



Agenda

Oxford City Council

Court House

TUESDAY, SEPTEMBER 15, 2015

EXECUTIVE SESSION

7:00 P.M.

1. Roll call. Kevin McKeehan, Mayor; Kate Rousmaniere, Vice-Mayor; Mike Smith; Bob Blackburn; Steve Snyder; Richard Keebler; Edna Southard

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

REGULAR MEETING

7:30 P.M.

PLEDGE OF ALLEGIANCE

2. Approval of Agenda.

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

3. Public Participation.

A. Proclamation - 'Hispanic Heritage Month'



Proclamation

B. Proclamation - 'It Can Wait Pledge Day'



Proclamation

C. Proclamation - 'Fiji Day'



Proclamation

D. Appointments to Boards and Commissions.

E. Public Comments.

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

4. Consent Agenda.

A. Minutes of the September 1, 2015 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

B. Report regarding the September 2, 2015 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)



Report

6. Ordinances.

A. First Reading.

1. An Ordinance Accepting The Planning Commission's Recommendation For Preliminary Plan Approval Of A Planned Development On Thirty Seven (37) Acres Of Vacant Land On Southpointe Parkway To Allow A Development For Residential Use With Conditions. (Jung-Han Chen, Community Development Director).



Staff Report/Ordinance

2. An Ordinance Amending Ordinance No. 3286. Supplemental Budget Ordinance Number 6 To Make Supplemental Appropriations For Fiscal Year 2015. (Joe Newlin, Finance Director)



Staff Report/Ordinance

B. Second Reading.

1. An Ordinance Amending Ordinance No. 3286. Supplemental Budget Ordinance Number 5 To Make Supplemental Appropriations For Fiscal Year 2015. (Joe Newlin, Finance Director)



Staff Report/Ordinance

5. Resolutions.

1. A Resolution authorizing the settlement of the lawsuit brought by Trinitas Development LLC and Four Leaf Development LLC against the City of Oxford and authorizing the City Manager to take all steps necessary to enter into a settlement agreement. (Doug Elliott, City Manager).



Staff Report/Resolution

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

1. Remarks from City Council and City Staff.

B. Future Meetings.

WED - Sept 16 Board of Zoning Appeals Meeting 7:30 p.m. Cancelled

MON - Sept 21 Housing Advisory Commission Meeting 7:00 p.m. Municipal Building

WED - Sept 23 Civil Service Commission Meeting 6:00 p.m.

FRI - Sept 25 Student Community Relations Commission Meeting 1:00 p.m. LCNB

TUES - Oct 6 City Council Meeting 7:30 p.m.

WED - Oct 7 Historic and Architectural Preservation Commission Meeting 6:00 p.m.

WED - Oct 7 Environmental Commission Meeting 7:00 p.m. Municipal Building

FRI - Oct 9 Student Community Relations Commission Meeting 2:30 p.m. LCNB

TUES - Oct 13 Planning Commission Meeting 7:30 p.m.

THUR - Oct 15 Recreation Board Meeting 4:00 p.m. Senior Citizens Center

MON - Oct 19 Housing Advisory Commission Meeting 7:00 p.m. Municipal Building

TUES - Oct 20 Records Commission Meeting 5:30 p.m.

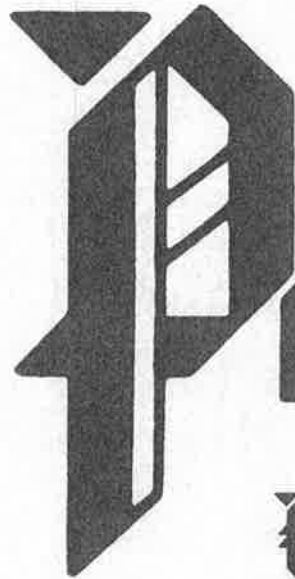
TUES - Oct 20 City Council Meeting 7:30 p.m.

WED - Oct 21 Board of Zoning Appeals Meeting 7:30 p.m.

FRI - Oct 23 Community Improvement Corporation Meeting 12:00 p.m. LCNB

FRI - Oct 23 Student Community Relations Commission Meeting 2:30 p.m. LCNB

8. Adjourn.



Office of the Mayor

Proclamation

Whereas:

Oxford has always embraced the many cultures and peoples that make our country so diverse and Hispanic/Latino Americans are the fastest growing minority population in the country; and

WHEREAS, as a result of their determination, intelligence, hard work and perseverance, Hispanic/Latino Americans have contributed immensely to the growth of our country, helping to shape the character and future of this state; and

WHEREAS, the cultural, educational, and political influences of Hispanic/Latino Americans can be seen and appreciated in all aspects of our life, from farm-worker struggles for housing and equal wages, to incredible and gifted artists, vibrant businesses, music and community festivals; and

WHEREAS, the Hispanic/Latino American community has a long and important history of commitment to our Nation's core values and the contributions of this community have helped make our country great. During National Hispanic Heritage Month we celebrate the many achievements of Hispanic/Latino Americans and recognize their contributions to our country; and

WHEREAS, National Hispanic Heritage Month is an opportunity to celebrate the spirit and accomplishments of Hispanic/Latino Americans everywhere. To honor those achievements, the Congress, by Public Law 100-402, as amended, has authorized and requested the President to issue annually a proclamation designating September 15 through October 15 as 'National Hispanic Heritage Month'.

NOW, THEREFORE, I, Kevin D. McKeenan, Mayor of the City of Oxford, Ohio, do hereby proclaim September 15th thru October 15th, 2015 as:

'NATIONAL HISPANIC HERITAGE MONTH'

in the City of Oxford and urge all citizens to join me in celebrating the significant contributions of Hispanic/Latino Americans in our country by participating in the activities and events planned for this important occasion.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 15th day of September, 2015.

KEVIN D. MCKEEHAN, MAYOR

Office of the Mayor

Proclamation

Whereas:

the City of Oxford, Ohio holds the health and safety of its citizens as a paramount concern; and

WHEREAS, research commissioned by AT&T has found that forty-nine percent of commuters and forty-three percent of teens admit to texting and driving; and

WHEREAS, smartphone driving distractions have grown beyond texting to social media, web surfing, selfies and video chatting; and

WHEREAS, seven in-ten people engage in smartphone activities while driving and sixty-two percent keep their smartphones within easy reach while driving; and

WHEREAS, twenty-two percent of people who access social networks while driving cite addiction as a reason; and

WHEREAS, the National Safety Council reports that texting while driving is involved in 200,000 plus vehicle crashes each year, often causing injuries and deaths; and

WHEREAS, distracted driving not only jeopardizes the driver's safety, but also the safety of passengers, pedestrians, and other drivers; and

WHEREAS, concerned entities, including but not limited to AT&T, law enforcement, Butler County Safe Communities and its coalition, have initiated awareness campaigns to educate citizens on the dangers of distracted driving.

NOW, THEREFORE, I, Kevin D. McKeegan, Mayor of the City of Oxford, Ohio do hereby proclaim September 24, 2015 as,

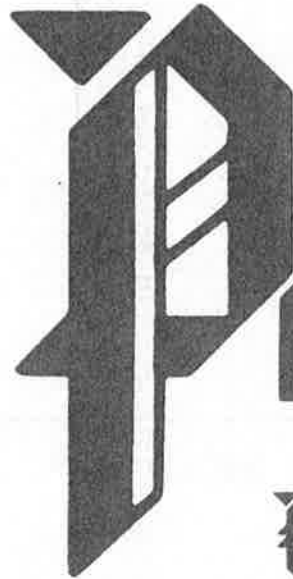
"IT CAN WAIT PLEDGE DAY"

in Oxford, Ohio and encourage all to join in this observance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 15th day of September 2015.



KEVIN D. MCKEEHAN, MAYOR



Office of the Mayor

Proclamation

Whereas:

the property at 130 East High Street became the Phi Gamma Delta fraternity in the 1950s, it is known to most Miami students and area residents as the Fiji House; and

WHEREAS, the property has a long history itself, dating back to the 1820s when the original brick house was built by Captain John Smith, replacing a log cabin on the site; and

WHEREAS, on May 25, 2013 the house and its contents suffered a major amount of damage due to fire, all trophies and memorabilia were destroyed; and

WHEREAS, the \$4 million dollar reconstruction took over two years to complete and preserved the front façade of the structure built in the early 1800s; and

WHEREAS, Alumni have helped by donating \$1.5 million towards the project; and

WHEREAS, a grand opening celebration will take place on Saturday, October 3, 2015.

NOW, THEREFORE, I, Kevin D. McKeegan, Mayor of the City of Oxford do hereby proclaim Saturday, October 3, 2015 as,

"FIJI DAY"

in the City of Oxford and encourage all citizens to congratulate MU Upsilon Phi Gamma Delta for their diligence in completing the historic reconstruction of the Fiji House.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 15th day of September, 2015.



KEVIN D. MCKEEHAN, MAYOR

A Regular meeting of the Oxford City Council was called to order by Mayor Kevin McKeehan on Tuesday, September 1, 2015 at 7:00 p.m. Those members present were Bob Blackburn, Kate Rousmaniere, Mike Smith, Steve Snyder and Edna Southard. Richard Keebler was excused.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. Bob Holzworth, Police Chief; Mr. Joe Newlin, Finance Director; Mr. Sam Perry, Acting Community Development Director; Ms. Candi Turpin, Human Resources Director; Mr. Alan Kyger, Economic Development Director; Mr. Steve McHugh, Law Director and Ms. Kim Newton, Acting Clerk of Council.

ADJOURN TO EXECUTIVE SESSION

Ms. Southard moved to adjourn to Executive Session immediately in accordance with Ohio Revised Code Section 121.22 (G) (3) for the purpose of discussing pending litigation. Mr. Blackburn seconded. The motion passed by the following roll call:

AYE: Ms. Southard, Mr. Snyder, Mr. Smith, Mr. Blackburn, Ms. Rousmaniere
Mayor McKeehan (6)

NAY: None (0)

ABS: None (0)

RETURN FROM EXECUTIVE SESSION

Mr. Smith moved to return from Executive Session at 7:40 p.m. Ms. Rousmaniere seconded. The motion passed 6-0-0.

PLEDGE OF ALLEGIANCE

Mayor McKeehan requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Smith moved to approve the agenda. Ms. Rousmaniere seconded. The motion passed 6-0-0.

PROCLAMATION **'PROSTATE CANCER** **AWARENESS MONTH'**

Mayor McKeehan read the Proclamation and advised it meant a lot to him personally noting he lost his father to prostate cancer and his father-in-law suffered from the disease as well as many friends.

PROCLAMATION
'CHILDHOOD CANCER
AWARENESS MONTH'

Mayor McKeehan read the Proclamation and advised he was presenting this to his good friends and Oxford residents John and Kimberly Perkins and their daughter Mary who is a childhood cancer survivor.

Ms. Mary Perkins, noted she was honored and thanked Council for the Proclamation.

Mr. John Perkins, thanked the Mayor and Council for recognizing childhood cancer noting it was something they have been dealing with daily for the last eight (8) years. Mr. Perkins advised Mary was diagnosed with brain cancer at the age of two and a half (2 ½) and has gone through several chemotherapy and radiation treatments and has suffered from seizures as a result of the treatments which has required several surgeries to relieve the seizures. Mr. Perkins advised it is a disease that touches families deeply and noted he appreciated the awareness and recognition from the Mayor and City Council.

PRESENTATION
FAMILY RESOURCE CENTER

Ms. Diane Ruther-Vierling Director of the Family Resource Center thanked the City for their funding support noting the City was a major funding source and together with the United Way provided over \$100,000 to the Center each year. Ms. Ruther-Vierling noted she would share information about new initiatives at the center that Council may or may not have heard about.

Ms. Ruther-Vierling presented a PowerPoint and advised the Family Resource Center (FRC) provided garden education to area children who for the most part thought food came from a store and did not know it grew in the ground. Ms. Ruther-Vierling noted the children were amazed to dig in the garden each year to find potatoes and carrots.

Ms. Ruther-Vierling advised Oxford Works was a key program at the center which was an employment support program that provided 30 hours of training to clients on soft skills such as attitude, behavior, getting to work on time and how to dress for work. Ms. Ruther-Vierling noted the FRC was trying to promote self sufficiency through employment with this program. Ms. Ruther-Vierling advised clients filled out an interest form, they were interviewed and had to pass a drug screen and then they could enter the program. Ms. Ruther-Vierling noted while searching for a job the FRC provided clients with gas vouchers and bus tokens and advised 31 clients had gone through the program since 2013 and 26 of the clients had jobs today. Ms. Ruther-Vierling advised some of those clients had been able to buy a car locally or a home and they were now contributing members of the community.

Ms. Ruther-Vierling noted the Thrift Store had revenue of almost \$49,000 in 2014 and 469 households donated clothes, household items and furniture. Ms. Ruther-Vierling advised those numbers did not include ShareFest and items they could not use were sent to the Salvation Army.

Ms. Ruther-Vierling noted the center's Emergency Financial Assistance Program which was one of the programs the City helped fund assisted 30 families who had eviction notices and would have been evicted without assistance. Ms. Ruther-Vierling advised the FRC provided other households with rent or utility assistance. Ms. Ruther-Vierling noted 106 of the 153 families they helped were new to the FRC so they were not seeing the same clients year after year.

Ms. Ruther-Vierling discussed the Financial Coaching Program noting 26 clients had gone through the program and for some it was the first time they wrote down all of their expenses and compared them to their income. Ms. Ruther-Vierling advised the clients worked with a financial coach to see how to get those numbers more in sync such as by getting another job, getting a part-time job, less expensive housing or quitting smoking. Ms. Ruther-Vierling noted 6 of those clients were working on repairing their credit so they could be eligible for Habitat housing.

Ms. Ruther-Vierling advised the Thrift Store at the FRC received a \$40,000 grant from the Greater Cincinnati Foundation which would be used to relocate the store to the front building. Ms. Ruther-Vierling advised this would double the size of the store and the tentative remodel was scheduled to begin October 1st. Ms. Ruther-Vierling noted the social service staff would move into the second building.

Ms. Ruther-Vierling discussed the Oxford Homeless Alliance group who had been meeting for the last two years and consisted of several local non-profit groups. Ms. Ruther-Vierling advised there was a homeless problem in Oxford and noted some families in the Talawanda School District were sleeping in their cars or living in a hotel. Ms. Ruther-Vierling advised as soon as the group raised \$4,500 they would assist their first family by housing them for one year and provide them the services they needed to get on their feet and become contributing members of the community.

Ms. Ruther-Vierling noted the Oxford Works Program would move to an online model and the FRC would partner with Delta Sigma Pi which was a business fraternity at Miami University. Ms. Ruther-Vierling advised the fraternity would provide support and mentoring for the FRC clients.

Ms. Ruther-Vierling thanked Council for their time and offered to answer any questions.

Mayor McKeehan thanked Ms. Ruther-Vierling noting Council appreciated the efforts of the Family Resource Center.

NOTICE TO LEGISLATIVE AUTHORITY

Transfer permit from Wild Bistro, Inc. DBA Wild Bistro 37 E. High Street Oxford, Ohio 45056 to Miami King, Inc. DBA Wild Bistro 37 E. High Street Oxford, Ohio 45056.

Mr. Kyger advised Mr. and Ms. Zhen had owned and operated Wild Bistro since 2008 and in 2010 they obtained a D5 liquor license. Mr. Kyger noted the permit was in Mr. Zhen's name under Wild Bistro Inc. and now it was in Mrs. Zhen's name under Miami King Inc.

Mayor McKeehan inquired if there were any alcohol issues at the establishment and Mr. Kyger advised no.

Mr. Snyder moved to accept the notice without comment. Mr. Blackburn seconded. The motion passed 6-0-0.

PUBLIC COMMENTS

Ms. Pamela Ray, 49 Lakeside Drive, Hamilton, advised she was a cab driver in Oxford for Fast Taxi and noted there were several taxi companies in Oxford. Ms. Ray advised Oxford Taxi had been in Oxford for over 5 years. Ms. Ray noted in those 5 years Oxford Taxi never had the same colored vans or commercial insurance until 8 months ago, it had always been self contracted just like the other companies. Ms. Ray advised Oxford Taxi wanted to put all the other taxi companies out of Oxford and she and her co-workers wanted to bring the matter to Council's attention. Ms. Ray noted 1 company and 3 vans could not handle 25,000 students and she and her co-workers did not want to be put out of Oxford as they enjoyed their jobs. Mayor McKeehan inquired how Oxford Taxi was going to put other taxi companies out of Oxford. Ms. Ray indicated Oxford Taxi was going to approach Council and have all the other companies put out of Oxford. Mayor McKeehan advised Oxford Taxi could not do that and they had not approached Council. Mr. Snyder inquired if all of the drivers were registered with the City and Ms. Ray advised yes. Mr. Elliott advised he signed off on all of the taxi licenses the City encouraged competition. Mr. Elliott noted the Ordinance was from the 1960s and staff was looking at updating the Ordinance by the end of the year. Ms. Southard inquired if Council could conclude that the threats were meaningless and Mr. Elliott advised he had not heard of any threats. Mayor McKeehan thanked Ms. Ray for her comments.

Ms. Kathleen Zien, 6060 Joseph Drive, read the following (in part) into the record: 'I understand there is consideration pending for revisiting the Oxford Zoning Code. Whether dollars are budgeted for personnel to do this sometime in the future, sometime in the future does not help Planning Commission or Council and other review boards now when it's obvious we need it and are long over-due. We can't afford to have that big can kicked a year down the road. It's a promise that's a good sound bite but it doesn't help you now or a week or a month from now when a bully applicant may be in chambers. By taking the all or nothing approach to revisit the entire Zoning Code little may get done, perhaps not effective and certainly not soon enough to avoid disasters in applications or zoning. I suggest you tackle code as issues come up, as you see failures in the text, as you find our zoning doesn't support what Oxford wants to see happen. If you have to mentally wrestle a 3" binder of text in mass it won't get done, or it will get done poorly, or gets put off in perpetuity. Forget the projection of waiting for the next Council to be seated. Poorly written code restricts intended use despite hundreds of impressive pages. If vaguely written, open ended, or open to misinterpretation the bad guys can and have used it to their advantage. It's too much to review, oversee and amend at one time. It's a monumental task and a huge bite makes it unsavory to even begin. No Council, committee or staff would want to be assigned the overwhelming task of reviewing, updating or modifying the entire zoning code in one fell swoop. Although a total review is a nice pipe dream, if you confront a poorly worded code when you see errors, correct them when found and make appropriate revisions, we might have a code that works as intended.'

When our most recent zoning code was drafted, authors didn't think the word 'limited' could be misinterpreted and so skewed by our City Manager and Mayor that 94% duplexes could be synonymous with limited use for R2A Single and Two-Family Residential. That's an unreasonable interpretation even to a non-lawyer. Most of you know from your professional and university lives not much good comes out of waiting for a committee to work. For the Planning Commission, Council and the Board of Zoning Appeals it isn't until the true developer does an end run around the code and sees the giant cracks in it that you realize how poorly it's written in sections. You've been out foxed too many times. If you don't work on sections of the code even a few paragraphs at a time, not the whole thing, as needed, with some urgency, you'll be taken advantage of sooner than later. Some of you noted you'd been burned recently by developers and applicants with attorneys that read between the lines better than our Law Director. If you fail to fix the code the applicants won't be coming to the Planning Commission or Council with a match to burn you but a torch. Unfortunately it doesn't seem we have legal counsel that can successfully steer the City out of the pitfalls. I suggest you do it now whether changes can be introduced by resolution or ordinance it's better to do it one at a time as found, as needed when you've learned first hand it's ambiguous or isn't working. Putting code revisions on a future to-do list rationalizing we'll do it all at once is an approach that's already bitten you. Take small bites of the code. It must be done now. It's already too late.'

Mayor McKeehan advised changes were constantly made to the Zoning Code and the Planning Commission and Council did take bits and pieces of it at a time and Ms. Zien knew that. Mayor McKeehan noted he was saddened that Ms. Zien made those sort of comments.

CONSENT AGENDA

MINUTES

Minutes of the August 18, 2015 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

Minutes of the August 20, 2015 City Council CIP Work Session. (Doug Elliott, City Manager)

REPORTS

Report regarding the August 11, 2015 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the August 26, 2015 Civil Service Commission Meeting. (Candi Turpin, Human Resources Director)

Mr. Snyder moved to approve the consent agenda. Mr. Blackburn seconded. The motion passed 6-0-0.

RESOLUTIONS

RESOLUTION **OPWC GRANT**

A Resolution No. 4928 of Council supporting the submission of a grant application for Ohio Public Works Commission Issue 1 funds in the amount of \$331,800.00 to be used for the realignment of Collins Run Road with Main Street and the installation of traffic signalization at the intersection of Main Street and Chestnut Street and the intersection of Campus Avenue and Chestnut Street. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised the City continued to see a lot of pressures on Chestnut Street particularly during the afternoon rush hour. Mr. Dreisbach noted several agencies used the Collins Run entrance at Chestnut street including two police departments, Talawanda school buses and the Butler County Regional Transit Authority buses. Mr. Dreisbach advised now there was a new Miami University parking lot at the former high school site as well. Mr. Dreisbach noted staff had been exploring ways to improve traffic safety and improve moving the volume of traffic in the area. Mr. Dreisbach advised before Council this evening was a grant application opportunity and staff was proposing to re-align Collins Run Road with Main Street and add signalization at the intersections of Main Street and Chestnut Street and Campus Avenue and Chestnut Street. Mr. Dreisbach noted the estimated cost of the proposed project was \$420,000 and if the grant was awarded the local share would be \$331,800. Mr. Dreisbach advised staff was asking for Council's authorization to apply for the grant, and if awarded, and accepted by Council construction would begin the summer of 2017.

