

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: July 19, 2016

Sam Perry
Prepared By

Account Code No. #:

July 12, 2016
Date Prepared

Budgeted Amount:

Agenda Title: **Board of Zoning Appeals Meeting Report – June 15, 2016**

Adjudication Hearings

BZA-2016-04, 110 N. Poplar Street, McCullough-Hyde Memorial Hospital, Variances, Chapter 1151 Signs, specifically, 1151.05(a)(2)B.1 indirect illumination of wall mounted signs; 1151.05(e)(2)A building identification sign area and natural illumination, **Michael Murphy, Champlin Architecture, Applicant, Agent** – Two internally illuminated wall signs were planned. Both required a variance due to internal illumination in the Uptown District. The third variance was to have a building name sign 46 square feet in area, over the maximum of 6 square feet. The BZA deliberated and voted 4-1 to approve the lighting for the wall sign. The BZA deliberated on the building name sign and voted 5-0 to table the size and lighting requests based upon the applicant's desire to submit revised drawings.

BZA-2016-05 509 N. Campus Avenue, Variance to 1137.06 Nonconforming Structures, side yard setback requirement and 1149.02(a), off street parking requirement, **Scott Webb, Applicant, Agent** -- A rear addition to the existing single family residence was planned. This resulted in the requirement for side yard setback compliance and the off-street parking requirement. The addition setback was planned to increase beyond the current condition, to 3.5 feet but not meet the 7.5 foot requirement. The addition would enclose an existing basement stair. Zoning code requires two off-street parking spaces which would be difficult to provide without eliminating the substantial front yard on the narrow 43' wide lot. The BZA deliberated and voted 5-0 to grant both variance requests.

BZA-2016-06 116 W. Collins, variance to 1141.03(b) Supplemental Regulations, principal entrance upon a street; 1149.02(a) parking, **Scott Webb, Applicant, Agent** – The applicant requested this item to be tabled. The BZA voted 5-0 to table the item.

The next regular BZA meeting is Wednesday, July 20, 2016 at 7:30 p.m.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial Date
ghc / 7/12/16
DRE / 7/15/16

CITY OF OXFORD STAFF SUMMARY REPORT

Report to City Manager

Council Meeting Of : 7/19/2016

Account Code No. : see below

Budgeted Amount :

Finance
Originating Department

Joe Newlin
Prepared By

7/14/2016
Date Prepared

Agenda Title:	2016 Supplemental Budget #6
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Recommendation:	Approve
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Issue 1

To make adjustment to amended budget for health care reimbursements and associated expenditures over the \$75,000 budgeted amount

Action Needed:

Revenue Side

Employee Benefits (230)	433,279.00	Reimbursements from carrier
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Expense Side

Employee Benefits (230)	433,279.00	Appropriation from unencumbered balance for medical expenses
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Net Effect on Fund Balance/(s) Increase/(Decrease)	-	
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Issue 2

To make adjustment to amended budget for grant proceeds and make appropriation for Fire & EMS training/equipment

Action Needed:

Revenue Side

Fire & EMS (418)	4,750.00	Grant proceeds Ohio Department of Public Safety
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Expense Side

Fire & EMS (418)	4,750.00	Appropriation from unencumbered balance for training/equipment expenditures
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Net Effect on Fund Balance/(s) Increase/(Decrease)	-	
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Total Net Effect on Fund Balance/(s) Increase/(Decrease)	-	
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Breakdown by Fund

Employee Benefits (230)	-	
Fire & EMS (418)	-	

Net Effect on Fund Balance/(s) Increase/(Decrease)	-	
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Approved By:	Department Head:	<table style="width: 100%;"> <tr> <td style="width: 50%; text-align: center;"> <i>[Signature]</i> Initials </td> <td style="width: 50%; text-align: center;"> Date <u>7/14/15</u> </td> </tr> <tr> <td style="text-align: center;"> <i>[Signature]</i> City Manager: </td> <td style="text-align: center;"> Date <u>7/15/16</u> </td> </tr> </table>	<i>[Signature]</i> Initials	Date <u>7/14/15</u>	<i>[Signature]</i> City Manager:	Date <u>7/15/16</u>
<i>[Signature]</i> Initials	Date <u>7/14/15</u>					
<i>[Signature]</i> City Manager:	Date <u>7/15/16</u>					

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3335. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 6 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2016.

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

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

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

Employee Benefits Fund 230	433,279.00
Fire & EMS Fund 418	4,750.00

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

Employee Benefits Fund 230	433,279.00
Fire & EMS Fund 418	4,750.00

SECTION 4: In all other respects, Ordinance No. 3335 shall remain in full force and effect.

SECTION 5: This ordinance shall take effect immediately upon its adoption.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

CITY OF OXFORD STAFF SUMMARY REPORT

Report to the City Manager: Douglas R. Elliott, Jr.

Police

Originating Department

Council Meeting Of: July 19, 2016

John A. Jones

Account Code #: 140.110.61104
412.110.52520

Prepared By

Budgeted Amount: \$72,800

June 15, 2016

Date Prepared

Agenda Title: Purchase of three vehicles for Division of Police

Recommendation: Approve

The 2016 Capital Improvement budget includes \$44,300 in the Capital Equipment Fund and \$28,500 in the Enforcement and Education Fund for the purchase of police vehicles and equipment necessary to maintain the operating integrity of the Police Department. We currently have a need for both marked patrol vehicles and unmarked administrative vehicles. The following vehicles are in fair to poor condition and are overdue for replacement:

#106 - 2003 unmarked Ford Crown Victoria

#107 - 2003 unmarked Ford Crown Victoria

These vehicles have lasted beyond their anticipated lifespan of eight years due to aggressive maintenance practices. We also have a need for marked vehicles as four of our marked vehicles are model year 2007 or older.

We are proposing to purchase three unmarked Ford Fusion mid-size vehicles that will have a limited amount of police emergency equipment installed and be used as administrative or detective vehicles. Two existing police package unmarked 2014 Dodge Chargers that were purchased in 2013 will be outfitted with additional police equipment including a light bar and police markings and will be added to the patrol fleet. The estimated cost of three Ford Fusions is \$53,721.

This resolution will authorize the City Manager to enter into a contract with Middletown Ford for the purchase of three Ford Fusions at State Contract pricing for an amount not to exceed \$53,721. Staff further recommends Council authorize the sale of surplus vehicles identified at #106 & #107 by public or electronic auction at the earliest convenience of the City.

State Contract: RS901016-3

Approved By:

Department Head:
City Manager:

Initial Date

DRB 6-28-16
DRB 7-15-16

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MIDDLETOWN FORD, INC. FOR THE PURCHASE OF THREE (3) FORD FUSION VEHICLES AT STATE CONTRACT PRICING AT A TOTAL COST NOT TO EXCEED \$53,721.00 AND TO DISPOSE OF TWO (2) SURPLUS VEHICLES THROUGH PUBLIC OR ELECTRONIC AUCTION.

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

SECTION 1: Council hereby authorizes the Police Department to purchase three (3) Ford Fusion vehicles at state contract pricing at a total cost not to exceed \$53,721.00 and to dispose of two (2) surplus vehicles through public or electronic auction.

SECTION 2: The City Manager is hereby authorized to enter into an agreement with Middletown Ford, Inc. for the purchase of three (3) Ford Fusion vehicles at state contract pricing at a total cost not to exceed \$53,721.00. Council further authorizes the sale of two surplus vehicles identified as #106 and #107 by public or electronic auction.

SECTION 3: Funds have been appropriated for the authorized purchase price.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

CITY OF OXFORD STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott

Police

Originating Department

Council Meeting Of: July 19, 2016

John A. Jones

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

June 27, 2016

Date Prepared

Agenda Title: Resolution authorizing the Division of Police to apply for the Ohio Department of Public Safety OVI grant and be designated as the lead/administering agency for Butler County's participation in the Ohio Department of Public Safety OVI program.

Recommendation: Approve

Discussion: The Oxford Division of Police is the lead agency for a grant from the Ohio Department of Public Safety for the Butler County OVI Task Force for FY2016. In order to continue this program, Oxford must apply for a grant from the Ohio Department of Public Safety for the Butler County OVI Task Force for FY2017.

The administration of the grant involves both police and finance personnel. Oxford would serve as the lead agency for FY2017. There are 13 police agencies within Butler County that participate in the grant program and funding for FY2017 is \$225,000. This amount would be awarded to Oxford for distribution to participating agencies according to the terms of memorandums of understanding executed by officials of those 13 agencies. Funding through the program is essentially completed on a reimbursement basis. Participating agencies pay their officers and then submit reimbursement from Oxford. Reimbursements are on a monthly basis.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

[Signature] 6-28-16

DRE 7-15-16

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A \$225,000.00 GRANT AGREEMENT WITH THE OHIO DEPARTMENT OF PUBLIC SAFETY, TO ENGAGE IN AND COORDINATE AS LEAD AGENCY THE COUNTY-WIDE OVI TASKFORCE.

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

SECTION 1: The City Manager and the Police Chief recommend the City Manager be authorized to enter into a \$225,000.00 grant agreement with the Ohio Department of Public Safety, to engage in and coordinate as Lead Agency the county-wide OVI Taskforce.

SECTION 2: Council, having determined the OVI Taskforce to be beneficial to the community by providing funding for multiple sobriety checkpoints at various locations in Butler County accepts the recommendation of the City Manager and the Police Chief to enter into a grant agreement.

SECTION 3: The City Manager is hereby authorized to enter into a \$225,000.00 grant agreement with the Ohio Department of Public Safety, to engage in and coordinate as Lead Agency the County-wide OVI Taskforce.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW(STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: July 19, 2016

Account Code #: N/A

Budgeted Amount: N/A

Service Department
Originating Department

Michael Dreisbach, Service Director
Prepared By

July 12, 2016
Date Prepared

Agenda Title: Sandra Drive Bridge Replacement – Application for Ohio Public Works Commission - Issue One Funding.

Recommendation: Approve

Discussion: A recent inspection of the Sandra Drive bridge over Collins Run indicated accelerating deterioration on the bridge decking and foundation concrete. While this structure has been inspected annually for several years, current conditions make it prudent to begin planning for replacement of the structure.

Ohio Public Works Commission - Issue One funds, administered by the Butler County Engineer's Office, are available to local governments for projects that improve safety. The City of Oxford, through an application process, has the opportunity to receive Issue One funds to be used for the replacement of the Sandra Drive bridge. The new structure will likely be a precast box culvert with new decking, sidewalks, and railings. Total project costs are estimated to be approximately \$275,000. The City may be eligible to receive approximately \$189,750 from the Commission (69%). The City would be required to provide approximately \$85,250 as the local match to completely fund the project. The local funding would be required in FY 2017 as we would contract for the work in December of 2017 for construction in the summer of 2018.

The cost sharing ratio for this project is approximately 69% OPWC and 31% City. Construction would be timed to try to minimize impact on area residents and school bus transportation for Talawanda School District.

The City's application for funding, should Council approve the project, will include the following project schedule with **construction in 2018:**

Project Engineering	October 2016 through October 2017
Bid Advertising and Award	October 2017 – November 2017
Construction	May 2018 through August 2018

It is Staff's recommendation that Council authorize the City Manager to apply for and sign all documents necessary to receive a grant from the Ohio Public Works Commission for the reconstruction of the Sandra Drive bridge over Collins Run.

Approved By:

Department Head: Initial Date
MBD \ 7/12/16

City Manager:

DRE \ 7/12/16

RESOLUTION NO.

A RESOLUTION OF COUNCIL SUPPORTING THE SUBMISSION OF A GRANT APPLICATION FOR THE OHIO PUBLIC WORKS COMMISSION ISSUE 1 FUNDS IN THE AMOUNT OF \$189,750.00 TO BE USED FOR THE RECONSTRUCTION OF THE SANDRA DRIVE BRIDGE OVER COLLINS RUN.

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

SECTION 1: Council, having determined the reconstruction of the Sandra Drive Bridge over Collins Run to be beneficial to the City, hereby supports the use of grant funds to assist with the cost of the reconstruction of the Sandra Drive Bridge over Collins Run.

SECTION 2: Council hereby authorizes the City Manager to submit a grant application to the Ohio Public Works Commission requesting Issue 1 funds for the reconstruction of the Sandra Drive Bridge over Collins Run.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW(STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: July 19, 2016

Account Code No. #:

Jung-Han Chen
Prepared By

Budgeted Amount:

July 12, 2016
Date Prepared

Agenda Title: Planning Commission Meeting Report –June 14, 2016
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Zoning Items

PC-2016-11, PRELIMINARY PLANNED DEVELOPMENT, 23.189 acres, to be located at the end of Country Club Drive, Savannah Drive and Olde Farm Road, 50 single-family homes, **Red Brick Development LLC, Applicant, Agent**

This application is for a Preliminary Planned Development of 23 acres of vacant land between Olde Farm Road and Country Club Drive, north and west of Heritage Subdivision. Heritage Subdivision is accessed by Contreras Road. The proposal is to develop this 23-acre of vacant land into 50 single-family residential lots with open spaces scattered around the project site, to be developed in two phases. Each phase will consist of approximately 25 lots. The underlying zoning is R-1A, and the zoning designation to the west is R-1B. The proposed home site is approximately 8,250 SF.

Many residents attended and raise concerns about the existing storm water ponding issue in their yards and were concerned that this development would further compound the problem. Additionally, traffic safety issues were also brought up. The Planning Commission took in many comments from the neighbors and explained the Planned Development process.

After the public hearing, the Planning Commission discussed this Preliminary Planned Development and voted 5-0-0 with conditions to City Council.

1. Storm water management shall meet or exceed City of Oxford regulations and standard specifications.
2. A stub street right of way shall be dedicated at the western terminus of the street named "Grace Lane". Staff and applicant shall work together to identify a replacement lot within the project and make a recommendation to modify the open space requirements, if necessary to account for the street right of way and lot.
3. Active and passive recreation areas shall be identified and planned.

4. Outlots' name and letter labels shall be given to each lot not intended for development. A statement be added to the plat indicating that the front yard setback areas of all Outlots be mowed as lawn and maintained free of undergrowth.
5. The 100' wetland buffering requirement is waived such that the applicant and staff shall work out other acceptable environmental practices to mitigate the reduced wetland buffering.
6. The declaration of covenants, home owner association responsibilities, maintenance of common open space and common facilities, easements and restrictions be reviewed and approved by the City Law Director with the Final Plan.
7. Details for street lights shall be included with the Final Plan.
8. A typical lot plot plan shall be submitted with the Final Plan.
9. Architectural elevation plans submitted with the Final Plan shall conform to the types and styles presented. Garages shall be added to the drawings to be consistent with the development restrictions presented.

Next regular meeting is July 12, 2016.

Approved by:

	Initial	Date
Department Head:	<u>JHC</u>	<u>7/12/16</u>
City Attorney:	<u></u>	<u></u>
City Manager:	<u>DRE</u>	<u>7/15/16</u>

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: July 19, 2016

Doug Elliott

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

July 8, 2016

Date Prepared

Agenda Title: Resolution of Council authorizing the City Manager to notify the Oxford Township Trustees of the City of Oxford's intent to terminate the revenue sharing agreement between the City of Oxford and Oxford Township effective on the renewable date February 7, 2017.

Recommendation: Adopt the Resolution

Discussion:

The City of Oxford signed a revenue sharing agreement with Oxford Township on February 7, 2007. According to the agreement the intent was to avoid any adverse financial impacts on either political subdivision due to the development of the Southpointe Crossing property. As a result of this agreement, the City of Oxford has shared property tax revenue with Oxford Township. Over the last 7 years the City has paid Oxford Township \$107,483. Under the terms of the agreement either party may terminate this agreement after the completion of the first 10 years. Such termination notice must be provided at a minimum of six months prior to the last effective date of the agreement.

