminary.
- **Coordination of Private Development with Public Trail Project:** The City is using trail levy and federal funding dollars to construct Phase 4 of the Oxford Area Trail System (OATS) project. A segment of this project will be located along the Owl's Landing site's frontage with Brookville Road.

Due to the timing of this public project coinciding with private development of an adjacent residential subdivision, it will be important to coordinate construction activities so that original construction work by either party does not need to be torn up or re-done. While the City will be responsible for constructing the actual multi-use path along Brookville Road, the developer will be responsible for grading and landscaping in the exact same area. Staff therefore recommends a condition that the developer hold off on construction activity in these areas until such time that they are authorized to begin work by the Service Department.

- **Homeowners Association (HOA) Declaration and Restrictions:** The applicant has submitted to the City draft documents to support the eventual establishment of an HOA for the development. These documents include: (1) a draft **Declaration**, which outlines organizational and procedural provisions as well as maintenance responsibilities and jurisdiction for the HOA; and (2) draft **Covenants and Restrictions**, which primarily outline private rules pertaining to lot owners which are self-enforced by the HOA. Per the Preliminary approval, the City Law Director is to review the documents prior to finalizing and recording with the County. From an infrastructure standpoint, the HOA will primarily be responsible for ongoing maintenance of open spaces, drainage systems and facilities, and private streets.
- **Landscaping:** Condition #1 of the Preliminary approval specified that the City and applicant explore providing additional landscaping along the Brookville Road frontage as well as along the eastern property line adjoining the Muskopf Farms subdivision. Consideration of buffering along the eastern property line was partly due to resident comments received at the December 14 Planning Commission meeting. The applicant has since revised their plans and submitted a more robust landscaping proposal along both stretches in question. The landscaping proposal includes a variety of deciduous and evergreen plantings to help shield the rear view of lots from both perspectives.
- **Lighting:** The Police Chief has shared some concerns about providing adequate lighting of roadways and pedestrian areas for security and safety purposes. City staff is working with the applicant to revise lighting details on the Construction Drawings to ensure consistency with City codes and requirements, and to better achieve the objectives expressed by the Police Chief.
- **Phasing:** The applicant proposes two distinct phases for the project, outlined as “Block A” and “Block B” on the submitted plan. Block A would come first and include both entrances off of Brookville Road, with a total of 3 street stubs and a T-turnaround on the western side of the property. The Fire Chief has expressed concern about ensuring accessibility for emergency vehicles throughout the duration of the project, including in the interim period between the two phases. Community Development staff believes this can possibly be achieved through such means as installing temporary turnarounds at the end of street stubs (similar to those installed in the Northridge subdivision). The T-turnaround, which is intended to be a more permanent fixture (unless property to the west were ever developed), should also have its maneuverability better confirmed. Any conditions of approval related to this concern should be based on reference to Fire Code from the Fire Chief.
- **Signage:** The applicant has indicated they do not plan to construct permanent gateway signage or entryway monuments at either entrance into the development. Should these aspects be considered at a later date, staff believes it will deserve some examination in terms of the proposed location, height, materials, and illumination (if any). The Oxford Zoning Code allows for up to two (2) temporary signs associated with construction, so long as the total sign area does not exceed thirty two (32) square feet and such signs do not have more than one (1) sign face.

DECISION CRITERIA

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

General Decision Standards

1. **The proposed planned development is in fact permitted in the zoning districts in which it is proposed.**
It had been determined during the Preliminary PD stage that the intended uses were consistent with the underlying R-1B zoning district.
2. **If the application is for the same site where a planned development application has been denied within one year, the plan is substantially different from the application so denied.**
Not applicable, since this is the first Planned Development proposal for this site. Only a Preliminary PD application has been processed and approved at this point.
3. **The uses and site plan will satisfy the general intent of this Zoning Code.**
Not applicable at this stage, as the Final PD conforms to the approved Preliminary PD.
4. **The uses and site plan will be compatible with the general intent of the Comprehensive Plan.**
Not applicable at this stage, as the Final PD conforms to the approved Preliminary PD.
5. **The size and shape of the site are sufficient for the proposed planned development.**
Not applicable at this stage, as the Final PD conforms to the approved Preliminary PD.
6. **The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.**
The applicant has demonstrated a good faith effort to include additional landscaping in the proposal to help shield the development from adjoining areas and neighbors. It is not expected there will be hazardous or disturbing effects inherent to the intended use of the site as a future residential subdivision.
7. **The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.**
This criterion is generally not applicable to a residential proposal, as these external effects mostly pertain to activities or processes associated with commercial or industrial businesses. The applicant previously submitted a traffic study focusing on the anticipated traffic to be generated by the 86 planned units, which had concluded no off-site roadway improvements were warranted.
8. **Accessory uses will be directly related to the operation of the principal uses and will not be operated independent of the principal uses.**
Open spaces are expected to be mostly passive, with some active features in the form of pathways and a gathering area, but no actual 'structural' accessory uses such as a community clubhouse or pool. Accessory uses on private lots, such as sheds, will otherwise need to apply for permits of their own and follow lot coverage provisions associated with the Planned Development approval as well as any other applicable Code standards not addressed by the approval. This also does not preclude the possibility of private restrictions enforced by the HOA.

9. **The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.**
Private water and sewer lines on-site will connect to the public water and sewer systems off-site. As noted above, streets and stormwater systems will be privately maintained.
10. **Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.**
In general, residential developments are a net loss for City operations due to increased demand for public services (police, fire, etc) without a compensating increase in tax base. The HOA will be responsible for on-site infrastructure maintenance. Therefore, as long as the HOA is viable and there is no major infrastructure repairs or upgrades from the future City budget, the absorption of this development within the existing budget is acceptable.
11. **The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.**
The intended development character proposed by the Final PD application is largely unchanged as compared to what was previously considered with the Preliminary PD.
12. **The site is designed so that on-site traffic and traffic accessing the site will not adversely impact the movement or safety of all modes of traffic on adjacent public streets.**
The only adjacent public thoroughfare is Brookville Road, which currently has a very rural profile with no curbing, stormwater, or pedestrian improvements of any kind. It is expected that non-vehicular mobility will be improved by nature of this development coinciding with the City's multi-use path project, and providing a vital link to the Community Park site.
13. **Proposed construction will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.**
The Preliminary approval has already acknowledged that an existing farm house on the site would be demolished to make way for a new pattern of houses/development. Much of the scenic quality present pertains to areas *observable* from the site, such as the heavily wooded area to the north falling on the City's Community Park property. The inclusion of a pathway, gathering space, and accompanying landscape beds will further enhance the scenic quality of the development.
14. **Proposed construction will not result in the complete elimination of existing mature tree canopy. Effort shall be made to direct disturbance and construction around or away from existing mature tree canopy without completely taking away use of the site or connectivity to existing infrastructure.**
Impact to existing vegetation was very much a part of the conversation at the Preliminary stage. Though much of the impacts have now been determined and subsequently approved as a result of the Preliminary PD & Subdivision review, there are still some outstanding considerations with respect to conservation easements to be put in place along the northern and western boundaries of the site. These aspects would best be negotiated at the time of Final Subdivision review, to ensure appropriate easements and corresponding restrictions are applied to the final record plat.

Additional Final Plan Decision Standards

1. **The final planned development shall substantially conform to the preliminary plan.**
Yes, there is substantial conformance to the Preliminary PD. The Final PD is nearly identical in form and configuration to the Preliminary PD.

2. **Any substantial changes from the preliminary plan improve the plan or were requested by Planning Commission or Council as part of the preliminary plan approval process.**
Staff believes the changes made to the Landscaping Plan help to satisfy one of the prior approval conditions. Furthermore, in response to previous concerns voiced by residents about inadequate water pressure, the City Engineer has reported that a study was performed and no pressures were found to be below the expected range.
3. **If the final plan seeks approval of only a portion of the approved preliminary plan, the elements of the proposed phase are sufficient to stand alone if the remainder of the planned development is abandoned.**
So long as the Fire Chief's accessibility concerns can be addressed and the applicant is in agreement to construct the north-south multi-use trail as part of the first phase, staff believes the phase boundaries as proposed are sufficient to stand alone. It is important that the first phase function on its own, in the off chance that the development does not continue into the second phase.

STAFF RECOMMENDATION

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

1. Final PD Plan approval shall be valid for 5 years, with an opportunity for the Planning Commission to grant an additional 1 year extension per the Zoning Code.
2. The developer shall be responsible for constructing all mounding and landscaping shown on the submitted Landscaping Plan, inclusive of such elements shown in the right-of-way and trail easements along Brookville Road. These elements shall be bonded as deemed appropriate by the Service Department. The developer shall not commence work on the mounding and landscaping along Brookville Road until first authorized by the Service Department, to ensure appropriate sequencing of work with respect to the City's Oxford Area Trail System (OATS) project.
3. The north-south trail segment shall be built in its entirety (from the publicly funded trail segment parallel to Brookville Road, to the Community Park property line) at the time the first phase of the project is constructed, regardless of final phasing boundaries. This trail segment shall be bonded as deemed appropriate by the Service Department.
4. All aspects related to dedication of easements, including but not limited to public access easements, utility easements, trail easements, conservation easements, and HOA drainage easements, shall be determined more concretely during review of a Final Subdivision application. In any case where there is a conflict between easements shown on the Final PD and those that are recorded on the final plat, the easements and associated provisions depicted on the plat shall prevail.
5. Construction of any kind (structure, fencing, etc.) shall not be permitted in any area designated as a conservation easement on the recorded final plat, unless the terms of the easement explicitly allow for such activity.
6. Sufficient lighting shall be provided to comply with the City of Oxford Subdivision Regulations and all other City specifications, such as color temperature. Pedestrian and bicycle crossings, as well as cluster mailbox locations, shall be appropriately lit for security and safety purposes.
7. Street infrastructure details shall be revised as necessary to accommodate appropriate turnaround space (either permanent or temporary) for emergency vehicles at any point during the construction period.

8. The inclusion of any gateway sign or entryway monument shall first require an amendment to the Final PD, unless determined otherwise by City staff.
9. The following shall be approved, signed and/or recorded as necessary prior to approval of the project's first Building Permit: (1) Final PD Plan; (2) Construction Drawings; (3) Financial Security for public and private improvements; (4) Final Plat; and (5) HOA Declaration & Restrictions.
10. All other Preliminary PD conditions per Ord No. 3658 shall remain in effect, to the extent that they are not overwritten or revised by nature of the Final PD approval.

SUBMITTED BY:



Zachary Moore, AICP
City Planner / GIS Coordinator

DATE: April 28, 2022



Sam Perry, AICP
Community Development Director

DATE: May 5, 2022

APPENDIX A

RELEVANT PROVISIONS FROM THE ZONING CODE

Within the Oxford Zoning Code, *Section 1143.02* provides the base zoning standards for the R-1B zoning district and *Chapter 1145* governs Planned Development applications.

1143.02 – R-1B Single-Family Medium Density Residential District.