Mr. Snyder inquired how Mr. Dreisbach felt the City would do in the competitive process for the grant. Mr. Dreisbach advised he felt the City's application would score very highly and that the project would be funded. Mr. Snyder inquired if there was a reason why the project was being considered at this point in time. Mr. Dreisbach advised he and his staff were hearing about more difficulties with buses trying to exit onto Chestnut Street twice a day. Mr. Dreisbach noted an off-set intersection was never an ideal situation and combined with the railroad on both Main Street and Chestnut Street it was a tough intersection.

Ms. Southard noted this was clearly essential for the safety of Oxford citizens and she felt it was a good plan.

Ms. Rousmaniere inquired if the City was obligated to notify local residents about the installation of traffic signals and Mr. Dreisbach advised no, it was City Council's prerogative.

Mayor McKeehan inquired if there were any comments from the public and there were none.

Mr. Smith inquired if the owner of 1 W. Chestnut Street had been approached about the City acquiring the property and Mr. Dreisbach advised yes.

Ms. Southard inquired what the time-table was for the proposed project. Mr. Dreisbach advised engineering would occur next summer, bids would be advertised in October of 2016 and construction would begin the summer of 2017.

Mr. Smith moved to adopt Resolution No. 4928. Mr. Snyder seconded. The motion passed 6-0-0.

ORDINANCES
FIRST READING

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance Amending Ordinance No. 3286. Supplemental Budget Ordinance Number 5 To Make Supplemental Appropriations For Fiscal Year 2015. (Joe Newlin, Finance Director)

Mr. Newlin referred to page 30 of the agenda and discussed the budget adjustments noting \$72,000 was deposited with the City by New Village Construction for the traffic light installation on Locust Street as well as miscellaneous right-of-way and handicap ramps. Mr. Newlin noted once those projects were complete the developer would be refunded. Mayor McKeehan noted this had to do with the redevelopment of the former Wal-Mart site.

Mayor McKeehan inquired if there were any comments from the public and there were none.

ORDINANCES
SECOND READING

ORDINANCE
EASEMENTS

An Ordinance No. 3326 Authorizing The City Manager To Grant An Easement For Road Purposes In 0.5573 Acres Of Right Of Way To The Butler County Board Of Commissioners And Authorizing The City Manager To Grant Temporary Easements In 0.0563 Acres Of Right Of Way And 0.0975 Acres Of Right Of Way To The Butler County Board Of Commissioners To Allow For The Completion Of The Bonham Road Bridge Replacement Project Over Four Mile Creek Project#BUT-TR58-0.39, PID NO. 90755, Parcel #3, 3T1 & 3T2 In Oxford, Ohio And Waiving The Right To Receive Just Compensation. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised he had no new information since the first reading of the proposed Ordinance.

Mayor McKeehan noted this project had been on Council's agenda in some way, shape or form for four years.

Mayor McKeehan inquired if there were any comments from the public or from Council and there were none.

Mr. Snyder moved to adopt Ordinance No. 3326. Mr. Smith seconded. The Ordinance was adopted by the following roll call:

AYE: Ms. Southard, Ms. Rousmaniere, Mr. Blackburn, Mr. Smith, Mr. Snyder, Mayor McKeehan (6)

NAY: None (0)

ABS: None (0)

ORDINANCE
2016 SALARY ORDINANCE

An Ordinance No. 3327 Establishing Salaries And Certain Benefits For Salaried And Hourly Full-Time And Part-Time Employees Within The Service Of The City Of Oxford, Ohio, Paid From January 1, 2016 Through December 31, 2016. (Candi Turpin, Human Resources Director)

Ms. Turpin referred to page 56 of the agenda and noted after further review it was determined the City employed 4 part-time Public Safety Assistants not 3.

Mr. Snyder inquired if that number was reflected in the Ordinance and Ms. Turpin advised yes.

Mayor McKeehan inquired if there were any comments from the public and there were none.

Mr. Snyder moved to adopt Ordinance No. 3327. Ms. Rousmaniere seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Smith, Mr. Blackburn, Ms. Rousmaniere, Ms. Southard, Mr. Snyder, Mayor McKeehan (6)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott noted he served on the United Way Board and their Unsung Hero's event took place last week. Mr. Elliott advised it was enjoyable to hear the nominations and how the nominees contributed to the community. Mr. Elliott noted this was the 3rd annual event and President Hodge and Mrs. Hodge were honored for their service to the community through the United Way.

Mr. Elliott advised he participated in the Walk-About event again this year and he always enjoyed being paired with a Miami student to share conservation and get to know the neighborhoods. Mr. Elliott noted the Walk-about event gave community members a chance to say hello to students and welcome them back to campus.

Mr. Elliott advised the Pig Roast was another successful event this year and commended John Buchholz and all of the volunteers for their efforts in making this a wonderful community event.

Mr. Kyger referred to the comments made about taxi cabs in Oxford and advised the City did not recommend a particular business to perform the vehicle inspections. Mr. Kyger noted he met with Officer Carlson today who oversees taxi operations in Oxford and they reviewed the current ordinance which was written in 1961. Mr. Kyger advised the ordinance was outdated with regard to items such as liability coverages and they would be looking at updating the ordinance. Mr. Kyger noted the Police Department felt taxi service was needed in Oxford and the number of DUIs and vandalism reports had decreased with the increase of taxi cabs. Ms. Rousmaniere inquired how many cab companies were operating in Oxford and Mr. Kyger advised 7 with approximately 50 vehicles.

Ms. Rousmaniere commended Mr. Ben Wright from Miami University for his efforts in making the Walk-About a fantastic event this year.

Ms. Southard commended John Buchholz for his efforts in making the Pig Roast so successful and for reaching out to Muslim and Jewish students to assure them other things were available besides pork. Ms. Southard advised the event was not all about pork, it was about people and community.

Ms. Southard noted Council approved a salary and benefit ordinance this evening for full-time and part-time City employees. Ms. Southard advised the Mayor and Council were paid by the City but were elected officials and not included in the ordinance which was appropriate. Ms. Southard noted Council was concerned about the relationship between politics and money and she felt it was important we didn't create a situation where people could only serve on City Council because they could afford to. Ms. Southard advised Council did not want to prevent people from serving on City Council because they could not afford to. Ms. Southard noted she felt Council should discuss salaries for City Council and advised the public may not realize what Council members did, what the Mayor did and how much work was involved in being the Mayor. Ms. Southard noted the Mayor conducted weddings, officiated at various events and had many official duties. Ms. Southard advised she felt Council should consider the issue and brought it up for discussion. Ms. Rousmaniere noted Oxford City Council members earned \$3,200 per year and the Mayor earned \$3,800 per year. Ms. Rousmaniere advised Mr. Elliott provided a chart of Council salaries for neighboring cities and their populations and Oxford was comparatively the lowest paid of the local municipalities. Ms. Rousmaniere asked Mr. Elliott to explain how the process worked. Mr. Elliott advised it was in Council members hands to decide what the pay of Council members should be. Mr. Elliott noted if Council came to some agreement and a Council member wanted to sponsor legislation staff would draft it. Mr. Elliott advised the last time Council raised their salary was in 2000. Mr. Elliott noted if legislation was adopted before November 23, 2015 it would only affect newly elected or re-elected Council members. Mr. Snyder advised he did not see a problem and he was not sure what Council was trying to solve. Mr. Snyder noted looking at the chart he did not see where Oxford was out of line. Mayor McKeehan noted the chart did not support paying Oxford Council members a whole lot more. Mayor McKeehan advised he remembered Ms. Currie saying that Council's salary did not cover her child-care expenses. Ms. Southard noted if this issue came up every 15 years or more Council should be preparing for the future and should increase the salary every 15 or 20 years.

Ms. Southard advised Social Security and Medicare credits also needed to be considered. Mr. Snyder noted if someone was in it for the money he was not sure they should run for public office and Ms. Southard agreed. Ms. Rousmaniere advised this was an election year and three people were running for three positions. Ms. Rousmaniere noted as an educator she was used to people saying you shouldn't be in the business for the money and now there was a shortage of teachers. Ms. Rousmaniere advised money did play a part and if Council wanted to make it a job people were interested in running for perhaps it needed to be more attractive. Mayor McKeehan noted he was on the fence and could see both sides. Mayor McKeehan reiterated it had been 15 years since the last pay increase but he could not advocate a significant raise in pay.

Mr. Blackburn noted the Pig Roast was good, the Walk-About was good, the students were back and cabs were all over town.

Mayor McKeehan advised the Pig Roast was fantastic, there was a huge crowd and mother nature cooperated. Mayor McKeehan noted it was a great event and he was glad the City was able to host it.

ADJOURN

Ms. Rousmaniere moved to adjourn at 8:41 p.m. Mr. Blackburn seconded. The motion passed 6-0-0.

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: September 15, 2015

Sam Perry

Account Code No. #:

Prepared By

Budgeted Amount:

September 10, 2015
Date Prepared

HAPC MEETING REPORT – September 2, 2015

Member Mike Kohus was elected to serve as Chair to begin officiating at the October HAPC meeting. Robert Benson was re-elected as Vice-Chair.

New Business

HAPC-2015-07 -- 10 University Avenue, two-story addition, VSWC Architects, Paul Brokamp Applicant/Agent. This two-story addition is to be placed on the rear of the existing 1941 single-family home. The home is located in the University Historic District. The addition materials will be cement-type horizontal siding and shingle siding. The HAPC discussed the context of the addition with the original building and approved the Certificate of Appropriateness for the addition, unanimously, as presented.

HAPC-2015-01 – 10 North Beech Street – Architect Greg Meyer asked for a follow-up discussion regarding the Princess Theater project, be added to the agenda. Mr. Meyer presented proposed changes to the fourth floor elevation along the alley. This would be a change to the March 2015 approval. The Commission gave positive feedback regarding the revision and asked that a complete request for revision be presented at the October meeting for an official vote.

The following administrative approvals occurred under HAPC authority but without the need for a hearing:

HAPC-2015-06-ADM 117 E. High Street, The Den, step replacement, Ned Stevenson, Applicant

HAPC-2015-08-ADM 12 E. Park Place, wall sign and lighting, Paige Wood, Applicant

HAPC-2015-09-ADM 11 W. High Street, exterior paint choices and light fixture addition, College Street Properties, Inc., Jon C. and Rhonda Rupel, Applicants

- The Building Doctor Program will occur on September 17 at 7:00 p.m. at LCNB and September 18 will visit sites requesting input/guidance.
- Sigma Chi Museum at 20 East High Street will be open 10-noon on September 19.
- Phi Gamma Delta open house will be 12:00-2 on October 3.
- There will not be a Historic Marker Ceremony for Fall 2015.

Department Head:

City Attorney:

City Manager:

JHC / 9/10/15
DRK / 9/11/15

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: September 15, 2015

Sam Perry
Prepared By:

Account Code No. #:

Budgeted Amount:

September 10, 2015
Date Prepared:

PC-2015-17 PRELIMINARY PLANNED DEVELOPMENT, The Fields at Southpointe, Southpointe Crossings, Southpointe Parkway, 37.08 acres, **Trinitas Development LLC, Applicant, Agent**

Recommendation by the Planning Commission: Approval with Conditions

Discussion:

The application is for a proposed Planned Development, 37 acres of R2A-zoned land fronting on Southpointe Parkway and Corporate Woods Lane. The Applicant is proposing 194 dwelling units consisting of a mix of single, two and multi-family structures and on-site recreational amenities for the residents. This request is a result of a preliminary subdivision application that was denied by the City and then appealed to the Butler County Court of Appeals. Subsequently, the applicant submitted a new planned development application for review. In response to the appeal, city representatives and the applicant met in a court-appointed mediation and established an agreeable development plan.

A lengthy discussion took place regarding this plan, which included the timeframe for the construction, parking, sidewalks, connectivity, traffic demands, site layout, number of beds, trees, and items to be discussed during the Final Plan Application phase.

The Planning Commission voted 4-2-0 to recommend approval with conditions:

1. That, the Petitioner shall work with City Staff in choosing street names similar to those in the Mile Square, preferably traditional tree names.
2. That, a secondary means of emergency ingress/egress, as recommended by the City Fire Chief, be considered.
3. That, the Petitioner will work with City Staff, BCRTA and adjacent property owners to provide regular, year-round public transit.
4. That, the Petitioner will design end units to include windows on all sides of buildings facing streets.
5. That, the Petitioner will work with the City to ensure pedestrian connectivity through the maintenance of a minimum unobstructed 5 foot sidewalk clearance where technically feasible throughout the entire development, and installation of a multi-use path along the southern side of Southpointe Parkway. Additionally, that all the sidewalks and multi-use paths be completed concurrent with adjacent building occupancy as well as bonded as public improvements.
6. That, the Petitioner will work with City Staff regarding multi-family parking maximums to reduce the number of parking spaces in their Final Plan design, below the maximums specified in City of Oxford ordinance.

7. That, the Final Plan shall provide a traffic impact study -- including a Transportation Demand Management evaluation and implementation plan -- for all modes of transportation to achieve a balanced mode split that does not rely primarily on single occupancy vehicular trips.
8. That, the Final Plan shall include a commitment to maintain the private streets within the development as publicly-accessible ways for local and through travel.
9. The Petitioner shall coordinate with the City of Oxford to ensure safe off-site connectivity for non-motorized transportation to US 27 be provided, including installation of either a multi-use path or a bicycle lane along Southpointe Parkway.
10. That, the Petitioner will work with City Staff to install a variety of tree species, found in the most recent approved City tree list.
11. That, the Petitioner will address all City Engineer comments found on pages 16-17 of the Planning Commission Agenda of September 8, 2015.
12. That, the 22 single family lots must be built in conjunction with the first 60% of the development that takes place.

Approved By:

Department Head:
City Attorney:
City Manager:

JHC 9/10/15
[Signature] 9/11/15

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE PLANNING COMMISSION'S RECOMMENDATION FOR PRELIMINARY PLAN APPROVAL OF A PLANNED DEVELOPMENT ON THIRTY SEVEN (37) ACRES OF VACANT LAND ON SOUTHPOINTE PARKWAY TO ALLOW A DEVELOPMENT FOR RESIDENTIAL USE WITH CONDITIONS.

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

SECTION 1: Council hereby finds that the Planning Commission held a public hearing on September 8, 2015, in accordance with Section 1145 of the Codified Ordinances of the City of Oxford, on the application of Travis Vencel, Trinitas Development, LLC for approval of a Preliminary Plan on thirty seven (37) acres of vacant land on Southpointe Parkway to allow a Planned Development for residential use.

SECTION 2: The Planning Commission, after due deliberation found the application satisfies the code requirements in Chapter 1145 of the Oxford Zoning Code and recommended approval of the Preliminary Plan application for thirty seven (37) acres of vacant land on Southpointe Parkway.

SECTION 3: Council hereby accepts the recommendation of the Planning Commission and further approves the Preliminary Plan application for thirty seven (37) acres of vacant land on Southpointe Parkway to allow a development for residential use based on the submittals of the applicant that are incorporated and made a part of this approval with the following conditions:

- a. The Petitioner shall work with City staff in choosing street names similar to those in the Mile Square, preferably traditional tree names.
- b. A secondary means of emergency ingress/egress, as recommended by the City Fire Chief shall be considered.
- c. The Petitioner shall work with City staff, the Butler County Regional Transit Authority and adjacent property owners to provide regular, year-round public transit.
- d. The Petitioner shall design end units to include windows on all sides of buildings facing streets.
- e. The Petitioner shall work with the City to ensure pedestrian connectivity through the maintenance of a minimum unobstructed five (5) foot sidewalk clearance where technically feasible throughout the entire development, and installation of a multi-use path along the southern side of Southpointe Parkway. Additionally, all of the sidewalks and multi-use paths shall be completed concurrent with adjacent building occupancy as well as bonded public improvements.
- f. The Petitioner shall work with City staff regarding multi-family parking maximums to reduce the number of parking spaces in their Final Plan design, below the maximums specified in the City of Oxford ordinance.

- g. The Final Plan shall provide a traffic impact study including a Transportation Demand Management evaluation and implementation plan for all modes of transportation to achieve a balanced mode split that does not rely primarily on single occupancy vehicular trips.
- h. The Final Plan shall include a commitment to maintain the private streets within the development as publicly-accessible ways for local and through travel.
- i. The Petitioner shall coordinate with the City of Oxford to ensure safe off-site connectivity for non-motorized transportation to US 27 be provided, including installation of either a multi-use path or a bicycle lane along Southpointe Parkway.
- j. The Petitioner shall work with City staff to install a variety of tree species, found in the most recent approved City tree list.
- k. The Petitioner shall address all City Engineer comments found on pages 16-17 of the Planning Commission agenda of September 8, 2015.
- l. The twenty two (22) single family lots shall be built in conjunction with the first sixty (60) percent of the development that takes place.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

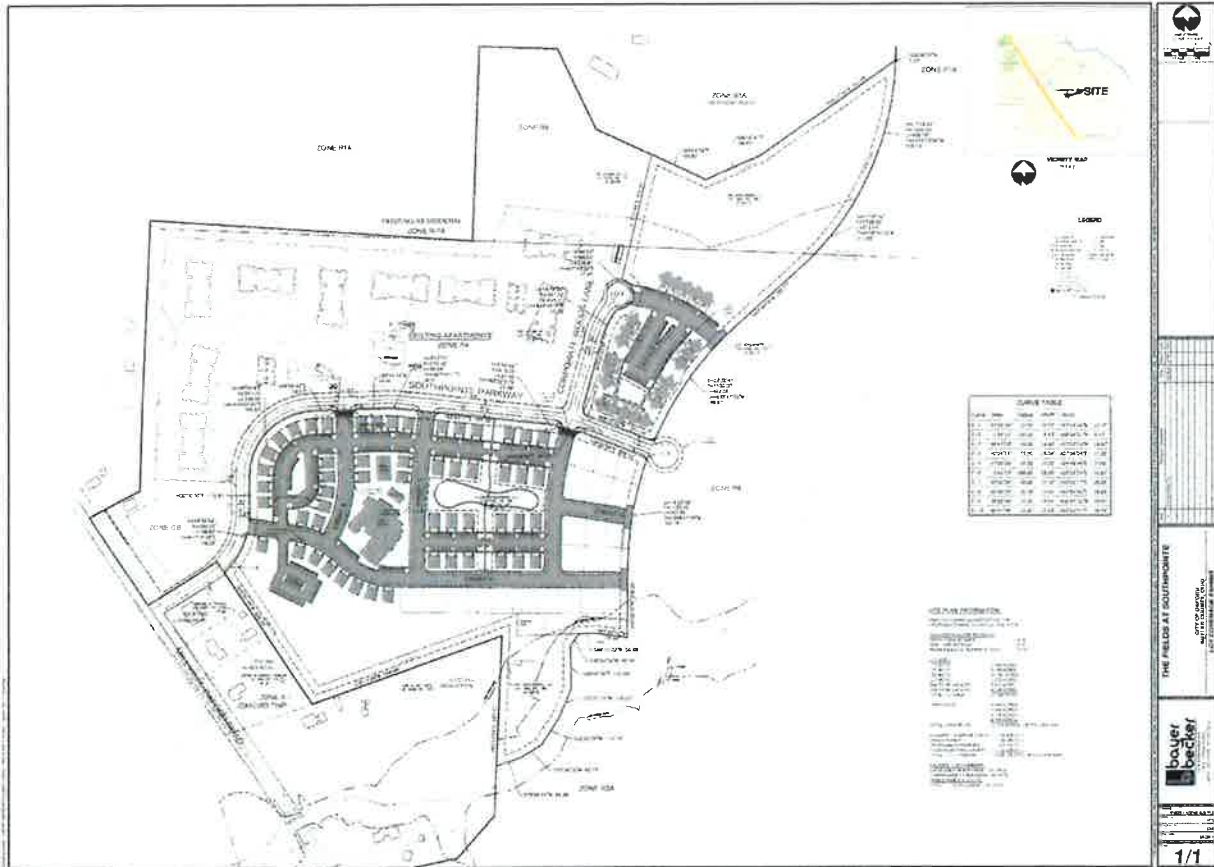
INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW(STAFF)

Certification of Action
Oxford Planning Commission
Recommendation to City Council

<u>Report Date</u>	September 15, 2015
<u>Case Number</u>	PC-2015-17
<u>Applicant Information</u>	Trinitas Development, LLC 4-Leaf Development
<u>Requested Action</u>	Preliminary Planned Development
<u>Summary of Request</u>	To allow for a Planned Development on 37 acres of vacant land located at Southpointe Parkway.
<u>Public Hearing Information</u>	A Public Hearing took place at 118 W. High Street on September 8, 2015. A Public Hearing notice was published in the Journal News on July 12, 2015. Courtesy notices were mailed to adjacent property owners on July 23, 2015. Signage was posted at the site on August 4, 2015 and September 1, 2015.
<u>Commission Action</u>	The Planning Commission voted 4-2-0 recommending approval with conditions of the Preliminary Planned Development.
<u>Commission Findings and Conclusions</u>	The application was initially to be heard on August 11, 2015; however, the Applicant wished to Table their application and the Planning Commission heard the application on September 8, 2015. The application was discussed at length between the Planning Commission and the Applicant. Public comments were also heard. Discussion included sidewalks, connectivity, modes of transportation, parking space reduction, traffic demands, secondary ingress/egress, timeframe for construction, light filtering.
<u>Exhibits Submitted to the Commission</u>	1. Staff Report Dated September 3, 2015 2. Interoffice Review Transmittal Sheets 3. Postponement letter from Applicant's Attorney Dated August 4, 2015. 4. Right-of-Way Vacation Memo from City Engineer Dated August 4, 2014. 5. Property Notification Map 6. Review and Comment Form 7. Letter of Agency 8. Planned Development Application June 26, 2015 9. Supporting Documents from Applicant

on-site recreational amenities for the residents. This request for action by the Commission is a result of a preliminary subdivision application that was denied by the City in May. The applicant appealed the denial to the Butler County Court of Appeals and also submitted a new PD application for review. In response to the appeal, city representatives and the applicant met in a court-appointed mediation and established an agreeable development plan. The agreed upon development plan therefore replaced the new PD application as the more desirable plan to the City of Oxford.