Staff recommends that the City send a notice to the Oxford Township Trustees of intent to terminate this agreement in 2017. Oxford Township does not provide any services to this land which was annexed to the City in 2007 nor did it expend any funds contributing to the development of the property. Oxford Township will still receive the .24 inside millage which all City of Oxford property owners must pay.

Approved By:

Initial Date

Department Head:

City Manager:

_____ \

DRE

7/15/16

RESOLUTION NO.

A RESOLUTION OF COUNCIL AUTHORIZING THE CITY MANAGER TO NOTIFY THE OXFORD TOWNSHIP TRUSTEES OF THE CITY OF OXFORD'S INTENT TO TERMINATE THE REVENUE SHARING AGREEMENT BETWEEN THE CITY OF OXFORD AND OXFORD TOWNSHIP EFFECTIVE ON THE RENEWABLE DATE FEBRUARY 7, 2017.

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

SECTION 1: Council having received the recommendation of the City Manager hereby acknowledges the Revenue Sharing Agreement between the City of Oxford and Oxford Township has served both entities well since 2007 and is no longer advantageous to the City of Oxford since the City of Oxford provides all municipal services to the Southpointe Crossing property.

SECTION 2: Council hereby authorizes the City Manager to notify the Oxford Township Trustees of the City of Oxford's intent to terminate the Revenue Sharing Agreement between the City of Oxford and Oxford Township signed on February 7, 2007. The agreement is renewable after the completion of ten years unless either party serves notice to terminate the agreement six months prior to the renewable date of February 7, 2017.

SECTION 3: Council further authorizes the City Manager to take all steps necessary to terminate said agreement.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

Revenue Sharing Agreement between the City of Oxford and Oxford Township

This Revenue Sharing Agreement (the "Agreement") is made and entered into as of this 7TH day of FEB., 2007 ("effective date") by and between the City of Oxford, the "City") and Oxford Township (the "Township") under the following circumstances.

Intent

To avoid any adverse financial impacts on either political subdivision, it is the mutual intent of both parties (the Township and the City) to enter into an Agreement for the sharing of property tax revenues on a certain parcel(s) of property which is proposed for development. Said parcel(s) being located in the Township and in need of City utility services to be developed as a mixed use development including multi-family residential, office/research and single family residential. The City is requiring annexation of said parcel(s) in exchange for the provision of utilities.

Property Identification

This Agreement, in accordance with the requirements of Ohio Revised Code Section 709.191, applies to real property (the "Property") described in Exhibit "A" attached hereto.

Terms of Agreement

1. The Township receives 6.84 mills from property tax revenues. The last tax bill for the "property" indicates this millage to total \$11,777.62 in revenue. Once annexed into the City, the City will receive 3.65 mills and the Township will receive .24 mills. The City agrees to provide the Township with 100% of the City's 3.65 millage (excluding the Township's .24 millage) from this Property up to the total amount of revenue collected through the last property tax bill: see above revenue total. Once the Township has been made whole, the City and Township will share property tax revenue from the aforesaid "Property" split 70% to the City and 30% to the Township.
2. The length of this Agreement shall be for ten (10) year automatically renewable increments.

3. Either party may cause to serve notice of intent to terminate this Agreement by providing, in writing, a notice of intent to terminate. Said notice shall be provided at a minimum of 6 months prior to the last effective date of the Agreement, but not until completion of the first ten (10) years of this Agreement.

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

CITY OF OXFORD

By: Jane Howington
Jane Howington, City Manager

OXFORD TOWNSHIP TRUSTEES

By: James B. Mc Donough
Ray D. Mc
Henry R. Sch

APPROVED AS TO FORM:

By: 
Stephen M. McHugh, Law Director
City of Oxford, Ohio

RESOLUTION NO. 4216

A RESOLUTION AMENDING RESOLUTION NO. 4187 AUTHORIZING THE CITY MANAGER TO ENTER INTO A REVENUE SHARING AGREEMENT WITH OXFORD TOWNSHIP FOR THE SOUTHPOINTE CROSSING PROPERTY LOCATED ON US 27 SOUTH.

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

SECTION 1: Council having previously adopted Resolution No. 4187 authorizing the City Manager to prepare and enter into a Revenue Sharing Agreement with Oxford Township for the Southpointe Crossing Property.

SECTION 2: Council having received the recommendation of the City Manager and Law Director that certain amendments to the Agreement is necessary for adoption by the Township and finds the same to be in the City's best interest.

SECTION 3: Council hereby amends Resolution No. 4187 by extending the terms of the Revenue Sharing Agreement from five (5) years to ten (10) years and authorizes the City Manager to enter into a Revenue Sharing Agreement with Oxford Township for the Southpointe Crossing property located on US 27 South pursuant to the requirements of Ohio Revised Code Section 709.191.

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

MAYOR

ADOPTED: December 5, 2006

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY:

PREPARED BY: LAW (STAFF)

RESOLUTION NO. 4187

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PREPARE AND ENTER INTO A REVENUE SHARING AGREEMENT WITH OXFORD TOWNSHIP FOR THE SOUTHPOINTE CROSSING PROPERTY LOCATED ON US 27 SOUTH.

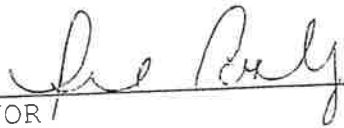
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT:

SECTION 1: Council having received the recommendation of the City Manager and of the Council Sub-Committee for the Revenue Sharing Agreement with Oxford Township, set forth in Attachment 'A' attached hereto and incorporated herein, finds the same to be in the City's best interest.

SECTION 2: Council hereby authorizes the City Manager and Law Director to prepare a Revenue Sharing Agreement with Oxford Township for the Southpointe Crossing Property located on US 27 South incorporate the terms of Attachment 'A'.

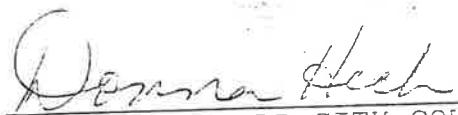
SECTION 3: Council further authorizes the City Manager to sign on behalf of the City the formal Revenue Sharing Agreement when completed.

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


MAYOR

ADOPTED: June 20, 2006

ATTEST:


CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: ALAN KYGER

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Human Resources

Originating Department

Council Meeting Of: June 22, 2016

Candi Turpin

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

June 27, 2016

Date Prepared

Agenda Title:

Report regarding the June 22, 2016 Civil Service Commission Regular Meeting.

Recommendation:

Discussion: The Civil Service Commission held a regular meeting on Wednesday, June 22, 2016. Those members present were: Karen Martino, Chair; James Burchyett, Vice-Chair; Brian Martin, Greg Smith and Bill Brewer.

Candi Turpin, Human Resources Director was in attendance for the City of Oxford. John Jones, Police Chief, was also in attendance.

The Commission reviewed and approved the reinstatement of a Dispatcher/Clerk within one year of resignation.

The next Civil Service Commission meeting is scheduled for Wednesday, July 27, 2016 at 5:30 p.m.

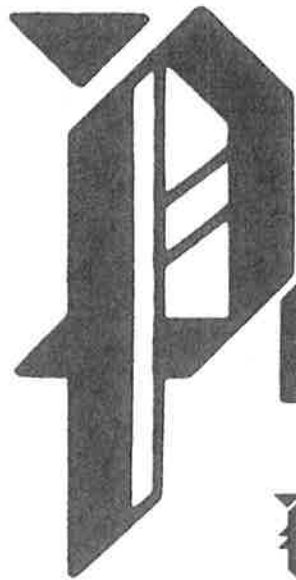
Approved By:

Initial Date

Department Head:

City Manager: ACM

CT 6/27/16
CK 6-27-16
DRE 7/15/16



Office of the Mayor

Proclamation

Whereas:

the Phi Delta Theta Fraternity was founded on December 26, 1848, at Miami University in Oxford, Ohio, and has grown into a prosperous, international organization in its 168 year existence; and

WHEREAS, the fraternity was founded upon the noble precepts of friendship, sound learning and rectitude; and

WHEREAS, there are 182 chapters and 11 colonies of Phi Delta Theta in 43 states and 5 Canadian provinces; and

WHEREAS, there have been over 250,000 members initiated into Phi Delta Theta; and

WHEREAS, the Fraternity holds its annual Kleberg Emerging Leaders Institute in Oxford, Ohio, to promote the ideas of scholarship, service to others, leadership, personal development, and fraternal values and ethics to its diverse membership.

NOW, THEREFORE, I, Kate Rousmaniere, Mayor of the City of Oxford, Ohio, do hereby proclaim the week of July 29th through August 2nd, 2016 to be:

'PHI DELTA THETA WEEK'

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 19th day of July, 2016.


Kate Rousmaniere, Mayor



**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: July 19, 2016

Sam Perry

Account Code No. #:

Prepared By

Budgeted Amount:

July 12, 2016

Date Prepared

HAPC MEETING REPORT – July 6, 2016

New Business

Pre-Application Review

HAPC-2016-10 17 W. Church Street, demolition of an existing structure and construction of a new mixed-use building, **Scott Webb, Applicant, Agent** --- A major project requires a pre-application discussion. The proposal is to demolish the existing 1920s single family residence and replace it with a four-story mixed use building. The existing building was not inventoried in the guidelines. The consensus of the Commission was that there were not major concerns with the appropriateness of the proposal. A complete review at a future meeting will be required before formal action is taken.

Administrative Approvals

HAPC-2016-08-ADM 32 W. High Street, Chinese Cuisine, new wall sign, light fixtures, wall repair, **One Stop Signs, Applicant, Agent** -- This was a façade repair and new sign installation that had been previously approved administratively.

HAPC-2016-09-ADM 3 E. Walnut Street demolition of an existing accessory structure (garage), **Scott Webb, Applicant, Agent** – This was a demolition of a single bay garage that had not been inventoried and was previously approved administratively.

Old Business

Amending HAPC Rules of Procedure – Staff presented revised rules based upon HAPC feedback in June and staff research. The revisions were focused on revised Commission member eligibility requirements. The revised rules were approved 5-0.

Announcements

Staff announced that a historic site tour on bike during Great Ohio Bicycle Adventure was well received.

Staff announced that the history kiosk project at Lane Library had been put on hold until the timing is right.

Next regular meeting is August 3, 2016 at 6:00 p.m.

Department Head:

City Attorney:

City Manager:

JHC / 7/12/16
DRE / 7/15/16

CITY OF OXFORD STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott

Police

Originating Department

Council Meeting Of: July 19, 2016

John A. Jones

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

June 27, 2016

Date Prepared

Agenda Title: Resolution authorizing the City Manager to enter into an agreement with the Talawanda City School District to provide a School Resource Officer at the Talawanda Middle School for the 2016-2017 school year

Recommendation: Approve

Discussion: In the spring of 2016, the Oxford Police Division entered into a contract with the Talawanda City School District to provide a part-time School Resource Officer (SRO) as part of a trial program. That program has been successful and both parties want to continue the program. The SRO would work four (4) days a week, ten (10) hours a day and would be assigned to the school for a majority of those hours and at a minimum twenty-four (24) hours per week. The Talawanda School District agrees to reimburse the City of Oxford for twenty-four (24) of the forty hours worked by the officer at a rate of \$24.00 per hour.

The SRO will be primarily assigned to the Talawanda Middle School and Kramer Elementary. The SRO will split duties at the Talawanda High School with the Butler County Deputy SRO. The SRO will work with the Talawanda Staff to create positive interactions with students, to implement programming, and to promote a safe haven for teaching and learning. The SRO will work to deter incidents of crime and violence to protect students, staff, and visitors at the Talawanda Schools located within the City of Oxford.

The agreement was approved by the Talawanda City School Board at the June 6, 2016 meeting.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

JAJ 6-28-16

DRE 7-15-16

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE SCHOOL RESOURCE OFFICER PROGRAM AGREEMENT BETWEEN THE TALAWANDA CITY SCHOOL DISTRICT AND THE CITY OF OXFORD AND AUTHORIZING THE CITY MANAGER TO SIGN THE AGREEMENT ON BEHALF OF THE CITY.

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

SECTION 1: The City Manager and the Police Chief recommend Council authorize the City Manager to sign on behalf of the City, the proposed Agreement attached hereto as Exhibit "A" with the Talawanda City School District for the services of a "School Resource Officer". The School Resource Officer's salary will be split between the School District and the City with the School District assuming 24 hours per week of the cost and any overtime worked by the School Resource Officer at the request of the School District.

SECTION 2: Council hereby accepts the recommendation of the City Manager and the Police Chief and finds that the Agreement to provide a School Resource Officer in the Talawanda City School District will benefit the community and authorizes the City Manager to sign the agreement on behalf of the City.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

Talawanda School Resource Officer Contract

This contract is made by and between the City of Oxford Division of Police, Ohio, hereinafter referred to as "the City," and Talawanda City School District, Butler County, Ohio, hereinafter referred to as "Talawanda Schools."

WITNESSETH:

WHEREAS, the City and Talawanda Schools desire to provide, under the management and supervision of the City, a School Resource Officer for the duration of the 2016-2017 school year;

NOW THEREFORE, be it agreed by and between the City of Oxford, Butler County, Ohio and the Talawanda Schools, Butler County, Ohio, as follows:

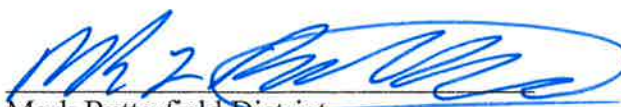
1. The City will provide a School Resource Officer ("SRO") for a minimum of eight (8) hours per day, three (3) days a week, when school is in session, for the 2016-2017 school year. These hours and the SRO's days off might change as the need dictates. The SRO will patrol exclusively at the Talawanda High School, Talawanda Middle School, Kramer Elementary School, and any other school owned property located in the City of Oxford to keep the peace, protect the property and perform other necessary police functions at Talawanda Schools.
2. The City agrees to provide and pay the SRO's salary and employment benefits in accordance with the applicable labor agreements, salary schedules and employment practices of the City. The SRO shall be subject to all other personnel policies and practices of the City except as such policies or practices may have to be modified to comply with terms and conditions of this Agreement.
3. The City, in its sole discretion, shall have the power and authority to hire, assign, discharge and discipline the SRO.
4. The City shall be responsible for providing Workers Compensation, Unemployment Compensation and Police Professional Liability insurance for the SRO.
5. In the event the SRO is absent from work, the SRO shall notify both his/her supervisor with the City and the principal of the school to which the SRO is assigned. In the event the SRO is absent due to illness, injury or disability for a period in excess of ten (10) consecutive work days, the City agrees to meet with Talawanda Schools to discuss a change in this Agreement and/or assign a substitute SRO to assume and perform the duties of the SRO who is absent from work.
6. The City will provide a suitable patrol vehicle for use by the SRO and the parties agree that the assignment of any patrol vehicle will be at the sole discretion of the City.
7. Expenses of the SRO shall be borne between the agreeing parties as follows:

- a. Talawanda Schools agrees to reimburse the City for 24 hours each week at a rate of \$24.00 per hour for each week the SRO works for the 2016-2017 school year, not to exceed 34 weeks. The current costs for this service are estimated at \$19,584 and shall be billed monthly beginning August 17, 2016 through May 25, 2017. Said parties invoiced shall make checks payable to the City of Oxford, and shall be mailed to the City of Oxford Finance Department, 101 E. High Street, Oxford, OH 45056. The City agrees to provide officer time sheets for hours worked at Talawanda Schools as part of the monthly invoicing process.
 - b. Any and all overtime worked by the SRO at Talawanda Schools at the request of the Talawanda Schools shall be paid by Talawanda Schools to the City in the following month. The rate shall remain \$24.00 for hours during the normal school day and \$35.00 per hour outside of the normal school day. The invoice for overtime will be prepared by the City and listed separately on the monthly invoice.
8. The City will, from the annual appropriation of the City, pay all expenses necessary for the operation of the SRO's contract herein, other than those expenses listed and contained in this contract, which are to be paid by Talawanda Schools.
9. The SRO and his/her equipment will at all times be under the direct supervision of the City and subject to the rules, regulations and policies of the City, the State of Ohio and the United States Government.
10. It is mutually agreed upon between the City and Talawanda Schools that the assigned SRO will be used to cope with the needs of Talawanda Schools regarding criminal activity and to help foster education increasing student's knowledge and respect for the law and the function of law enforcement agencies. The SRO assigned by the City and Police shall have full authority to carry out the duties as a sworn police officer at any school facility within the school district.
11. It is mutually agreed upon between the City and Talawanda Schools that the SRO will not work full-time at Talawanda schools and will be available to respond to non-school related calls at any time as needed by City.
12. This agreement may be terminated by either party by the service of written notice of cancellation upon the other party at least thirty (30) days prior to the termination date of the contract period.