- (a) Purpose.
This district is designed to provide and preserve single family residential development of a moderately low density character within and adjacent to areas of similar development.
- (b) Uses.
 - (1) Permitted uses.
 - A. Single-family dwellings.
 - B. Accessory buildings and uses incidental to the principal use as provided in Chapter 1141.
 - C. Day Care Home Type B family.
 - (2) Conditional uses.
The following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.
 - A. Community-Oriented Residential Social Service Facilities (CORSSF's).
 - B. Shared Housing for the elderly.
 - C. Government owned and/or operated parks and recreation facilities.
 - D. Bed & Breakfasts.
 - E. Open space recreation areas that are privately or publicly owned, such as golf courses, tennis courts, parks, forests, or wildlife preserves.
 - F. Day care facilities, including Child Day Care, Child Day Care Center, and Day Care Home Type A family.
 - G. Schools: primary, intermediate, and secondary, both public and private.
 - H. Places of worship.
- (c) Site Development Regulations. (Unless superseded by Conditional Use Requirements)
 - (1) Lot requirements.
 - A. Minimum lot area 7,500 sq. feet
 - B. Minimum lot width 65 feet
 - C. Minimum lot frontage 65 feet (not applicable to cul-de-sac lots)
 - (2) Yard requirements.
 - A. Minimum front yard depth 30 feet
 - B. Minimum rear yard depth 35 feet
 - C. Minimum side yard width 8 feet on each side
 - (3) Structural requirements.
 - A. Maximum building height 35 feet
 - (4) Lot coverage.
 - A. Lots with vehicular access from a public street
 - 1. Lot total – Maximum 35 percent
 - 2. All enclosed buildings – Maximum 25 percent of lot
 - 3. Front yard – Maximum 25 percent of front yard
 - B. Lots with vehicular access from a rear or side alley, and no access from a public street
 - 1. Lot total – Maximum 40 percent
 - 2. All enclosed buildings – Maximum 25 percent of lot
 - 3. Front yard – Maximum 15 percent of front yard

1145.06 Planning Commission and Council review.

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

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

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

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

(a) **Burden of Proof.**

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

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

(b) **General Decision Standards.**

All planned developments shall satisfy these general decision standards:

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

privately.

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

1145.07 Action by Planning Commission

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

1145.12 Design.

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

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

or the environment, consisting of lands or soils of such sensitive character that they may require special use, design and engineering restrictions.

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

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

APPENDIX B

PRELIMINARY PLANNED DEVELOPMENT CONDITIONS

Below is an excerpt from **Ordinance 3658** listing the 11 conditions associated with the Owl's Landing Preliminary PD & Preliminary Subdivision approved in January 2022:

- 1) The provision of screening vegetation/landscaping along Brookville Road, the eastern property line, and in open space areas shall be further explored between the city and the applicant, and revisited at the Final Planned Development stage with a possible amendment to the Landscaping Plan or agreement to contribute funds for tree planting.
- 2) A note alerting builders to high water tables in the area shall be placed on the final record plat. The applicant is advised to complete soil compaction tests for Lots 44-45 before construction on these lots takes place.
- 3) A waiver to **Section 1101.4(404)(A)(6)** is hereby granted to allow for the two street entrances off Brookville Road as proposed, without requiring either to have a 25% wider opening.
- 4) A waiver to **Section 1101.4(404)(E)** is hereby granted to allow for primary access into the subdivision to be privately owned and maintained as opposed to being public, provided the proposed public access, trails, and utility easements allow for non-exclusive movement of the general public throughout the subdivision.
- 5) A waiver to **Section 1104.4(408)(A)** is hereby granted to allow for increased block length from 800 feet to 885 feet for Street A.
- 6) A waiver to **Section 1145.12(e)(2)** is hereby granted to reduce the minimum front yard setback from 30 feet to 20 feet.
- 7) A waiver to **Section 1145.12(f)(1)** is hereby granted to reduce the minimum open space required from 20% to 14.2%.
- 8) A waiver to **Section 1145.12(f)(2)** is hereby granted to increase the maximum lot coverage on individual residential lots from 35% to 65%.
- 9) A waiver to **Section 1148.05(b)(2)(A)** is hereby granted to relieve the developer from the Tree Survey requirement, on condition that the applicable Landscaping Plan is fulfilled and appropriate conservation restrictions are designated on the final record plat for open space areas on the northern and western perimeters of the site where existing natural vegetation is to remain.
- 10) HOA documentation shall be approved by the Law Director.
- 11) A water pressure study shall be performed and reviewed by City staff as necessary.



January 31, 2022

Mr. Todd Hall
Todd Homes LLC
7791 Joan Drive
West Chester, OH 45069

VIA EMAIL:

toddhall@toddhomesllc.com
johnbayer@bayerbecker.com

RE: PC-2021-31/32, 6610 Brookville Road, PRELIMINARY SUBDIVISION AND PRELIMINARY PLANNED DEVELOPMENT, Owl's Landing, 86 single-family lots, Todd Homes LLC, Applicant

Dear Mr. Hall:

On January 18, 2022, the Oxford City Council voted 7-0-0 to approve your Preliminary Subdivision and Preliminary Planned Development applications subject to conditions as listed in Ordinance No. 3658.

The Ordinance is attached for your records.

The Preliminary Subdivision approval is valid for three (3) years per Oxford Subdivision Regulations **Section 1101.2(201)(D)**. The Preliminary Planned Development approval is valid for two (2) years per Oxford Zoning Code **Section 1145.09(a)**.

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

Sincerely,

Eunike Miller
Administrative Assistant
Community Development Department

Cc: File

ORDINANCE NO. 3658

AN ORDINANCE ACCEPTING THE RECOMMENDATION OF THE PLANNING COMMISSION AND APPROVING THE PRELIMINARY SUBDIVISION AND PRELIMINARY PLANNED DEVELOPMENT APPLICATIONS FOR OWL'S LANDING LOCATED ALONG BROOKVILLE ROAD IN THE CITY OF OXFORD WITH CONDITIONS.

WHEREAS, Council hereby finds the Planning Commission held a public hearing on December 14, 2021 in accordance with Chapters 1101 and 1145 of the Codified Ordinances of the City of Oxford, on the application of Todd Homes LLC for a Preliminary Subdivision and Preliminary Planned Development for Owl's Landing consisting of 22 acres with 86 single-family lots; and

WHEREAS, the Planning Commission, after due deliberation found the application satisfied the basic code requirements in Chapters 1101 and 1145 of the Codified Ordinances of the City of Oxford, and recommended approval of the Preliminary Subdivision application for Owl's Landing with conditions.

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

SECTION 1: Council hereby accepts the recommendation of the Planning Commission and further approves the Preliminary Subdivision and Preliminary Planned Development applications for Owl's Landing located along Brookville Road in the City of Oxford with the following conditions:

1. The provision of screening vegetation/landscaping along Brookville Road, the eastern property line, and in open space areas shall be further explored between the city and the applicant, and revisited at the Final Planned Development stage with a possible amendment to the Landscaping Plan or agreement to contribute funds for tree planting.
2. A note alerting builders to high water tables in the area shall be placed on the final record plat. The applicant is advised to complete soil compaction tests for Lots 44-45 before construction on these lots takes place.
3. A waiver to Section 1101.4(404)(A)(6) is hereby granted to allow for the two street entrances off Brookville Road as proposed, without requiring either to have a 25% wider opening.
4. A waiver to Section 1101.4(404)(E) is hereby granted to allow for primary access into the subdivision to be privately owned and maintained as opposed to being public, provided the proposed public access, trails, and utility easements allow for non-exclusive movement of the general public throughout the subdivision.
5. A waiver to Section 1104.4(408)(A) is hereby granted to allow for increased block length from 800 feet to 885 feet for Street A.
6. A waiver to Section 1145.12(e)(2) is hereby granted to reduce the minimum front yard setback from 30 feet to 20 feet.
7. A waiver to Section 1145.12(f)(1) is hereby granted to reduce the minimum open space required from 20% to 14.2%.
8. A waiver to Section 1145.12(f)(2) is hereby granted to increase the maximum lot coverage on individual residential lots from 35% to 65%.
9. A waiver to Section 1148.05(b)(2)(A) is hereby granted to relieve the developer from the Tree Survey requirement, on condition that the applicable Landscaping Plan is fulfilled and appropriate conservation restrictions are designated on the

final record plat for open space areas on the northern and western perimeters of the site where existing natural vegetation is to remain.

10. HOA documentation shall be approved by the Law Director.
11. A water pressure study shall be performed and reviewed by City staff as necessary.

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


MAYOR

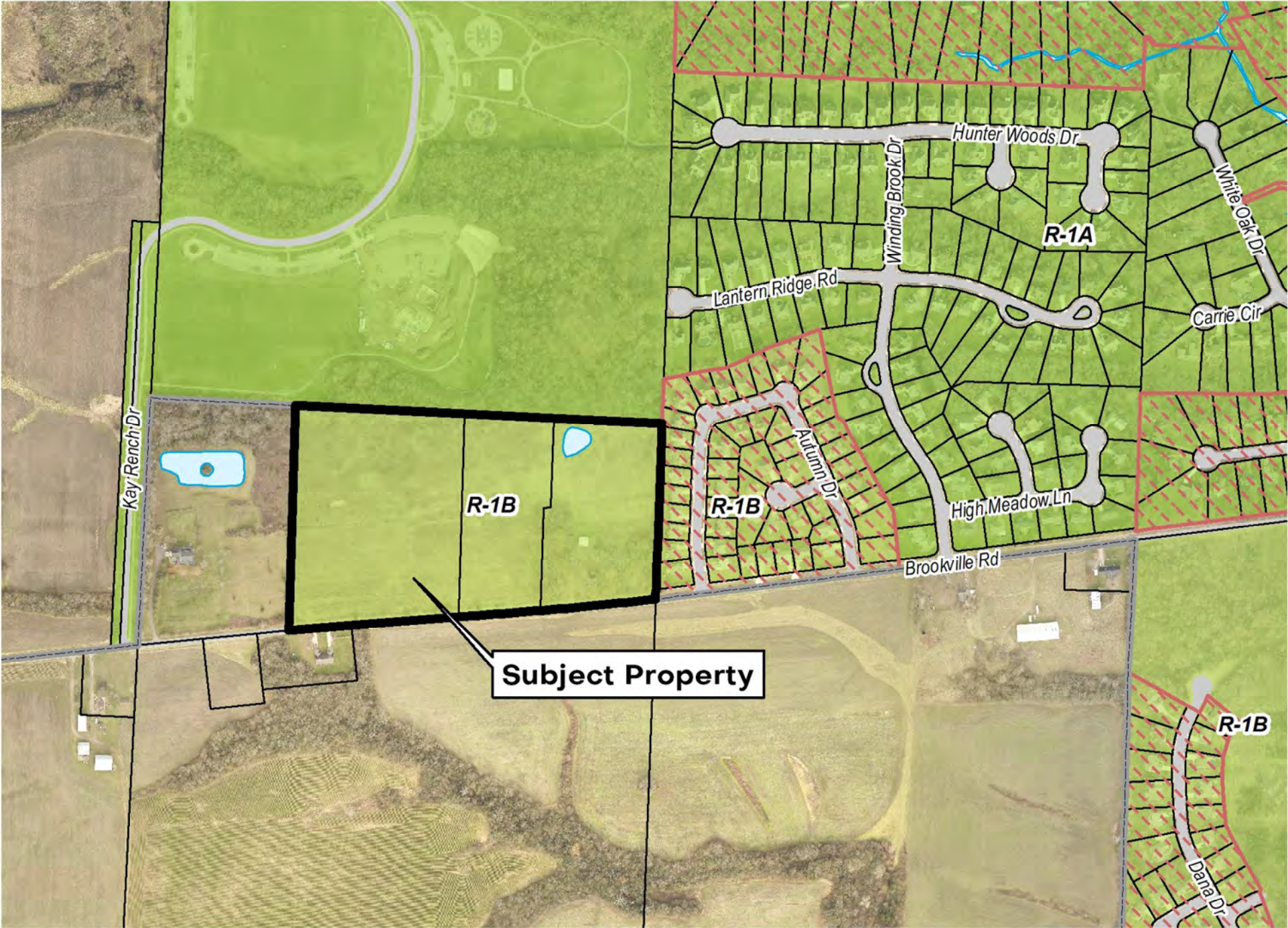
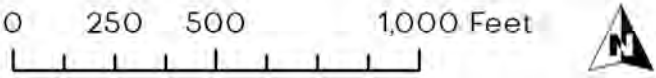
ADOPTED: JANUARY 18, 2022