ABOVE: Proposed site layout of Preliminary Planned Development

SITE HISTORY

- A planned unit development was approved in 2004 by the Butler County Planning Commission
 - The subject property portion was labeled as a Business Planned Unit Development (B-PUD)
- A final Residential PUD, College Suites, 29 acres, was approved in 2005 for a portion of the area
 - “Level 27” Apartment buildings were built 2006-07
- The overall development (172 acres) was annexed/zoned into the City of Oxford in 2007
 - The zoning class for the subject property was set as “OI” in August 2007
- A condominium planned unit development was approved by the City of Oxford in 2007 on land east of the subject property.
 - Adjacent vacant portion currently zoned R-4 (re-labeled from R-3)
 - Did not move forward, therefore plan expired after 5 years per plan ordinance
- The subject property was rezoned from OI to R2A by Ordinance in April 2014
- A Planned Development was reviewed by the Planning Commission for this site in September and October 2014
- The Planned Development request was withdrawn from City Council agenda prior to 2nd reading

- A Preliminary Subdivision Plat was reviewed by Planning Commission and City Council and was denied in May 2015. The applicant appealed the denial and the City and the applicant held court-appointed mediation in August 2015 to seek a settlement of the case.

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. Bolded sections set the framework for review discussion.

1145.06 PLANNING COMMISSION AND COUNCIL REVIEW

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

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

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

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

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

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

- (b) **General Decision Standards.** All planned developments shall satisfy these general decision standards:
- (1) The proposed planned development is in fact permitted in the zoning districts in which it is proposed.
 - (2) If the application is for the same site where a planned development application has been denied within one year, the plan is substantially different from the application so denied.
 - (3) The uses and site plan will satisfy the general intent of this Zoning Code.
 - (4) The uses and site plan will be compatible with the general intent of the Comprehensive Plan.
 - (5) The size and shape of the site are sufficient for the proposed planned development.
 - (6) The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.
 - (7) The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.
 - (8) Accessory uses will be directly related to the operation of the principal uses and will not be operated independent of the principal uses.
 - (9) The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.
 - (10) Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
 - (11) The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed,

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

- (12) The site is designed so that on-site traffic and traffic accessing the site will not adversely impact the movement or safety of all modes of traffic on adjacent public streets.
- (13) Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

PURPOSE STATEMENTS

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

R2A Underlying Zoning: Section 1143.04(a) Purpose: This district is designed to provide and preserve neighborhoods of smaller single-family residences within and adjacent to areas of similar development. This district also provides for a limited number of two-family residences.

Planned Development Overlay Zoning: Section 1145.01 Purpose:

(a) Purpose. Planned developments 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.

(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 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.

(3) Open Space development also satisfies the following goals:

- A. Retain natural areas and landscapes.
- B. Protect environmentally sensitive land and water features.
- C. Retain or create active and passive open spaces that serve the recreation needs of the development or the City generally.
- D. Lessen the land area devoted to vehicle management.
- E. Preserve natural scenic views that contribute to the Oxford setting.

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.
 - B. Institutional, public, and semi-public land uses that serve the planned development or the general public.
 - C. Commercial land uses, if the total land area of the planned development is greater than 10 acres and if the commercial land use is intended to serve the planned development only. Such commercial land uses shall be limited as follows:
 1. No signs that are visible from outside of the development.
 2. No direct vehicular access to a public thoroughfare.
 3. No less than 95 percent of the total land area shall be devoted to residential land uses.
 4. No separate structure intended to be used, in whole or part, for commercial land uses shall be constructed prior to the construction of not less than 50 percent of the dwelling units.
- (2) The following land uses are permitted in proportion to those portions of a planned development that overlay an existing commercial zoning district:
 - A. Any land use permitted in the underlying zoning district.
 - B. Any land use permitted in any residential zoning district in this Code, except Mobile Homes.
- (3) The following land uses are permitted only in the portions of a planned development that overlay an existing industrial zoning district:
 - A. Any land use permitted in the underlying zoning district.
- (4) The land uses permitted in a planned development may be distributed as follows:
 - A. If a single planned development overlays more than one zoning district, then the land uses permitted according to this Section may be distributed throughout the entire planned development site.
 - B. If a planned development includes land uses permitted only in an industrial zoning district, then those land uses may only be located in that portion of the planned development that overlays the industrially zoned land.

(d) Residential Density. Residential density shall not exceed 110 percent of the density permitted in the underlying zoning district. Residential land uses in a planned development that overlays a commercial zoning district shall not exceed the density of the R1B Single-Family Medium-Density Residential Zoning District. Area devoted entirely to non-residential land uses, including buildings, vehicle management areas, and other associated land use elements shall be excluded from the area used to calculate residential density.

(e) Dimensional Regulations.

- (1) Building Heights shall be limited as in the underlying zoning district, regardless of land use.
- (2) Front setbacks shall be limited as in the underlying zoning district.
- (3) All buildings and vehicle management areas shall be setback from the perimeter of a planned development no less than:
 - A. Residential zoning district – 25 feet.
 - B. Commercial zoning district – 25 feet.
 - C. Industrial zoning district – 50 feet.

(f) Open Space.

- (1) No planned development shall have less than 20 percent open space, which includes any area not less than 50 by 50 feet, not including the required setbacks, and includes nothing other than natural area.
- (2) Lot coverage shall be regulated according to the underlying zoning district, except that lot coverage for the residential portion of any planned development shall not exceed 40 percent.
- (g) 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.
 - (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.
 - (3) A planned development that overlays a commercial or industrial zoning district that is adjacent to a residential zoning district shall be screened from the residential zoning district by a dense evergreen hedge a minimum of 8 feet tall and 10 feet wide at planting and that will maintain at least 90 percent opacity over time.
- (i) Access and Mobility.
 - (1) At residential densities greater than would be permitted in the R-1A District, have direct and principal access from a collector or arterial road.
 - (2) Bicycle rack spaces shall be provided at all planned developments that overlay a commercial zoning district at a rate of 3 per acre.
 - (3) Adequate pedestrian connectivity shall be provided to and through a planned development.
- (j) Utilities and Infrastructure. Electric and telephone facilities, street light wiring, and other wiring conduits and similar facilities shall be located underground.
- (k) Plan-Specific. Any other design elements deemed necessary by Planning Commission and Council to ensure that a planned development satisfies the decision criteria of this Chapter.

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. One comment was received from Robert and Tami Kuginskie at 3926 Oxford-Millville Road.

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 with comment
Service/Engineering:	Returned with comment
Econ. Dev.	No comment on revised plans

BRIEF ANALYSIS

The proposed planned development meets the requirements for dwelling unit density, setbacks and open space. The property is zoned R2A which could permit a higher dwelling unit density than is proposed with this planned development. This layout presented has a smaller overall footprint than both the 2014

PD proposal and the original 2015 PD proposal. Therefore there is less natural area being disturbed at the site extremities and more green space as an end result.

The Engineering comment regarding on and off-site utilities should be addressed before the final plan is approved. Sufficient securities, easements or documentation should be put in place so that water and sewer service can be maintained of equal service levels for residents whether it is public or private ownership. Additionally, the extension of public water and sewer service to adjacent lands should be understood and detailed before a final plan is approved.

If the preliminary plan is approved by City Council, a final plan will then be submitted for review by Planning Commission and City Council. The final plan will contain more details such as parking lot lighting, road cross sections, landscaping materials and building elevations. No building permits can be issued until a final plan is approved and the City Engineer is satisfied with the street and utility improvements adjacent to the proposed building. A Preliminary Plan approval by City Council is valid for 2 years and a Final Plan approval by City Council is valid for one year.

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

RECOMMENDATION

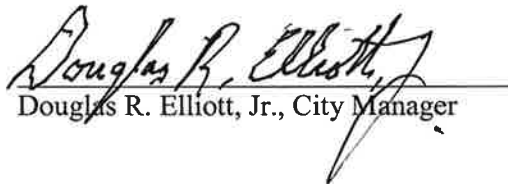
City representatives have worked with the applicant to come up with an agreeable plan that allows some development to occur consistent within the R2A zoning, while still respecting the intent of the Planned Development code to minimize environmental impact and allow flexibility in land uses. Therefore it is the recommendation of city staff to forward a recommendation of approval to City Council.

SUBMITTED

BY:



Sam Perry, AICP, Planner



Douglas R. Elliott, Jr., City Manager

DATE: September 3, 2015

City of Oxford
Inter-Office Review Transmittal Sheet

Date: August 31, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-17 PRELIMINARY PLANNED DEVELOPMENT, The Fields at Southpointe, Southpointe Crossings, Southpointe Parkway, 37.08 acres, Trinitas Development LLC, Applicant, Agent

X Review X Revisions _____ Other

Please return no later than: **9/2/2015** Note: If no comments are received, we will assume the project meets your department's standards.

Attached is a revised Preliminary Planned Development application originally submitted June 26, 2015. It was tabled without discussion, awaiting revised plans following a court mediation appointment regarding the appealed May 5 decision of the denied Preliminary Subdivision Plat. Revised plans were submitted August 28, 2015. This layout changed significantly. Please compare these plans to the June 26, 2015 plans that you have already reviewed. Let us know if you need to view a copy for comparison or we can email one to your review appointee.

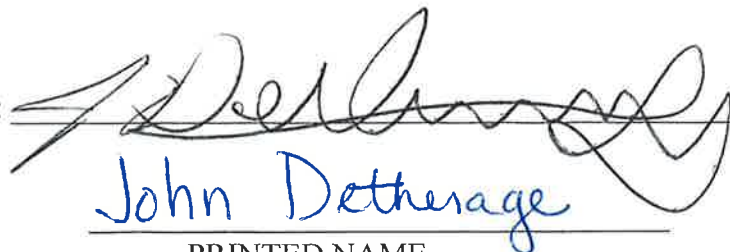
*Per court mediation agreement this item must be on the September 8, 2015 Planning Commission agenda next week. Therefore, if you have comments that you would like included in the packet please get those to us by **Wednesday, September 2 at 12:00 p.m.***

Drawings are returned: w/comments without/comments

Consider secondary emergency ingress/egress.

" consider secondary emergency ingress/egress "

Drawings reviewed by:


John Detherage

PRINTED NAME

Date: 9-1-15

AUG 31 2015

City of Oxford
Inter-Office Review Transmittal Sheet

Date: August 31, 2015

To: **Fire Department** (~~Engineering Division~~) **Police Department** **Econ Dev Department**

From: Community Development Department

PC-2015-17 PRELIMINARY PLANNED DEVELOPMENT, The Fields at Southpointe, Southpointe Crossings, Southpointe Parkway, 37.08 acres, **Trinitas Development LLC, Applicant, Agent**

 X Review X Revisions Other

Please return no later than: **9/2/2015** Note: If no comments are received, we will assume the project meets your department's **standards**.

Attached is a revised Preliminary Planned Development application originally submitted June 26, 2015. It was tabled without discussion, awaiting revised plans following a court mediation appointment regarding the appealed May 5 decision of the denied Preliminary Subdivision Plat. Revised plans were submitted August 28, 2015. This layout changed significantly. Please compare these plans to the June 26, 2015 plans that you have already reviewed. Let us know if you need to view a copy for comparison or we can email one to your review appointee.

*Per court mediation agreement this item must be on the September 8, 2015 Planning Commission agenda next week. Therefore, if you have comments that you would like included in the packet please get those to us by **Wednesday, September 2 at 12:00 p.m.***

Drawings are returned: w/comments without/comments

SEE MEMO DATED SEPT. 2, 2015

Drawings reviewed by:

Date:

VICTOR POPESCU

PRINTED NAME



Memo

Service Department
Engineering Division

513/524-5208 fax 513/524-5267

TO: Community Development Department

FROM: Victor Popescu, P.E.
City Engineer

RE: PC – 2015 – 17; Preliminary Planned Development
Fields at Southpointe

DATE: September 2, 2015

Below are our review comments.

- The proposed Domestic Water System will be “master metered”. Thus, it is assumed that the Domestic Water System within the proposed development will be private. The maintenance of the Domestic Water System will be the responsibility of the Developer, and not the City.
- The Fire Water Main is not metered. The City does not meter the Fire Water Mains. A decision must be made as to the maintenance of the Fire Water Main, including the flushing of the Fire Hydrants.
- The Domestic Water Main has to be flushed once a year. How will this be accomplished?
- There are “dead ends” in the water main at various locations. We understand that the water system will be private. However, stagnant water will be drawn for consumption from “dead end” mains. Strongly recommend that elimination of the “dead end” mains by looping the water mains.
- How would water be supplied for a future development, east of the Fields at Southpointe, since this proposed development is “master metered”?

- Will there be irrigation? If so, the irrigation system must not pull water from the Fire Water Main.
- For most of the proposed development, the Fire Water Main and the Domestic Water Main run parallel. It is important to note that the two mains cannot be placed in the same ditch. There must be a four (4) feet separation between the mains.
- Backflow preventers to be placed in a structure to prevent freezing.
- What is the size of the Fire Water Main? (minimum size is 8')
- What will be the size of the Domestic Water Main?
- All sanitary manholes shall be located at the furthest point of the structure that the sanitary system serves.
- Refer to the Sanitary Manhole at the east entrance (1st access from Southpointe). Relocate the subject manhole westward to a point where the sanitary system can be extended south to serve the properties along the Southpointe Parkway. As easement will be required for the proposed extension.

If there are questions, please contact the Engineering Division.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: August 31, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-17 PRELIMINARY PLANNED DEVELOPMENT, The Fields at Southpointe, Southpointe Crossings, Southpointe Parkway, 37.08 acres, **Trinitas Development LLC, Applicant, Agent**

 X Review X Revisions Other

Please return no later than: **9/2/2015** Note: If no comments are received, we will assume the project meets your department's standards.

Attached is a revised Preliminary Planned Development application originally submitted June 26, 2015. It was tabled without discussion, awaiting revised plans following a court mediation appointment regarding the appealed May 5 decision of the denied Preliminary Subdivision Plat. Revised plans were submitted August 28, 2015. This layout changed significantly. We have included the June 26 "Preliminary Layout Plan" so that you can see the difference. All of the layout plans including the 6/26 version are clipped together. The 6/26 version is stamped "Superseded".

*Per court mediation agreement this item must be on the September 8, 2015 Planning Commission agenda next week. Therefore, if you have comments that you would like included in the packet please get those to us by **Wednesday, September 2 at 12:00 p.m.** Even if you do not have comments please return the plans to us so they can be used for review by the Planning Commission members.*

Drawings are returned: w/comments without/comments

Drawings reviewed by: _____

Date: 9/1/2015

R.B. HOLZWORTH
PRINTED NAME

PRINTED NAME

JAY C. BENNETT
ATTORNEY AT LAW
Oxford Professional Building
5995 Fairfield Road, Suite #5
Oxford, Ohio 45056-1587
Telephone 513.523.4104
Fax 513.523.1525

August 4, 2015

Jung-Han Chen
Director of Planning
City of Oxford
101 E. High Street
Oxford, Ohio 45056

Re: Trinitas Planned Unit Development Application dated 6/26/15

Dear Jung-Han:

Please postpone consideration of the preliminary plan of the planned unit development of Southpointe Crossings from the August meeting of Planning Commission until the September meeting of Planning Commission scheduled for September 8th.

Very truly yours,



Jay C. Bennett
Attorney at Law

JCB/da



Memo

Service Department
Engineering Division

513/524-5208 fax 513/524-5267

TO: Community Development Department

FROM: Victor Popescu, P.E.
City Engineer

RE: PC-2014-10
Preliminary Planned Development – R/W Vacation

DATE: August 4, 2014

Reference is made to the correspondence dated July 25, 2014 from Ms Etta Reed, Bayer Becker, to Mike Dreisbach, Service Director – City of Oxford.

The correspondence is requesting that right-of-way for two (2) street entrances, as plated in the record plat for the Southpointe Crossings, be vacated. The proposed Collegiate at Oxford development will not need the plotted street entrances, as per the presented preliminary design.

The City of Oxford accepts the request for the right-of-way vacations without objections.

If there are questions, please contact the Engineering Division.



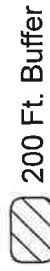


PC-2015-17 Surrounding Property Owners Map

Legend



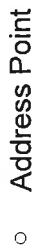
Subject Area



200 Ft. Buffer



Oxford Corporation Limit



Address Point



Parcel



Building Footprint



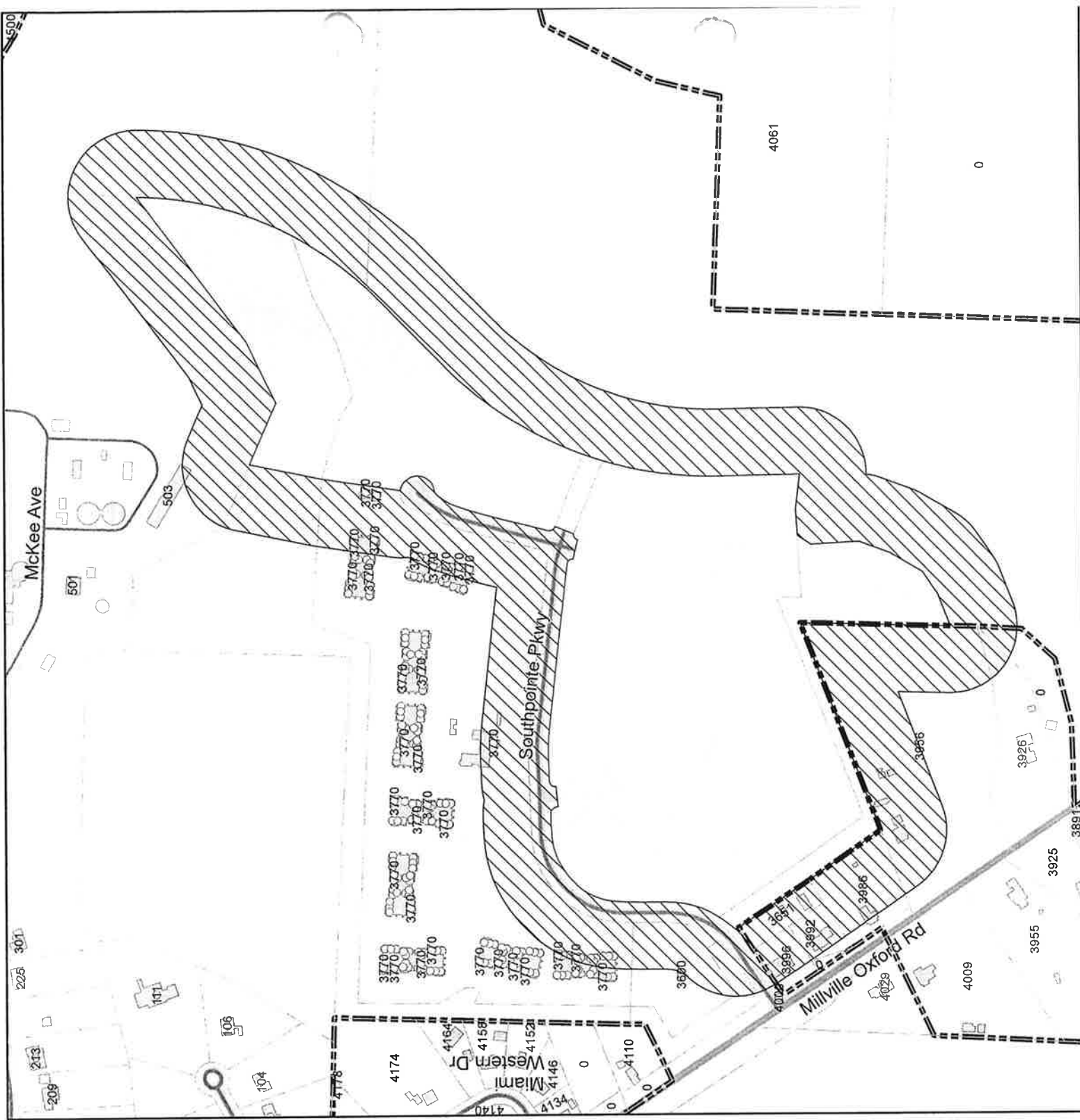
Paved Roadway

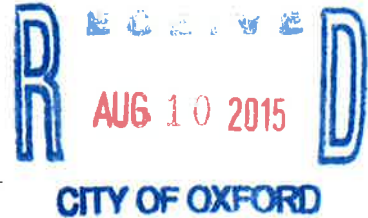


1 inch = 400 feet

Prepared on Tuesday, July 21, 2015

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.





CITY OF OXFORD
PLANNING COMMISSION
REVIEW AND COMMENT FORM

CASE NO.: PC-2015-17

DATE OF HEARING: August 11, 2015

PC-2015-17 PRELIMINARY PLANNED DEVELOPMENT, The Fields at Southpointe,
Southpointe Crossings, Southpointe Parkway, 37.08 acres, **Trinitas Development
LLC, Applicant, Agent**

If you cannot attend this public hearing being held before the City of Oxford Planning Commission, but would like to comment on this matter, please complete this form and return it at your earliest convenience before the hearing date to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name: Robert S. Tami S. Ruginski

Address: 3926 Oxford-Millville Rd

Oxford, OH 45056

Telephone: Home: 513-523-9076 Work: —

COMMENTS:

Are they back again so soon? What
will it take to dissuade these people?
We object to the development of these
37.08 acres, by Trinitas Development
LLC for all the reasons we've been
repeating for all these years. Now
we can add that we just don't
trust Trinitas in any of their guises.

Robert S. Tami S. Ruginski
Signature

8/6/15
Date

Tami S. Ruginski

4-Leaf Development, LLC
125 West Spring Street --- Oxford, OH 45056
(513) 524-9500 / FAX (513) 523-9415

June 18, 2015

To Whom it may Concern:

Please be advised that Trinitas Development LLC has our permission to submit applications for the approval of a Preliminary Planned Development on Lots 3710, 3712, 3714 and 3715 within the Southpointe Crossings development.