CITY:

TALAWANDA SCHOOLS:

Douglas R. Elliott, Jr.
City Manager



Mark Butterfield District
President, Talawanda Board of Education



Kelly Spivey
Superintendent, Talawanda City School District



Mike Davis
Treasurer, Talawanda City School District

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Economic Development Department

For the: June 21, 2016
City Council Meeting

Prepared by: G. Alan Kyger
Date Prepared: June 14, 2016
Date Updated: July 12, 2016

Agenda Title: Chapter 725 Taxicabs

Recommendation: Informational & Updated for the 2nd Reading

Over the last nine months, Officer Derrick Carlson and I have met many times to discuss and review proposed changes to Oxford's Taxicab regulations. In addition to our meetings, we have also met with all the current taxicab companies and many of the drivers, the Miami Student Senate, the Oxford Police Command Staff and the City Manager.

The proposed changes reflect the following purpose statement which has been shared with all the Oxford Taxicab Companies. *"The City of Oxford needs and wants taxicabs operating in the City of Oxford. The goal of this review is to make sure the taxicab patrons are provided safe conditions. Taxicabs play an important role in our community, from providing services like transporting our citizens to and from doctor's appointments to providing late night patrons a safe ride home."*

The current Chapter 725 which regulates Taxicabs was adopted in 1961. Over the last several years the volume of taxicabs in Oxford has grown significantly and the manner in which taxicabs operate has also changed. The proposed new Chapter 725 updates Oxford's Taxicab regulations to better serve both the Taxicab operators and the citizens & guests of Oxford. The recommended changes to Chapter 725 reflect many of the changes which have taken place with many Taxicab companies and operators. Many operators or drivers operate as contractors for the Taxicab Company rather than employees.

These regulations do not address ride sharing entities such as über or lyft. These are regulated by Ohio HB 237.

In addition to lacking depth in the regulations, the current Chapter 725 only regulated Taxi Companies and Vehicles. Operator or Driver requirements were very basic, the operator had to be over 21 years old and have a driver's license.

The proposed new ordinance provides oversight and requires licensing of three separate taxicab operations.

Taxicab Companies: Each company operating in Oxford must be registered and licensed. The purpose of this section is to establish a responsible party for the operation of the company and operators.

Taxicab Vehicle: Each vehicle operating in Oxford must be registered and licensed. The purpose of this section is to ensure the vehicles are routinely inspected and are safe. All licensed vehicles will be required to display a windshield sticker.

Taxicab Operators or drivers: Each operator or driver must be registered and licensed to operate a taxicab in Oxford. The most important new requirement is all Operators must pass a BCI&I (Ohio Bureau of Criminal Identification & Investigation) background check and a local records check.

Additional items this new ordinance provides are:

- * Creating a '**Taxicab Licensing Official**'. This will be a designee of the City Manager who will be responsible for managing taxicab Companies, Operators and Vehicles.

- * Increasing required insurance coverages and providing for insurance cancellation notification.

- * Creating uniform taxicab markings standards and allowing the Taxicab Licensing Official to approve each companies paint scheme and logos.

2nd Reading Updates:

The City Council requested additional study and information be provided for two segments of the ordinance; Operator Qualifications and Insurance Requirements.

On July 6th the City Manager, Police Chief, Officer Carlson and I met to review the benchmarking of regulations from twelve other communities. Here are our recommendations:

Operator (driver) Qualifications: Using standards similar to Akron OH, the felony offenses have been prioritized by types of offenses. Some restrictions for felony offenses were reduced, while some were extended. With the complete license denial for sexual offense convictions and drug sale convictions.

Insurance Requirements: Of the twelve communities benchmarked, 10 of the twelve have a minimum coverage of \$300,000. Two have minimum limits of \$500,000 and two have minimum limits of \$100,000. We are recommending reducing the proposed \$500,000 minimum down to \$300,000.

Reviewed By:

Department Head:

City Manager:

Initial Date

GJR / 7-12-16

DRE / 7/13/16

ORDINANCE NO.

AN ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE CHAPTER 725 ENTITLED TAXICABS, AND ADOPTING NEW OXFORD CODIFIED ORDINANCE CHAPTER 725 ENTITLED TAXICABS.

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

SECTION I: Council hereby finds the City Manager and the Economic Development Director recommend Oxford Codified Ordinance Chapter 725 entitled Taxicabs be repealed and new Oxford Codified Ordinance Chapter 725 entitled Taxicabs be adopted to provide new provisions for Taxicab operations within the City of Oxford, Ohio.

SECTION II: Council hereby repeals Chapter 725 of the Oxford Code of Ordinances and adopts new Chapter 725 as follows:

CHAPTER 725 Taxicabs

- 725.01 Definitions.**
- 725.02 Powers and Duties of Taxicab Licensing Official.**
- 725.03 Taxicab License Required.**
- 725.04 Taxicab License Required Terms and Fees.**
- 725.05 Application for Taxicab Company License.**
- 725.06 Application for Taxicab Vehicle License.**
- 725.07 Application for Taxicab Operators License.**
- 725.08 Vehicle Windshield Sticker.**
- 725.09 Taxicab Company & Vehicle Identification, Painting and Lettering.**
- 725.10 Insurance Required.**
- 725.11 Taxicab Vehicle Inspection Requirements.**
- 725.12 Operator's Identification Card & Display.**
- 725.13 Fare Rate System and Schedules.**
- 725.14 Tobacco Smoke Free Taxicabs.**
- 725.15 Taxicab Operational Requirements.**
- 725.16 Change of Company, Operator or Vehicle Information.**
- 725.17 Taxicab Stands.**
- 725.18 Exempt Vehicles and Operations.**
- 725.19 License Revocation or Suspension.**
- 725.20 Penalty.**

CROSS REFERENCE

Power to regulate - see Ohio R.C. 715.22, 715.66
Power to establish stands and fix rates - see Ohio R.C. 715.25
Chauffeur's license not required - see Ohio R.C. 4501.01(y)
Operation by minor prohibited - see Ohio R.C. 4507.321
Operation and equipment - see TRAF. CODE
Use of taxicab and bus stands - see TRAF. **351.10**

725.01 DEFINITIONS.

As used in this chapter, the following terms shall have the meanings respectively ascribed to them:

- (a) "Taxicab" or "Vehicle" means and includes all motor driven vehicles carrying passengers for hire on the streets of the City, except motor buses operated on regular schedules and over regularly established routes.
- (b) "Taxicab Company" or "Company" means and includes every corporation, association, joint stock association, sole proprietor, firm or co-partnership, their lessees, directors, receivers, trustees, appointed by any court whatsoever, or personal representatives or assigns of any deceased owner, owning, controlling, operating or managing any Taxicab.
- (c) "Trade Name" refers to the public business name the Taxicab Company and/or Taxicab operates under.
- (d) "Operator" or "Taxicab Operator" refers to the driver of the Taxicab.
- (e) "Taxicab Licensing Official" is a City Employee who has been authorized by the City Manager, to oversee and manage the licensing and operation of Taxicab Companies, Taxicab Operators and Taxicab Vehicles in the City of Oxford.

725.02 POWERS AND DUTIES OF THE TAXICAB LICENSING OFFICIAL.

- (a) If the Taxicab Licensing Official finds from the application the provisions of this chapter and the Ohio Revised Code have been met, then in conformity with this chapter, the Taxicab Licensing Official shall notify the applicant of the Taxicab Licensing Official's findings and a license shall be issued for each application in which all requirements have been met and licensing fees have been paid.
- (b) If the Taxicab Licensing Official finds the applicant has not complied with this chapter, the Taxicab Licensing Official may require the applicant to furnish, within 30 days, any additional relevant information that is required.
- (c) Taxicab Licensing Official may investigate, act upon, make findings upon and grant, deny, suspend or revoke Taxicab licenses. This Official may also place a Taxicab Operator or Taxicab Company on probation as defined within this chapter.

725.03 TAXICAB LICENSE REQUIRED.

No Taxicab shall be put into service and operated as a Taxicab within the City of Oxford without first the Taxicab Company, Operator and Vehicle all being licensed and approved by the Taxicab Licensing Official.

- (a) To operate a Taxicab service within the City of Oxford, all three components must be approved by the Taxicab Licensing Official for the Taxicab to lawfully operate. These components are:
 - 1. Taxicab Company License is required for all Taxicab Companies wishing to operate within the City of Oxford as per Section 725.05.
 - 2. Taxicab Operators License is required to ensure all Taxicab drivers have been properly screened and pose no known risk to the public as per Section 725.07.
 - 3. Taxicab Vehicle License is required to ensure all vehicles being used as Taxicabs have been inspected and found to be roadworthy and safe for public use as per Section 725.06.

725.04 TAXICAB LICENSE TERM AND FEES.

- (a) No Taxicab Company, Operator or Vehicle shall operate within the City of Oxford until all fees have been paid in accordance with the City of Oxford Fee Ordinance.
- (b) Each component of the Taxicab license expires annually on January 20th. In cases of licenses issued for operation on or after July 20th of any year, the fee shall be one-half of the per annum fee.

725.05 APPLICATION FOR TAXICAB COMPANY LICENSE.

- (a) Application for a Taxicab Company license for Taxicabs shall be made to the Taxicab Licensing Official. The following minimum information is required:
 - 1. The Taxicab Company name and address under which business it will be conducted.
 - 2. The trade name of the Company should it be different than the legal name.
 - 3. The name and address of the owner or operating officer of the Taxicab Company.
 - 4. The Taxicab Company's State of Ohio Vendors Number.
 - 5. The Taxicab Company's Federal Tax Identification Number or EIN Number.
 - 6. Proof of Insurance which meets the standards in Section 725.10.
 - 7. The Fare System being used and the Fare Rate Sheet meeting the standards in Section 725.13.
 - 8. The color scheme, logos, markings or lettering to be used on such Vehicle(s) which meets the standards in Section 725.09.
 - 9. Any other information as required by the Taxicab Licensing Official.
 - 10. A list of the Vehicles operating under this company's name and the Vehicle's Oxford Vehicle license number as per Section 725.06.
 - 11. A list of Operators who will be driving under this Company's name and Oxford Operator's license number as per Section 725.07.

725.06 APPLICATION FOR TAXICAB VEHICLE LICENSE REQUIREMENTS.

- (a) Prior to a Vehicle being placed into Taxicab service, the Vehicle must receive a Taxicab Vehicle license. A Vehicle license will be issued after the Taxicab Licensing Official verifies the vehicle has met the following standards:
 - 1. A full description of the Vehicle is provided. Vehicle Year, Make, Model, Body Style, Color, license plate number and VIN.
 - 2. A photo copy of the current State of Ohio Vehicle Registration.
 - 3. Vehicle Safety Report as per Section 725.11. This report cannot be over 30 days old.
 - 4. A copy of the Vehicle Insurance certificate, verifying the insurance matches the requirements of Section 725.10.
 - 5. Vehicle Markings. The vehicle markings must match the approved marking scheme for the Taxicab Company for which the Vehicle will operate as per Section 725.09.
- (b) Once the Taxicab Licensing Official is satisfied that all the above Vehicle requirements have been met, the Taxicab Licensing Official will issue this vehicle a Taxicab Vehicle license.

725.07 APPLICATION FOR TAXICAB OPERATORS LICENSE REQUIREMENTS.

- (a) No person shall drive or operate a Taxicab unless duly licensed by the City of Oxford as herein provided.
- (b) Every applicant for a license as an Operator of a Taxicab shall make application to the Taxicab Licensing Official on forms to be supplied by the Taxicab Licensing Official. To qualify to drive a Taxicab within the City of Oxford, all individuals must provide the following information to the Taxicab Licensing Official and pass the following requirements.
- (c) Required applicant information.
 - 1. Name, Address and Telephone number.
 - 2. Date of Birth, Height, Weight, Hair Color and Eye Color.
 - 3. Current valid Driver's license.
 - 4. A current 2"x 3" color head shot photograph.
 - 5. The applicant must sign a release allowing the Taxicab Licensing Official to complete a BCI&I Report and a Local Records Check.
- ~~(d) Requirements for approval include, but are not limited, to the following:~~
 - ~~1. The applicant's BCI&I report, for the most recent five year period, must be free from any convictions for a felony level offense of violence as defined in Ohio Revised Code 2901.01, a felony drug conviction, a felony theft conviction, a felony sexual offense or driving while under the influence of drugs and/or alcohol conviction.~~
- (d) The applicant must be at least 19 years of age.
- (e) **The Taxicab Licensing Official shall approve or disapprove all applications for licensing based upon the applicant's BCI&I report, the applicant's local records check as well as any other information obtained during due diligence. Grounds for refusal of a license are as follows:**
 - 1. The applicant has been convicted of a theft offense within one year.**
 - 2. The applicant has been convicted of a felony theft offense within three years.**
 - 3. The applicant has been convicted of a drug sale offense; no limit.**
 - 4. The applicant has been convicted of a drug abuse offense within one year.**
 - 5. The applicant has been convicted of driving under the influence of alcohol and/or drugs while intoxicated or being in physical control of a motor vehicle while under the influence of alcohol and/or drugs within the past two years.**
 - 6. The applicant has been convicted of a sexual offense; no time limit.**
 - 7. Any person who has a lengthy or diverse criminal record who, in the opinion of the Taxicab Licensing Official, should not be issued a taxicab operators license.**
 - 8. For any person whose convictions fall within the above guidelines, the date of conviction shall be deemed to be the later of the actual date of conviction or their release from incarceration resulting from the conviction.**

- (f) **The Taxicab Licensing Official is hereby authorized and empowered to establish such additional rules and regulations covering the issuance of taxicab operators licenses, not inconsistent herewith, as may be necessary and reasonable.**
- (g) When the Taxicab Licensing Official is satisfied all the required conditions for a Taxicab Operators license have been completed, and the proper fees have been collected, a City of Oxford Taxicab Operators license will be issued to the applicant.

725.08 VEHICLE WINDSHIELD STICKER.

At the time the Vehicle license is issued by the Taxicab Licensing Official to the owner of a Taxicab, the Taxicab Licensing Official shall issue to such owner a windshield sticker showing the license number and the year for which such license was issued.

- (a) The sticker shall be applied to the lower right hand corner of the windshield and no person shall remove or transfer the same during the year for which it was issued.