ATTEST: 
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)

Location Map





Memo

Service Department
Engineering Division
513/524-5208

TO: Community Development Department

FROM: Scott Otto, P.E.
City Engineer

RE: Application #PPC-2022-03
6610 Brookville Road Owl's Landing – Final Planned Development

DATE: April 21, 2022

The Engineering Division offers the following comments:

- HOA declarations or covenants should include identification of the responsible party and funding, maintenance, and inspection plans for the roadway and storm water facilities within the development including the retention basins.
- A Public Improvement Bond will be required for infrastructure improvements.
- In order to complete the trail connection to Oxford Community Park, the first phase (Block A) construction will need to include the trail construction thru Block B to the north property line.
- The light fixtures should be 3000k color temperature to match current City of Oxford standards.
- The proposed development will have low volume, low speed, local roads that should not discourage bicyclists. Sidewalks are proposed along all streets for pedestrian connectivity. A multi-use trail is planned along Brookville Road, and through the development that will connect users to the Oxford Community Park. Although the streets are private and not planned to be public right-of-way, the proposed development follows the vision of the Complete Streets Policy and provides safe alternatives for all road users.



Internal Use Only:

Case No.

PC-2022-03

Date Filed

3/28/22

Planned Development Application

Application Type

Choose One

☐

Preliminary

☒

Final

☐

Preliminary & Final

Applicant Information

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

Name *

Todd Homes LLC

Mailing Address *

7791 Joan Drive

City, State & Zip Code *

West Chester, OH 45069

Telephone Number *

513-887-1111

Email Address

toddhall@toddhomesllc.com

Owner Information

Name *

Buck Creek Farm LLC

Mailing Address *

PO Box 201

City, State & Zip Code *

Somerville, Ohio 45064

Telephone Number *

Email Address

Engineer/Surveyor Information

Name *

Bayer Becker

Mailing Address *

110 South College Avenue

City, State & Zip Code *

Oxford, Ohio 45056

Telephone Number *

513-336-6600

Email Address

johnbayer@bayerbecker.com

Location and Lot Information

Name of Subdivision *

Owl's Landing

Location of Property *

North of Brookville Road, West of Autumn Drive

Legal Description *

Lots 4074, 4075 & 4076

Zoning District *

R-1B

Total Area *

22.014

Acres

Submission Requirements and Documentation

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

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

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

(a) Preliminary Plan.

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

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

Surrounding Property Owners

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

Decision Process

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

Fees & Receipt

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

Sign and Date

Applicant Signature *

Date *



Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

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

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

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

March 21, 2022

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

Re: Parcel H4100-141-000-006
Parcel H4100-141-000-007
Parcel H4100-141-000-008

Dear Mr. Moore,

Please be advised that Todd Homes LLC has our permission to submit applications for the approval of a Final Planned Development and a Final Subdivision on Parcels H4100-141-000-006, Parcel H4100-141-000-007, and Parcel H4100-141-000-008 located north of Brookville Road, west of Autumn Drive and east of Kay Ranch Drive in the City of Oxford, Ohio.

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

Sincerely,



Buck Creek Farm, Inc.

Property owners within 200 feet:

MATTHEW MONTGOMERY & PAULA ANNE GREEN
125 LANTERN RIDGE RD
OXFORD, OH 45056-9491
H4100140000005

JOSE BURDALO DOMINGUEZ & CRAVIOTTO MARISOL DEL-TOSO
60 AUTUMN DRIVE
OXFORD, OH 45056-8755
H4100135000064

DEBORAH KAY KEMPTON
64 AUTUMN DRIVE
OXFORD, OH 45056-9021
H4100135000063

ABSHIRE BEVERLY TR OF THE BEVERLY ABSHIRE TRUST
68 AUTUMN DRIVE
OXFORD, OH 45056-9004
H4100135000062

HUGH M & JENNIFER L CRADDUCK
72 AUTUMN DRIVE
OXFORD, OH 45056-8755
H4100135000061

TARA LYNN & RICHARD ALUN HOPPE
76 AUTUMN DRIVE
OXFORD, OH 45056
H4100135000060

JOHN MAINGI & MARY C HENRY
80 AUTUMN DRIVE
OXFORD, OH 45056-8755
H4100135000059

EGON O KRAAN
84 AUTUMN DRIVE
OXFORD, OH 45056-8755
H4100135000058

SINA ESTEKY & MASHHADI MAHYA RAHIMIAN
88 AUTUMN DRIVE
OXFORD, OH 45056-8755
H4100135000057

PERRY M GORDON & KATHERINE P STOSS
92 AUTUMN DRIVE
OXFORD, OH 45056-8755
H4100135000056

KEVIN M & CHANDRA H ACKLEY
96 AUTUMN DRIVE
OXFORD, OH 45056-2635
H4100135000055

RICHARD C & JILL S PAGE
100 AUTUMN DRIVE
OXFORD, OH 45056
H4100135000054

MATTHEW W & JESSICA A WILLIAMSON
99 AUTUMN DRIVE
OXFORD, OH 45056
H4100135000098

GREGG W & AMY E WENTZELL
95 AUTUMN DRIVE
OXFORD, OH 45056-3505
H4100135000097

CARL SIGMON
91 AUTUMN DRIVE
OXFORD, OH 45056
H4100135000096

CANDACE WITMER CRIST ETAL
3 FOX RUN CIRCLE
OXFORD, OH 45056-9750
H4100135000095

JAY B & KIMBERLY J HENSLEY
85 AUTUMN DRIVE
OXFORD, OH 45056
H4100135000094

GEORGE H DAY
81 AUTUMN DRIVE
OXFORD, OH 45056-8757
H4100135000093

DENNIS S & ELAN G KEELER
77 AUTUMN DRIVE
OXFORD, OH 45056-8757
H4100135000092

KATHLEEN S FOX
65 AUTUMN DRIVE
OXFORD, OH 45056
H4100135000091

JEREMY D & GRETCHEN G JONES
112 LANTERN RIDGE RD
OXFORD, OH 45056-9492
H4100140000001

MICHALE H & JEANNE M GLASER
6788 BROOKVILLE RD
OXFORD, OH 45056-9205
H3610031000015

BOWLING ESTATES LTD
PO BOX 330
OXFORD, OH 45056-0449
H3510031000004
H3510031000013

BOWLING ESTATES LTD
PO BOX 330
OXFORD, OH 45056-0330
H3510031000014
H3510031000017

March 25, 2022

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

Re: 6610 Brookville Road
Owl's Landing
Final PUD Submittal

Dear Mr. Moore:

Enclosed please find the following items in support of Todd Homes LLC's Application for Final Planned Development approval for Owl's Landing to be located on Brookville Road west of Autumn Drive:

- 1) It is understood the invoice for application fee will be provided by City staff upon receipt of this application
- 2) Digital copies of each of the following:
 - a. Executed Planned Development Application.
 - b. An Affidavit from Buck Creek Farm, Inc granting Todd Homes LLC permission to submit applications for the approval of a Final Planned Development and Final Subdivision.
 - c. List of property owners within 200 feet of the site.
 - d. Final Planned Development Plan.
 - e. Construction Drawings with Landscape Plan.
 - f. Typical Building Elevations.
 - g. Photos of the subject site and surrounding area.
 - h. Example of proposed covenants and restrictions.
 - i. Example of Homeowners Association declaration.
 - j. Legal Description of the site.
 - k. Traffic Evaluation
 - l. Drainage Calculations
 - m. Street Light Fixture Detail

3) Applicant:

*Todd Homes LLC
7791 Joan Drive
West Chester, Ohio 45069
513-887-1111*

Owner:

*Buck Creek Farm, Inc
PO Box 201
Somerville, Ohio 45064*

4) Design Professionals:

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

5) Description of use and site:

- a. A legal description of the subject property is - Entire Lots 4074, 4075 & 4076 as platted in the City of Oxford.
- b. The site currently contains 4 existing structures near the southeast corner. The remainder of the site contains vacant land which is primarily used for hay farming.
- c. The property is zoned R-1B Single Family Medium-Density Residential District.
- d. A description of the proposed planned development:

- i. The number of housing units by size and type proposed within each phase.

Owl's Landing is a single family residential development consisting of individual lots with private streets and surrounding land owned and maintained by the Homeowners Association (HOA).

The development shall consist of 86 single family lots located along 3 proposed private streets. Each lot shall have a front yard setback of 20 feet, a side yard setback of 5 feet and a rear yard setback of 15 feet.

Homes will be a mix of ranch and two-story single family homes. All homes will have attached 2-car garages.

A Homeowners Association (HOA) will be established for Owl's Landing. The HOA will be responsible for the maintenance of the private streets and maintenance of the open space including the proposed retention ponds.

- ii. A description of any nonresidential operations, including types of goods sold, services performed, and expected number of customer, clientele, delivery, and service vehicles.

Not applicable.

- iii. The hours of operation of any nonresidential use.

Not applicable.

- 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.

Owl's Landing will likely be developed in two phases noted as Block A and Block B on the Construction Drawings and Final Planning Development Plan. Block A contains two vehicular and pedestrian connections to Brookville Road and approximately 39 single family lots. Block A and Block B are planned to be platted separately through the Final Subdivision process to create the proposed single family and open space lots.

- e. A narrative statement that evaluates the compatibility of the proposed planned development 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.

The proposed single family residential homes will be comparable in size and contain similar building materials as the existing single-family homes located to the east on Autumn Drive.