Should you have any questions or concerns, please do not hesitate to contact our office.

Sincerely,



James M. Clawson

4-Leaf Development, LLC

JUN 26 2015



Internal Use Only:

Case No.

Date Filed

PC-2015-17
6/26/15
8/28/15

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 *

Trinitas Development LLC

Mailing Address *

201 Main Street, Suite 1000

City, State & Zip Code *

Lafayette, IN 47901

Telephone Number *

765-464-2800

Email Address

dvanmatre@trinitas.ventures

Owner Information

Name *

4 Leaf Development LLC

Mailing Address *

125 W. Spring Street

City, State & Zip Code *

Oxford, Ohio 45056

Telephone Number *

513-524-9500

Email Address

pam@hoteldevelopment.net

Engineer/Surveyor Information

Name *

Bayer Becker

Mailing Address *

318 South College Avenue

City, State & Zip Code *

Oxford, Ohio 45056

Telephone Number *

513-336-6600

Email Address

EttaReed@bayerbecker.com

Location and Lot Information

Name of Subdivision *

Southpointe Crossings

Location of Property *

Parcels H4100-109-000-010, H4100-143-000-002, 004, 005

Legal Description *

Entire Lot #3710, 3712, 3714 and 3715

Zoning District *

R-2A

Total Area *

37.08

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 Search](#)² is helpful when searching for the mailing address of adjoining property owners. It allows you to search by owner, address, or parcel number.

Decision Process

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

Fees & Receipt

The 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 *

6-23-15

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 *

6/24/15

Receipt Number *

50504

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/>

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

August 28, 2015

Mr. Jung Han Chen
Community Development Director
City of Oxford
101 East High Street
Oxford, Ohio 45056

Re: The Fields at Southpointe
Revised Preliminary PUD Submittal

Dear Mr. Chen:

As discussed, Trinitas Development LLC has revised the PUD application for The Fields at Southpointe. More specifically, the following revisions have been made:

- 1) The development will contain a mix of single family, two-family and multi-family residential buildings constructed as a single phase.

	Original Plan	Revised Plan	Original Plan	Revised Plan
Unit type	# of Buildings	# of Buildings	# of Units	# of Units
Single Family	101	22	101	22
Duplex	62	54	124	108
Townhome	0	6	0	64
Total	163	82	225	194

- 2) The impact to the existing natural resources has been reduced and the amount of natural buffer to adjacent properties has increased.
- 3) The amount of open space has increased from 28.3% to 36.7%. In addition to the open space along the north and south sides of the development, 2 pockets of open spaces are located internal to the development.
- 4) The lot coverage % has decreased from 38.8% to 36.4%.
- 5) Access will be provided at 4 locations along Southpointe Parkway rather than 3.
- 6) The maximum number of beds to be contained within the development will be 668.
- 7) The development will provide parking for 88-90% of the proposed beds or 588-602 parking spaces.
- 8) Parking will be provided in single family drives, along the internal private streets and in parking lots around the development.
- 9) The basketball and volleyball courts have been relocated adjacent to the club house.
- 10) A temporary cul-de-sac has been added at the east end of Southpointe Parkway on property owned by 4 Leaf Development LLC. 4 Leaf Development LLC has agreed to grant Trinitas Development LLC an easement to construct said turnaround and an access easement for use of the turnaround.

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

318 South College Avenue
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>

- 11) Hammerhead turnarounds have been added at the end of the streets stubbed to the east.
- 12) Multi-use Trail along the east and south side of the development have been eliminated.

Please dispose of the following plans that were previously submitted to you:

- a. Site Layout Plan.
- b. Open Space Exhibit.
- c. Preliminary Utility Plan.
- d. Lot Coverage Exhibit.
- e. Preliminary Landscape Plan



Enclosed please find thirteen individual packets containing one (1) copy of each of the following. Please combine them with the previously submitted packets.

- a. Site Layout and Open Space Plan.
- b. Preliminary Utility Plan.
- c. Lot Coverage Exhibit.
- d. Preliminary Landscape Plan.
- e. Townhome Building Elevation and Floor Plans.

We have also included a CD containing all of the enclosed drawings.

The following is our revised response as to the Description of use and site:

- a. A legal description of the boundary of the proposed development was submitted with the original application.
- b. The property is currently vacant.
- c. The property is zoned R-2A, Single and Two Family Residential.
- d. A description of the proposed planned development:

- i. The number of housing units by size and type proposed within each phase.

The Fields at Southpointe will contain a total of 194 units contained in 82 single family, two-family and multi-family residential buildings to be constructed in a single phase. The development will contain a total of 668 bedrooms.

- 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.

Not applicable.

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- 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, two-family and multi-family residential, serves as a transition from Level 27, a multi-family development to the north, to the single family homes to the south and future residential to the east.

The Fields at Southpointe is proposing to construct sidewalks throughout the entire development. The sidewalk will enable residents to bike or walk to Southpointe Parkway and connect to the proposed sidewalk and bike lanes to be constructed along both sides of Millville Oxford Road (US 27) as part of the BUT-27-14.12 project. According to the adopted Oxford Bike and Pedestrian Safety Improvement Plan, upon completion of the widening project currently under construction, the City will allow the paved shoulders of US 27 to be painted for bike use.

As required by the subdivision regulations, sidewalk will be installed along the east side of Corporate Woods Lane, the south side of Southpointe Parkway along the entire development frontage and the north side of Southpointe Parkway east of Corporate Woods Lane, which will enable the residents to connect to the existing sidewalk along Southpointe Parkway and proceed to Millville Oxford Road (US 27).

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

The Architecture of the residential buildings within The Fields at Southpointe development closely resemble single family homes and will blend well with the future residential to the east and the existing residential to the south. Furthermore, the proposed townhome and duplex structures will serve as a transition from the multi-story buildings in Level 27 to the traditional single family homes to the south.

- 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.

The Fields at Southpointe will not have a negative effect on adjacent land. The property to the north, Level 27 is a multi-family residential development, while the property to the east is vacant. Century 21 Real Estate office and vacant commercial zoned property is located to the west. The property to the south is currently single family residential and will be buffered from The Fields at Southpointe by the existing vegetation along the south property line. Lastly, landscaping will be installed along Southpointe Parkway providing a visual buffer for properties to the north and west.

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

Southpointe Crossings is an ideal location for The Fields at Southpointe development for several reasons:

- 1) Per the Comprehensive Plan, The Fields at Southpointe 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-2A single and two-family residential.*
- 3) The Fields at Southpointe is part of a much larger development, Southpointe Crossing, which will contain a mix of residential uses.*

- 4) *The Fields at Southpointe will contain a mixture of housing products designed to serve students to young families to empty nesters.*
- 5) *The infrastructure is currently in place to support a residential development of this nature.*
- 6) *Will relieve some of the pressure on the existing single family neighborhoods within the Mile Square.*

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

The Oxford housing market continues to see a demand for housing that directly affects the affordability of the housing stock of the community. The continued market demand for student housing places additional pressures on the core neighborhoods and this development will aid in alleviating some of this pressure. This project will provide a diverse product to the local market and provide a transition from high density developments to more traditional suburban developments to the southeast. As part of the larger PUD this development will provide a mix of residential styles and products in an area that is already served by public infrastructure and long planned as an area of future growth. 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.

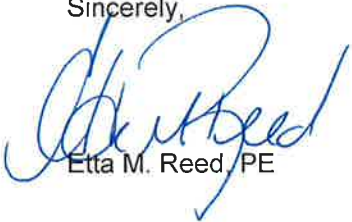
- h. Proposals for the provision of public utilities and services, if insufficient or not available for the planned development, or for the provision of suitable private utilities and services.

Public water and sanitary sewer are available to the property. Stormwater detention has been provided in the existing detention basin in the southern portion of the development.

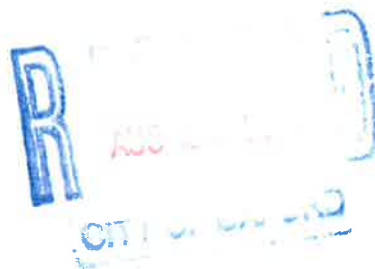
Please place this item on the September 8th Planning Commission Meeting agenda.

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

Sincerely,



Etta M. Reed, PE



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

<http://www.bayerbecker.com>

thence, with a curve to the left, having a central angle of $156^{\circ} 46' 22''$, a radius of 50.00 feet, an arc length of 136.81 feet, and a chord bearing and distance of, North $01^{\circ} 40' 51''$ East, 97.95 feet to the easterly line of Lot #3711 of said Southpointe Crossings, Section One;

thence, leaving said right of way of Corporate Woods Lane and with said easterly line of Lot #3711, North $13^{\circ} 17' 40''$ East, 430.67 feet to the northeast corner of Lot #3709 of said Southpointe Crossings, Section One, being the northerly boundary of said Southpointe Crossings, Section One and the southerly line of Lot #2022 of said City of Oxford;

thence, with said northerly boundary of Southpointe Crossings, Section One and the southerly line of said Lot #2022 for the following three courses: South $65^{\circ} 04' 39''$ East, 199.80 feet;

thence, North $66^{\circ} 05' 41''$ East, 199.87 feet;

thence, North $54^{\circ} 27' 42''$ East, 547.65 feet to the **True Point of Beginning** containing 11.883 acres of land more or less of which 5.093 acres are in Lot #3710 and 6.790 acres are in Lot #3712 and being subject to all easements, legal highways, restrictions and agreements of record.

Date: July 23, 2014

Description: Southpointe Crossings, Section One
Lots 3714, 3715 and part of the
Right of Way of Southpointe Parkway

Location: City of Oxford
Butler County, Ohio



Situated in the City of Oxford, Butler County, Ohio, being all of Lot #3714 and Lot #3715 and part of the existing right of way of Southpointe Parkway of Southpointe Crossing, Section One as recorded in Plat Book 4020, Pages A & B of the Butler County Recorder's Office and being further described as follows:

Beginning at a found concrete monument at the southwest corner of said Lot # 3715 being the southeast corner of Edwards Subdivision as recorded in Plat Envelope 318, Page B and being the **True Point of Beginning**;

thence, from the True Point of Beginning thus found and with the easterly boundary of said Edwards Subdivision, North 33° 20' 39" West, 528.35 feet to the southerly right of way of Southpointe Parkway;

thence, with said southerly right of way of Southpointe Parkway, with a curve to the left, having a central angle of 45° 14' 55", a radius of 280.00 feet, an arc length of 221.13 feet, and a chord bearing and distance of, North 22° 37' 27" East, 215.42 feet;

thence, North 00° 00' 00" East, 123.60 feet;

thence, with a curve to the right, having a central angle of 88° 04' 43", a radius of 220.00 feet, an arc length of 338.20 feet, and a chord bearing and distance of, North 44° 02' 21" East, 305.87 feet;

thence, continuing with and through said southerly right of way of Southpointe Parkway, North 88° 04' 43" East, 246.98 feet;

thence, with a curve to the right, having a central angle of 08° 12' 01", a radius of 270.00 feet, an arc length of 38.64 feet, and a chord bearing and distance of, South 87° 49' 17" East, 38.61 feet;

thence, South 83° 43' 17" East, 487.06 feet;

thence, with a curve to the right, having a central angle of 15° 11' 17", a radius of 500.00 feet, an arc length of 132.54 feet, and a chord bearing and distance of, South 76° 07' 38" East, 132.15 feet;

thence,, South 68° 32' 00" East, 207.10 feet to the easterly boundary of said Southpointe Crossing, Section One;

thence, leaving said southerly right of way of Southpointe Parkway and with said easterly boundary of Southpointe Crossing, Section One with a curve to the right, having a central angle of 87° 26' 29", a radius of 20.00 feet, an arc length of 30.52 feet, and a chord bearing and distance of, South 24° 48' 46" East, 27.65 feet;

thence, with a curve to the left, having a central angle of 18° 25' 58", a radius of 1100.00 feet, an arc length of 353.89 feet, and a chord bearing and distance of, South 09° 41' 29" West, 352.36 feet;

10/10/2010 REZONE Section One, Lot # 3714

Page 1 of 2

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

318 South College Avenue
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

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JUN 26 2015

thence, South 00° 28' 30" West, 238.26 feet;
thence, North 81° 47' 13" West, 104.46 feet;
thence, South 88° 11' 02" West, 56.88 feet;
thence, South 35° 24' 04" West, 49.34 feet;
thence, South 00° 44' 30" East, 143.90 feet;
thence, South 22° 37' 31" West, 102.20 feet;
thence, South 32° 22' 25" West, 110.14 feet;
thence, South 57° 36' 25" West, 80.70 feet;
thence, South 70° 59' 47" West, 85.38 feet to the westerly boundary of said Southpointe Crossings,
Section One;
thence, with said westerly boundary of Southpointe Crossings, Section One, North 02° 23' 54" East,
437.33 feet;
thence, with the southerly boundary of said Southpointe Crossings, Section One, South 70° 13' 00" West,
669.69 to the **True Point of Beginning** containing 25.198 acres of land more or less of which
21.757 acres are in Lot #3714, 3.373 Acres are in Lot #3715 and 0.067 acres are in the existing
right of way of Southpointe Parkway and being subject to all easements, legal highways,
restrictions and agreements of record.



*Where Creativity
Meets Functionality*

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

Memo

June 26, 2015

To: Sam Perry
Planner, City of Oxford

From: Trinitas Development LLC

Re: The Fields at Southpointe
Energy Management Plan ✓

Trinitas Development, LLC ["Trinitas"] understands the City's commitment to sustainability and the holistic implementation into the planning process. While the focus is often on land use principles, building efficiency is also a key component of this holistic approach. In line with the goals of Oxford, Trinitas encourages the design and construction of residential structures that utilize green building practices, meet energy and conservation standards, and maintain low impact development standards for semi-rural areas at the edge of the community.

Prior to issuance of a final zoning permit, Trinitas Ventures, LLC will provide an Energy Management Plan to be approved by the City Planning office. The plan will: a) consider utilizing sustainable energy; b) meet or exceed the American Society of Heating, Refrigeration, and Air Conditioning Engineering (ASHRAE) standards; c) include the use of high-efficiency HVAC Systems and energy management controls; and d) implement a plan to report actual performance of the energy plan back to the City of Oxford during the period ending one year after occupancy.

Energy efficient buildings are designed to provide a significant reduction of the energy need for heating and cooling. Our buildings go above and beyond those requirements by also looking at other practices for energy efficiency outside of mechanical systems. Some of those ideas will include the following:

1. Thermal insulation – an exterior wall is best insulated when its thermal resistance is high and heat loss is minimal.
2. Ventilation – a key requirement for delivering fresh air and exhausting stagnant air through the use of proper mechanical systems.
3. Air tightness – reducing uncontrolled air flow through gaps with specified sealants and onsite quality control.
4. High performance glazing and windows.
5. Pitched roofs with vented attics to provide thermal break and decrease heat gain/loss in livable space – roof overhangs to let in the lower winter sun but shade from the hot summer sun.
6. The use of LED track and can lighting in multiple locations to reduce energy consumption.
7. Plantings/shrubs around the residential exterior – in the summer, the foliage blocks the radiation and in the winter, bare branches allow the radiation to help warm the living areas.
8. Energy efficient appliances.
9. Natural daylighting through energy efficient windows.
10. Programmable thermostats in living areas.
11. Electric sub-metering.

6900 Tylersville Road, Suite A
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513-523-4270

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Cincinnati, OH 45202
513-834-6151

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

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Page 2
Mr. Sam Perry
The Fields at Southpointe
June 26, 2015

The overall goal is to use less energy to accomplish the same amount of work by getting the most work per unit of energy. Often the upfront costs are higher for the methods mentioned above; however, Trinitas recognizes the climate is changing and resources are depleting, which is why many of our projects implement these same practices around the country in a continued effort and commitment to creating sustainable projects for years to come.

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

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Memo

June 26, 2015

To: Sam Perry
Planner, City of Oxford

From: Etta M. Reed, PE

Re: The Fields at Southpointe
Preliminary Development Plan
Stormwater Management and Natural Resources ✓

Stormwater Management

Stormwater management for The Fields at Southpointe will address both water quantity and quality. The proposed development will be designed with a combination of enclosed storm sewers, as well as some open drainage swales.

With the construction of Section One of Southpointe Crossings, a detention basin was constructed in the southernmost portion of the proposed The Fields at Southpointe development. The basin was designed to accommodate Southpointe Parkway, Corporate Woods Lane, the vacant commercial parcel along US 27 and The Fields at Southpointe development. Said detention basin satisfies the water quantity requirement of the City of Oxford for The Fields at Southpointe development.

Water quality requirements of the Ohio EPA General Construction Permit will be met within the development. Some of the methods under consideration include vegetated swales, rain gardens, bioretention areas, modification of the existing detention basin, etc.

Natural Resources

The land plan for The Fields at Southpointe was developed with the site's natural resource features in mind. In particular, the trees at the north and south ends of the development and Lick Run creek located to the south.

As shown on the Preliminary Landscape Plan, the proposed development will preserve a significant portion of the trees located along the north and south boundaries of the development. In addition to the existing trees to remain, the development will contain a number of new trees dispersed throughout the development as well as installing trees along Southpointe Parkway.

Article VI B of the Development Agreement between the City of Oxford and 4-Leaf Development LLC, indicates that at the request of the City, 4-Leaf shall grant to Three Valley Conservation Trust, or another agreed upon eligible entity, a conservation easement over a portion of the property located at both the north and south ends of The Fields at Southpointe development. Trinitas Development LLC will work with City staff to dedicate a conservation easement over the undisturbed areas at the north and south ends of the development.

Chapter 1145.12(g) of the Oxford Zoning Code requires a 100 ft. natural buffer adjacent to all permanent and natural surface waters. The purpose of said buffer is to protect drainage ways such as Lick Run creek. As shown on the Preliminary Layout Plan, the proposed development will not encroach into the 100 ft. buffer area.

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Memo

June 26, 2015

To: Sam Perry
Planner, City of Oxford

From: Etta M. Reed, PE

Re: The Fields at Southpointe
Preliminary Development Plan
Site Lighting ✓

Included on Sheets A102 and A103 of the Preliminary Development Plan submittal for The Fields at Southpointe are photos of typical lighting poles and fixtures that are being proposed for the development. The final pole and fixture selection will be provided as part of the Final Development Plan submittal.

The proposed lighting will adhere to the following requirements set forth in Chapter 1141.01(f) of the Oxford Zoning Code:

- 1) *The light source within a light fixture shall not be visible from a neighboring structure. Lights may be shielded or recessed and set on low poles to prevent light from shining onto neighboring properties and distracting drivers.*
- 2) *No light used for illuminating a parking area shall shine onto property in a residential district.*
- 3) *The intensity and direction of light shall not significantly disrupt the night habitat of any natural area larger than one-half, a stream and riparian corridor or other similar natural areas.*
- 4) *The foot-candle measurement at any property line shall not exceed 1.0 lumen.*

And the following requirements outlined in Section 406(F) of the Oxford Subdivision Regulations pertaining to street lights:

- 1) *A street light shall have a fixture of at least 9,500 lumens.*
- 2) *Streetlights shall be designed with appropriate lamps and reflectors, to minimize light pollution.*
- 3) *Light poles shall be consistent with the overall architectural theme and scale of the site.*
- 4) *Streetlights for the purpose of illuminating an intersection, parking facility or roadway for safety purposes shall not exceed 32' in height.*

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June 26, 2015

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

Re: The Fields at Southpointe
Traffic Evaluation ✓

Dear Mr. Popescu,

The enclosed Preliminary Development Plan (PDP) for The Fields at Southpointe, to be located on the north and south sides of Southpointe Parkway in the Southpointe Crossings development, is being submitted to the Oxford Planning Commission for the meeting to be held on August 11, 2015. As part of the submittal, we are required to submit a general analysis of expected traffic impact resulting from the proposed development.

Area Conditions

Southpointe Parkway is one of 2 main entrances to the 172 acre Southpointe Crossings subdivision. The purpose of Southpointe Parkway has always been to collect the traffic from the local streets and developments within Southpointe Crossings and distribute them to US 27 and a future connector roadway thru the development.

Southpointe Parkway does not appear on either the City of Oxford's Roadway Alternatives and Roadway Classifications Map or the Butler County Thoroughfare Plan. The City of Oxford Zoning Code defines a Collector Road as *"A Thoroughfare which provides for distribution of traffic between major and local streets and abutting properties, including the principal entrance and circulation routes within residential subdivisions."* The American Association of State Highway Transportation Officials further states *"Collector streets collect traffic from local streets in residential neighborhoods and channels it to arterial streets... May also carry local bus routes."*

Based upon engineering judgment and the City's definition of a Collector roadway, it is our professional opinion that Southpointe Parkway is a Collector Road,

- It distributes traffic between major roadways (US 27) and local streets (Corporate Woods Lane) and abutting properties (Level 27).
- It is a principal entrance to the Southpointe Crossings Subdivision.
- It is similar in operation as several other Collector roadways within the City limits, McKee Avenue, Jacqueline Drive and Winding Brook Drive.
- Lastly, the Butler Regional Transit Authority currently has a bus route on Southpointe Parkway to Level 27.

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Proposed Development

The enclosed Preliminary Development Plan (PDP) for The Fields at Southpointe, to be located on the north and south sides of Southpointe Parkway in the Southpointe Crossings development, is proposed to contain 784 beds located in 163 buildings, along with an associated club house and recreational facilities.

Access to the development is planned at the following locations:

- A full access drive on the south side of Southpointe Parkway located approximately 375' east of Millville Oxford Road (US 27) (measured center-to-center),
- A full access drive on the south side of Southpointe Parkway, located approximately 475' west of Corporate Woods Lane.
- A full access drive on the south side of Southpointe Parkway, located opposite Corporate Woods Lane.
- A full access drive on the east side of Corporate Woods Lane in the cul-de-sac.
- A full access drive on the north end of Corporate Woods Lane in the cul-de-sac.