725.09 COMPANY & VEHICLE IDENTIFICATION, PAINTING AND LETTERING.

- (a) Every Taxicab Company operating a Taxicab service under a license from the City of Oxford is required to provide to the Taxicab Licensing Official the design, color scheme or method of painting or lettering such Taxicabs operating for the Taxicab Company.
- (b) Each Taxicab Company operating within the City of Oxford shall have a unique trade name, markings and color scheme. The Taxicab Licensing Official may require modifications to the proposed markings should the proposed marking be too similar to other Taxicab Companies operating within the City of Oxford.
- (c) Such trade name, design, color scheme or method of painting or lettering shall meet the following requirements:
 - 1. Trade Name: The name of the owner or the trade name under which the owner does business shall be displayed on each side of each Taxicab. Whenever, the name of the owner or trade name he/she does business under does not include any of the words "taxicab", "taxi", or "cab", then the word "taxicab" shall be displayed on each side of the Taxicab immediately beneath such name or trade name.
 - 2. Rooftop Sign: An illuminated roof top sign with the words 'Taxi or 'Cab' shall be visible. The sign will have a minimum size of 10" in width by 6" in height.
 - 3. Taxi Permit: When issued by the Taxicab Licensing Official the Vehicle Window Sticker will be displayed in accordance with Section 725.08.
- (d) All exterior markings and identification can be either permanent markings or temporary, with the exception of the Taxi Vehicle Permit window sticker.
- (e) All approved markings must be in place and visible when the Vehicle is being used as a Taxicab.

725.10 INSURANCE REQUIRED

No Taxicab Company, Operator or Vehicle is permitted to operate as a Taxicab within the City of Oxford without having the required levels of insurance.

- (a) The Taxicab Company must have on file with the City proof the Taxicab Company has a commercial insurance policy in-force which provides liability coverage for said company in operating as a Taxicab company.
- (b) Each Taxicab Vehicle must have documentation on file with the City of Oxford providing proof of insurance which provides the following items:
 - 1. The Vehicle has an insurance policy in effect which insures the Vehicle for taxicab use.
 - 2. A Certificate of Insurance listing the City of Oxford as a Certificate Holder.
 - 3. The following minimum levels of insurance:
 - ~~\$500,000~~ **\$300,000** in Combined Coverage or,
 - ~~\$200,000~~ **\$100,000** in injury or death of one person per accident, and
 - ~~\$500,000~~ **\$300,000** in injury or death of more than one person per accident, and
 - \$100,000 in property damage coverage per accident.
 - Or equivalent Bond
- (c) The City of Oxford shall be notified within ten (10) days of any lapse of insurance.

725.11 TAXICAB VEHICLE INSPECTION REQUIREMENTS

- (a) As per Section 725.06 all Vehicles must provide Vehicle Safety Reports to the Taxicab Licensing Official prior to being issued a Taxicab Vehicle license.
- (b) The vehicle inspection facility can either use a City of Oxford Vehicle Safety Report or submit a similar report with approval of the City's Taxicab Licensing Official.
- (c) These reports must meet the following standards and requirements:
 - 1. All Vehicle Safety Reports will be performed by an ASE Certified Mechanic or a repair facility which has been approved by the Taxicab Licensing Official or an Ohio State Patrol station.
 - 2. The Vehicle Safety Report must state that the vehicle meets or exceeds all normal and customary safety requirements as per ORC 4513.02 or conditions set forth in Section 725.11.
- (d) If any portion of the inspection is unsatisfactory, the Vehicle owner or operator shall cause the condition to be corrected before the issuance of the license is granted.
- (e) Vehicle Safety Reports shall be submitted to the Taxicab Licensing Official twice a year. Prior to January 20th and July 21th.
- (f) A new Vehicle Safety Report shall be submitted to the Taxicab Licensing Official when the Vehicle has been involved in a repairable accident or should the Taxicab Licensing Official feel the Vehicle warrants an additional inspection.

725.12 OPERATOR'S IDENTIFICATION CARD AND DISPLAY.

- (a) All Taxicabs in service within the City of Oxford are required to display a Taxicab Operator Identification Card. The Operator's Identification Card shall be placed in a location in the Taxicab where it is visible to passengers at all times.
- (b) Identification Cards shall be at least 3" by 5" in size and the lettering shall be a minimum height of ½ inch and contain the following information:
 - 1. Operator's full name.
 - 2. A two-inch by three-inch photograph of the Operator.

3. Taxicab Company name or Trade Name.
4. City of Oxford issued Operator's license number.

725.13 FARE RATE SYSTEM AND SCHEDULES.

- (a) Every Taxicab Company under license from the City of Oxford shall file with the Taxicab Licensing Official a complete schedule of fares and rates charged to passengers for transportation.
- (b) The City of Oxford allows for a Metered or a Flat Rate fare system to be used within the City.
- (c) Every Operator of a Taxicab under license from the City of Oxford shall display at all times a printed rate card of the fares and rates to be charged to passengers for transportation.
- (d) No Operator shall charge a fare or rate more than those so displayed, unless the Operator and patron have agreed prior to the service being performed.
- (e) Before any schedule of fares and rates charged are changed or increased and enacted, these changes must be filed with the Taxicab Licensing Official.

725.14 TOBACCO SMOKE FREE TAXICABS.

All Taxicabs licensed by the City of Oxford shall be tobacco smoke free.

725.15 TAXICAB OPERATIONAL REQUIREMENTS.

- (a) Every Taxicab shall be kept in a safe and sanitary operating condition, and shall at all times have all safety equipment required of Taxicabs by law.
- (b) All lost items found in the Taxicab must be turned into the Oxford Police Division.
- (c) All Taxicab accidents or patron incidents shall be reported to the Oxford Police Department within seven (7) days after the accident or incident occurs.
- (d) Ridesharing is permitted with the approval of the patrons in the vehicle.
- (e) Receipts are not required, but must be provided when requested.
- (f) The Taxicab Licensing Official or an Oxford Police Department official shall have the authority to inspect any Taxicab upon a patron complaint or a City official is concerned about the safety and/or roadworthiness of the Vehicle or Operator.

725.16 CHANGE OF COMPANY, OPERATOR & VEHICLE INFORMATION.

- (a) All Taxicab Company, Operator and Vehicle information required by the City of Oxford shall be kept current. It is the responsibility of the Taxicab Company to provide to the City of Oxford Taxicab Licensing Official all changes of Company, Operator and Vehicle information.
- (b) All changes of information and supporting documents shall be submitted to the Taxicab Licensing Official within seven (7) days after making such changes.

725.17 TAXICAB STANDS.

The City Manager may designate regular parking spaces for the Taxicabs, and may prescribe rules for usage of such stands suitable to an applicant's business and agreeable with the public convenience and welfare.

725.18 EXEMPT VEHICLES & OPERATIONS

(a) The following vehicles and operations are exempt from the provisions of this chapter;

- (1) Taxicab Companies whose place of business is outside the City of Oxford may bring passengers into the City and may pick up passengers within the City of Oxford for transportation outside the City limits;
- (2) Hotel shuttles, Church transportation, Wedding transportation and similar limited use vehicles are exempt when used for private events; or
- (3) Transportation Networking Companies or Ride Sharing Companies as defined by the Ohio Revised Code.

725.19 LICENSE REVOCATION OR SUSPENSION.

- (a) The Taxicab Licensing Official, after notice and a hearing, may permanently revoke or temporarily suspend a Taxicab Company, Vehicle, or Operators license for any of the following reasons:
- (1) Licensee fails to file a complete and accurate application or a complete and accurate affidavit in applying for a duplicate license;
 - (2) Licensee fails to maintain accurate and current business and insurance information with the Taxicab Licensing Official;
 - (3) Licensee fails to maintain proper proof of insurance or proper levels of insurance as per Section 725.10;
 - (4) Licensee fails to pay any of the application fees; or
 - (5) Licensee requests to suspend operation.
- (b) After notice and a hearing, a Taxicab Operators license can also be suspended if:
- (1) Licensee has become physically or mentally incapable of driving a Taxicab; or
 - (2) Licensee has been convicted or has plead guilty to a crime involving moral turpitude.
- (c) A license suspended pursuant to Section 725.20(b) can be reinstated when satisfactory proof is presented to the Taxicab Licensing Official by medical certificate or complete recovery.

725.20 PENALTY.

- (a) Whoever violates or fails to comply with any provision of this chapter shall be guilty of a minor misdemeanor for a first offense and shall be fined not more than one hundred fifty dollars (\$150.00); upon subsequent conviction, such person shall be deemed guilty of a misdemeanor of the third degree and shall be fined not more than five hundred dollars (\$500.00) or imprisoned not more than sixty (60) days, or both.
- (b) A violation of any section of Chapter 725 shall be grounds for the suspension or revocation of a Taxicab Company, Vehicle, or Operators license. In the case of a new application, a violation shall be grounds to refuse to issue such license for a determinate period of time up to ninety (90) days, or permanently.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: July 19, 2016

Jung-Han Chen
Prepared By:

Account Code No. #:

Budgeted Amount:

July 12, 2016
Date Prepared:

PC-2016-11, PRELIMINARY PLANNED DEVELOPMENT, 23.189 acres, to be located at the end of Country Club Drive, Savannah Drive and Olde Farm Road, 50 single-family homes, **Red Brick Development LLC, Applicant, Agent**

Recommendation by the Planning Commission: Approval with conditions

Discussion:

This application is for a Preliminary Planned Development of 23 acres of vacant land between Olde Farm Road and Country Club Drive, north and west of Heritage Subdivision. Heritage Subdivision is accessed by Contreras Road. The proposal is to develop this 23-acre of vacant land into 50 single-family residential lots with open spaces scattered around the project site, to be developed in two phases. Each phase will consist of approximately 25 lots. The underlying zoning is R-1A, and the zoning designation to the west is R-1B. The proposed home site is approximately 8,250 SF.

Many residents attended to raise their concerns about the existing storm water ponding issue in their yards and that this development would further compound the problem. Additionally, traffic safety issues was brought up. The Planning Commission took in many comments from the neighbors and explained the Planned Development process.

After the public hearing, the Planning Commission discussed this Preliminary Planned Development and voted 5-0-0 with conditions to City Council.

1. Storm water management shall meet or exceed City of Oxford regulations and standard specifications.
2. A stub street right of way shall be dedicated at the western terminus of the street named "Grace Lane". Staff and applicant shall work together to identify a replacement lot within the project and make a recommendation to modify the open space requirements, if necessary to account for the street right of way and lot.
3. Active and passive recreation areas shall be identified and planned.
4. Outlots' name and letter labels shall be given to each lot not intended for development. A statement be added to the plat indicating that the front yard setback areas of all Outlots be mowed as lawn and maintained free of undergrowth.
5. The 100' wetland buffering requirement is waived such that the applicant and staff shall work out other acceptable environmental practices to mitigate the reduced wetland buffering.

6. The declaration of covenants, home owner association responsibilities, maintenance of common open space and common facilities, easements and restrictions be reviewed and approved by the City Law Director with the Final Plan.
7. Details for street lights shall be included with the Final Plan.
8. A typical lot plot plan shall be submitted with the Final Plan.
9. Architectural elevation plans submitted with the Final Plan shall conform to the types and styles presented. Garages shall be added to the drawings to be consistent with the development restrictions presented.

Approved by:

Department Head:

City Attorney:

City Manager:

JHC 7/12/16
DRE 7/15/16

ORDINANCE NO.

AN ORDINANCE APPROVING THE PLANNING COMMISSION'S RECOMMENDATION FOR PRELIMINARY PLAN APPROVAL OF A PLANNED DEVELOPMENT TO BE LOCATED ON 23.189 ACRES OF VACANT LAND BETWEEN OLDE FARM ROAD AND COUNTRY CLUB DRIVE TO ALLOW A SINGLE-FAMILY RESIDENTIAL DEVELOPMENT WITH CONDITIONS.

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

SECTION 1: Council hereby finds that the Planning Commission held a public hearing on June 14, 2016 in accordance with Section 1145 of the Codified Ordinances of the City of Oxford, on the application of Red Brick Development LLC, Applicant, Agent, for approval of a Preliminary Planned Development to be located on 23.189 acres of vacant land between Olde Farm Road and Country Club Drive to allow a single-family residential development.

SECTION 2: The Planning Commission, after due deliberation found the application satisfies the code requirements in Chapter 1145 of the Oxford Zoning Code and recommended approval of the Preliminary Planned Development application with conditions.

SECTION 3: Council hereby accepts the recommendation of the Planning Commission and further approves the Preliminary Planned Development application for 23.189 acres of vacant land between Olde Farm Road and Country Club Drive to allow a single-family residential development based on the submittals of the applicant that are attached hereto and incorporated herein by reference as Exhibit "A" and made a part of this approval with the following conditions:

1. Storm water management shall meet or exceed City of Oxford regulations and standard specifications.
2. A stub street right-of-way shall be dedicated at the western terminus of "Grace Lane". Staff and applicant shall work together to identify a replacement lot within the project and shall make a recommendation to modify the open space requirements, if necessary to account for the street right-of-way and lot.
3. Active and passive recreation areas shall be identified and planned.
4. Outlots' name and letter labels shall be given to each lot not intended for development. A statement shall be added to the plat indicating that the front yard setback areas of all outlots shall be mowed as lawn and maintained free of undergrowth.
5. The 100' wetland buffering requirement shall be waived such that the applicant and staff shall work out other acceptable environmental practices to mitigate the reduced wetland buffering.
6. The declaration of covenants, home owner association responsibilities, maintenance of common open space and common facilities, easements and restrictions shall be reviewed and approved by the City Law Director with the Final Plan.
7. Details for street lights shall be included with the Final Plan.
8. A typical lot plot plan shall be submitted with the Final Plan.

9. Architectural elevation plans submitted with the Final Plan shall conform to the types and styles presented. Garages shall be added to the drawings and shall be consistent with the development restrictions presented.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW(STAFF)

Certification of Action

Oxford Planning Commission

Recommendation to City Council

<u>Report Date</u>	July 19, 2016
<u>Case Number</u>	PC-2016-11
<u>Applicant Information</u>	Bryan Price, Red Brick Development LLC Etta Reed, Bayer Becker
<u>Requested Action</u>	Recommendation for Preliminary Planned Development Approval
<u>Summary of Request</u>	To forward a recommendation to City Council regarding proposed plans for a Planned Development
<u>Public Hearing Information</u>	A Public Hearing took place at 118 W. High Street on June 14, 2016. A Public Hearing notice was published in the Journal News on May 15, 2016 and courtesy notices were mailed to adjacent property owners on June 1, 2016. Signage was posted at the site on June 7, 2016.
<u>Commission Action</u>	The Planning Commission voted 5-0-0 recommending approval with multiple conditions of the Preliminary Planned Development.
<u>Commission Findings and Conclusions</u>	The Planning Commission listened to staff reporting, the applicant's proposal and heard from numerous neighboring property owners who shared their concerns with the development design and their existing storm water problems. After the public hearing, the Planning Commission held a lengthy discussion about the site for the new development and the surrounding property owner storm water management issues. After nine conditions for the approval were agreed upon, the Planning Commission voted 5-0-0 to recommend to City Council their approval.
<u>Exhibits Submitted to the Commission</u>	1. Staff Report Dated June 8, 2016 2. Interoffice Review Transmittal Sheets 3. Property Notification Map 4. Letter of Agency 5. Planned Development Application August 28, 2015 6. Supporting Documents from Applicant

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-2016-11

Date – June 14, 2016

APPLICATION

Applicant:	Bryan Price, Red Brick Development LLC
Location:	23 vacant acres, Olde Farm Road / Country Club Drive
Proposed Owner:	Red Brick Development LLC
Current Owner:	Joan Diane Brown Trust / First Financial
Action Request:	Recommendation for Preliminary Planned Development – To forward a recommendation to City Council regarding proposed plans
Current Use:	Vacant Agricultural
Surrounding Existing Land Uses:	Single-Family Residential and Agricultural

DESCRIPTION

Following a conceptual presentation to Planning Commission on March 8, 2016, this formal application has been submitted for recommendation. This application is for a Preliminary Planned Development of 23 acres of vacant land between Olde Farm Road and Country Club Drive, north and west of Heritage Subdivision. Heritage Subdivision is accessed by Contreras Road. The Planned Development purpose statement from Oxford Code Section 1145.01 is:

To incorporate land uses and development patterns that are intended to permit and encourage creative and flexible land development that is not permitted by-right under the administrative regulations of underlying zoning districts. The planned development is particularly well suited to address two distinct goals of the Comprehensive Plan: to provide for environmentally sensitive and cohesive developments that are an attractive alternative to traditional subdivision and infill development that fully utilizes available land and existing utility resources where they already exist.