A segment of the Oxford Area Trail System (OATS) will be constructed by the City along the properties southern boundary, between the development and Brookville Road. A 10 foot wide asphalt path is proposed through Owl's Landing, serving as a connector between the OATS along Brookville Road and the Oxford Community Park.

The location of stormwater retention basins has been chosen with the intention of reducing stormwater runoff to the Autumn Drive residences and reducing these issues.

Much of the existing property is currently farmed for hay. Areas which contain mature vegetation are located along the northern and eastern property lines are proposed to remain as existing. The southeast corner of the property which contains mature vegetation is to be impacted by construction of the stormwater retention ponds in an effort to reduce existing drainage issues experienced by residents of Autumn Drive. Street trees are proposed in accordance with Chapter 1148 of the Oxford Zoning Code. Additionally, through the Preliminary Planned Development process, it was determined that additional landscaping should be provided along the OATS trail to the south, through the trail connector within the site and along the project's eastern boundary, nearest Autumn Drive. The landscape plan provided in the Construction Drawings details additional landscaping as required in these areas. As a result, it is the opinion of the applicant that the intent of the Landscaping and Tree Preservation requirements and the requirements of the Preliminary Planned Development approval are met by this application.

- ii. How any existing structures, proposed structures, and the site design relate to adjacent structures and sites.

All four existing structures on the site are to be demolished. Proposed structures will be comparable in size and will contain building materials similar to existing homes along Autumn Drive.

- iii. If the proposed uses will involve any operations that create potential nuisances such as excessive noise, lighting, odor, fumes, vibrations or emissions.

The proposed use, residential, will not involve any operations that create potential nuisances.

- iv. How any potential negative effects on adjacent land will be mitigated.

Owl's Landing will not have a negative effect on adjacent land. The properties to the east contain single family residences. The properties to the south and west contain vacant land. The property to the north contains the Oxford Aquatic Center and Oxford Community Park which will serve as amenities for the future residents of Owl's Landing. Also, additional landscaping added during the Final Development design process is aimed at buffering surrounding uses.

- f. A statement about why the location proposed is appropriate for the planned development.

The subject property is an ideal location for Owl's Landing for several reasons:

- 1) *Pedestrian access to the Oxford Aquatic Center and Oxford Community Park will allow these nearby amenities to be accessible to residents of Owl's Landing.*
- 2) *The developer has provided land for the City's OATS extension along the site frontage and direct access from the OATS to the Oxford Aquatic Center and Oxford Community Park for residents of nearby neighborhoods.*
- 3) *The wide frontage along Brookville Road provides for multiple accesses to the community for accessibility for residents and City emergency services.*
- 4) *The property is zoned appropriately for residential development, R-1B single family medium density residential.*
- 5) *The proposed density of the development is 4.20 units/acre, which is lower than the allowable density of the R-1B district, 5.81 units per acre.*
- 6) *The infrastructure is currently in place to support a residential development of this nature.*
- 7) *The development provides a housing type which is in demand in Oxford.*

- g. A statement of the necessity or desirability of the proposed planned development to the neighborhood or community.

There is a shortage of attainable single family residential homes within the City of Oxford. Owl's Landing will fulfill this need. Additionally, Owl's Landing's location between the OATS, Autumn Drive and the Oxford Community Park will provide for a very walkable community with pedestrian access in all directions. Additionally, the location and design of Owl's Landing will improve the interconnectedness of pedestrian access for the nearby community by providing access between Autumn Drive, the OATS and the Oxford Community Park.

- h. How the proposed mix of dwelling types and/or commercial uses advances community goals of diversity, affordability and market changes.

Owl's Landing will provide the City of Oxford with a housing stock that is in short supply.

- i. Proposals for the provision of public utilities and services, if insufficient or not available for the planned development, or for the provision of suitable private utilities and services.

Public water and sanitary sewer are available to the property and will be extended into the property as needed to provide service. During the Preliminary Planned Development process, area residents expressed concern about water pressure in the area. The City of Oxford Service Department performed a water pressure investigation in the area and determined that water pressure is acceptable and has capacity to support this development.

Stormwater retention is to be provided in proposed ponds at the northeast and southeast corners of the property. These separate locations have been selected to retain the two separate watersheds that make up the property. Additionally, the specific location of these ponds has been set in hopes of addressing offsite stormwater issues raised during concept review with City staff. These ponds will meet the requirements of the City of Oxford and the Ohio EPA National Pollutant Discharge Elimination System (NPDES) Permit.

- j. A general analysis of expected traffic impact, including vehicular and pedestrian safety resulting from the proposed development.

A detailed vehicular traffic analysis was performed during the Preliminary Planned Development Plan process. A copy of that analysis has been included with this submittal for reference.

A 10 foot wide asphalt path has been provided as a connector between the OATS trail along Brookville Road and the Oxford Community Park to the north. Sidewalk will be constructed along both sides of the private streets. The sidewalk internal to the development will be connected to the OATS trail.

- k. The substance of proposed covenants, easements and other restrictions on the land and structures.

Enclosed please find draft of Restrictions which will be incorporated into the HOA documents and recorded for Owl's Landing.

This Final Planned Development application has been designed in conformance with the City of Oxford Zoning Code and conditions provided in the Preliminary Planned Development approval passed by Oxford City Council on January 18, 2020. No additional waivers are requested at this time.

Please place this item on the May 10th Planning Commission Meeting agenda. It is our intent to pursue a site plan review concurrently with this application. Documentation in support of a site plan review will be submitted separately.

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

Sincerely,

A handwritten signature in cursive script that reads 'John A. Bayer'.

John A. Bayer, PE

Enclosures

Cc: Todd Homes LLC, Todd Hall



1. SEE SHEET 14 FOR PLANTING DETAILS & NOTES.
2. RESEED AND STRAW ALL DISTURBED AREAS.

PLANT SCHEDULE EAST BUFFER						
EVERGREEN TREES	QTY	BOTANICAL NAME	COMMON NAME	TYPE	MIN.	SIZE
ABI PHA	5	Abies balsamea phanerophytes	Canadian Balsam Fir	B & B	6	16'
THU GIA	6	Thuja plicata 'Green Giant'	Western Red Cedar	B & B	6	16'
ORNAMENTAL TREES	QTY	BOTANICAL NAME	COMMON NAME	TYPE	MIN.	SIZE
AME GRA	3	Ametanther x grandiflora 'Autumn Brilliance'	Autumn Brilliance Serviceberry Tree Form	B & B	1.5'	14'
CER AP2	3	Cercis canadensis 'Appalachian Red'	Appalachian Red Eastern Redbud	B & B	1.5'	14'
AROMATIC SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT	
ARO ARB	10	Aronia arbutifolia 'Brilliantissima'	Brilliant Red Chokeberry	B & B	36"	HR
HAM SPR	10	Hamelalis vernalis	Spring Blooming Witchhazel	B & B	36"	HR
EVERGREEN SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT	
VIB RHY	20	Viburnum x bodinieri 'Aureo-Variegatum'	Aureo-Variegatum	B & B	4.5'	

PLANT SCHEDULE MOUNDS						
DECIDUOUS TREES		QTY	BOTANICAL NAME	COMMON NAME	TYPE	MIN. SIZE
ACE JUG	4		<i>Acer saccharum</i>	Sugar Maple	B & B	2 1/2' Cal
CE MAG	2		<i>Cercocarpus trachyspermus</i> 'Impagalo' TM	Orange Hearted Holly Locust	B & B	2 1/2' Cal
MET GLY	4		<i>Metasequoia glyptostroboides</i>	Dragon Redwood	B & B	2 1/2' Cal
NYS WL	4		<i>Nyctisylvia</i> 'Wildfire'	Black Gum	B & B	2 1/2' Cal
TL REM	3		<i>Tilia americana</i> x <i>euchlora</i> 'Redmond'	Redmond Linden	B & B	2 1/2' Cal
EVERGREEN TREES		QTY	BOTANICAL NAME	COMMON NAME	TYPE	MIN. SIZE
ABI PHA	1		<i>Abies balsamea</i> phenorelopsis	Canadan Balsam Fir	B & B	6 H.
JUN WJ	16		<i>Juniperus scopulorum</i> 'Wichita Blue'	Wichita Blue Juniper	B & B	6 H.
PVC ABI	4		<i>Pinus abies</i>	Norway Spruce	S & B	6 H.
ORNAMENTAL TREES		QTY	BOTANICAL NAME	COMMON NAME	TYPE	MIN. SIZE
AME GRA	8		<i>Amentacanth x grandiflora</i> 'Autumn Brilliance'	Autumn Brilliance Serviceberry Tree Form	B & B	1 1/2' Cal
CER FOR	2		<i>Cercis canadensis</i> 'Forest Palmy' TM	Forest Palmy Redbud	B & B	2 1/2' Cal
DECIDUOUS SHRUBS		QTY	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT
ACC ART	4		<i>Arctostaphylos uva-ursi</i>	Arctic Fire Shrub	5 gal	24" H.
HYA QUA	12		<i>Hydrangea quercifolia</i> 'Ruby Slippers'	Ruby Slippers Hydrangea	5 gal	24" H.
PHY CBS	3		<i>Physocarpus opulifolius</i> 'Oboidian'	Oboidian Firebrake	3 gal	24" H.
EVERGREEN SHRUBS		QTY	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT
CHA GLD	4		<i>Chamaenerion glandulosa</i> 'Golden Mog'	Golden Mog Threadleaf Fatse Cypress	5 gal	24" H.
JUN SAD	5		<i>Juniperus chinensis</i> 'Savoygold' Gump	Golden Juniper	3 gal	18" H.
VIB RHV	4		<i>Viburnum x rhytidophyloides</i> 'Alleghany'	Alleghany Viburnum	B & B	4 H.
ORNAMENTAL GRASSES		QTY	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT
PAN CLO	53		<i>Panicum virgatum</i> 'Cloud Nine'	Cloud Nine Switch Grass	5 gal	Cump

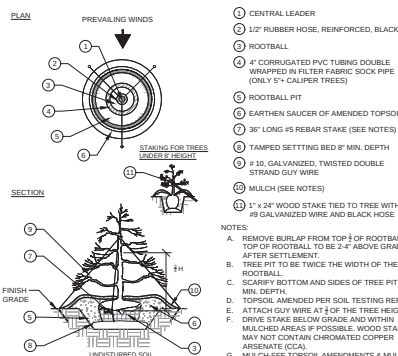
- ADMINISTRATION FEE AN ASSET FEE OF \$200.00. TREE LOCATION & SPECIES MUST BE APPROVED BY THE PURCHASER OF THE PROPERTY AND MUNICIPAL ARBORIST.