In order to provide connectivity to future development, two (2) stubs have been provided from the proposed development to the east, one north and one south of Southpointe Parkway. Additionally, Southpointe Parkway will be extended to the east to the end of the dedicated right of way.

In addition to the vehicular access points outlined above, The Fields at Southpointe is proposing to construct a multi-use trail as well as sidewalks throughout the entire development. The trail will enable residents to bike or walk to Southpointe Parkway and connect to the proposed sidewalk and bike lanes currently under construction along both sides of Millville Oxford Road (US 27) as part of the BUT-27-14.12 project. According to the adopted Oxford Bike and Pedestrian Safety Improvement Plan, upon completion of the widening project currently under construction, the City will allow the paved shoulders of US 27 to be painted for bike use.

As required by the subdivision regulations, sidewalk will be installed along the east side of Corporate Woods Lane, which will enable the residents to connect to the existing sidewalk along Southpointe Parkway and proceed to Millville Oxford Road (US 27). A multi-use trail will be constructed along the south side of Southpointe Parkway, along the developments' frontage.

Background Traffic

Due to the current construction on Millville Oxford Road (US 27), it was not possible to obtain accurate traffic counts at the intersection of Millville Oxford Road (US 27) and Southpointe Parkway. A combination of the Year 2033 Certified Traffic prepared by ODOT and used for the design of the US 27 improvements, and the traffic projections from the Talawanda High School Traffic Impact Study, prepared by Kleingers & Associates will be used as the background traffic. (See attached Plate 2 of 3, Plate 3 of 3, and Figure 4D). Figure 1 shows the aforementioned information combined to create the background traffic volumes. Since the high school is dismissed prior to the traditional PM Peak Hour of Millville Oxford Road (US 27), volumes from the high school were not included in the PM Peak Hour background traffic.

Projected Traffic

Trips generated by The Fields at Southpointe development during both the AM and PM Peak Hours are presented in the following table. While the residential units are considered apartments, given that a number of the residential units will be rented to students, the trip generation data was calculated based upon the number of bedrooms instead of the number of residential units. Trip generation information excerpted from the ITE *Trip Generation Manual*, 9th Edition are provided by attachment.

Land Use	ITE Code	Size	Unit	AM Peak Hour			PM Peak Hour		
				Enter	Exit	Total	Enter	Exit	Total
Apartment	220	784	people	43	172	215	200	108	308

The proposed development is located on the Butler County Regional Transit Authority's Level 27 Express and After Hours Level 27 routes. The developer is also proposing to provide a shuttle service for its residents to the Miami University campus. The above calculated trip generation data does not take into account a reduction for the public transit or shuttle. Other comparable developments, with access to public transit or shuttles have experienced a reduction of 20-40% in vehicular trips attributable to the shuttle. Thus the analysis contained herein represents a worst case scenario – no shuttle service or public transit.

Peak hour trips generated by the proposed development were distributed at the intersection of Millville Oxford Road (US 27) and Southpointe Parkway based upon expected traffic patterns of the site traffic. It was estimated that approximately 90% of the AM and PM Peak Hour traffic will enter/exit to the north on Millville Oxford Road (US 27), heading from/to the Miami University campus. Projected site volumes are presented in attached Figure 2.

To determine the volumes upon full build out of the development, the background volumes from Figure 1 were combined with the site traffic volumes from Figure 2 to determine the total traffic volumes.

Capacity Analysis

Capacity (level of service) analysis of the intersection of Oxford Millville Road (US 27) and Southpointe Parkway was performed using *Highway Capacity Software*, version 5.6 (HCS+).

Level of service (LOS), as defined in the *Highway Capacity Manual 2010* (HCM), is “a quality measure describing operational conditions within a traffic stream, generally in terms of such service measures as speed and travel time, freedom to maneuver, traffic interruptions, and comfort and convenience.” LOS is a function of the control delay per vehicle, and it is the standard used to evaluate traffic flow at an intersection. Generally, LOS “C” and “D” are accepted as a reasonable design criterion. ODOT's goal for the operation of its roadways is to maintain the best level of service possible with an overall intersection/approach LOS of D as a minimum acceptable.

The LOS criteria for an unsignalized intersection used by HCM is provided in the following table.

Level of Service	Delay Range (sec/veh)	Expected Delay
A	≤ 10	Little or No Delay
B	> 10 and ≤ 15	Short Traffic Delay
C	> 15 and ≤ 25	Average Traffic Delay
D	> 25 and ≤ 35	Long Traffic Delay
E	> 35 and ≤ 50	Very Long Traffic Delay
F	> 50	Excessive Traffic Delay

Capacity analysis of the intersection of Millville Oxford Road (US 27) and Southpointe Parkway was performed for background and total traffic conditions.

Capacity Analysis

Movement	AM Peak Hour		PM Peak Hour	
	Background	Total Traffic	Background	Total Traffic
SB Left	(9.1) A	(9.4) A	(8.1) A	(8.8) A
WB Left	(22.6) C	(28.5) D	(25.9) D	(59.8) F
WB Right	(13.7) B	(19.4) C	(10.6) B	(11.7) B
WB Approach	(22.6) C	(20.7) C	(15.6) C	(18.8) C

During the AM peak hour, the LOS for the southbound left turning movement is an A, and the LOS for the westbound approach is a C. During the PM peak hour, the LOS for the southbound left turning movement is an A, and the LOS for the eastbound approach is a C. These levels of service are considered acceptable per industry standards.

The complete capacity analysis is provided by attachment.

Previous Traffic Impact Studies

A traffic impact study (TIS) for the entire Southpointe Crossings development was prepared and submitted in March 2005 and updated May 10, 2005. According to the TIS, 214,000 SF of General Office was assumed to be constructed on the property where The Fields at Southpointe will be located.

Based upon the analysis previously conducted by Bayer Becker and approved by the City of Oxford, Butler County Engineer's Office and the Ohio Department of Transportation, 4 Leaf Development LLC constructed the following roadway improvements to mitigate the impact of the Southpointe Crossings Development:

- Northbound right turn lane on Millville Oxford Road (US 27) at Southpointe Parkway.
- Southbound left turn lane on Millville Oxford Road (US 27) at Southpointe Parkway.

Conclusions

Based upon the analysis prepared and engineering judgment, the volume of traffic generated by The Fields at Southpointe development was taken into account with the original traffic impact study for the Southpointe Crossings development, and the improvements constructed by 4 Leaf Development LLC have mitigated the impact on the adjoining roadways.

Please feel free to contact us with any questions or comments.

Sincerely,

Etta M. Reed, P.E.

Attachments

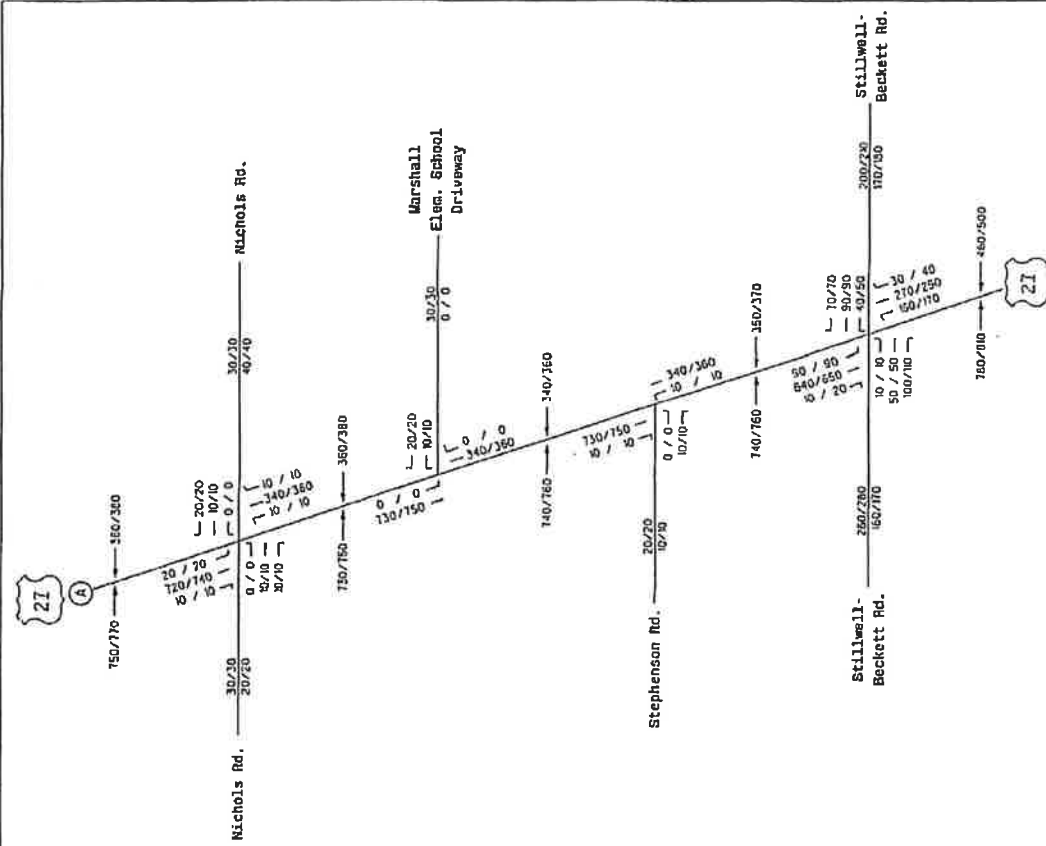
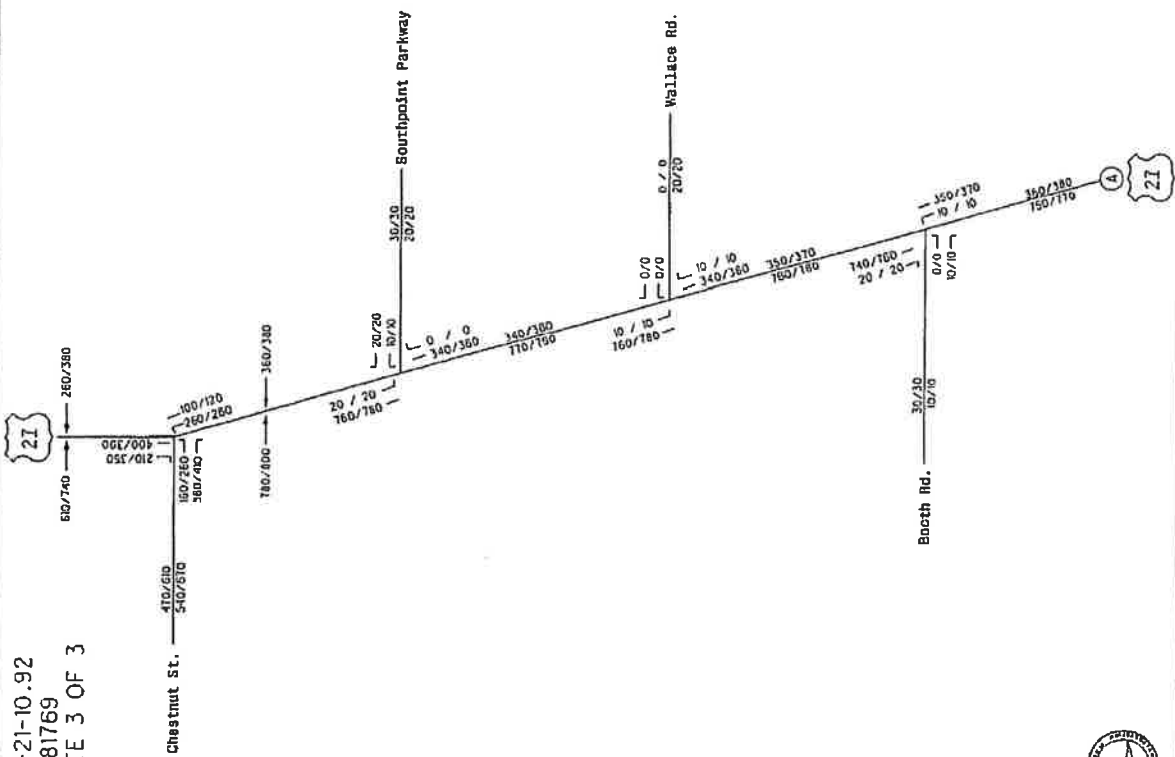
BACKGROUND TRAFFIC VOLUME DATA

PLATE 2 OF 3



MAY 14, 2009	NOT TO SCALE
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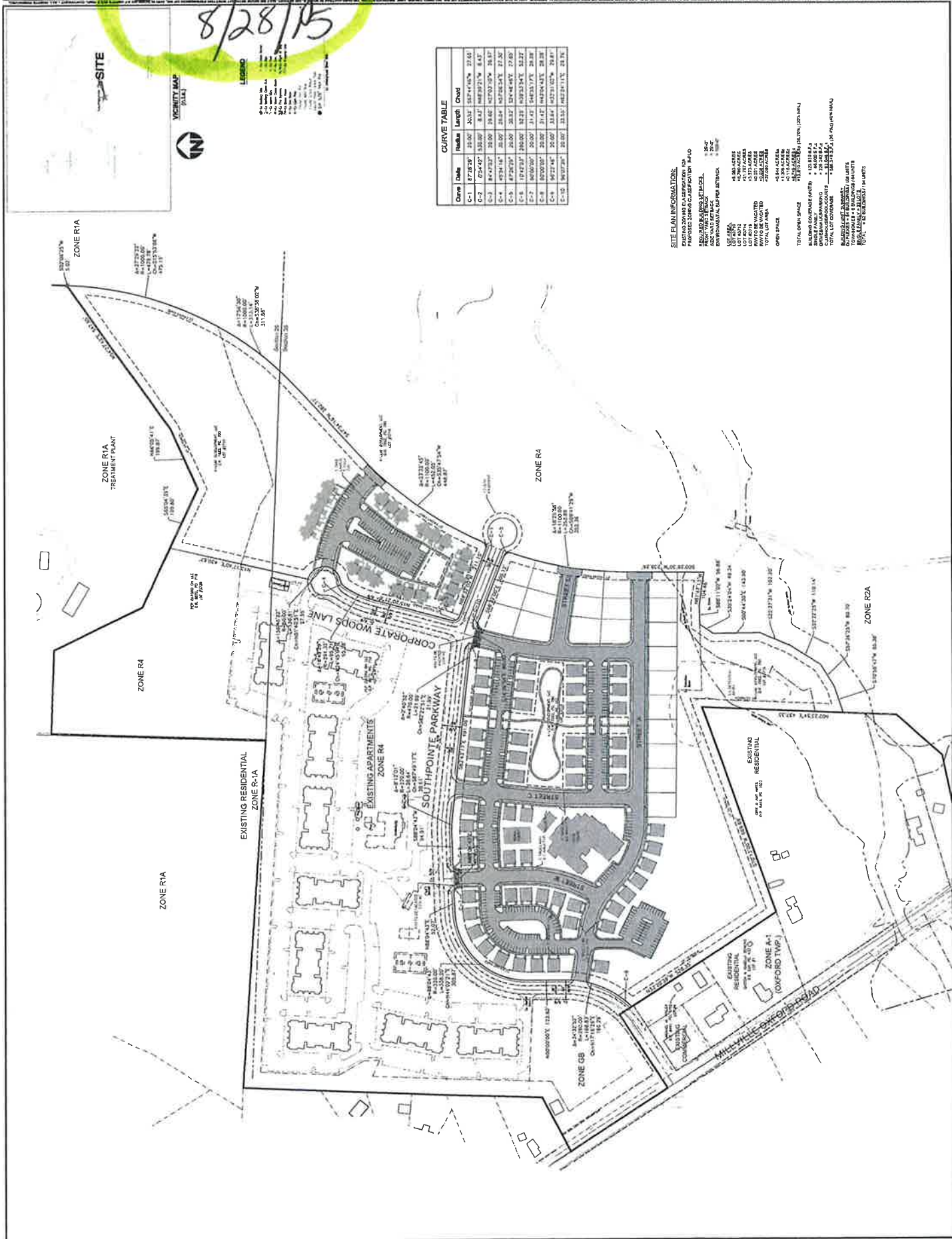
BUT-21-10.92
PID 81769
PLATE 3 OF 3



BUT-27-10.92	PID 81769
2013/2033 P.M. DHV	
OHIO DEPARTMENT OF TRANSPORTATION	
OFFICE OF TECHNICAL SERVICES	
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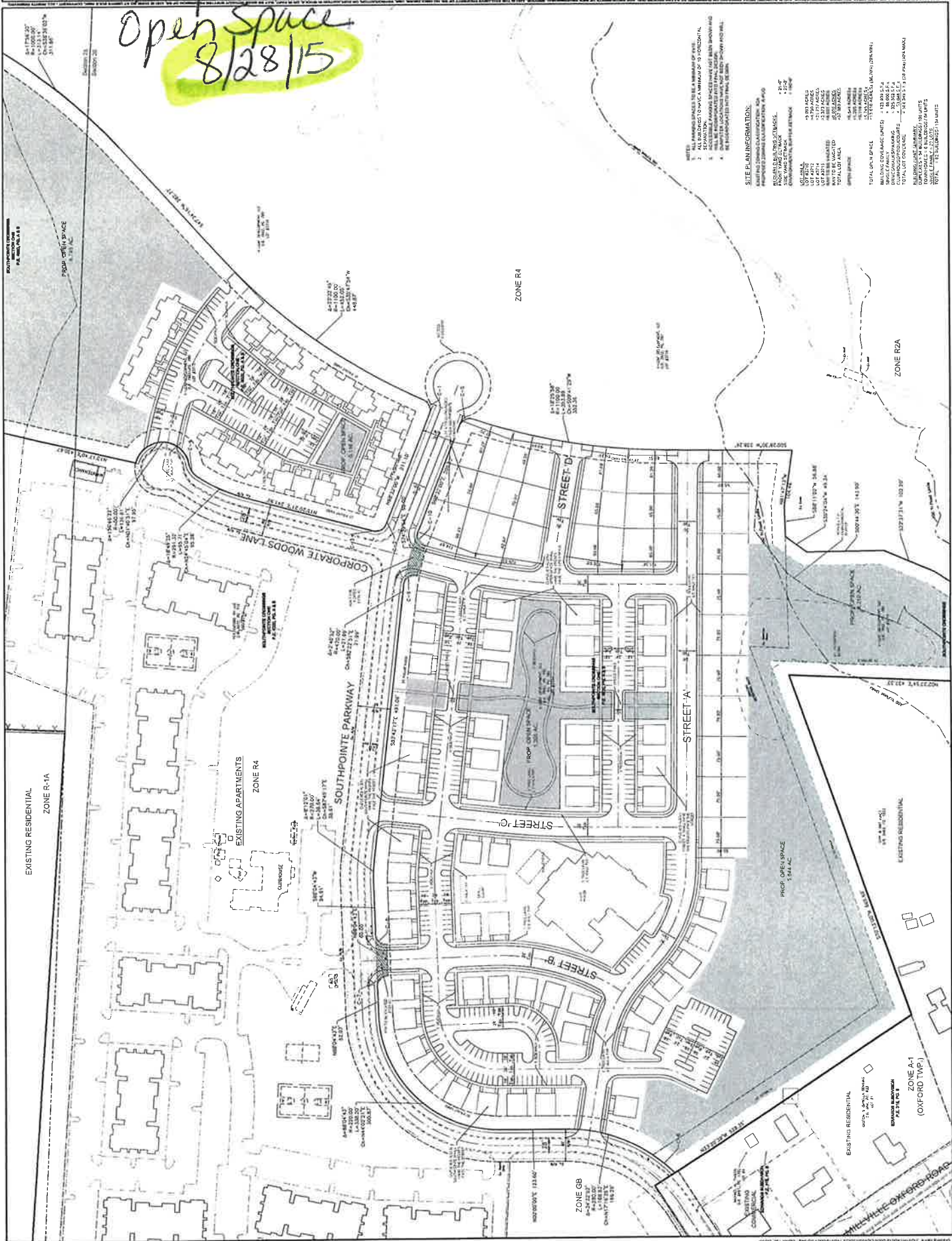


LOT Coverage
8/28/15



CURVE TABLE					
Curve	Delta	Radius	Length	Chord	
C-1	87°48'39"	20.00	30.32	53.87±0.06%	22.65
C-2	72°54'42"	33.00	53.00	86.29±0.21%	8.43
C-3	8°±7'32"	20.00	39.60	167.70±0.10%	26.87
C-4	49°34'16"	30.00	33.84	167.34±0.14%	22.65
C-5	47°29'39"	20.00	30.32	167.48±0.46%	27.30
C-6	10°42'33"	200.00	32.31	619.33±0.53%	52.27
C-7	90°00'00"	50.00	31.42	619.33±1.78%	26.28
C-8	30°00'00"	20.00	31.42	164.70±0.43%	28.28
C-9	9°22'48"	20.00	33.65	162.31±0.72%	29.81
C-10	90°33'37"	20.00	33.65	162.31±1.11%	28.76

[illegible]