The process of the Planned Development requires the Planning Commission review and a recommendation to be forwarded to City Council. The Preliminary is then valid for two years and allows the review of the Final Planned Development to proceed through the same process of Planning Commission and City Council.

SITE HISTORY

The land proposed for development is vacant and undeveloped. In the 1970s a phase of Heritage Subdivision was proposed, but it never moved forward. Since that time the City of Oxford is not aware of any development proposals for the property.

DECISION STANDARDS

The Planning Commission and City Council must review a request for a planned development approval based upon Section 1145.06 of Oxford Zoning Code. Because it is a subdivision by definition it must also follow the Subdivision Code Section 1101 with the exception of the dimensional regulations of the underlying zoning district.

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. **Yes**
- (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. **N/A**
- (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. **No**
- (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. **No**
- (8) Accessory uses will be directly related to the operation of the principal uses and will not be operated independent of the principal uses. **Yes**
- (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. **Yes**
- (10) Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services. **Yes**
- (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. **Yes**
- (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. **Yes**
- (13) Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

PURPOSE STATEMENTS

Below are purpose statements from both applicable sections of Zoning Code:

R1A Underlying Zoning: Section 1143.01(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.

Planned Development Common Goals from Section 1145.01(a)

- (1) Planned developments share these common goals:
 - A. Protect the neighbors of a planned development and the City in general to at least the same degree normally inherent in the Zoning Code.
 - B. Produce a development equal to or better than that resulting from single-use or traditional subdivision
 - C. Have a site and situation that permits comprehensive planning both on the site and relative to its immediate surroundings
 - D. Result in a design in which the placement, height, and uses of buildings, vehicle management areas, and open spaces efficiently utilize potentials of the site
 - E. Include covenants, easements, and other private measures that will help ensure the long-term administrative viability of a development
 - F. Be functional within a time period that helps ensure a viable development
- (2) Infill (already within corporate limits) development also satisfies the following goals:
 - A. Fully utilize sites that could not be fully utilized because of their shape or because of their location relative to available public access.
 - B. Increase geographic efficiencies of existing utilities such as public streets, water, sewer, electric, telephone, and cable by using them where they are already available.
 - C. Help keep development from sprawling to and beyond the municipal boundaries of Oxford.

DESIGN REQUIREMENTS

Below are the design requirements for Planned Developments:

Section 1145.12

- (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. **Single-family arts and crafts style cottages are proposed.**
 - 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. **Although the lots are smaller, the overall residential density of the proposed development is less than R1A zoning district requirements because of the substantial open space areas.**
- (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. **In compliance**
 - 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. **No detailed lot build-outs presented at this time.**
- (g) Environmental. 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. **The 100 foot buffer around mapped wetlands poses a conflict with building lots 22-27 making them un-buildable. The applicant requests a waiver from the buffer requirement.**
 - (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 or Chief of Police.
- (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. **The preliminary plan does not give any details on the drawing about what actual vegetation currently exists and how it will be preserved. All that is shown are bubbled areas. The application states that the tree line along the east property line will be maintained but there is no detail.**
 - (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. **N/A**
 - (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. **Five foot wide sidewalks are proposed within the development; however there is no sidewalk along the portion of Country Club Drive between Old Farm Road and Contreras Road.**
- (j) Utilities and Infrastructure. Electric and telephone facilities, street light wiring, and other wiring conduits and similar facilities shall be located underground. **No information is known about electric, telephone or street lights at this time. It is expected that street lights will follow the subdivision code requirements.**
- (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.

COMMENT FORMS

All property owners within 200 feet have been notified by letter, a sign has been posted on the property and a notice has been placed in the newspaper. Additionally, the developer conducted their own informational outreach.

AGENCY REVIEWS

Requests for review were made to the Police, Fire, Engineering & Economic Development Departments. The following comments were received:

Police:	Returned without comment
Fire:	Returned without comment
Service/Engineering:	Returned with comment re: drainage and traffic
Econ. Dev.	Not returned

ANALYSIS

Necessity and Layout

The proposed planned development meets the requirements for dwelling unit density, setbacks and open space. There are less than 20 traditional subdivision lots that are vacant in the City of Oxford; indicating demand for additional lots for development. The proposed lots do not meet the R1A lot size or setback requirements; therefore a Planned Development is an appropriate process, as long as the purpose and intent goals are met for Planned Development design. The applicant has submitted a letter indicating that the Neighborhood Conservation Overlay District will be in place for this entire development.

Justification for Planned Development

The development balances the smaller lots uncharacteristic of R1A with five acres of proposed open space dispersed throughout the development. Additionally, some existing vegetation and wetland is planned to be conserved. Additional information about the mapped wetland areas is needed in order to justify the lack of buffering. Some additional detail on the seven undeveloped lots could be submitted to clarify how they will be maintained or if any are suitable for a future small pocket park for the residents' enjoyment. The open space definitions in Subdivision and Planned Development Sections require active or passive recreation. Additional detail will be needed with the Final Plan to demonstrate the recreational

function. The front yard setback area of the undeveloped lots should be required to be kept clear of undergrowth. All undeveloped lots are required to be labeled as Outlots per Section 1101.7 definitions. This will ensure that the seven unnumbered lots will receive a letter label differentiating them from buildable lots. Section 1101.411-412 requires that the maintenance of the improvements in the common areas be properly accounted for, such as in the form of a home owner association.

Utilities

City staff does not find any concerns with utility infrastructure capacity and preliminary design to serve this site as indicated by the City Engineer's review.

Connectivity

The developer responded to the Planning Commission's concept plan feedback by connecting Savannah Drive. However, the block length requirements of the 2011 Subdivision Code will require at least two more street stubs along the western boundary. The requirements of 1101.408 mimic the gridiron pattern of the Mile Square of 350 foot blocks, with some exceptions. A similar requirement was made of the Annex, formerly known as The Fields at Southpointe.

Streets

The applicant proposes public streets built to city standards that would be dedicated to the City of Oxford as right of way. During the process of Neighborhood Overlay for Heritage Subdivision, it was discovered that the existing street stub connecting to Grace Lane is privately owned. It has been determined by the City Service Department that the applicant will need to resolve this issue to ensure the street is fully dedicated as public right of way.

Financial Security

Performance bonding for during and after the development can be required by the City as part of the final approval.

RECOMMENDATION

Based upon the staff's findings and analysis above, additional information is needed before a recommendation of approval can be forwarded. If additional information is submitted prior to City Council, staff can fold that information into the Planning Commission's recommendation to City Council for the Preliminary Planned Development. Alternatively, the Commission could forward a recommendation based upon the following conditions:

1. At least two additional stub streets be added along the western boundary
2. Wetland buffering be added or justification for the lack thereof
3. Recreation areas be identified and planned
4. A statement be added to the plat indicating that the front yard setback areas of all Outlots be mowed as lawn and maintained free of undergrowth
5. Outlot name and letter labels be given to each lot not intended for development
6. The declaration of covenants, home owner association responsibilities, maintenance of common open space and common facilities, easements and restrictions be reviewed and approved by the City Law Director with the Final Plan
7. The dedication of the street stub connecting to Grace Lane be resolved prior to the submittal of the Final Plan
8. Details for street lights be included with the Final Plan
9. A typical lot plot plan be submitted with the Final Plan

SUBMITTED

BY:



Sam Perry, AICP, Planner

DATE: June 8, 2016

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 11, 2016

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2016-11 PRELIMINARY PLANNED DEVELOPMENT, 23.189 acres, to be located at the end of country Club Drive, Savannah Drive and Olde Farm Road, 50 single-family homes, **Red Brick Development LLC, Applicant, Agent**

 X Review Revisions Other

Please return no later than: **June 7, 2016** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

Drawings reviewed by:


John Dethridge
PRINTED NAME

Date:

5-16-16

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 11, 2016

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2016-11 PRELIMINARY PLANNED DEVELOPMENT, 23.189 acres, to be located at the end of country Club Drive, Savannah Drive and Olde Farm Road, 50 single-family homes, **Red Brick Development LLC, Applicant, Agent**

 X Review Revisions Other

Please return no later than: **June 7, 2016** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

SEE ATTACHED MEMO DATED 5-16-16.
VP

Drawings reviewed by: A. Popescu

Date: 5-16-16

 VICTOR POPESCU
PRINTED NAME



Memo

Service Department
Engineering Division

513/524-5208 fax 513/524-5267

TO: Community Development Department

FROM: Victor Popescu, PE
City Engineer

RE: PC - 2016-11
Preliminary Planned Development
Red Brick Development

DATE: May 16, 2016

The following are comments from the Engineering Division.

- The final design must include a “sump line”, located in back of the curb. The down spouts and foundation sump drains shall be connected to the “sump line”, which will discharge the storm water into catch basins.
- The Traffic Evaluation, submitted with this proposed development has been reviewed and found to be acceptable, as is. The additional traffic created by the subject proposed development will not significantly increase the existing traffic volume within the existing neighborhood. It should be noted that the traffic volume on Contreras Road in the vicinity of Olde Farm Road has decrease from 2013 to 2015 (2,328 AADT vs 2,100 AADT).

If there are questions, please contact the Engineering Division.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 11, 2016

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2016-11 PRELIMINARY PLANNED DEVELOPMENT, 23.189 acres, to be located at the end of country Club Drive, Savannah Drive and Olde Farm Road, 50 single-family homes, **Red Brick Development LLC, Applicant, Agent**

 X Review Revisions Other

Please return no later than: **June 7, 2016** Note: If no comments are received, we will assume the project meets your department's standards.

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

Drawings reviewed by: _____



Date: _____

5-16-16

John A. Jones

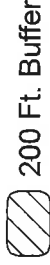
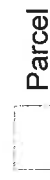
PRINTED NAME



PC-2016-11

Surrounding Property Owners Notifications Map

Legend

-  Subject Parcels
-  200 Ft. Buffer
-  Oxford Corp. Limit
-  Address Point
-  Parcel
-  Building Footprint
-  Paved Roadway



1 inch = 400 feet

Prepared on Wednesday, June 01, 2016

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.

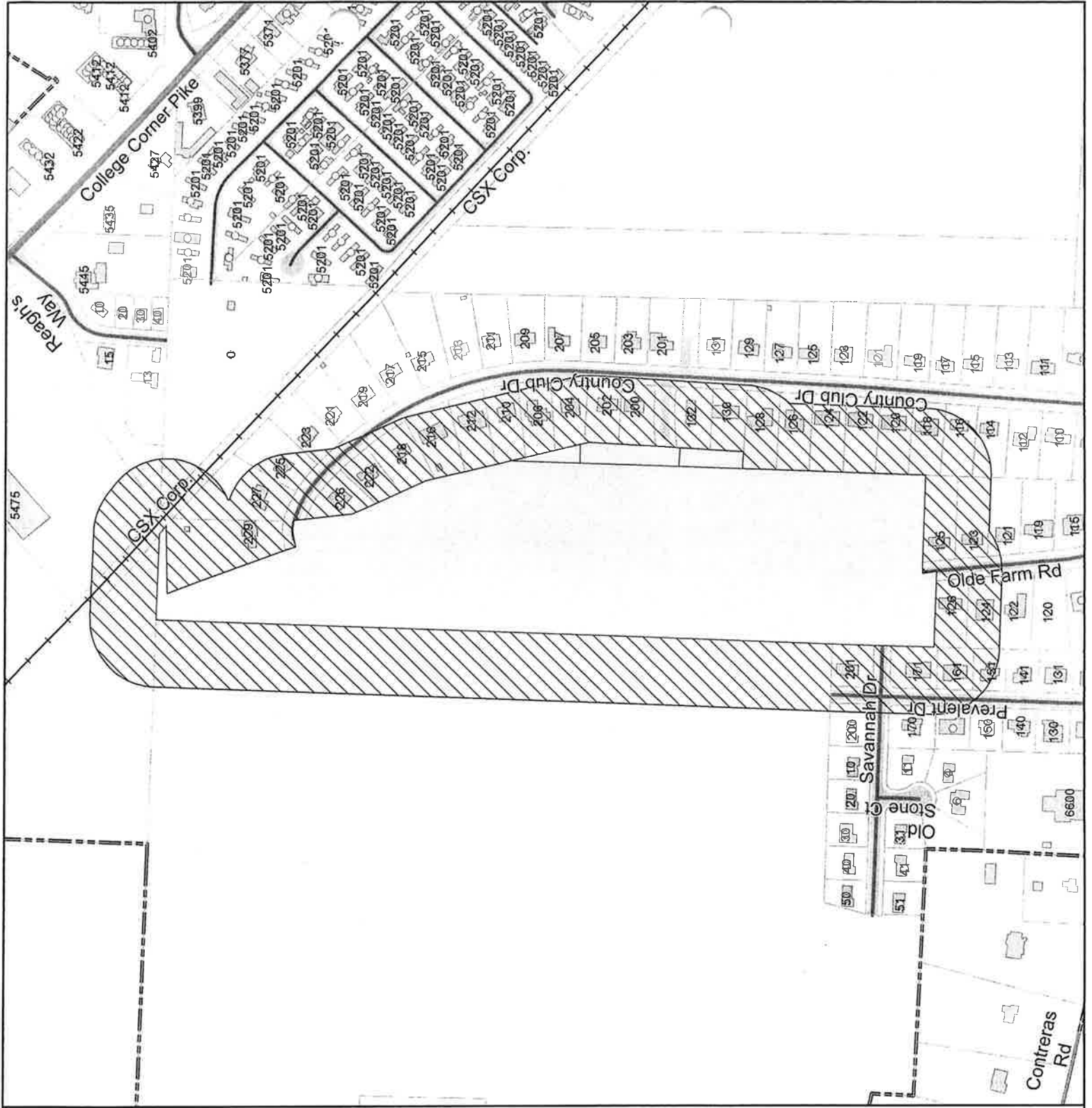


EXHIBIT "A"

April 19, 2016

To whom it may concern:

Please be advised that Red Brick Development LLC has our permission to submit applications for the approval of a Preliminary Planned Development on parcels H4000022000007, H4000022000008, H4000022000009, and H4000022000010 located at the end of Olde Farm Rd.

Should you have any questions or concerns, please don't hesitate to contact our real estate representative Kurt Kinzler at 513-523-6358.

Sincerely,



Joan Diane Brown



First Financial Bank Trust

Trust Officer &

Vice President



Internal Use Only: <u>PC-2016-11</u>	
Case No.	
Date Filed	<u>4/29/16</u>

Planned Development Application

Application Type

Choose One

☒

Preliminary (\$400)

☐

Final (\$400)

☐

Preliminary & Final (\$400)

Applicant Information

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

Name * Red Brick Development LLC

Mailing Address * 4676 Somerville Road

City, State & Zip Code * Oxford, Ohio 45056

Telephone Number * 513-615-4138 Email Address bryan@straitgatehomes.com

Owner Information

Name * Joan Diane Brown & First Financial Bank, TR.

Mailing Address * PO Box 156

City, State & Zip Code * Honor, MI 49640

Telephone Number * 513-523-6358 Email Address _____

Engineer/Surveyor Information

Name * Bayer Becker

Mailing Address * 110 South College Avenue, Suite 101

City, State & Zip Code * Oxford, Ohio 45056

Telephone Number * 513-336-6600 Email Address EttaReed@bayerbecker.com

Location and Lot Information

Name of Subdivision * Heritage Subdivision

Location of Property * Parcels H4000-022-000-007, 008, 009, 010

Legal Description * Lot 1728

Zoning District * R-1A Total Area * 23.189 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

O. Other information as required by the Planning Commission or Council.

(7) Elevations. Elevations of proposed structures or typical elevations if structures are not yet designed.