12/14

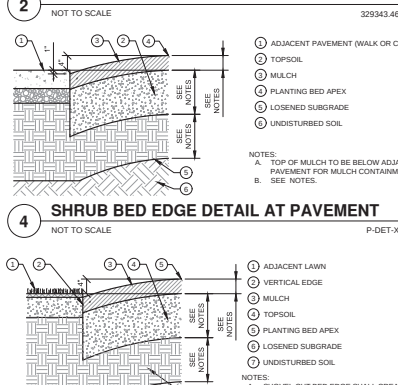


GENERAL NOTES

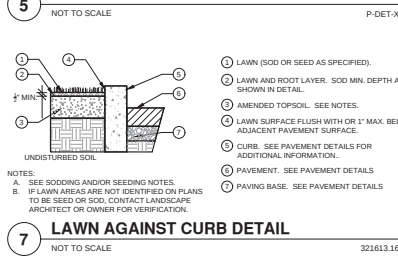
1. SEE SHEET 14 FOR PLANTING DETAILS & NOTES.
2. RESEED AND STRAW ALL DISTURBED AREAS.



 EVERGREEN TREE DETAIL



SHRUB BED EDGE DETAIL AGAINST LAWN



PLANT INSTALLATION

[illegible]

SEEDING / SOD PREPARATION

[illegible]

SEED INSTALLATION

HYDROSEED

THE CONTRACTOR SHALL SEED ALL DISTURBED AREAS, THE FINAL GRADE AND TOPSOIL WITHIN 10 FEET WILL BE IN PLACE FOR SEEDING CONTRACTOR.

CONTRACTOR SHALL APPLY CELLULOSE FIBER MULCH AT A MINIMUM RATE OF 1000 LBS/ACRE AND FERTILIZERS: 10-10-10 AT A RATE OF 100 LBS/ACRE. TOP DRESS WITH 1/2" OF TOPSOIL. APPLY MULCH AT RATE APPROPRIATE FOR PRODUCT. ORGANIC TACKIFIER SHALL BE APPLIED AT RATE OF 10 LBS/ACRE. HYDROSEED SEED MIX SHALL BE FERTILIZED AT THE 2,000 LBS/ACRE RATE.

CONTRACTOR SHALL WATER ALL PLANT AREAS THOROUGHLY TO SATURATE UPPER LAYERS OF SOIL PRIOR TO THE HYDROSEEDING OPERATION. CONTRACTOR SHALL WATER HYDROSEEDING AREAS AT LEAST ONCE PER WEEK FOR THE HYDROSEEDING APPLICATION.

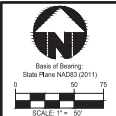
CONTRACTOR SHALL APPLY HYDROSEEDING IN THE FORM OF A SLURRY CONSISTING OF ORGANIC SOIL AMENDMENTS, COMMERCIAL FERTILIZER, AND OTHER CHEMICALS THAT ARE CALLED OUT. WHEN APPLIED TO A DISTURBED AREA, THE SLURRY SHALL BE APPLIED TO THE DISTURBED AREA WITH A UNIFORM VISIBLE COAT. USE THE DARK COLOR OF THE CELLULOSE FIBER AS A VISUAL GUIDE. THE SLURRY SHALL BE APPLIED IN A DOWNWARD DRILLING MOTION VIA A FAN STRAIN NOZZLE. CONTRACTOR SHALL INSURE THAT ALL OF THE SEEDY COAT IS APPLIED TO THE DISTURBED AREA.

SLURRY COMPONENTS ARE LEFT FOR MORE THAN TWO HOURS IN THE MACHINE, ADD 50% MORE OF THE SLURRY COMPONENTS TO THE MIXTURE. IF THE SLURRY IS LEFT FOR MORE THAN TWO HOURS AFTER MIXING, ADD 75% MORE OF THE SLURRY. SEED MIX TO ANY SLURRY MIXTURE WHICH HAS NOT BEEN APPLIED TO THE DISTURBED AREA WITHIN 24 HOURS OF THE TIME OF MIXING. CONTRACTOR SHALL NOT REUSE THE CONTRACTOR'S EXPENSE.

CONTRACTOR SHALL ATTEND TO ALL SLURRY SPILLED OUTSIDE HARDSCAPE AREAS INCLUDING CONCRETE WALKS, FENCES, WALLS, BUILDINGS, ETC. AT THE CONTRACTOR'S EXPENSE.

CONTRACTOR SHALL SAVE ALL HYDROSEEDING EQUIPMENT AND SUPPLIES IN PAPER BAGS FOR THE LANDSCAPE ARCHITECT TO VERIFY COMPLIANCE WITH THE DRAWINGS AND SPECIFICATIONS.

1. EXAMINE AREAS TO RECEIVE PLANTS FOR COMPLIANCE WITH REQUIREMENTS AND CONDITIONS AFFECTING INSTALLATION AND PERFORMANCE. PROCEED WITH INSTALLATION ONLY AFTER UNSATISFACTORY CONDITIONS ARE CORRECTED.
 2. PROTECT STRUCTURES, UTILITIES, SIDEWALKS, PAVEMENTS, AND OTHER FACILITIES AND TURF AREAS AND SURFACES FROM DAMAGE.
 3. INSTALL EROSION CONTROL MEASURES TO PREVENT EROSION OR DISPLACEMENT OF SOILS AND DISCHARGE OF SEDIMENT.
 4. APPLY ANTI-DESICCANT TO TREES AND SHRUBS USING POWER SPRAY TO PROVIDE ADEQUATE FILM OVER LEAVES AND BRANCHES.
 5. WATER PLANTS FREQUENTLY TO PREVENT DROUGHT STRESS AND FACILITATE ROOT ESTABLISHMENT AND TRANSPORTATION. IF DECIDUOUS TREES OR SHRUBS ARE MOVED IN FULL LEAF, APPLY SPRAY ANTI-DESICCANT AT NURSERY BEFORE MOVING AND AGAIN TWO (2) WEEKS AFTER PLANTING.
 6. WATER PLANTS FREQUENTLY TO PREVENT DROUGHT STRESS. STEMS, TWIGS, AND FOLIAGE TO PROTECT FROM WIND AND OTHER DAMAGE DURING DIGGING, HANDLING, AND TRANSPORTATION.
 7. WATER PLANTS FREQUENTLY TO PREVENT DROUGHT STRESS. STEMS, TWIGS, AND FOLIAGE TO PROTECT FROM WIND AND OTHER DAMAGE DURING DIGGING, HANDLING, AND TRANSPORTATION.
 8. MARK STAKE LOCATIONS, OUTLINE AREAS, ADJUST STAKE LOCATIONS WHEN REQUESTED, AND OBTAIN LANDSCAPE ARCHITECT'S APPROVAL OF STAKE LOCATIONS AND OUTLINE AREAS.
 9. BE SURE TO SIGN BY THE LANDSCAPE ARCHITECT WHERE NOTED ON THE PLAN. CONTACT THE LANDSCAPE ARCHITECT FOR ANY CHANGES TO THE PLAN.

[illegible]

**OWL'S LANDING
BLOCK A & B**
SECTION 28, TOWN 5, RANGE 1 EAST
PRESS LANDS WEST OF THE MIAMI
BUTLER COUNTY
OXFORD, OHIO

**bayer
becker**
www.bayerbecker.com
1110 S. College Avenue, Suite 101
Oxford, OH 45056 • 513.523.4270

Drawing:	20-0223 LA
Drawn by:	LEM
Checked By:	ADH
Issue Date:	3-25-22
Sheet:	

14/14

Example Building Elevations For Owls Landing









Protective Covenants and Restrictions
For
Owls Landing

1. Duration of Restrictions

- a. These covenants and restrictions are for the benefit of the lot owners and shall remain in full force and effect until January 1, 2040, at which time said covenants shall be automatically extended for successive periods of 10 years, unless the majority of the then lot owners in this subdivision vote to make any changes, amendments, additions or cancellations to any or all of these deed restrictions.

2. Land Use

- a. All lots comprising the Property shall be used exclusively for single-family, private residence purposes, unless otherwise identified as public or private open space.
- b. All lot owners are required to start construction within three (3) years of the closing date of the initial purchase of the lot.
- c. All construction on any Lot must be completed within 12 months from commencement. The other owners of the development shall have the right, either individually or collectively, to remove from the Lot any building not completed within 18 months, provided the Owner of the Lot is not proceeding with any diligence to complete construction of same. The owner of the Lot, by acceptance of this deed, consents in advance to such removal and to pay on demand the costs thereof, which costs shall be deemed to be a lien on the Lot from the date such removal is commenced.
- d. No lot shall hereafter be subdivided into parcels for additional residential purposes.

3. Architectural Control

- a. No buildings, structures or other improvements of any kind shall be erected or placed on any lot of this subdivision without prior written approval by the Developer or the Association. All building plans, site plans, specifications showing the nature, kind, shape, color, height, materials, and location of the same must be submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Developer.
- b. No additional buildings, structures, or other improvements including driveway modifications of any kind shall be placed on any lot without the prior written approval from the Butler County Engineer's Department, City of Oxford, and Developer(or Board).
- c. The Developer or his assigns shall approve or disapprove design plans, etc. within (30) days of submission by builder. In the event the

Developer fails to approve or disapprove such design and location within (30) days after said plans and specifications have been submitted, the plans will be deemed in full compliance and approved.

- d. Developer, at its sole discretion, has the right to approve and disapprove any proposed builder for the construction of a single-family residence and/or accessory buildings. Builders must have prior experience, a reputation of quality workmanship and willingness to perform work according to deed restrictions of the proposed construction in order to be approved. Developer's approval shall be obtained prior to commencement of any construction on the lot. Owner shall have no claim against Developer for any failures of the Owner's builder. Approval of a builder on a different lot, previously, does not represent future approval of the same builder on another lot.
- e. Developer or his assigns shall not be liable to any owner or any other party for any loss, claim, or demand asserted on account of their management of these restrictions and the performance of their duties hereunder, or for any failure or defect in such administration.
- f. The Developer shall have the authority to grant reasonable variances from the design requirements. No variance shall materially adversely affect any other part of Owls Landing.

4. Dwelling Size

- a. The total floor area of a Dwelling constructed on any Lot shall not be less than 1,000 square feet of finished living area for a one-story home and not less than 1,000 square feet of finished living area for a two-story home. For purposes of computing such minimum square footage of the basement, garage, attic, porches and decks shall not be considered.
- b. All garages shall be attached to the Dwelling and have space for a minimum of two cars and not more than three cars. Front entry ingress and egress is required, unless otherwise approved by the Developer.

5. Dwelling Materials

- a. All foundation walls shall be constructed of poured concrete, or concrete block for slab foundations.
- b. Exterior siding shall be brick, stone, siding, or other natural materials approved by Developer. Pre-primed Cedar or Fiber Cement siding (such as Hardi-plank) will be permitted.
- c. All driveways shall be concrete and shall be completed within six (6) months after owner occupancy.

- d. Satellite receivers are prohibited in the front and side yards. Such devices may be installed in the rear yard or on the house if not visible from the street.
- e. No above ground propane tanks will be permitted on any lot.

6. Detached Buildings/Garages

- a. Not permitted.