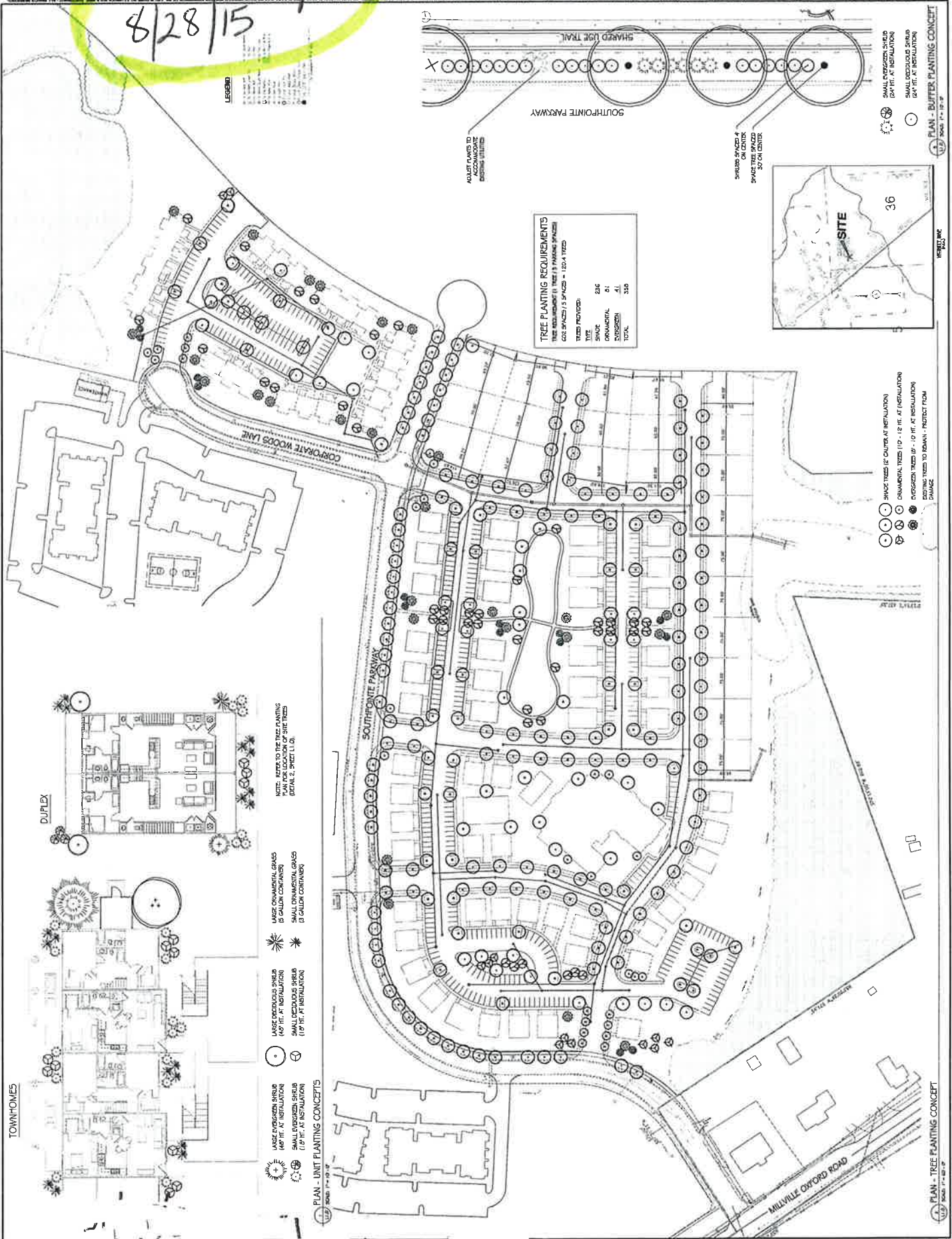


Preliminary
Landscape
8/28/15

THE FIELDS AT SOUTHPOINTE
CITY OF OXFORD
BUTLER COUNTY, PA
PRELIMINARY LANDSCAPE

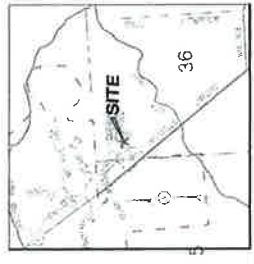


1/1



TREE PLANTING REQUIREMENTS
THE REQUIREMENTS FOR TREE PLANTING SPACES
FOR SPACES 10 SPACES = 100 A TOTAL

TREES PROVIDED:	
TYPE	SIZE
SHRUB	24"
SMALL DECIDUOUS SHRUB	41"
TOTAL	359



PLAN - BUFFER PLANTING CONCEPT
SCALE: 1" = 10' - 0"

PLAN - TREE PLANTING CONCEPT
SCALE: 1" = 40' - 0"

- PLAN - UNIT PLANTING CONCEPTS**
SCALE: 1" = 10' - 0"
- LARGE EVERGREEN SHRUB (40' FT. AT INSTALLATION)
 - SMALL EVERGREEN SHRUB (12' FT. AT INSTALLATION)
 - LARGE DECIDUOUS SHRUB (40' FT. AT INSTALLATION)
 - SMALL DECIDUOUS SHRUB (12' FT. AT INSTALLATION)
 - LARGE ORNAMENTAL GRASS (5 GALLON CONTAINER)
 - SMALL ORNAMENTAL GRASS (5 GALLON CONTAINER)

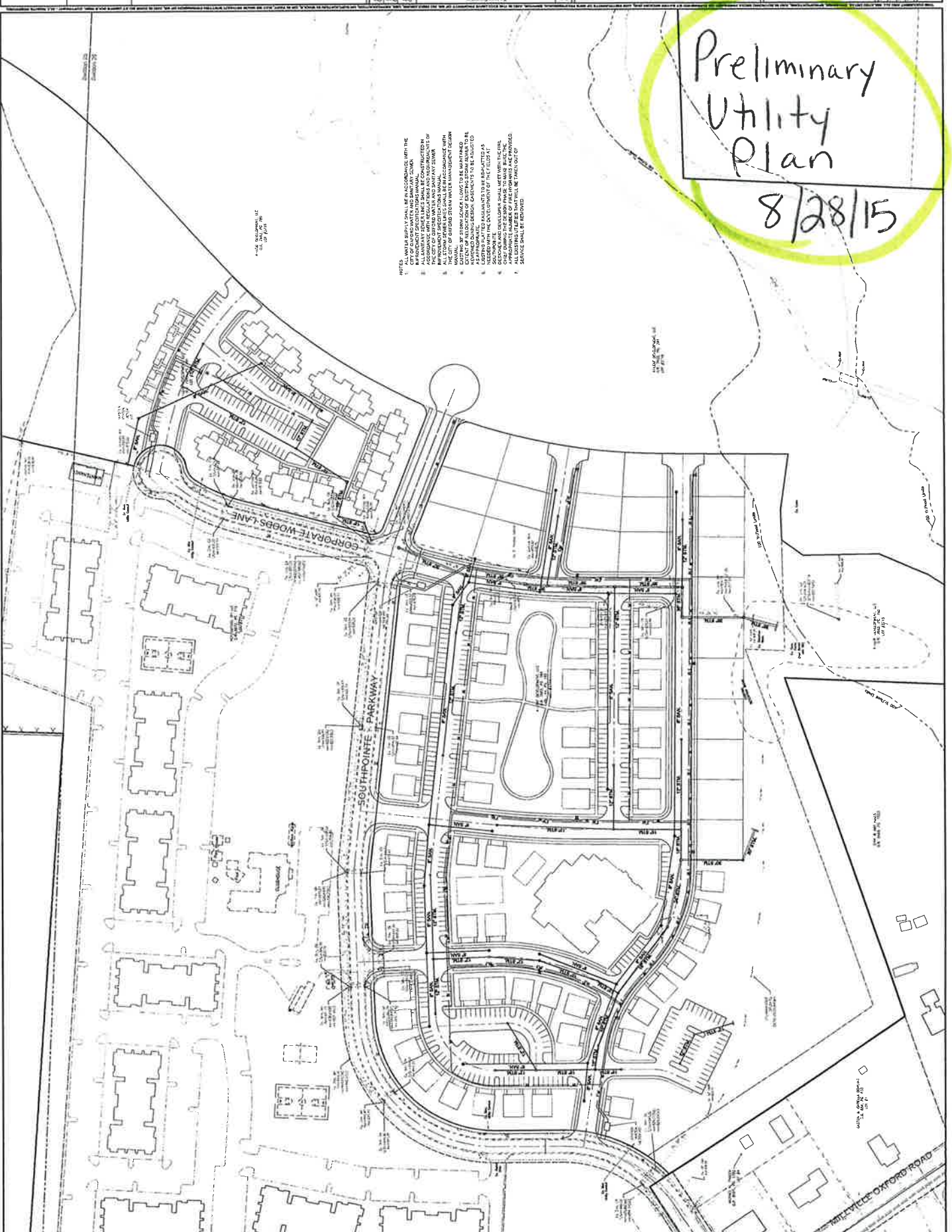
- SPACE TREES TO CENTER AT INSTALLATION
- ORNAMENTAL TREES (10' - 12' FT. AT INSTALLATION)
- EVERGREEN TREES (10' - 12' FT. AT INSTALLATION)
- DECIDUOUS TREES TO REMAIN - PROTECT FROM DAMAGE

NOTE: REFER TO THE TREE PLANTING PLAN FOR LOCATION OF THE TREES
SHEET 2, SHEET 1, 10

Preliminary Utility Plan

8/28/15

- NOTES:
1. ALL WORK SHALL BE ACCORDING TO THE LATEST EDITIONS OF THE STANDARD SPECIFICATIONS FOR CONSTRUCTION OF PUBLIC WORKS, AS ADOPTED BY THE BOARD OF SUPERVISORS OF BUTLER COUNTY, PA.
 2. THE DESIGNER HAS CONDUCTED VISUAL INSPECTIONS OF THE EXISTING UTILITIES AND HAS FOUND NO EVIDENCE OF ANY OTHER UTILITIES.
 3. THE CITY OF OAK HAS BEEN ADVISED OF THE LOCATION OF ALL UTILITIES AND HAS AGREED TO MAINTAIN THEM.
 4. THE CITY OF OAK HAS BEEN ADVISED OF THE LOCATION OF ALL UTILITIES AND HAS AGREED TO MAINTAIN THEM.
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DUAL HEAD POLE LIGHT
SCALE: 1" = 10'



DUAL HEAD POLE LIGHT
SCALE: 1" = 10'



SINGLE HEAD POLE LIGHT
SCALE: 1" = 10'



BOLLARD LIGHT
SCALE: 1" = 10'



C. POOL WARNING SIGN



D. NO FOOD OR DRINK SIGN



A. POOL RULES SIGN



H. EMERGENCY PHONE SIGN



E. NO DIVING SIGN



B. SPA RULES SIGN



J. HAZARDOUS CHEMICALS SIGN



F. BATHER LOAD SIGN



C. SPA / EMERGENCY SIGN



STREETSCAPE
02-17-14



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RENDERED ELEVATIONS

THE FIELDS AT SOUTHPONTE
TRINITAS DEVELOPMENT - SOUTHPONTE CROSSINGS, OXFORD, OHIO

SCALE: AS INDICATED

08/20/14
2014.01.17

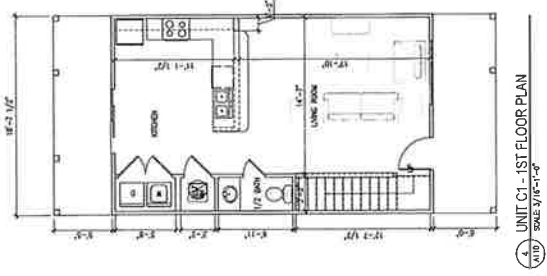
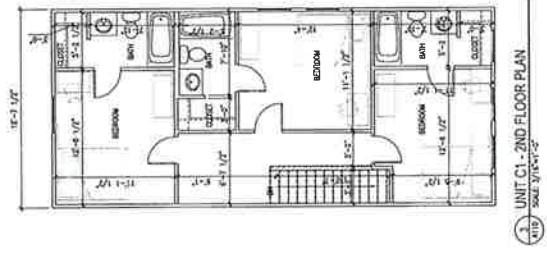
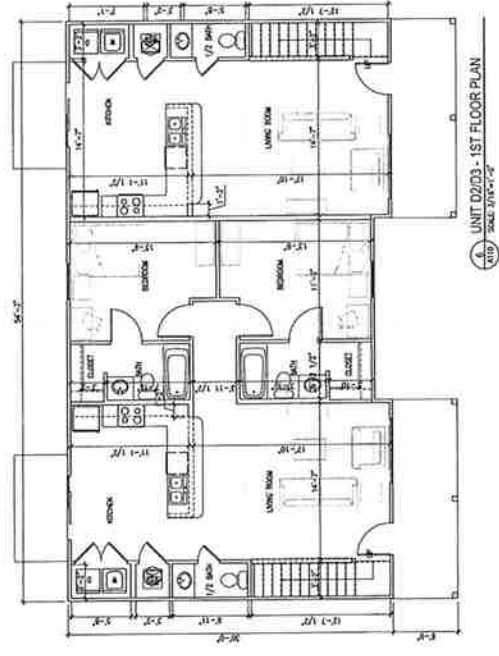
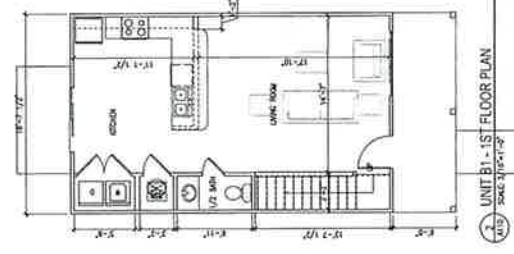
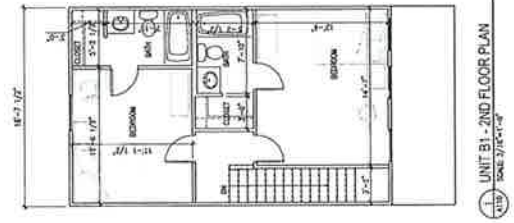
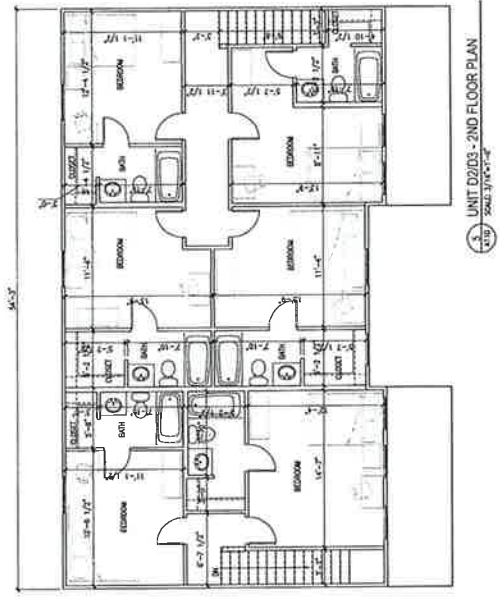
A210

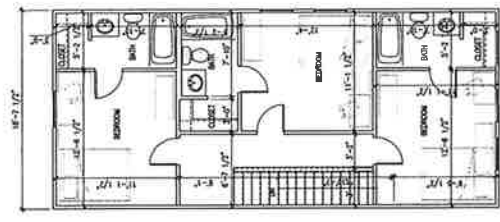


THE FIELDS AT SOUTHPOINTE
PROJECT TITLE
SOUTHPOINTE CROSSINGS
OXFORD, OHIO

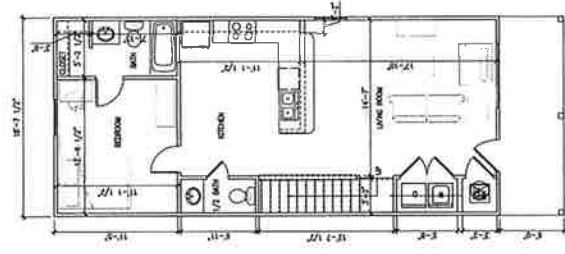
DISCLAIMER	
THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF KVG ARCHITECTS, INC. AND ARE NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF KVG ARCHITECTS, INC.	
PRELIMINARY	
PROJECT DATE	
09/30/2014	
PROJECT NUMBER	
A2014.017	
DRAWING TITLE	
BUILDING FLOOR PLANS	
SHEET NUMBER	
A110	

Building
Floor
Plans



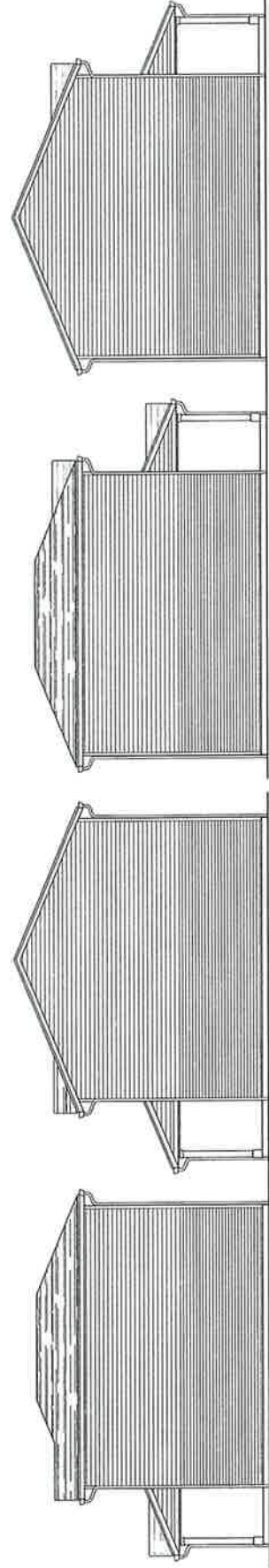


UNIT D1 - 2ND FLOOR PLAN
 SCALE: 3/8"=1'-0"



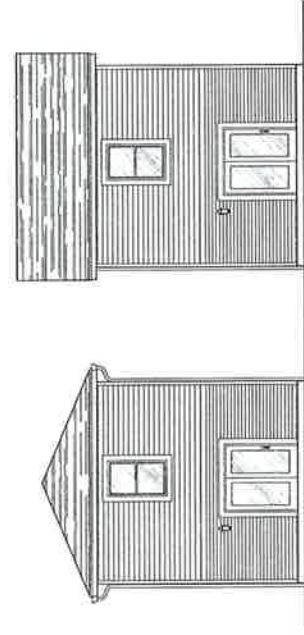
UNIT D1 - 1ST FLOOR PLAN
 SCALE: 3/8"=1'-0"

Elevations

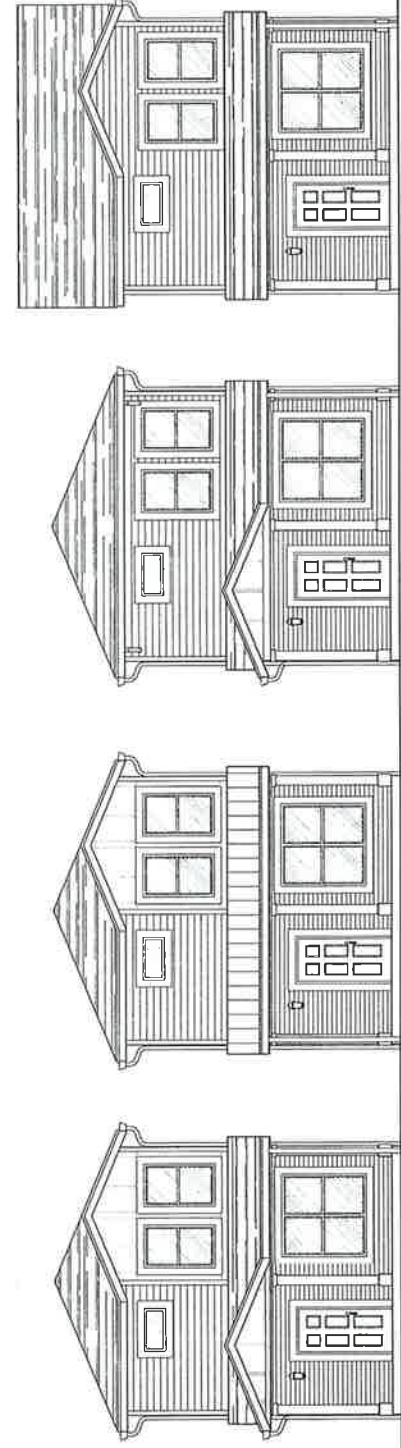


1 2-BED SIDE ELEVATION - UNIT B1
 SCALE 1/8"=1'-0"

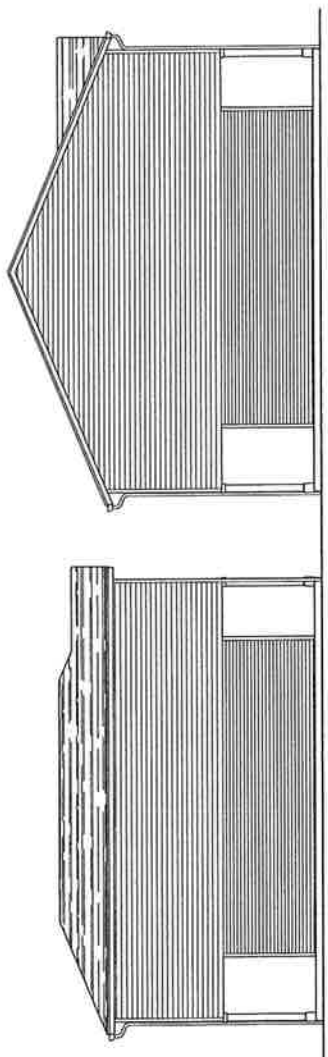
2 2-BED SIDE ELEVATION - UNIT B1
 SCALE 1/8"=1'-0"



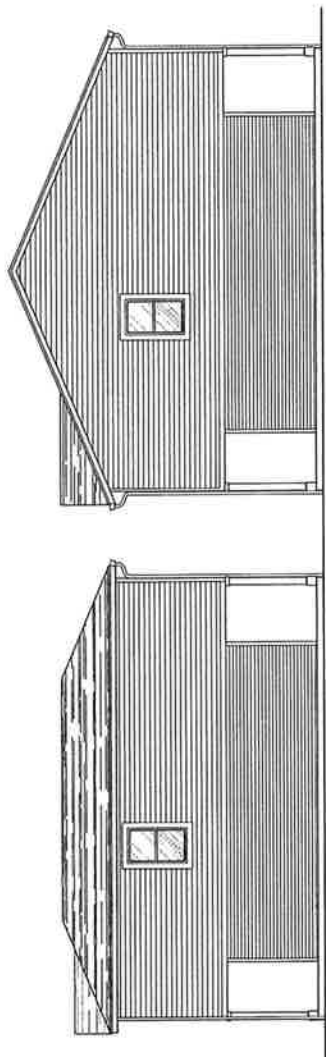
3 2-BED REAR ELEVATION - UNIT B1
 SCALE 1/8"=1'-0"