(8) Other. Photographs of the existing site and its surroundings.

(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 Search² 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.

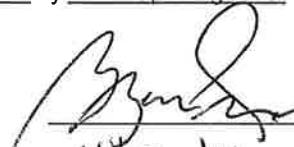
Fees & Receipt

The required fee for preliminary and final is \$400.00 plus \$100 per acre, plus postage charge. To calculate the postage charge, multiply the number of adjoining properties by current postage rate³.

Sign and Date

Applicant Signature *

Date *


4/29/16

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 preliminary plans containing all required information as attachments and a check for fee and postage charges made payable to **City of Oxford**, to Community Development Director, 101 East High Street, 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).**

For Staff Use Only

Fee Paid Date *

4/29/16

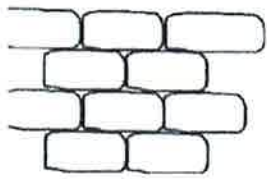
Receipt Number *

0734

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

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

³ The United States Postal Service: <http://www.usps.com/>



Red Brick Development LLC



4676 Somerville Rd

Oxford, Ohio 45056

(513) 523-1212

April 29, 2016

Mr. Sam Perry
Planner
City of Oxford
101 East High Street
Oxford, Ohio 45056

Re: Red Brick Estates
Neighborhood Conservation Overlay District

Dear Mr. Perry,

Upon approval of the Preliminary Development Plan and acquisition of the property known as parcels H4000-022-000-007, 008, 009, and 010, Red Brick Development LLC intends to request approval of a Neighborhood Conservation Overlay District to be placed on the Red Brick Estates Development.

Should you have any questions or wish to discuss further, please feel free to contact me.

Sincerely,

Bryan Price
Red Brick Development, LLC



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Meets Functionality*

Civil Engineers | Transportation Engineers | Landscape Architects | Planners | Land Surveyors

April 29, 2016

Mr. Sam Perry
Planner
City of Oxford
101 East High Street
Oxford, Ohio 45056

Re: Red Brick Estates
Preliminary PUD Submittal

Dear Mr. Perry:

Enclosed please find the following items in support of Red Brick Development LLC's Application for Preliminary Planned Development approval for Red Brick Estates to be located at the end of Country Club Drive, Savannah Drive and Olde Farm Road:

- 1) Executed Planned Development Application.
- 2) A check in the amount of \$2,738.17 made payable to the City of Oxford for the application fee.
- 3) Thirteen individual packets containing one (1) copy of each of the following:
 - a. Executed Planned Development Application.
 - b. An Affidavit from Joan Diane Brown and First Financial Bank, TR granting Red Brick Development LLC permission to submit applications for the approval of a Preliminary Planned Development.
 - c. List of property owners within 200 feet of the site.
 - d. Legal description of the property.
 - e. Traffic Evaluation.
 - f. Site Layout Plan.
 - g. Preliminary Utility Plan.
 - h. Typical Building Elevations.
 - i. Preliminary Landscape Plan.
 - j. Photos of the subject site and surrounding area.
 - k. Draft of proposed covenants and restrictions.
 - l. Letter from Red Brick Development LLC regarding intention to request a Neighborhood Conservation District Overlay.
- 4) A CD containing a pdf of the aforementioned items.
- 5) Applicant:

*Red Brick Development LLC
4676 Somerville Road
Oxford, Ohio 45056
513-615-4138*

6900 Tylersville Road, Suite A
Mason, OH 45040
513-336-6600

110 S. College Ave., Ste 101
Oxford, OH 45056
513-523-4270

1404 Race Street, Suite 204
Cincinnati, OH 45202
513-834-6151

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

<http://www.bayerbecker.com>

Owner:

*Joan Diane Brown & First Financial Bank, TR.
PO Box 156
Honor, MI 49640
513-523-6358*

6) Design Professionals:

Engineer, Surveyor & Landscape Architect:
*Bayer Becker
110 S. College Ave., Suite 101
Oxford, OH 45056
513-336-6600*

7) Description of use and site:

- a. A legal description of the boundary of the proposed development is enclosed.
- b. The property is currently vacant.
- c. The property is zoned R-1A, Single Family Low-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.

Red Brick Estates will contain a total of 50 single family residential lots to be constructed in 2 phases. Each phase is to consist of approximately 25 lots. Lots shall have a minimum lot frontage of 75 feet and contain a minimum 8,250 SF. Front yard setbacks shall be 30 feet, rear yard 25 feet and 7.5 feet for each side yard.

- 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.

Phase 1, approximately 25 lots, will consist of the southern portion of the property and will include the extension of Olde Farm Road, Savannah Drive and the existing street stub (Grace Lane). Phase 2, consisting of approximately 25 lots, will be located at the northern portion of the property and will include the extension of Country Club Drive.

- 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 use, single family residential lots, will be compatible with the existing single family lots located to the south and east. Additionally, the property to the west is currently vacant and zoned R-1B for single family medium density residential.

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Savannah Drive, Olde Farm Road, Country Club Drive and the existing street stub (Grace Lane) will be extended into Red Brick Estates in order to provide connectivity with the existing Heritage and Plantation West Subdivisions. Red Brick Estates will be constructing 5' wide sidewalks along both sides of all streets within Red Brick Estates development, as required by the Subdivision Regulations. Said sidewalks will connect to the existing sidewalk on Olde Farm Road, Savannah Drive, Country Club Drive and the Grace Lane.

- ii. How any existing structures, proposed structures, and the site design relate adjacent structures and sites.

The proposed homes to be constructed within Red Brick Estates will be comparable in size and contain similar building materials as the existing homes in the Heritage and Plantation Subdivisions.

- 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.

Red Brick Estates will not have a negative effect on adjacent land. The properties to the south and east contain single family residences. While the property to the west, is a vacant field. Railroad tracks currently run to the north of the property. Red Brick Development LLC intends to maintain the existing tree buffer along the east property line of the development.

- f. A statement about why the location proposed is appropriate for the planned development.

The subject property is an ideal location for Red Brick Estates for several reasons:

- 1) Per the Comprehensive Plan, Red Brick Estates is located in an area designated for future neighborhood growth, Character Area – Neighborhood General 3.*
- 2) The property is zoned appropriately for residential development, R-1A single family low density residential.*
- 3) Proposed density of the development is 2.16 units/acre. Existing density of the adjacent Heritage and Plantation Subdivisions is 1.66 and 2.46 units/acre, respectively.*
- 4) The property contains several natural features that will be preserved within common open space.*
- 5) Red Brick Estates will contain a Neighborhood Conservation Overlay District, similarly to the existing Heritage Subdivision to the east.*
- 6) The infrastructure is currently in place to support a residential development of this nature.*

- g. A statement of the necessity or desirability of the proposed planned development to the neighborhood or community.

There is a shortage of available single family residential lots within the City of Oxford for individuals to construct a new home. Red Brick Estates will fulfill this need. Furthermore, the development will contain over 20% open space and maintain the existing tree line along the east property line.

- h. 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.

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Public water and sanitary sewer are available to the property. Stormwater detention will be provided in 2 locations within the development. Overall impact from this development on the community is limited as the City has long planned for this area to be incorporated into the City's infrastructure.

- i. A general analysis of expected traffic impact, including vehicular and pedestrian safety resulting from the proposed development.

Enclosed please find a letter discussing the expected traffic impact of Red Brick Estates, as well as how pedestrian safety will be accommodated.

- j. The substance of proposed covenants, easements and other restrictions on the land and structures.

- k. *Enclosed please find a summary of proposed covenants and restrictions for Red Brick Estates.*

Please place this item on the June 14th Planning Commission Meeting agenda.

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

Sincerely,



Etta M. Reed, PE



Red Brick Development LLC



4676 Somerville Rd

Oxford, Ohio 45056

(513) 523-1212

PRELIMINARY RESTRICTIONS FOR RED BRICK ESTATES

OXFORD, OHIO

SECTION 1: LAND USE

No lot in this subdivision shall be used except for residential purposes. No structure shall be erected on any lot except one single-family dwelling house, with a private garage, which must be attached, hereto, for not less than two automobiles but no more than three automobiles.

SECTION 2: SQUARE FOOTAGE OF STRUCTURE

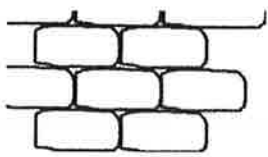
The living space, floor area, exclusive of porches, basements, and garages, of each structure shall not be less than 1,500 square feet for a ranch type home and 2,000 square feet for a two story home.

SECTION 3: ARCHITECTURAL CONTROL

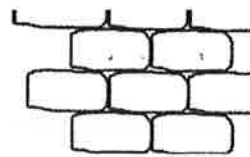
Construction is prohibited on any structure, fence, wall, or building until the plans and specifications have been first approved by Bryan D. Price designee. Bryan D. Price or his designee shall have the sole discretion of approving or rejecting all plans as to design, grades, exterior materials, and the location of the building or buildings on the lot. Prior to building permit application, excavation or construction, the lot owner shall deliver to the developer two complete sets of plans and specifications for approval. Within fifteen 15-calendar days, the developer shall notify the owner of approval or disapproval of the plans.

SECTION 4: START OF CONSTRUCTION

Within one (1) year from the start of construction of a dwelling house upon any lot, said house shall have completed exterior appearance including but not limited to finished walkway, driveway of asphalt or concrete, landscaping, laying of sod or grass seeding, installed gutters and downspouts, installation of all windows and completed exterior painting.



Red Brick Development LLC



4676 Somerville Rd

Oxford, Ohio 45056

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SECTION 5: MATERIALS

All homes in the subdivision shall be constructed of not less than a Premium Maintenance Free Vinyl Product approved by Bryan D. Price or designee. Any combination of brick, stone, siding or shakes may be used. Bryan D. Price or his designee reserves the right to waive this restriction on individual request. Waiver must be in writing.

SECTION 6: VEHICLES

No truck over three-fourths ton capacity shall regularly be parked upon any lot or in any driveway in said subdivision, and only one truck of three-fourth ton or less capacity may be so parked. The parking and/or storage of machinery, equipment, school buses, commercial vehicles other than one pick-up truck is prohibited. No lot shall be used or maintained as a dumping ground for refuse or garbage or for the storage of disabled or junk cars.

SECTION 7: BOATS AND TRAILERS

The parking and/or storage of boats, campers, trailers, and other vehicles of similar nature shall not be permitted.

SECTION 8: ANIMALS

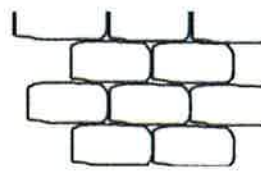
No poultry or other livestock shall be kept on any lot in this subdivision. Each residence shall be permitted ordinary household pets of not more than two (2) dogs and two (2) cats, kept in an enclosure or on a leash. No commercial use or breeding of any animals shall be permitted on any lot in this subdivision.

SECTION 9: STORAGE BARN

Small storage barns may be used but must not have floor storage space to exceed 120 square feet (10x12). Barns must be built in a professional manner and placed on a temporary foundation. Construction materials may include wood, Brick, or hardboard siding (no metal buildings allowed). Any storage barn built on the lot must be built to the rear of the house.



Red Brick Development LLC



4676 Somerville Rd

Oxford, Ohio 45056

(513) 523-1212

SECTION 10: MAILBOXES

No brick mailboxes may be used.

SECTION 11: FENCES

No materials other than open wood, open metal, or hedge shall be used as a fence and a maximum height of four feet allowed on any lot. Fences shall be permissible only to the rear of the building line of said lots.

SECTION 12: BUSINESS OR TRADE

No business or trade shall be conducted on any lot, nor shall any lot be used in any way or for any purpose which may endanger the health or unreasonably disturb the quiet of any persons residing in said subdivision.

SECTION 13: SERVERABILITY

In validation of any one of these covenants by judgement or court order shall in no way affect any of the provisions which shall remain in full force or effect.

SECTION 14: ENFORCEMENT

Enforcement shall be by proceeding at law or in equity against any person or persons violating or attempting to violate any covenant, either to restrain violations or to recover damages.

Date: April 28, 2016
Description: 23.189 Acres
Part of Lot #1728
Location: City of Oxford
Butler County, Ohio



Situated in the State of Ohio, Congress Lands West of the Miami River, Section 21, Town 5, Range 1, Oxford Township and now being part of Lot #1728 of the City of Oxford, Butler County and being part of the lands of Joan Diane Brown as recorded in Official Record 8738, Page 1592 of the Butler County, Ohio, Recorder's Office and being further described as follows:

Beginning at the northwest corner of Heritage Subdivision #3 as recorded in Plat Envelope 640, Page "C" and on the easterly line of Plantation West Subdivision, Section Two as recorded in Plat Envelope 2619, Page "A" of the Butler County, Ohio, Recorder's Office and being the **True Point of Beginning**;

thence, leaving the northerly line of said Heritage Subdivision #3 and with the easterly line of said Plantation West and with the easterly line of Lot #2794, North 00° 31' 00" West, 2301.65 feet to the south line of Lot #2798;

thence, leaving the easterly line of said Lot #2794 and with the southerly line of said Lot #2798, North 88° 35' 00" East, 95.73 feet to the westerly boundary of Heritage Subdivision #4 as recorded in Plat Envelope 806, Page "D" of the Butler County, Ohio, Recorder's Office;

thence, leaving the southerly line of said Lot #2798 and with the westerly boundary of said Heritage Subdivision #4 for the following six courses:

- 1) South 22° 05' 00" East, 435.54 feet;
- 2) with a curve to the right, having a central angle of 32° 31' 13", a radius of 125.00 feet, an arc length of 71.00 feet, and a chord bearing and distance of, North 89° 17' 00" East, 70.00 feet;
- 3) South 08° 56' 00" East, 175.00 feet;
- 4) South 26° 05' 00" East, 233.42 feet;
- 5) South 16° 11' 00" East, 225.00 feet;
- 6) South 15° 48' 15" East, 253.74 feet to the northwest corner of Heritage Subdivision #2 as recorded in Plat Envelope 563, Page "B" of the Butler County, Ohio, Recorder's Office;

thence, leaving the westerly boundary of said Heritage Subdivision #4 and with the westerly boundary of said Heritage Subdivision #2 for the following three courses:

- 1) South 00° 48' 00" West, 460.00 feet;
- 2) North 89° 12' 00" West, 53.94 feet;
- 3) South 00° 43' 00" East, 553.05 feet to the northerly boundary of said Heritage Subdivision #3;

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

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

<http://www.bayerbecker.com>

thence, leaving the westerly boundary of said Heritage Subdivision #2 and with the northerly boundary of said Heritage Subdivision #3 for the following three courses:

- 1) South 89° 17' 00" West, 324.91 feet;
- 2) South 07° 20' 00" East, 40.00 feet;
- 3) South 89° 17' 00" West, 197.17 feet to the **True Point of Beginning** containing 23.189 acres of land more or less and being subject to all legal highways, easement, restrictions and agreements of record.



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Meets Functionality

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April 29, 2016

Mr. Victor Popescu, P.E.
City of Oxford
101 East High Street
Oxford, Ohio 45056

Re: Red Brick Estates Traffic Evaluation – Vehicular and Pedestrian Impacts

Dear Mr. Popescu,

Bayer Becker has completed the following Traffic Evaluation relative to vehicular and pedestrian impacts for Red Brick Estates, a proposed residential development consisting of approximately 26 acres of property located at the end of Savannah Drive, Olde Farm Road, and Country Club Drive in the City of Oxford, Butler County, Ohio.