7. Setback Lines

- a. All Dwellings on a Lot shall have a minimum building setback of twenty (20) feet back from the existing right-of-way and not closer than five (5) feet from any side property line. Variances of these setback requirements may be approved by the Developer. All setbacks must be in compliance with the City Of Oxford Zoning Department.

8. Easements

- a. The owners of all lots in the subdivision shall be required to maintain storm water drainage ways in accordance with the drainage easements so that the normal flow of water will have no interference. All lot owners shall indemnify and hold the Developer and his assigns harmless from any liability or damages as result of altering the existing drainage path on a side ditch maintenance, bale blocking, sedimentation problems, etc. Builders and owners are responsible to restore and seed the ditch areas disturbed due to the construction activity on their lot and may be billed by the Developer or his assigns for the cost of such restoration and /or seeding.

9. Temporary Structures

- a. No structure of temporary character, including trailer, tent, shack, garage, barn, or other outbuildings shall be used on any lot at any time as a residence, either temporary or permanently. Storage trailers or sheds are permitted by builders during construction periods.

10. Swimming Pools

- a. No above ground swimming pools shall be constructed on any lot.

11. Landscaping

- a. Landscaping requirements include a minimum of one (1) frontyard shade trees (1" or larger diameter) and a minimum of five (5) other trees or shrubs planted in the yard and have the foundation of the home facing the roadway landscaped.
- b. All sod, seed, straw, trees, and shrubs must be installed prior to closing out of construction loan, or adequate escrow to insure completion of landscaping and must be agreed upon by Builder and lending institution. All landscaping, including seeding must be completed to minimum requirements within six (6) months of occupancy.

12. Fences, Walls, and Hedges

- a. Walls or fences erected on any lot shall be ornamental in character and the plans shall be first approved by the Developer the City of Oxford as set forth here an above and shall not exceed (4) feet in height. The height limitation does apply to fences around swimming pools.
- b. Fences are permitted on the side and rear yards only. No chain link fences of any kind shall be permitted.

13. Signs

- a. No signs of any kind shall be displayed to the public view on any lot except one sign not more than twelve (12) square feet advertising the property for sale or rent, or signs used by the builder to advertise the property during the construction and sale period, which signs shall confirm to sizes allowed by the current zoning ordinances. This does not prohibit street signs and subdivision signs.
- b. No signs can remain in front of any newly constructed residence for more than sixty (60) days after an occupancy permit is issued for the residence and the residence is occupied.
- c. No additional signs of any kind shall be allowed on a building site, including but not limited to financing signs, subcontractor signs, supplier signs, etc. It is the responsibility of the Builder to inform all of the subcontractors and suppliers to refrain from erecting any of those signs.

14. Parking of Vehicles

- a. No worn out, discarded automobiles, machinery or vehicles, or parts thereof shall be stored on any Lot and no part shall be used for automobile junk piles or the storage of junk materials. Boats, trailers, recreational vehicles, jet skis, vans, vehicles to be restored or vehicles not used on a regular basis, or other similar items must be kept free from public view and must be parked within a garage or screened

parking area. Temporary storage of boats and trailers for no more than two (2) days while in the state of transfer, etc. shall be permitted

15. Garbage, Rubbish, Construction Waste

- a. No lot shall be used or maintained as a dumping ground for rubbish, trash, garbage, or other waste and the same shall not be kept, except in sanitary containers. All equipment for the storage or disposal of such materials shall be kept in a clean and sanitary condition.
- b. When the home is complete, all containers shall be removed from the public view within twenty-four (24) hours of being emptied by the waste contractor.
- c. Builders and owners of lots are responsible for cleaning and removal of mud or debris on the streets caused during construction and may be billed by Developer for the cost of such cleanup and/or removal.

16. Prohibited Activity

- d. No offensive odors or unsightly nuisances will be permitted on any lot in this subdivision which may be construed to be detrimental to the neighborhood.

17. Animals, Pets

- e. No animals or livestock of any kind shall be kept on any lot in the subdivision except dogs, cats, and other domestic household pets provided they are not kept, bred, boarded, or maintained for any commercial purpose.
- f. No more than five (5) household pets may be kept on any Lot. Owners shall take such measures as necessary to prevent their pets from straying onto other Owner's Lots.

18. Severability

- g. Invalidity of any (1) one or more of these covenants, conditions, restrictions or easements by court order shall not in any way affect any other provisions which shall remain in full force and effect.

19. Enforcement

- h. It shall be lawful for the Developer or any other person or persons owning any real property situated in Owls Landing to prosecute any proceedings at law or in equity against the person or persons violating any covenant or restriction herein contained and either to prevent him or them from so doing, or to recover damages or other dues from such violation. Invalidity of any one of these covenants, by judgments or court order, shall in no way affect any other provisions, which shall remain in full force and effect.
- i. The restrictions set forth herein may be amended by the recording of a written amendment agreed to by at least 75% of the then owners of the lots shown hereon and the Developer. The Developer has the

ability to amend these restrictions while in title of a minimum 50% of the lots.

20. Developer's Rights

- j. Developer reserves the right and power, and each Lot Owner by acceptance of a deed to a Lot is deemed to and does grant to Developer a power of attorney, which right and power is coupled with an interest and runs with a title to a Lot and is irrevocable during the Development period, to amend these Covenants and Restrictions and to execute any and all documents deemed necessary by Developer to conform to its present or future development plans, to correct typographical and drafting errors, to conform to the requirements of any lending institution, and to make any future requirements and covenants as to Owls Landing Subdivision, which the Developer believe to be in the best interest of the development as long as such amendment does not unduly restrict Owners' development or marketable rights.

Todd Homes, LLC has caused this instrument to be executed this _____ day of _____, 2021.

Developer:

Todd Homes, LLC By: _____

Its: _____

STATE OF OHIO
COUNTY OF BUTLER SS:

The foregoing instrument was acknowledged before me this _____ day of _____, 2021, by _____, managing member of Todd Homes, LLC, an Ohio limited liability company on behalf of the company.

Notary Public

Declaration of Homeowner's Association
For
Owls Landing

1. Organization

- a. The Association shall be an Ohio not-for-profit corporation, and shall be called "Owls Landing Owner's Association." The Association will operate as the homeowners' association that will provide maintenance, management and control of common areas and easement.
- b. The initial director of the Association shall be the Developer, until a time that the property is turned over to the Association. At any time before Developer has sold on hundred percent (100%) of the currently platted Lots, plus any additional Lots that may be platted and added to the current subdivision, if any, the Developer may turn over control of the Association to the then current owners of Lots. The Developer shall be required to turn over control of the Association within 180 days after Developer has sold all Lots on the Property if the Developer has not already turned over such control.
- c. The Developer shall be entitled to add additional platted Lots and adjacent land to the subdivisions and subject such additional Lots and adjacent land acquired by Developer to this Declaration, either by subsequent amendment to the Declaration. An amendment or Plat that expands the Property by adding Lots or land may be executed and filed by Developer at any time prior to turnover without consent of other persons who are Lot Owners at that time.

2. Membership

- a. Each Lot Owner, upon acquisition of title of a Lot, shall automatically become a Member of the Association. Membership shall terminate upon the sale or any other disposition by such Member of his Lot, at which time the new Owner automatically shall become a Member of the Association.

3. Administration

- a. The administration of the Association shall be in accordance with the provisions of the Organizational Documents that are established when the Association is formed. Until the Developer has sold all Lots on the Property and on any additional real property that is subjected to this Declaration, the Developer shall be empowered to appoint a majority of the members of the board of Trustees of the Association. Prior to turnover, the Developer may arrange for management of the Association on a contract not to exceed a term of one year.
- b. During the development period, the powers, rights, duties and functions of the Association shall be exercised by a Board of Trustees

selected by Developer. Developer reserves the right to relinquish such right to control at any time.

4. Assessment

- a. There is hereby established for the benefit of the Lot Owners of the Property an annual charge or assessment. The Annual Assessment shall be used exclusively to promote the recreational, health, safety, and welfare of the residents of the Property and the enforcement of the subdivision's Covenants and Restrictions. The assessments shall be assessable for future maintenance, upkeep, repair and replacement of such improvements to the extent the improvements are not accepted by public or governmental authorities.
- b. The assessments shall also include, without limitation, the expenses for maintenance of the front entrance landscaping and lighting, street scape landscaping maintenance, private road maintenance and repair, private storm system maintenance and repair, retention basin maintenance and repair, common space grass maintenance and repair, insurance premiums, operations costs, management of the Association, fees for legal and accounting services, mailing and postage.
- c. Each Lot Owner's share of the assessment shall be equal to the proportion of one to the total number of Lots then subject to this Declaration. Any lot owned by Developer without improvements thereon shall be pay ten (10%) of the share of the Assessment otherwise payable on account of such Lot. The initial amount of the individual lot assessment shall be Five Hundred Dollars (\$500) per year.
- d. The Developer or the Association shall budget for the current year's projected costs for landscaping, watering, maintenance, upkeep, including snow plowing, repair, cleaning, insurance, taxes, management fees, organizational costs, legal costs for the enforcement of liens and Protective Covenants and Restrictions and any other costs reasonably foreseeable and established by the Developer or the Association shall build up and maintain a reasonable contingency reserve and for the periodic maintenance, repair, and replacement of the Front Entrance.
- e. The annual Assessment shall determine the Association's budget and the amount of the Assessment for the immediately following year on or before January 15th and shall give written notice to all Lot Owners of the Assessment applicable to their Lot no later than February 15th. The failure of the association to meet the time deadlines imposed herein shall have no effect on the obligation of owners to pay their proportionate share of the Assessment when determine. If during the course of the year, the board determines that the amount of the Assessment is or will be inadequate to cover any and all such costs described below, the board may adjust the amount of the Assessment

by giving written notice to members not less than twenty (20) days before the effective date of the adjustment.

5. Lien for Assessment

- a. The Assessment shall be a lien on each Lot with priority over all other liens and encumbrances on any Lot or any part thereof, or interest arising after this Declaration is recorded, excepting real estate taxes and assessments, and liens of record in favor of any political subdivisions or governmental instruments of the State of Ohio, to the extent made superior by applicable law.
- b. Each Lot Owner, by acceptance of a deed or other instrument of conveyance for the Lot, shall be deemed to covenant to pay the payment of the Assessment to the Developer or to the Association after the turnover.
- c. If any installment of the Assessment on any Lot is not paid within the period established by the Association pursuant to the Declaration, the amount thereof together with any interest, costs, penalties and reasonable attorneys' fees shall constitute a lien on such Lot in favor of the Association.
- d. If the Association incurs any cost or expense for or on account of any item of maintenance, repair or other matter made necessary by wrongful or negligent act of omission of any Owner, such costs shall be borne by such Owner and not by the Association, and if paid by the Association, shall be reimbursed to the Association by such Owner as an Individual Lot Assessment.
- e. No owner may exempt himself from liability for his share of the assessment by abandonment of his Lot.