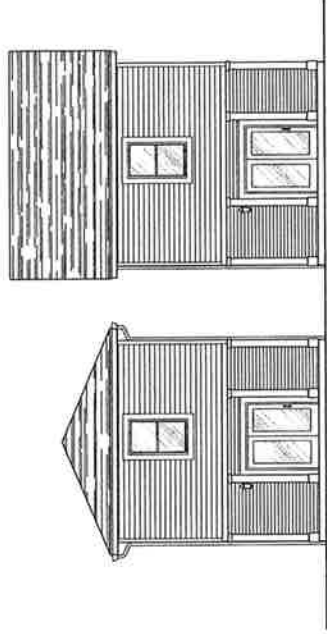
4 2-BED FRONT ELEVATION - UNIT B1
 SCALE 1/8"=1'-0"



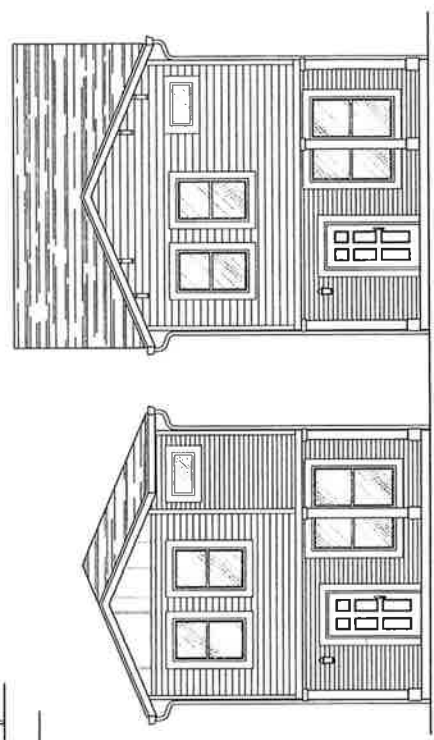
3-BED SIDE ELEVATION - UNIT C1
 SCALE: 3/16" = 1'-0"



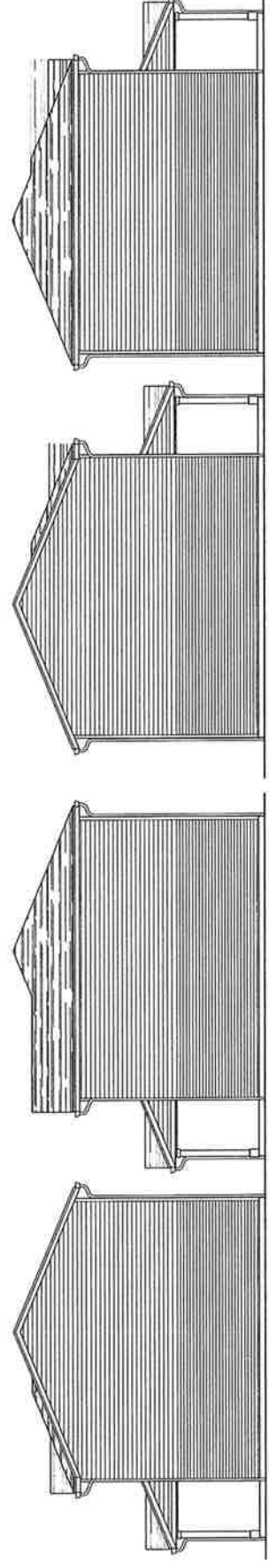
3-BED SIDE ELEVATION - UNIT C1
 SCALE: 3/16" = 1'-0"



3-BED REAR ELEVATION - UNIT C1
 SCALE: 3/16" = 1'-0"

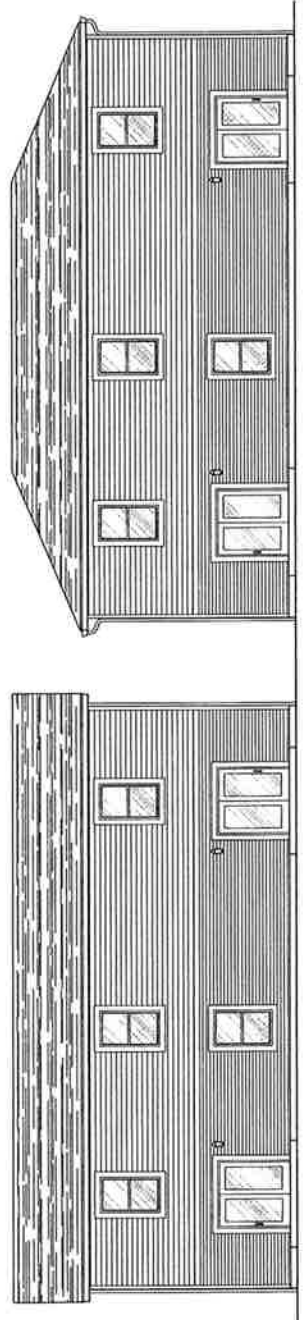


3-BED FRONT ELEVATION - UNIT C1
 SCALE: 3/16" = 1'-0"



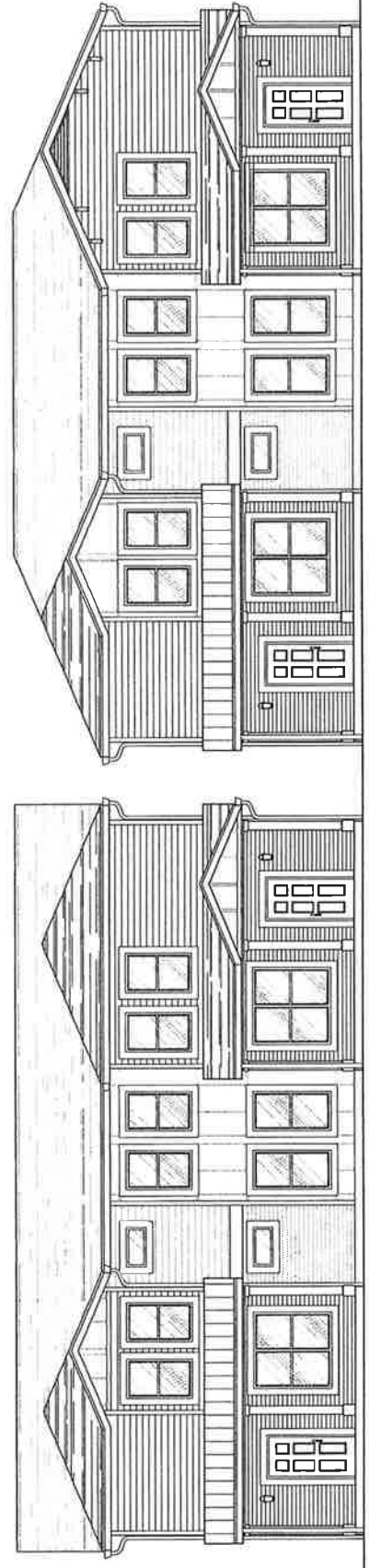
1 4-BED SIDE ELEVATION - UNIT D2/D3
 SCALE: 1/4" = 1'-0"

4 4-BED SIDE ELEVATION - UNIT D2/D3
 SCALE: 1/4" = 1'-0"



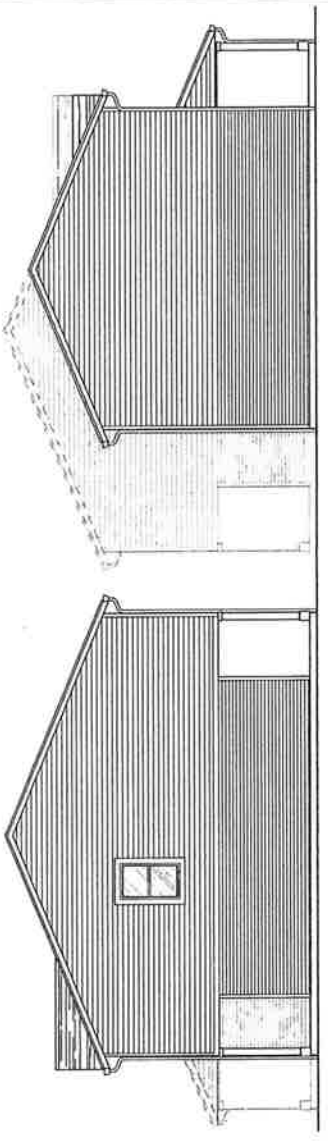
2 4-BED REAR ELEVATION - UNIT D2/D3
 SCALE: 1/4" = 1'-0"

3 4-BED REAR ELEVATION - UNIT D2/D3
 SCALE: 1/4" = 1'-0"

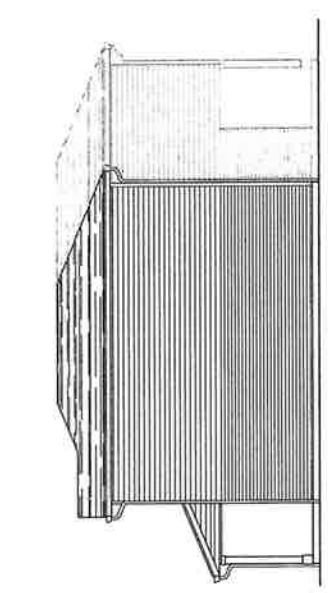


5 4-BED FRONT ELEVATION - UNIT D2/D3
 SCALE: 1/4" = 1'-0"

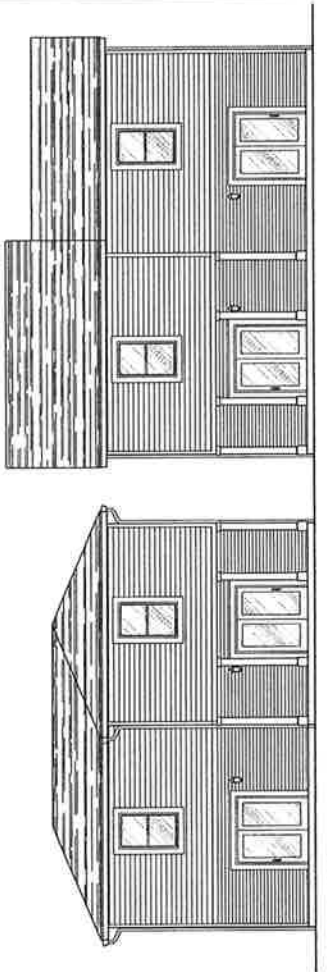
6 4-BED FRONT ELEVATION - UNIT D2/D3
 SCALE: 1/4" = 1'-0"



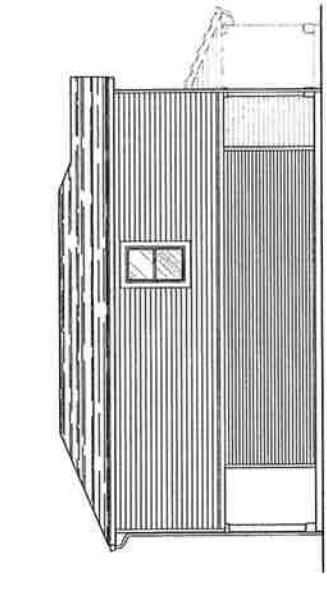
2-3 BED SIDE ELEVATION
 SCALE: 3/16"=1'-0"



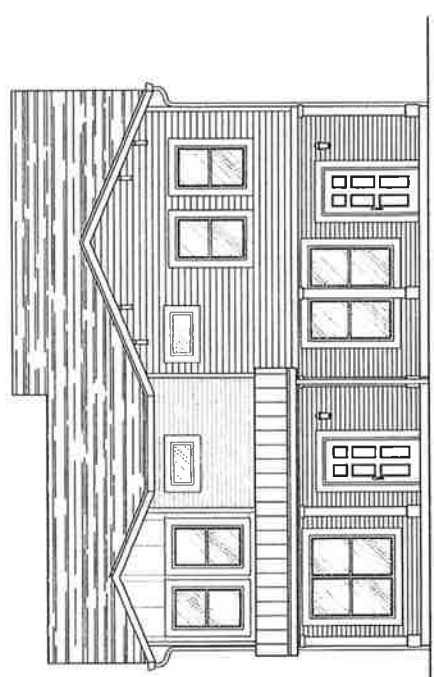
2-3 BED SIDE ELEVATION
 SCALE: 3/16"=1'-0"



2-3 BED REAR ELEVATION
 SCALE: 3/16"=1'-0"



2-3 BED SIDE ELEVATION
 SCALE: 3/16"=1'-0"



2-3 BED FRONT ELEVATION
 SCALE: 3/16"=1'-0"

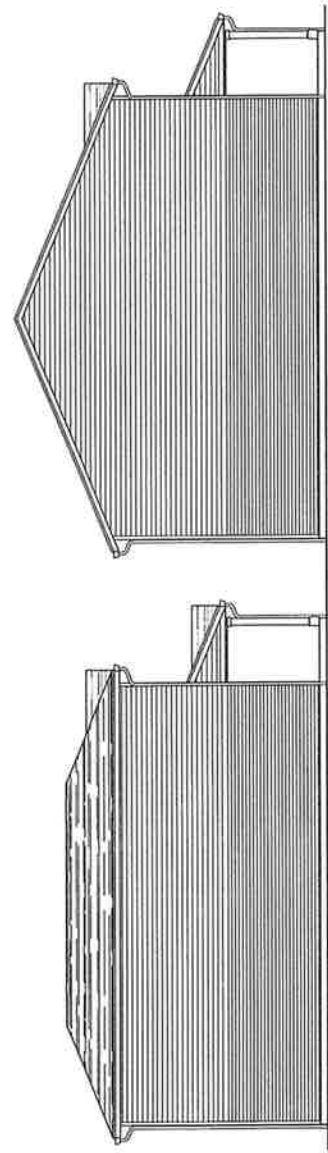
SOUTHPOINTE CROSSINGS
OXFORD, OHIO

PRELIMINARY

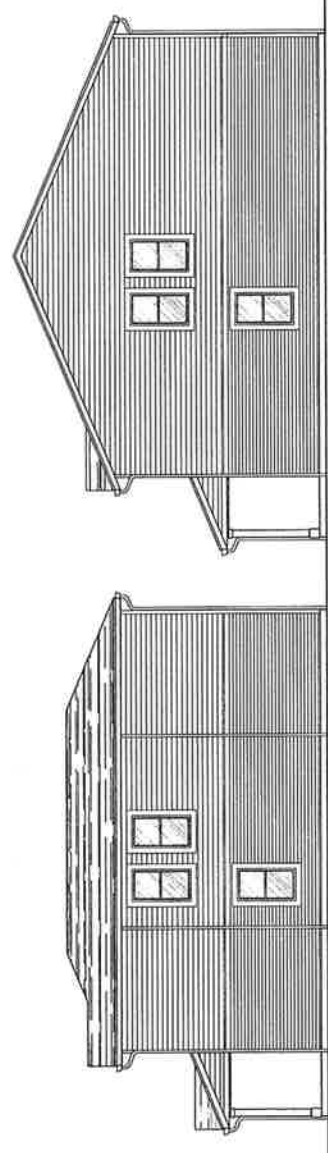
350

A204

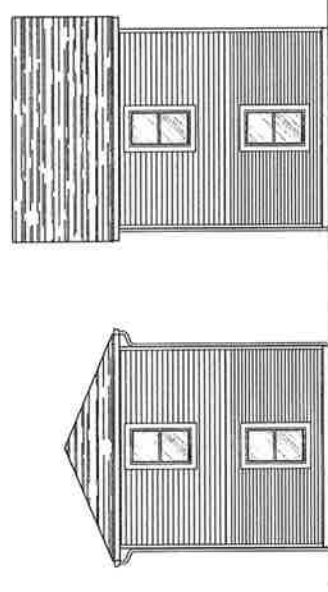




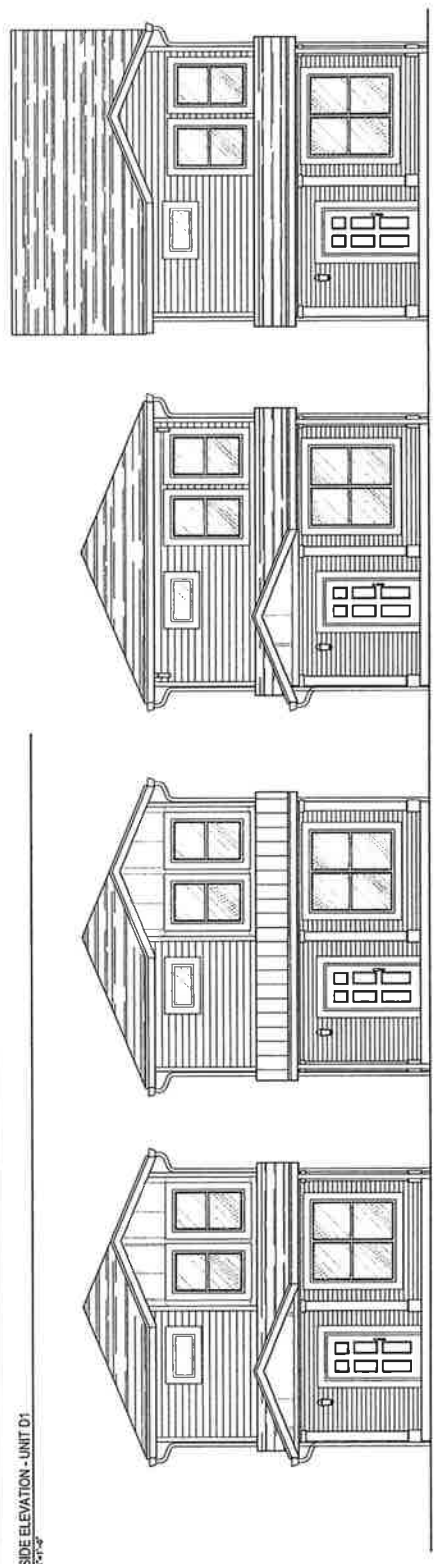
① 4-BED SIDE ELEVATION - UNIT D1
 SCALE: 3/16" = 1'-0"



② 4-BED SIDE ELEVATION - UNIT D1
 SCALE: 3/16" = 1'-0"



③ 4-BED REAR ELEVATION - UNIT D1
 SCALE: 3/16" = 1'-0"



④ 4-BED FRONT ELEVATION - UNIT D1
 SCALE: 3/16" = 1'-0"



(1) View from the intersection of U.S. 27 looking east along Southpointe Parkway.



(2) View from the center of Southpointe Parkway looking towards subject site.

R
JUN 26 1
CITY OF OAKLAND



(3) View from proposed main entrance of Collegiate at Oxford looking west along Southpointe Pkwy. towards U.S. 27.



(4) View from proposed main entrance of Collegiate at Oxford looking north along Southpointe Pkwy. towards Level 27 Apartments.



(5) View from proposed main entrance of Collegiate at Oxford looking east into the subject site.



(6) View from the center of the subject site looking west towards U.S. 27.



(7) View from the center of the subject site looking northwest.



(8) View from the center of the subject site looking north.



(9) View from the center of the subject site looking northeast.



(10) View from the center of the subject site looking east.



(11) View from the center of the subject site looking southeast.



(12) View from the center of the subject site looking south.



(13) View from the east side of the subject site looking west.



(14) View from the proposed entrance to Collegiate at Oxford opposite Corporate Woods Lane looking north.



(15) View from the intersection of Southpointe Parkway and Corporate Woods Lane looking south into the subject site.



(16) View from the intersection of Southpointe Parkway and Corporate Woods Lane looking northwest towards Level 27 Apartments.



(17) View from the center of Corporate Woods Lane looking south towards the proposed entrance to Collegiate at Oxford.



(18) View from the north side of Southpointe Parkway looking south into the subject site.



(19) View from the north side of Southpointe Parkway looking south into the subject site.



(20) View from the entrance of Level 27 Apartments looking south into the subject site.



(21) View from Southpointe Parkway looking north at the entrance to Level 27 Apartments.



(22) View from intersection of Southpointe Parkway and Corporate Woods Lane looking northeast into the subject site.



(23) View from the cul-de-sac of Corporate Woods Lane looking east into the subject site.



(24) View from the cul-de-sac of Corporate Woods Lane looking west into Level 27 apartments.

**LARGER DRAWINGS ARE AVAILABLE FOR REVIEW DURING
NORMAL BUSINESS HOURS IN THE COMMUNITY
DEVELOPMENT DEPARTMENT**

CITY OF OXFORD STAFF SUMMARY REPORT

Report to City Manager

Council Meeting Of : 9/15/2015

Account Code No. : see below

Budgeted Amount :

Finance
Originating Department

Joe Newlin
Prepared By

9/9/2015
Date Prepared

Agenda Title:	2015 Supplemental Budget #6
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Recommendation:	Approve
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Issue 1

To reflect projected Income Tax revenue - \$8,100,000 projected, \$7,217,272 budgeted
Increase in appropriations for RITA retainage & refunds

Action Needed:

Revenue Side

General Fund (110)	882,728.00	Increase in Income Tax Revenue
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Expense Side

General Fund (110)	30,000.00	Appropriation from unencumbered balance for the retainage to RITA
General Fund (110)	25,000.00	Appropriation from unencumbered balance for the refunds

Net Effect on Fund Balance/(s) Increase/(Decrease)	827,728.00	
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Issue 2

To reflect projected Income Tax revenue - \$1,177,851 projected, \$1,030,583 budgeted
To reflect projected EMS revenue - \$475,600 projected, \$405,600 budgeted
Increase in appropriations for RITA retainage & refunds

Action Needed:

Revenue Side

Fire & EMS Fund (418)	147,268.00	Increase in Income Tax Revenue
Fire & EMS Fund (418)	70,000.00	EMS Billing

Expense Side

Fire & EMS Fund (418)	5,000.00	Appropriation from unencumbered balance for the retainage to RITA
Fire & EMS Fund (418)	3,000.00	Appropriation from unencumbered balance for the refunds

Net Effect on Fund Balance/(s) Increase/(Decrease)	209,268.00	
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Increase/(Decrease)

Breakdown by Fund

General (110)	852,728.00	
Fire & EMS Fund (418)	144,268.00	

Net Effect on Fund Balance/(s)	996,996.00	
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Approved By:	Department Head:	<u> </u> Initials <u>9/10/15</u> Date <u> </u> City Manager:
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ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3286. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 6 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2015.