Trip generation calculations for the proposed development, which includes 50 single-family residential lots, were determined for the weekday average daily traffic (ADT) and for the AM and PM peak hours of adjacent street traffic using the procedures outlined in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 9th Edition* and the ITE *Trip Generation Manual, 9th Edition, User's Guide and Handbook*. Site trips are presented in the following table and ITE trip generation rate information excerpts are provided by attachment.

Land Use	ITE Code	Size	Units	ADT			AM Peak Hour			PM Peak Hour		
				Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
Single-Family Detached Housing	210	50	D.U.	278	277	555	11	34	45	35	21	56

Olde Farm Road, Country Club Drive, and Savannah Drive are classified as local roadways per the City of Oxford Roadway Alternatives and Classifications map, while Contreras Road is classified as an urban major collector. Based on the Ohio Department of Transportation (ODOT) traffic counts, the 2015 ADT for Contreras Road west of Patrick Drive is 2,100 vehicles per day. Because of the existing low traffic volumes on Contreras Road, the impact of the additional traffic generated by Red Brick Estates will be minimal. The ODOT traffic count data is attached.

In addition to vehicular traffic, the proposed development will accommodate pedestrian circulation via the construction of 5' wide sidewalks on both sides of all proposed roadways in accordance with the City of Oxford Subdivision Regulations. The proposed sidewalks will connect to the existing sidewalks on Savannah Drive, Olde Farm Road, and Country Club Drive, which will enable residents wishing to walk safely to the Oxford Community Park to do so via sidewalks on Savannah Drive to Prevalent Drive to Contreras Road and through the Knolls of Oxford development to the entrance of the park.

Based upon engineering judgment and the minimal amount of vehicular traffic to be generated, the proposed development will have a negligible impact on the operations of Contreras Road. Furthermore, the construction of the proposed sidewalk within Red Brick Estates will provide pedestrians a safe place to walk while also providing a connection to the adjacent subdivisions.

Should you have any questions or need anything further, please do not hesitate to contact us.

Sincerely,

Kathryn M. Dillenburger, P.E.

cc: Bryan Price, Red Brick Development LLC

15-0108 Oxford 180429 Traffic Evaluation.docx

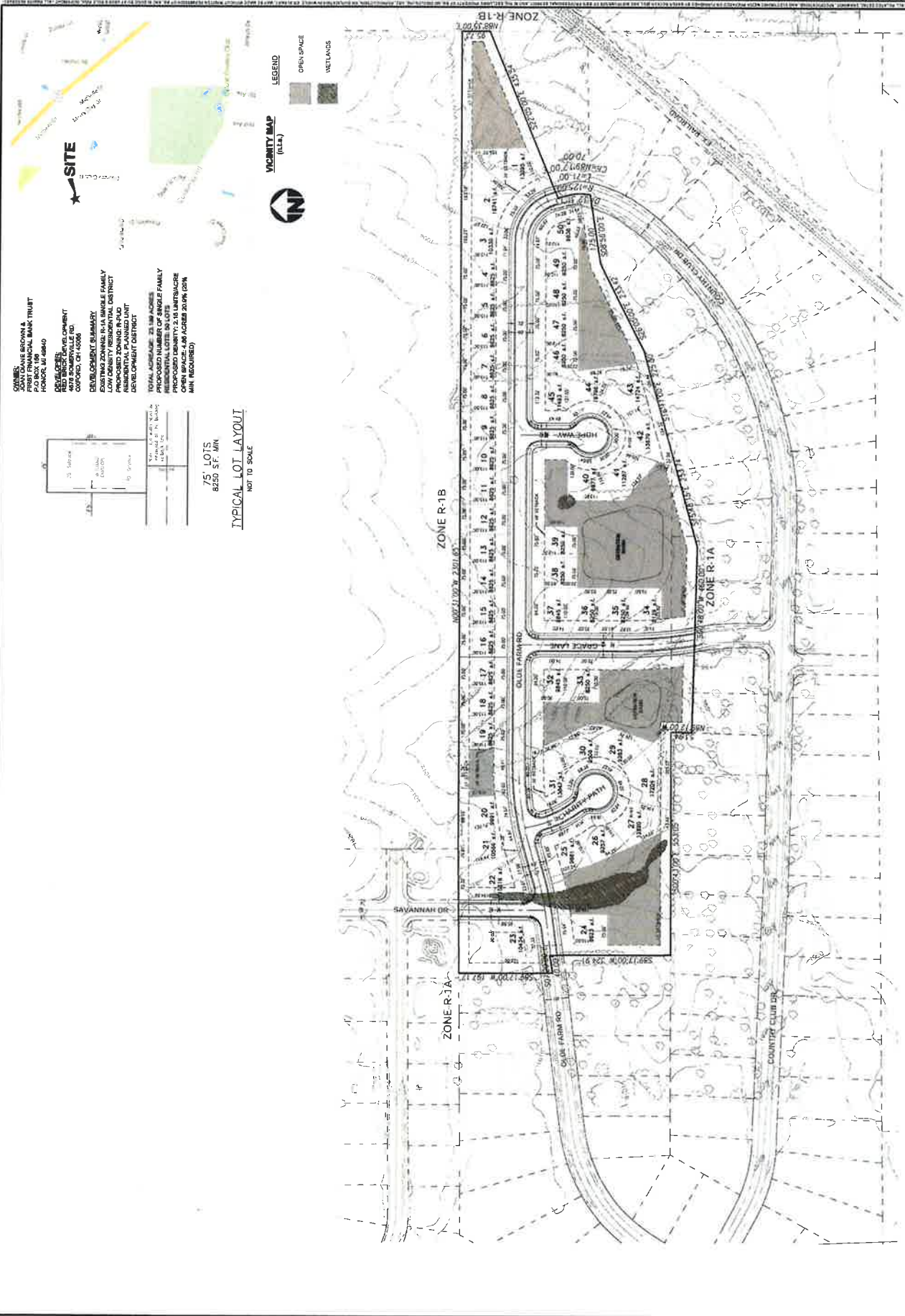
6900 Tylersville Road, Suite A
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Cincinnati, OH 45202
513-834-6151

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

<http://www.bayerbecker.com>



OWNER: JAMES DANIE BROWN &
FIRST FINANCIAL BANK TRUST
10000 N. HARRIS
HOUSTON, TX 77060

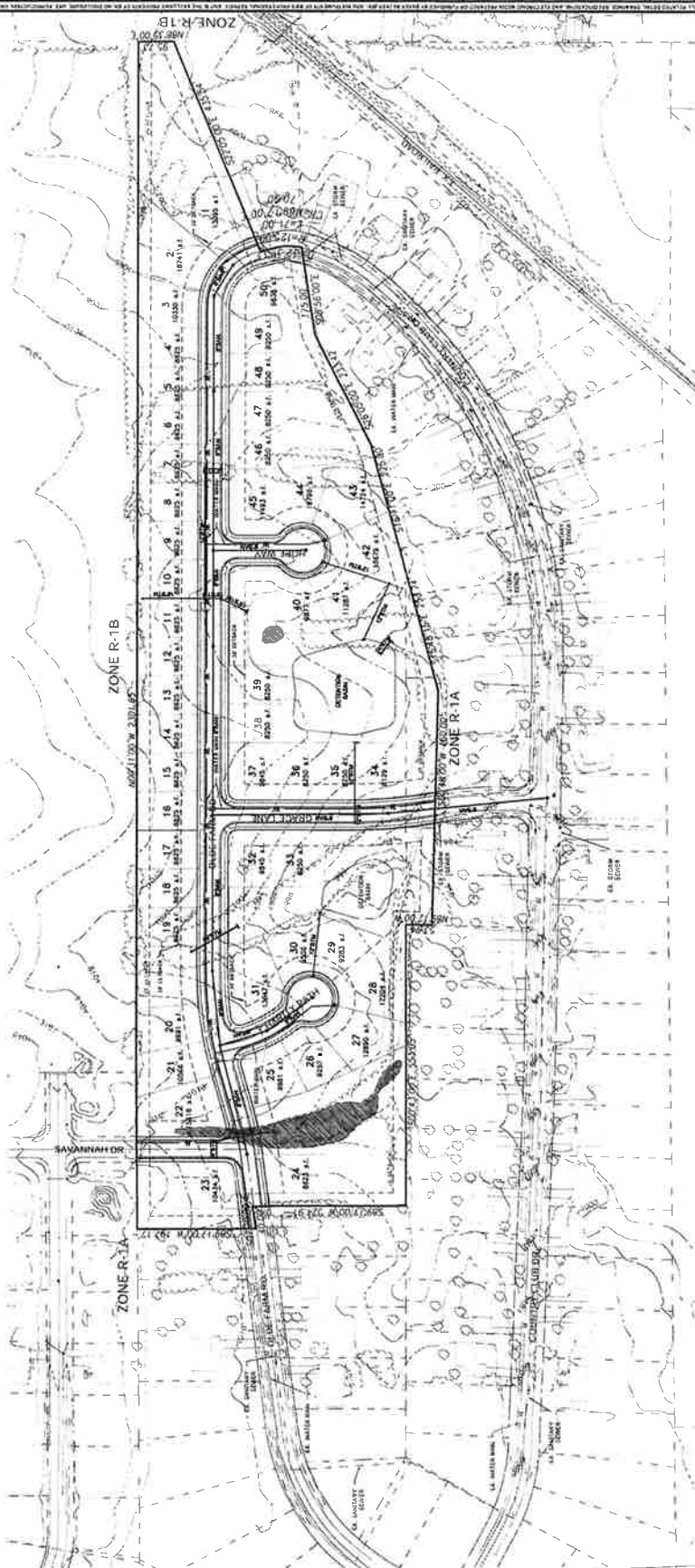
DEVELOPER: JAMES DANIE BROWN &
FIRST FINANCIAL BANK TRUST
10000 N. HARRIS
HOUSTON, TX 77060

DEVELOPMENT SUMMARY:
PROPOSED ZONING: R-1A SINGLE FAMILY
LOW DENSITY RESIDENTIAL DISTRICT
PROPOSED ZONING: R-1PD
RESIDENTIAL PLANNED UNIT
DEVELOPMENT DISTRICT

TOTAL ACREAGE: 23.199 ACRES
PROPOSED DENSITY: 1 SINGLE FAMILY
PROPOSED DENSITY: 2.15 UNITS/ACRE
OPEN SPACE: 4.85 ACRES/20.6% (20%
MIN. REQUIRED)

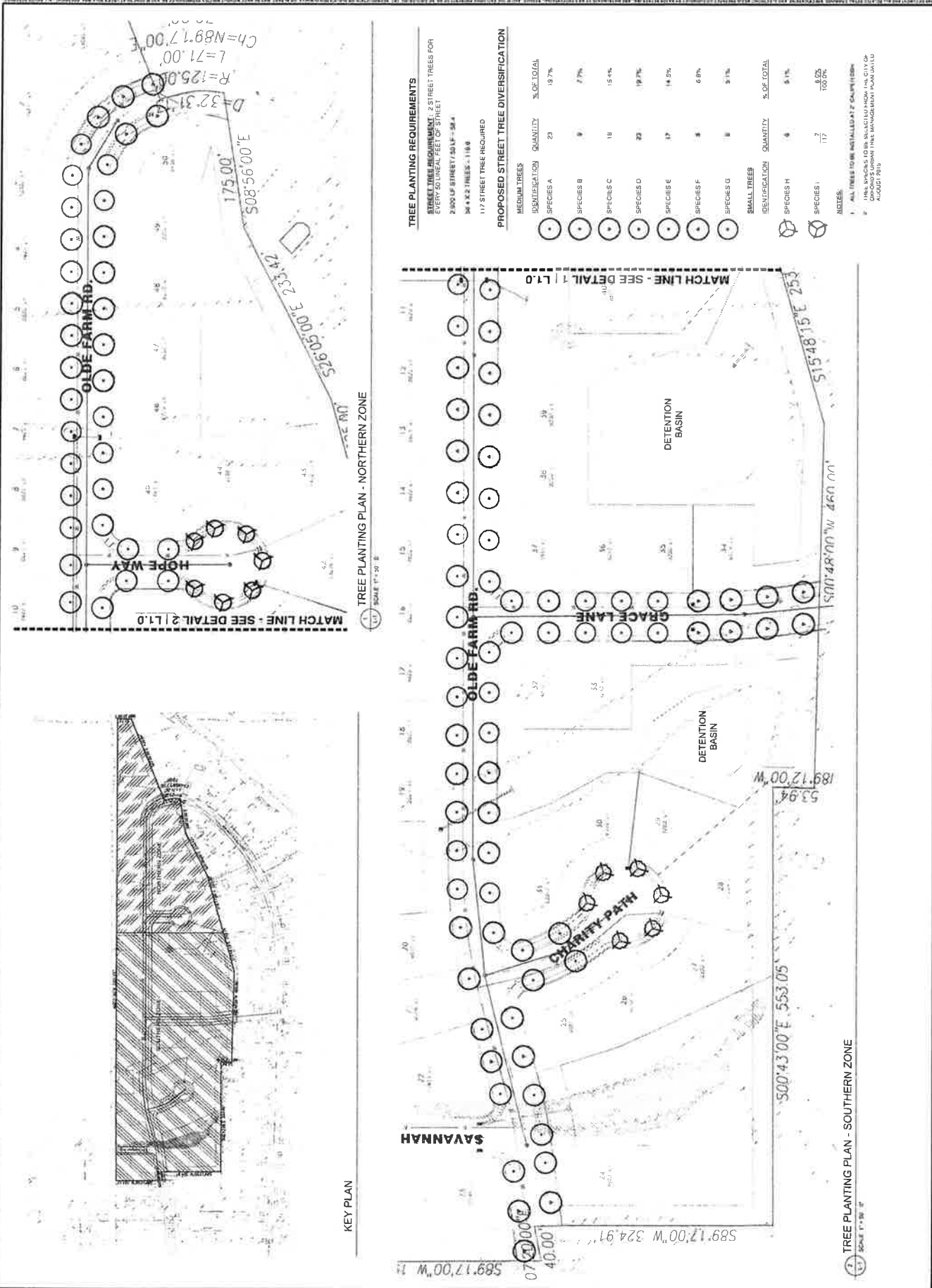


75' LOTS
8250 SF. MIN
TYPICAL LOT LAYOUT
NOT TO SCALE



LEGEND

1. ALL WATER SUPPLY SHALL BE IN ACCORDANCE WITH THE CITY OF OXFORD WATER AND SANITARY SEWER IMPROVEMENT SPECIFICATIONS MANUAL.
2. ALL EXISTING WATER LINES SHALL BE CONNECTED IN ACCORDANCE WITH THE CITY OF OXFORD WATER AND SANITARY SEWER IMPROVEMENT SPECIFICATIONS MANUAL.
3. ALL EXISTING WATER LINES SHALL BE IN ACCORDANCE WITH THE CITY OF OXFORD WATER AND SANITARY SEWER IMPROVEMENT SPECIFICATIONS MANUAL.
4. DESIGNER AND DEVELOPER SHALL MEET WITH THE FIRE CHIEF DURING THE DESIGN PHASE TO MAKE SURE THE APPROPRIATE NUMBER OF FIRE HYDRANTS ARE PROVIDED.



Land Use: 210

Single-Family Detached Housing

Description

Single-family detached housing includes all single-family detached homes on individual lots. A typical site surveyed is a suburban subdivision.

Additional Data

The number of vehicles and residents had a high correlation with average weekday vehicle trip ends. The use of these variables was limited, however, because the number of vehicles and residents was often difficult to obtain or predict. The number of dwelling units was generally used as the independent variable of choice because it was usually readily available, easy to project and had a high correlation with average weekday vehicle trip ends.

This land use included data from a wide variety of units with different sizes, price ranges, locations and ages. Consequently, there was a wide variation in trips generated within this category. Other factors, such as geographic location and type of adjacent and nearby development, may also have had an effect on the site trip generation.