6. Records of the Association

- a. The Association shall keep full and correct accounting records. The Association shall make available to all Lot Owners and the holders of all first mortgages on Lots, current copies of the books, records and financial statements of the Association upon reasonable request. All funds collected by this Declaration shall be held and used solely for the benefit of the Association and all of the Lot Owners.

7. Insurance

- a. The Association shall obtain and maintain a comprehensive policy of liability insurance covering the Common Areas and Facilities insuring the Association, Trustees, and Owners and members in an amount of not less than five hundred thousand dollars (\$500,000), per occurrence for personal injury and/or property damage.
- b. In addition, the Association may obtain and maintain casualty insurance, Trustees' and Officers' liability insurance as the Board deems appropriate from time to time.

8. Meeting of the Association

- a. **Place of Meetings.** Meetings of the Association shall be held at a suitable place convenient to the Members as may be designated by the Board of Trustees in Butler County, Ohio or as convenient thereto as possible and practical.
- b. **Annual Meeting.** The first meeting of the Association shall be held by the Developer as soon as practicable after the incorporation of the Association. An annual meeting date shall be established by the Association upon turnover from the Developer.
- c. **Special Meetings.** The President may call special meetings. In addition, it shall be the duty of the President to call special meetings of the Association if so directed by resolution of a majority of a quorum of the Board of Trustees or a written petition signed by at least thirty-three (33%) percent of the total votes of the Association. The notice of special meetings shall state the date, time and place of such meeting and the purpose thereof. No business shall be transacted at special meetings except as stated in the notice.
- d. **Notice of Meetings.** It shall be the duty of the Secretary to mail or cause to be delivered to the stating the purpose of the special meetings, as well as the time and place where it is to be held. If an Owner wishes notice to be given at an address other than his or her Lot, he or she shall designate such address by written notice to the Secretary. The mailing or delivering of a notice of a meeting in the manner provided in this Section shall be considered service of notice. Notices shall be served not less than ten (10) nor more than sixty (60) days before a meeting.
- e. **Waiver of Notice.** Waiver of notice of a meeting of the Members shall be deemed the equivalent of proper notice. Any Member may, in writing, waive notice of any meeting of the Members, either before or after the holding of such meeting. Attendance of any Member at any meeting without protesting, prior to or at the commencement of the meeting, the lack of proper notice shall be deemed to be a waiver by him or her of such meeting.
- f. **Adjournment of Meetings.** If any meetings of the Association cannot be held because a quorum is not present, a majority of the Members who are present at such meeting, either in person or by proxy, may adjourn the meeting to a time not less than five (5) nor more than thirty (30) days from the time the original meeting was called. At such adjourned meeting at which a quorum is present, any business which might have been transacted at the meeting originally called be transacted. If a time and place of the adjourned meeting are not fixed by those in attendance at the original meeting, or if for any reason a new date is fixed from the adjourned meeting after adjournment, notice of the time and place of the adjourned meeting shall be given to Members in the manner prescribed for regular meetings. Those present at a duly called or held meeting at which a quorum is present may continue to do business until adjournment, notwithstanding the

withdrawal of enough Members to leave less than a quorum, provided that any action taken shall be approved by at least a majority of Members required to constitute a quorum.

- g. **Voting Rights.** Each Lot shall have one vote. If only one of several Owners for a Lot is present at a meeting of the Association, that Owner is entitled to cast the vote allocated to that Lot. If more than one of the Owners is present, the vote allocated to that Lot may be cast only in accordance with the agreement of a majority in interest of the Owners. There is a majority agreement if any one of the Owners cast a vote allocated to that Lot without protest being made promptly to the person presiding over the meeting by any of the other Owners of the Lot. The Association may adopt rules regarding deadlocks. No votes allocated to a Lot Owner by the Association may be cast. Voting at elections and votes on other matters may be conducted by mail.
- h. **Proxies.** A vote allocated to a Lot may be cast pursuant to a proxy duly executed by an Owner. If a Lot is owned by more than one person, each Owner of the Lot may vote or register protest to the casting of votes by the Owners of a Lot through a duly executed proxy. An Owner may revoke a proxy given pursuant to this section only by actual notice of revocation to the person presiding over a meeting of the Association. A proxy is void if it is not dated or purports to be revocable without notice. Except as hereinafter provided, a proxy shall terminate one year after its date, unless it specifies a shorter time. If a first mortgagee has been designated a proxy under the terms of a first mortgage covering a Lot, its presentation to the Board of a copy of the mortgage shall be notice of the proxy designation, and if the mortgage so states, of the irrevocability of that designation. Written notice to the Board or notice in a meeting of a revocation of a proxy designation shall not affect any vote or act previously taken. Each proxy shall automatically cease upon conveyance of the Lot.
- i. **Majority of Owners.** As used in this By-Laws, the term majority shall mean those votes, Owners, Members or other group as the context may indicate totaling more than fifty (50%) percent of the total number.
- j. **Quorum.** Except as otherwise provided in these By-Laws or in the Declaration, those Members present in person or by proxy shall constitute a quorum at all meetings of the Association. Any provision in the Declaration concerning quorums is specifically incorporated herein.
- k. **Conduct of Meetings.** The President shall preside over all meetings of the Association, and the Secretary shall keep the minutes of the meeting and record in the minute book all resolutions adopted, as well as a record of all transactions occurring thereat.
- l. **Action Without A Meeting.** Any action which may be authorized or taken at a meeting of the members, except the election of Board members, may be authorized or taken without a meeting with the

affirmative vote or approval, and in writing or writings signed by not less than a majority of the Members. Any such writing shall be entered into the minute book of the Association.

9. Board of Trustees

- a. **Governing Body.** Except as otherwise provided by law, the Articles of Incorporation, the Declaration or this Code of Regulations, all of the authority of the Association shall be exercised by or under the direction of the Board of Trustees.
- b. **Number and Qualification of Trustees.** The Board of Trustees in the Association shall consist of three (3) persons and shall be those named in the Articles of Incorporation or other such person or persons as may be substituted by the Declarant pursuant to Article XIII, Section 13.3 of the Declaration. Except those appointed by the Declarant, all Trustees must be Owners. The spouse of an Owner is qualified to act as a Trustee if both the Owner and the spouse occupy the Lot. No person and his or her spouse may serve on the Board at the same time.
- c. **Nomination of Trustees.** Except for Trustees selected by the Declarant, nomination of the Board of Trustees shall be made by a Nominating Committee. The Nominating Committee shall consist of a Chairman, who shall be a member of the Board, and two (2) or more Members of the Association. The Nominating Committee shall be appointed by the Board at each annual meeting of the Members to serve from the close of such annual meeting until the close of the next annual meeting. The Nominating Committee shall make as many nominations for election to the Board as it shall in its discretion determine but in no event less than the number of vacancies or terms to be filled. Nominations shall be permitted from the floor. All candidates shall have a reasonable opportunity to communicate their qualifications to the Members and to solicit votes.
- d. **Election of Trustees.** The trustees shall be elected at each annual meeting of the Members of the Association or at a special meeting called for the purpose of electing Trustees. At a meeting of members of the Association at which Trustees are to be elected, only persons nominated as candidates shall be eligible for elections as Trustees and the candidates receiving the greatest number of votes shall be elected. The Board may adopt rules regarding nominations and procedure for elections. Election to the Board shall be by secret written ballot and at such elections, the Members or their proxies may cast, in respect to each vacancy, such voting power as they are entitled to exercise under the provisions of the Declaration.
- e. **Term of Office; Resignations.** Except for those Trustees appointed by the Declarant, each Trustee shall hold office for a term of two (2) years and until his or her successor is elected, or until his or her earlier resignation, removal from office, or death. It is intended by

these Code of Regulations that the terms of the Trustees shall be staggered with one (1) Trustee being elected in odd numbered years and two (2) Trustees being elected in even numbered years. The initial terms of the Trustees elected by the Owners shall be adjusted to carry out this intent. Any Trustee may resign at any time by oral statement to that effect made at a meeting of the Board of Trustees or in writing to that effect delivered to the Secretary of the Association, such resignation to take effect immediately or at such other time as the Trustee may specify. In the event of death or resignation of a Trustee, his or her successor shall be selected by a majority of the remaining members of the Board and shall serve for the unexpired term of the predecessor.

- f. **Compensation.** Members of the Board of Trustees shall serve without compensation, except that they may be reimbursed for actual expenses incurred on behalf of the Association.
- g. **Organization Meetings.** The first meeting of the members of the Board of Trustees following each annual meeting of the Members shall be held within ten (10) days thereafter at such time and place as shall be fixed by the Board.
- h. **Regular Meetings.** Regular meetings of the Board of Trustees may be held at such time and place and shall be determine from time to time by a majority of the Trustees, but at least four (4) such meetings shall be held during each fiscal year with at least one (1) per quarter.
- i. **Special Meetings.** Special meetings of the Board of Trustees shall be held when called by written notice signed by the President or Secretary of the Association, or by any two (2) Trustees. The notice shall specify the time and place of the meeting and the nature of any special business to be considered.
- j. **Notice of Meetings; Waiver.** Notice of the time and place of each meeting of the Trustees, whether regular or special, shall be given to each Trustee by one of the following methods: (a) personal delivery; (b) written notice by first class mail, postage prepaid; (c) by telephone communication, either directly to the Trustee or to a person at the Trustee's home or place of business who would reasonably be expected to communicate such notice promptly to the Trustee; or (d) by telegram or cablegram, charges prepaid. All such notices shall be given or sent to the Trustee's address or telephone number as shown on the records of the Association. Notice sent by first class mail shall be deposited into a United States mailbox, at least four (4) days before the time set for the meeting. Notices given by personal delivery, telephone, telegraph or cablegram company at least seventy-two (72) hours before the time set for the meeting. Waiver of notice of meetings of the Trustees shall be deemed the equivalent of proper notice. Any Trustee may, in writing, waive notice of any meeting of the Board, either before or after the holding of such meeting. Such writing shall be entered into the minutes of the meeting. Attendance

of any Trustee at any meeting without protesting, prior to or at the commencement of the meeting, the lack of proper notice shall be deemed to be a waiver by him or her of notice of such meeting.