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:

General Fund 110	882,728.00
Fire & EMS Fund 418	147,268.00
Fire & EMS Fund 418	70,000.00

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

General Fund 110	30,000.00
General Fund 110	25,000.00
Fire & EMS Fund 418	5,000.00
Fire & EMS Fund 418	3,000.00

SECTION 4: In all other respects, Ordinance No. 3286 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: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to City Manager

Council Meeting Of :

9/1/2015

Account Code No. :

see below

Budgeted Amount :

Finance

Originating Department

Joe Newlin

Prepared By

8/26/2015

Date Prepared

Agenda Title: 2015 Supplemental Budget #5

Recommendation: Approve

Issue 1

To reflect proceeds from deposit of \$72,000 from New Village Construction for traffic light installation on Locust St.

Action Needed:

Revenue Side

General Fund (110) 72,000.00 Miscellaneous receipt from developer (\$72,000)

Expense Side

General Fund (110) 72,000.00 Appropriation from unencumbered balance for the reimbursement to developer once work is completed

Net Effect on Fund Balance/(s)
Increase/(Decrease)

-

Issue 2

To reflect money received from FEMA after FEMA reconciled our smoke detector project completed in 2012 and transfer it to Fire & EMS Fund

Action Needed:

Revenue Side

FEMA (416) 7.00 Monies received from FEMA

Fire & EMS (418) 7.00 Transferred from FEMA

Expense Side

FEMA (416) 7.00 Appropriation from unencumbered balance to transfer to Fire & EMS Fund

Net Effect on Fund Balance/(s)
Increase/(Decrease)

7.00

Total Net Effect on Fund Balance/(s)
Increase/(Decrease)

7.00

Breakdown by Fund

General (110)

-

FEMA (416)

-

Fire & EMS (418)

7.00

Net Effect on Fund Balance/(s)
Increase/(Decrease)

7.00

Approved By:

Department Head:

City Manager:

Initials

Date

[Handwritten signatures and dates]
8/26/15
8/28/15

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3286. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 5 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2015.

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:

General Fund 110	72,000.00
FEMA Fund 416	7.00

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

General Fund 110	72,000.00
FEMA Fund 416	7.00

SECTION 4: The following transfer(s) be executed:

Transfer from:	
FEMA Fund 416	7.00

Transfer to:	
Fire & EMS Fund 418	7.00

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

Fire & EMS Fund 418	7.00
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SECTION 6: In all other respects, Ordinance No. 3286 shall remain in full force and effect.

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

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: September 15, 2015

Doug Elliott

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

September 10, 2015

Date Prepared

Agenda Title: Resolution authorizing the settlement of the lawsuit brought by Trinitas Development LLC and Four Leaf Development LLC against the City of Oxford and authorizing the City Manager to take all steps necessary to enter into a settlement agreement.

Recommendation: Adopt the Resolution.

Discussion:

On May 5, 2015 City Council denied the Preliminary Subdivision Application for The Fields at Southpointe submitted by Trinitas Development LLC. Subsequently a lawsuit was filed with the Butler County Court of Common Pleas against the City of Oxford. Two mediation sessions were held with all parties and the attached settlement agreement is the result of those mediation sessions.

Approved By:

Initial Date

Department Head:
City Manager:

 9/11/15

RESOLUTION NO.

RESOLUTION AUTHORIZING THE SETTLEMENT OF THE LAWSUIT BROUGHT BY TRINITAS DEVELOPMENT LLC AND FOUR LEAF DEVELOPMENT LLC AGAINST THE CITY OF OXFORD AND AUTHORIZING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO ENTER INTO A SETTLEMENT AGREEMENT.

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

SECTION 1: The City Manager, the Law Director and the Community Development Director have recommended the City of Oxford resolve the lawsuit brought by Trinitas Development LLC and Four Leaf Development LLC regarding the use of 37.014 acres captioned as *Trinitas Development, LLC et al. v. City of Oxford, Ohio*, Case No. CV 2015 06 1305 (the "lawsuit") in accordance with the settlement terms negotiated and delineated in Exhibit "1", which is attached hereto and incorporated herein.

SECTION 2: Council hereby accepts the recommendation of the City Manager, the Law Director and the Community Development Director and authorizes the resolution of the lawsuit in accordance with the terms of Exhibit "1".

SECTION 3: The City Manager is hereby authorized to take all steps necessary to resolve these matters in accordance with the terms of Exhibit "1".

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

EXHIBIT '1'

SETTLEMENT AND MUTUAL RELEASE AGREEMENT

This Settlement and Mutual Release Agreement (“**Agreement**”) is by and between **Trinitas Development LLC (“Trinitas”), Four Leaf Development, LLC (“Four Leaf”) and the City of Oxford, Ohio (“Oxford”).** Trinitas, Four Leaf, and Oxford are hereinafter collectively referred to as the “**Parties**” and individually as a “**Party**.” This Agreement shall be effective as of the date upon which the last Party to execute this Agreement has done so, as evidenced by the dates set forth on the signature page of this Agreement (the “**Effective Date**”), and is premised upon the following recitals:

RECITALS

WHEREAS, Trinitas is a development company organized in the State of Indiana; and

WHEREAS, Four Leaf is a property owner and development company legally permitted to do business in the State of Ohio; and

WHEREAS, Oxford is a municipality located in Butler County, organized and operated in conformity with the Ohio Constitution and the Ohio Revised Code; and

WHEREAS, Oxford is governed by a charter and codified ordinances, which include a planning and zoning code (the “Zoning Code”); and

WHEREAS, Trinitas has an option to purchase from Four Leaf approximately 37.014 acres of land designated as R-2A Single- and Two-Family Residential under the Zoning Code (the “Property”); and

WHEREAS, Trinitas and Four Leaf submitted multiple proposals to Oxford, the most recent being a revised preliminary plat on April 13, 2015, for a development called the Fields at Southpointe (the “Development”); and

WHEREAS, Oxford issued a final decision in case number PC-2015-06 denying approval for the Development (the “Decision”); and

WHEREAS, Trinitas and Four Leaf timely filed an administrative appeal of the Decision with the Butler County Court of Common Pleas in *Trinitas Development, LLC et al. v. City of Oxford, Ohio*, Case No. CV 2015 06 1305 (the “Appeal”); and

WHEREAS, the Parties met on August 4, 2015 and August 24, 2015 for mediation in an attempt to fully and finally settle all issues arising from the Appeal (the “Mediation”); and

WHEREAS, Oxford’s representatives, including its law director, staff, and City Council members present at the Mediation, provided a concept plan for the Property to Trinitas that they find acceptable and agreed to recommend to Oxford’s City Council (the “Concept Plan”); and

WHEREAS, Trinitas has revised the Concept Plan and developed preliminary plans for an amended planned unit development based on Oxford's Concept Plan (the "Preliminary Amended PUD"), a copy of which is attached hereto as "Exhibit A"; and

WHEREAS, subsequent to the Decision, Trinitas submitted preliminary plans for a planned unit development, currently awaiting approval from Oxford in case number PC-2015-17 (the "Preliminary Current PUD"), the subject matter of which is separate and unrelated to the subject matter of the Appeal; and

WHEREAS, the Parties desire to resolve and to fully and finally settle any liability they may have related to the subject matter of the Appeal;

NOW, THEREFORE, in consideration of the foregoing and of the mutual promises and agreements set forth herein, the receipt and sufficiency of which is acknowledged by the Parties, the Parties hereto agree as follows:

1. General Mutual Release. In consideration of the foregoing and of the mutual promises and agreements of the Parties contained herein, the Parties, on behalf of themselves and any and all of their respective heirs, assigns, employees, officers, directors, agents, elected officials, representatives, predecessors, successors, affiliates, partners, parent and subsidiary companies, shareholders, members, managers, attorneys, accountants and insurers, predecessors in interest, and anyone claiming by, through or under them, do hereby release and forever discharge each other, jointly and/or severally, their respective employees, agents, representatives, predecessors, successors, affiliates, partners, parent and subsidiary companies, shareholders, elected officials, members, managers, officers, directors, predecessors in interest, successors in interest, assigns, attorneys, accountants and insurers and anyone claiming by, through or under them, from any and all debts, claims, demands, damages, obligations, costs, losses, liabilities, rights, disputes, actions, causes of action, expenses, contracts, judgments, awards and suits of any kind whatsoever, both known and unknown, fixed and contingent, liquidated and unliquidated, whether based on contract, tort, statute or other legal or equitable theory of recovery, arising from the subject matter of the Appeal, provided, however, that such general mutual release of claims arising from the subject matter of the Appeal is subject to the approval of the Final Amended PUD as defined in Paragraph 2(d), and, nothing contained herein shall release, discharge, modify or impair in any manner whatsoever the respective rights and obligations of the Parties set forth in this Agreement. In the event that the Final Amended PUD is not approved by Oxford City Council as described in Paragraph 2(d), neither this Agreement nor anything in law or equity shall prohibit Trinitas or Four Leaf from pursuing any rights they had, now have, or will have in the future with respect to the Property, including but not limited to claims raised in the Appeal and / or any claims for damages and declaratory relief against Oxford.

2. Consideration. Each Party hereto warrants, represents, and acknowledges the following:

- (a) Oxford shall expedite approval of the Preliminary Amended PUD, which it acknowledges is substantially different from and will replace the Preliminary Current PUD;

- (b) Oxford staff will place the Preliminary Amended PUD before Oxford City Planning Commission on September 8, 2015. Oxford staff will then place the Preliminary Amended PUD before the Oxford City Council for the initial reading and public hearing on September 15, 2015. On October 6, 2015 the Oxford staff will place the Preliminary Amended PUD before the Oxford City Council for the final reading and public hearing, at which time Oxford City Council will vote and render a decision approving or rejecting the Preliminary Amended PUD.
- (c) If the Preliminary Amended PUD is approved by Oxford City Council, then after 30 days, following the referendum period, the Preliminary Amended PUD will be effective.
- (d) Oxford shall provide comments, objections or other instruction to Trinitas within fourteen (14) days of Trinitas submitting final planned unit development plans, building permit applications, or any other document necessary to obtain approval to build and complete the project at the Property (the "Final Amended PUD"). Oxford, shall expedite any necessary final planned unit development plans, building permits or other approvals required to build and implement the Final Amended PUD, including but not limited to calling special meetings of the Oxford City Planning Commission and Oxford City Council.
- (e) Oxford agrees that if the Final Amended PUD is not approved by Oxford City Council, then the Preliminary Current PUD may be resubmitted by Trinitas, and the Preliminary Current PUD shall be deemed materially different than the Preliminary Amended PUD and Final Amended PUD such that the doctrine of res judicata shall not be applicable. Oxford agrees that it will not raise the doctrine of res judicata if the Preliminary Current PUD is resubmitted. In the event the Preliminary Current PUD is resubmitted, such resubmittal will be permitted, irrespective of any provisions in Oxford's Zoning Code, Codified Ordinances, or Charter;
- (f)
 - (i) The Preliminary Amended PUD and Final Amended PUD will have twenty-two (22) single family homes with proposed occupancy of sixty-six (66) to eighty-eight (88) beds.
 - (ii) The maximum number of beds is six hundred and sixty-eight (668).
 - (iii) Trinitas will construct a cul-de-sac at the eastern terminus of Southpointe Parkway as shown on the plans.
 - (iv) The duplexes proposed to be constructed along Southpointe Parkway will be constructed so that the building fronts face Southpointe Parkway.
 - (v) The duplexes abutting the 1.15 acre green space will be constructed so that the building fronts face the open green space.

(vi) At the point the North/South walking path crosses a parking lot, the drive isle will be reduced to one lane and a speed table constructed as shown on Exhibit A.

- (g) If Trinitas' purchase of the Property from Four Leaf does not close, Four Leaf shall have the discretion to continue with any applications and approvals for the Property as a PUD or to revert the Property to R-2A Single- and Two-Family Residential under the Zoning Code. Any application for a PUD inconsistent with the Preliminary Amended PUD and Final Amended PUD as described in Paragraph 2(f) shall be considered a new application for a PUD and not subject to this Agreement.
- (h) The Parties shall request a stay of all proceedings in the Appeal with the Butler County Court of Common Pleas until a breach of the terms and conditions of this Agreement, the Final Amended PUD is approved, or the Final Amended PUD is denied, and agree to pay their own costs and attorneys' fees associated with the Appeal to date. Provided there is no material breach of this Agreement in existence, once the Final Amended PUD is approved and all permits, documents, or authority necessary to build and complete the project as described in Paragraph 2(f) have been obtained, Trinitas and Four Leaf shall voluntarily dismiss the Appeal.

3. Further Assurances. In the event any Party to this Agreement is required to enforce any terms of the Agreement related to any breach thereof, the prevailing party in any litigation shall be entitled to recover the court costs of that action from the non-prevailing Party. A prevailing Party shall be one in whose favor a court of competent jurisdiction renders a decision or verdict and enters judgment on a substantial portion of its claims. Each Party will bear its own attorney's fees.

4. Binding Effect; Benefit. The Parties hereto agree that the terms of this Agreement should not be interpreted presumptively to be more or less favorable for or against any signatory. Subject to the terms and conditions hereof, this Agreement shall be binding upon and inure to the benefit of the Parties hereto and their respective heirs, executors, administrators, predecessors in interest, successors and assigns. This Agreement in all respects shall be interpreted, governed, and enforced by and under the laws of the State of Ohio and any suit arising out of this Agreement must be brought in the proper court in Butler County, Ohio.

5. Entire Agreement. This Agreement constitutes the entire agreement between the Parties with respect to the subject matter hereof and all prior discussions, negotiations, commitments and understandings relating to this subject matter are superseded and merged herein. The terms and provisions of this Agreement shall not be changed, amended, waived, modified or terminated in any respect whatsoever except by written instrument executed by all Parties hereto.

6. No Admission. The Parties agree that the settlement provided for herein is not and shall not be construed to be evidence of, or any admission of, liability or wrongdoing by any of the Parties related to the Vehicle or Contract. The Parties have entered into this Agreement in an effort to compromise disputed claims and to avoid the cost and expense of litigation.

7. Counterparts and Signatures. This Agreement may be executed in one or more counterparts, each of which shall constitute a separate original agreement and all of which, taken together, shall constitute one agreement, binding all Parties hereto, notwithstanding the fact that not all Parties have signed the same counterpart. The exchange of copies of this Agreement and of signature pages by facsimile or electronic transmission shall constitute effective execution and delivery of this Agreement as to the Parties and may be used in lieu of the original Agreement for all purposes. Signatures of the parties transmitted by facsimile or electronically shall be deemed to be their original signatures for all purposes.

12. Severability. If any portion of this Agreement shall be deemed or declared to be unenforceable, invalid, or void, the same shall not impair any of the other portions of this Agreement.

13. Recitals. The Recitals stated within this Agreement are deemed to be a part of the Agreement.

14. Headings. The descriptive headings of this Agreement are inserted for convenience only and will not control or affect the meaning or construction of any of the provisions hereof.

15. Additional Representations. Each Party hereto further warrants, represents, and acknowledges to the others that:

- (a) each has read and fully understands the terms of this Agreement and agrees to be legally bound by it;
- (b) each has executed the Agreement with full knowledge of any and all rights which it may have;
- (c) each has full and complete authority to make the settlement provided herein, to receive the consideration given for this Agreement, and to execute this Agreement;
- (d) each has neither sold, assigned, transferred, conveyed or otherwise disposed of any of the claims covered by this Agreement;
- (e) each has a present intent to perform the obligations of the Agreement, fully recognizing that the other Party is specifically relying upon that intent in entering into the Agreement;

- (f) the consideration received by each Party for this Agreement is fair, reasonable, sufficient, just and adequate and constitutes lawful consideration supporting the execution of the Agreement; and
- (g) each has entered into this Agreement based solely and exclusively upon his/its own analysis and his/its counsel's analysis of the facts and information of which each Party and each Party's counsel is independently aware and not based upon or in reliance upon any statements or representations of the other Party (except to the extent such statements or representations are fully and expressly set forth herein).

IN WITNESS WHEREOF, the undersigned have caused this Agreement to be executed and made effective as of the Effective Date.

TRINITAS DEVELOPMENT, LLC

CITY OF OXFORD, OHIO

By: _____
(Representative's Name)

By: _____
(Representative's Name)

Dated: August ___, 2015

Dated: August ___, 2015

FOUR LEAF DEVELOPMENT, LLC

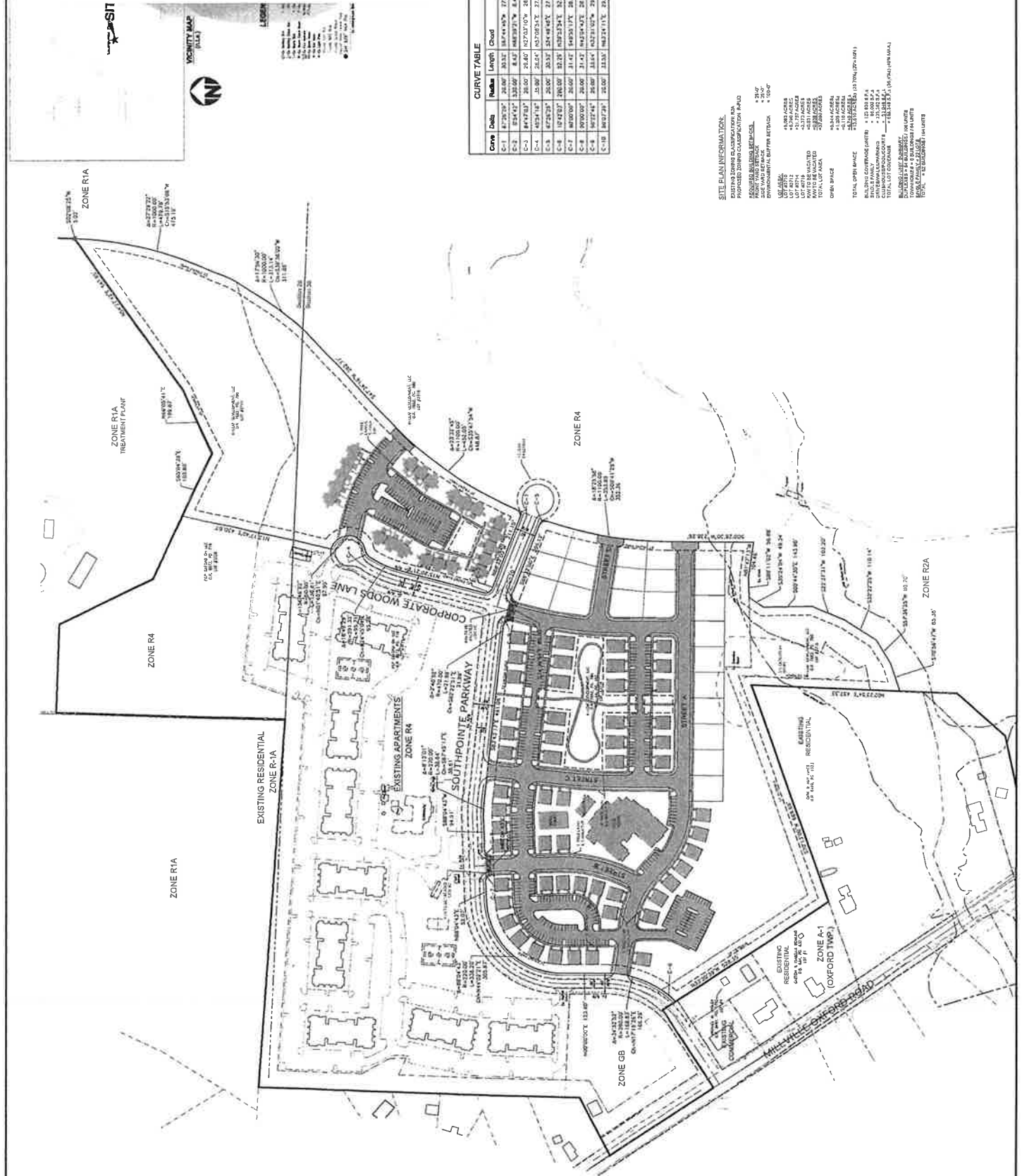
By: _____
(Representative's Name)

Dated: August ___, 2015



EXHIBIT 'A'

THE FIELDS AT SOUTHPOINTE



SITE PLAN INFORMATION

PROJECT: THE FIELDS AT SOUTHPOINTE
OWNER: BAKER ENGINEERING & SURVEYING, INC.
DESIGNED BY: BAKER ENGINEERING & SURVEYING, INC.
DATE: 08/20/2015
SCALE: AS SHOWN
SHEET: 1 OF 1
TOTAL SHEET: 1
SHEET NO.: 1
SHEET TITLE: THE FIELDS AT SOUTHPOINTE
SHEET DATE: 08/20/2015
SHEET BY: BAKER ENGINEERING & SURVEYING, INC.
SHEET CHECKED BY: BAKER ENGINEERING & SURVEYING, INC.
SHEET APPROVED BY: BAKER ENGINEERING & SURVEYING, INC.
SHEET REVISIONS: 1.0
SHEET REVISION DESCRIPTION: 1.0
SHEET REVISION DATE: 08/20/2015
SHEET REVISION BY: BAKER ENGINEERING & SURVEYING, INC.