Single-family detached units had the highest trip generation rate per dwelling unit of all residential uses because they were the largest units in size and had more residents and more vehicles per unit than other residential land uses; they were generally located farther away from shopping centers, employment areas and other trip attractors than other residential land uses; and they generally had fewer alternative modes of transportation available because they were typically not as concentrated as other residential land uses.

The peak hour of the generator typically coincided with the peak hour of the adjacent street traffic.

The sites were surveyed between the late 1960s and the 2000s throughout the United States and Canada.

Source Numbers

1, 4, 5, 6, 7, 8, 11, 12, 13, 14, 16, 19, 20, 21, 26, 34, 35, 36, 38, 40, 71, 72, 84, 91, 98, 100, 105, 108, 110, 114, 117, 119, 157, 167, 177, 187, 192, 207, 211, 246, 275, 283, 293, 300, 319, 320, 357, 384, 435, 550, 552, 579, 598, 601, 603, 611, 614, 637, 711, 735

Single-Family Detached Housing (210)

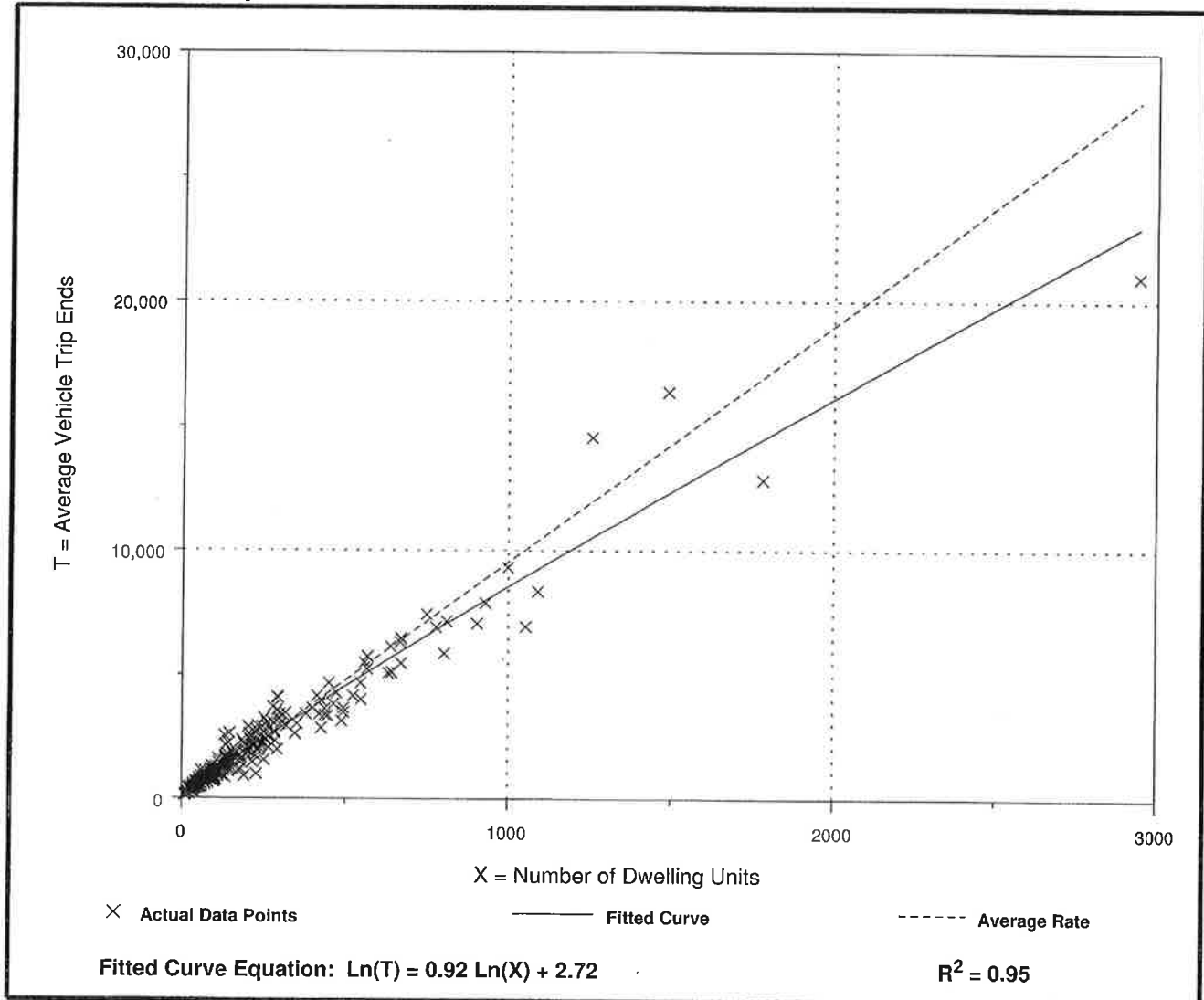
Average Vehicle Trip Ends vs: Dwelling Units
On a: Weekday

Number of Studies: 355
Avg. Number of Dwelling Units: 198
Directional Distribution: 50% entering, 50% exiting

Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
9.52	4.31 - 21.85	3.70

Data Plot and Equation



Single-Family Detached Housing (210)

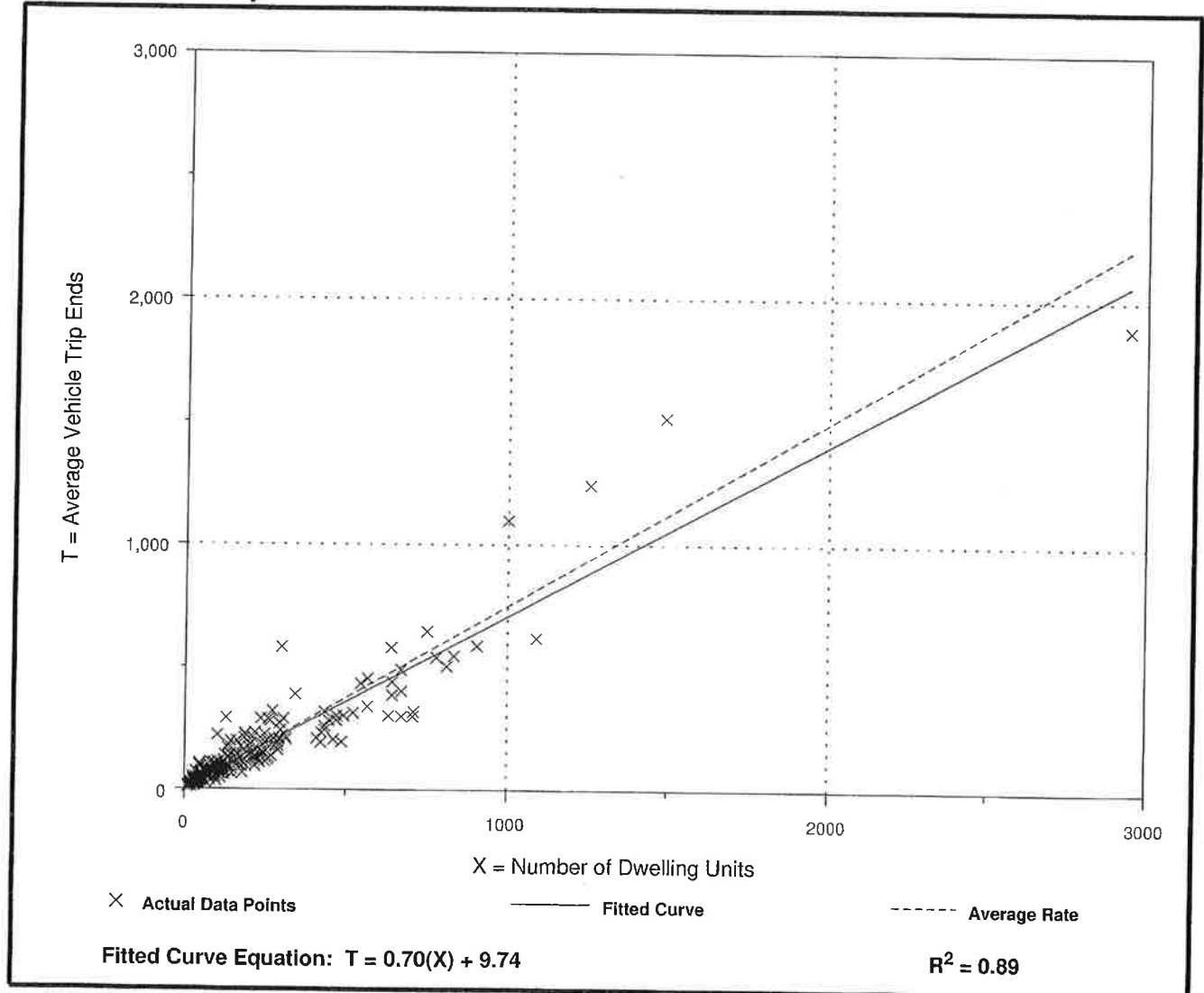
Average Vehicle Trip Ends vs: Dwelling Units
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.

Number of Studies: 292
 Avg. Number of Dwelling Units: 194
 Directional Distribution: 25% entering, 75% exiting

Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.75	0.33 - 2.27	0.90

Data Plot and Equation



Single-Family Detached Housing (210)

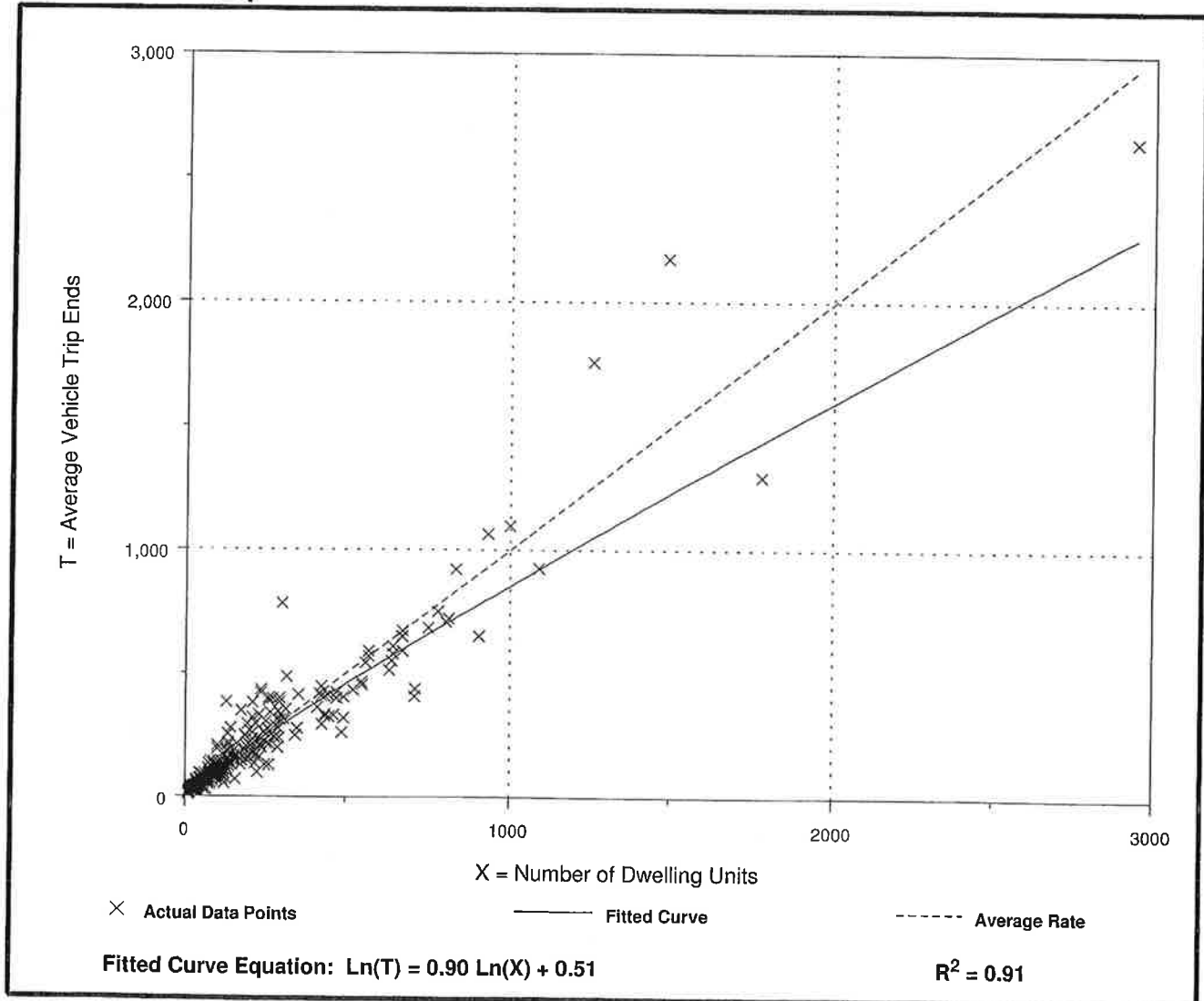
Average Vehicle Trip Ends vs: Dwelling Units
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.

Number of Studies: 321
 Avg. Number of Dwelling Units: 207
 Directional Distribution: 63% entering, 37% exiting

Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
1.00	0.42 - 2.98	1.05

Data Plot and Equation





List View

All DIRs

Location ID		17909	MPO ID		
Type		SPOT	HPMS ID		
On NHS			On HPMS		
LRS ID		CBUTCR00033**C	LRS Loc Pt.		2.903
SF Group		Urban Minor Arterial (4), Collector(5-6), Local(7)	Route Type		CR
AF Group		URBAN_MAJOR_COLLECTOR	Route		00033
GF Group		URBAN_MAJOR_COLLECTOR			
Class Dist Grp					
WIM Group					
QC Group		Default			
Fnct'l Class		Major Collector	Milepost		
Located On		CONTRERAS RD			
Loc On Alias					
		CONTRERAS RD W OF PATRICK DR, IN OXFORD			
PR		MP	PT		
More Detail					

Directions: 2-WAY EB WB ?

AADT ?

Year	AADT	DHV-30	K %	D %	PA	BC	Src
2015	2,100 ³						Grown from 2014
2014	2,034				1,970 (97%)	63 (3%)	
2013	2,328						
2012	2,300						

Model Year	Model AADT	AM PHV	AM PPV	MD PHV	MD PPV	PM PHV	PM PPV	NT PHV	NT PPV
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Date	Int	Total
Tue 12/2/2014	60	2,051
Mon 12/1/2014	60	1,922
Tue 4/3/2012	60	2,323

VOLUME TRENDS ?

Year	Annual Growth
2015	3%
2014	-13%
2013	1%

Date	Int	Pace	85th	Total
No Data				

Date	Int	Total
Tue 12/2/2014	60	2,051
Mon 12/1/2014	60	1,922
Tue 4/3/2012	60	2,323

	
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	Date	Axles	Avg GVW	Total
No Data				

	Date	Axles	85th	Total
No Data				

	Date	Int	Total
No Data			

PARTIAL COUNT

Date Int 24-Hr Total

	Note		Date	



View from the South property line at Olde Farm Road looking East.



View from the South property line at Olde Farm Road looking South.



View from the center of Olde Farm Road looking North.



View from the South property line at Olde Farm Road looking West.



View from the center of Savannah Drive at the West property line looking South.



View from the center of Savannah Drive at the West property line looking West.



View of the East property line at the unnamed stub street looking North.



View from the East property line at the unnamed stub street looking East.



View from the center of the unnamed stub street looking West.



View of the East property line at the unnamed stub street looking South.



View from the center of Country Club Drive looking West.



View from the center of Country Club Drive looking North.



View from the center of Country Club Drive looking Southeast.



View from the center of Savannah Drive at the West property line looking North.