- k. **Quorum of the Board of Trustees.** At all meetings of the Board of Trustees, a majority of the Trustees shall constitute the decision of the Board. A meeting at which a quorum is initially present may continue to transact business, notwithstanding the withdrawal of the Trustees, if any action taken is approved by at least a majority of the required quorum for the meeting. Notice of adjournment of a meeting need not be given if the time and place to which it is adjourned are fixed and announced at such meeting. At such adjourned meeting at which a quorum is present, any business which might have been transacted at the meeting originally called may be transacted.
- l. **Conduct of Meetings.** The President shall preside over all meetings of the Board of Trustees, and the Secretary shall keep the minutes of the meeting and record in the minute book all resolution adopted, as well as a record of all transactions occurring thereat.
- m. **Open Meetings.** All meetings of the Board of Trustees shall be open to all Members of the Association, but Members other than the Trustees may not participate in any discussion or deliberation unless expressly so authorized by a majority of a quorum of the Board.
- n. **Executive Session.** The Board may, with approval of a majority of a quorum, adjourn a meeting and reconvene in executive session to discuss and vote upon personnel matters, litigation in which the Association is or may become involved, or orders of business of similar nature. The nature of any and all business to be considered in executive session shall first be announced in open session.
- o. **Action Without A Meeting.** Any action which may be authorized or taken at a meeting of the Board of Trustees may be authorized or taken without or taken without a meeting with the affirmative vote or approval, and in writing or writings signed by all the Trustees. Any such writing shall be entered into the minute book of the Association. An explanation of the action taken shall be posted at a prominent place or places within the Properties within three (3) days after written consents of all the Board members have been obtained.
- p. **Voting By Trustees.** A Trustee who is present at a meeting of the Board or any committee meeting when corporate action is taken shall be deemed to have assented to the action taken unless
 - a.) He or she objects at the beginning of the meeting (or promptly upon arrival) to holding it or transacting business at the meeting;
 - b.) His or her dissent or abstention from the action taken is entered in the minutes of the meeting;
 - c.) He or she delivers written notice of his or her dissent or abstention to the presiding officer of the meeting before its adjournment or to the Corporation immediately after

adjournment of the meeting. This right of dissent or abstention shall not be available to a Trustee who votes in favor of the action taken.

- q. **Officers.** The officers of the Association shall be a President, Secretary, and Treasurer. The Board of Trustees may elect such other officers, including one or more Assistant Secretaries and one or more Assistant Treasurers, as it shall deem desirable, such officers to have the authority and perform the duties prescribed from time to time by the Board. Any two or more offices may be held by the same person, excepting the offices of President and Secretary. The President and Treasurer shall be elected from among members of the Board of Trustees.

10. Easements

- a. The Association shall have a right of access and an easement to, over and through each Lot during reasonable hours and upon giving reasonable notice for ingress and egress and all other purposes which enable the Association to perform its obligations, right and duties with regard to maintenance, repair, removal, restoration, or servicing of any items in violation of the Protective Covenants and Restrictions.

11. Remedies for Breach of Protective Covenants and Restrictions

- a. Any breach of the Protective Covenants and Restrictions for Owls Landing, which are not corrected within seventy-two (72) hours of notification, shall be subjected to a Five Hundred Dollar (\$500.00) fine per occurrence, payable to the Association, which may be secured by liens placed on the lot according to this Declaration.

12. Maintenance

- a. The association shall make all repairs to all private roads and road signs in conformity with any requirements by City of Oxford.
- b. The Association shall be responsible for mowing and maintenance of all vacant areas in the development. The individual Lot Owners are responsible for mowing and maintenance to their Dwelling Unit and property all the way to the asphalt of the road.
- c. All lots are included in the HOA established for Owls Landing. The Association is responsible for maintaining storm drainage facilities including water quality basins located outside of the public right-of-way; street buffer landscaping; entryway monuments, signage and lighting; and for enforcing conservation area easement requirements.

Todd Homes, LLC has caused this instrument to be executed this _____ day of _____, 2021.

Developer:
Todd Homes LLC

By: _____
Its: _____

STATE OF OHIO
COUNTY OF BUTLER SS:

The foregoing instrument was acknowledged before me this _____ day of _____, 2021, by _____, managing member of Todd Homes, LLC, and Ohio limited liability company on behalf of the company.

Notary Public

November 12, 2021

Mr. Scott Otto, P.E.
City Engineer
City of Oxford
15 S. College Ave
Oxford, Ohio 45056

**Re: Owl's Landing
Traffic Evaluation**

Dear Mr. Otto,

Bayer Becker has prepared the following Traffic Evaluation for the proposed Owl's Landing development to be located on the north side of Brookville Road west of Autumn Drive, in the City of Oxford, Butler County, Ohio.

Proposed Development

The proposed Owl's Landing development will consist of 86 single family homes. Direct access for the development is proposed via 2 access point on Brookville Road, 377 feet and 1,011 feet west of Autumn Drive.

A concept plan is provided by attachment.

Area Conditions

In the vicinity of the site, Brookville Road is an east-west, two-lane roadway with a posted speed limit of 45 mph for the eastern portion of the site and 55 mph for the western portion. Per the Oxford Thoroughfare Plan, Brookville Road is classified as a major collector.

To determine the existing traffic volumes along Brookville Road, in front of the development, Bayer Becker conducted an AM and PM Peak Hour directional traffic count on Tuesday, October 26, 2021. Also on October 26, 2021, Bayer Becker conducted peak hour turning movement traffic counts at the intersection of Oxford Reily Road (SR 732) and West Chestnut Street/Brookville Road, from 7:00 AM to 9:00 AM and from 4:00 PM to 6:00 PM.

The complete traffic count information is provided by attachment. The 2021 AM and PM peak hour existing traffic volumes are presented in Figure 1.

Projected Traffic

Trip generation for the proposed Owl's Landing development was estimated using the data and methodology presented in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 11th Edition*. Site trips generated during the weekday AM and PM peak hours are presented in the following table.

Table 1
Trip Generation – Episcopal Retirement Services Development

Land Use	ITE Code	Size	Units	AM Peak Hour			PM Peak Hour		
				Enter	Exit	Total	Enter	Exit	Total
Single Family Detached Housing	210	86	Dwellings	17	48	65	54	32	86

Trip generation rate information is attached for reference.

Peak hour site trips generated by the proposed development were distributed at the site access drives and the intersection of Oxford Reily Road (SR 732) and West Chestnut Street/Brookville Road based upon the existing traffic distribution, as presented in Figure 2.

Site trips generated by the proposed development are presented in Figure 3.

No Build Traffic

Episcopal Retirement Services is proposing a 42 unit Senior Residential Development west of Oxford Reily Road (SR 732) on the south side of extended Melissa Drive. Trips to be generated by the proposed development have been distributed within the study area and are presented in Figure 4. The Existing Traffic in Figure 1 were added to the Figure 4 Episcopal Retirement Services Development Trips to determine the 2022 No Build Traffic, as presented in Figure 5.

Total Traffic

The 2022 Build traffic volumes were obtained by adding the proposed site traffic volumes to the 2022 No Build traffic volumes. The 2022 Build traffic volumes are presented in Figure 6.

Turn Lane Warrant Analysis

The need for turn lanes on all approaches of the intersections of the site drives with Brookville Road and the intersection of Oxford Reily Road (SR 732) at Brookville Road/West Chestnut Street were determined using turn lane warrants from the Ohio Department of Transportation (ODOT) *Location and Design Manual, Volume 1*, Sections 401.2.2, 401.6.1, and 401.6.3 and Figures 401-5a and 401-6a.

Based on the analysis, the following turn lane is warranted for 2021 Existing Conditions:

- Westbound left turn on West Chestnut Street at Oxford Reily Road (SR 732).

No additional turn lanes are warranted for 2022 Build Conditions (including site development traffic).

The turn lane warrant analysis is provided in the Attachments.

The ODOT *Location and Design Manual, Volume 1* Figures 401-9 and 401-10, were used to calculate the storage length for the warranted turn lane.

Based on calculations, the following turn lane storage length is recommended for 2021 Existing Conditions:

- 225' westbound left turn on West Chestnut Street at Oxford Reily Road (SR 732)

The storage length includes a 50' diverging taper. Storage length calculations are provided in the Attachments.

Capacity and Level of Service

Level of Service (LOS), as defined in the *Highway Capacity Manual, 6th Edition (HCM 2016)*, is “a quality measure describing operational conditions within a traffic stream, generally in terms of such service measures as speed and travel time, freedom to maneuver, traffic interruptions, and comfort and convenience.” LOS is a function of the control delay per vehicle, and it is the standard used to evaluate traffic flow at an intersection.

According to ODOT's *State Highway Access Management Manual*, every movement should operate at LOS of E or better, with the overall intersection at a LOS D or better.

The criteria used by *HCM* are provided in Table 3 below.

Table 2
Level of Service Criteria for Unsignalized Intersections

Level of Service	Delay Range (sec/veh)	Expected Delay
A	<10	Little or No Delay
B	>10 and < 15	Short Traffic Delay
C	>15 and < 25	Average Traffic Delay
D	>25 and < 35	Long Traffic Delay
E	>35 and < 50	Very long Traffic Delay
F	>50	Excessive Traffic Delay

Capacity analysis of the intersections of the site drives with Brookville Road, and Oxford Reily Road (SR 732) and Brookville Road/West Chestnut Street was performed for the 2021 Existing, 2022 No Build and 2022 Build Conditions, with the warranted westbound left turn lane on West Chestnut Street at Oxford Reily Road (SR 732).

Intersection levels of service for the unsignalized intersections are presented in Table 3. For complete capacity analysis, see Attachments.

Table 3
Levels of Service (Delay, Seconds)

		Existing		2022 No Build		2022 Build	
		AM Peak	PM Peak	AM Peak	PM Peak	AM Peak	PM Peak
Oxford Reily Road (SR 732) and W. Chestnut St./Brookville Road (Unsignalized)							
EB		A (9.7)	A (9.3)	A (10.0)	A (9.4)	B (10.6)	A (9.6)
WB	Left/Thru	B (10.3)	C (16.8)	-	-	-	-
	Left	-	-	B (11.2)	B (13.1)	B (11.3)	B (13.3)
	Thru	-	-	A (8.6)	B (10.6)	A (8.7)	B (11.3)
NB		A (10.0)	B (11.0)	B (10.2)	B (10.8)	B (10.5)	B (11.2)
Overall		B (10.0)	B (13.9)	B (10.3)	B (11.3)	B (10.6)	B (11.6)

	Existing		2022 No Build		2022 Build	
	AM Peak	PM Peak	AM Peak	PM Peak	AM Peak	PM Peak
Brookville Road and Street A (Unsignalized)						
EB	-	-	-	-	A (7.3)	A (7.7)
WB	-	-	-	-	-	-
SB	-	-	-	-	A (9.4)	A (10.0)
Brookville Road and Street C (Unsignalized)						
EB	-	-	-	-	A (7.3)	A (7.7)
WB	-	-	-	-	-	-
SB	-	-	-	-	A (9.0)	A (9.5)

Based on the capacity analysis completed for the intersections of the site drives with Brookville Road, and Oxford Reily Road (SR 732) and Brookville Road/West Chestnut Street, the LOS for each movement is acceptable, in both the AM and PM Peak Hours for 2021 Existing, 2022 No Build and 2022 Build Conditions with the proposed left turn lane on West Chestnut Street at Oxford Reily Road (SR 732).

Findings and Recommendations

Based on the traffic analysis contained herein, the following roadway improvement is recommended to accommodate 2021 Existing Conditions (without the proposed Owl's Landing development):

- Construct a 225' westbound left turn lane on West Chestnut Street at Oxford Reily Road (SR 732).

The storage length includes a 50' diverging taper.

All improvements shall be constructed in accordance with City of Oxford requirements.

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

Sincerely,



Etta Reed, P.E.

Attachments