

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: September 17, 2019

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

September 6, 2019

Date Prepared

Agenda Title: A Resolution of Council authorizing alcoholic beverages to be served free of charge at a private event on October 18, 2019 held for "Members Only and Invited Guests" at Oxford Seniors, 922 Tollgate Drive Oxford, Ohio 45056.

Recommendation: n/a

Discussion:

For Council's consideration based on a request from F. Stephen Schnabl, Executive Director, Oxford Seniors.

Section 729.10 of the Oxford Codified Ordinances prohibits the sale or use of alcoholic beverages on any municipally owned or controlled property unless approved by City Council.

This request was approved by Council for the event in 2017 and in 2018.

Approved By:

Department Head :

City Manager :

Initial

Date

DRE

9/13/19

RESOLUTION NO.

A RESOLUTION OF COUNCIL AUTHORIZING ALCOHOLIC BEVERAGES TO BE SERVED FREE OF CHARGE AT A PRIVATE EVENT ON FRIDAY, OCTOBER 18, 2019 HELD FOR "MEMBERS ONLY AND INVITED GUESTS" AT OXFORD SENIORS, 922 TOLLGATE DRIVE OXFORD, OHIO 45056.

WHEREAS, Oxford Seniors leases the premises located at 922 Tollgate Drive from the City of Oxford for the purpose of operating a senior citizen center; and

WHEREAS, section 729.10 of the Oxford Codified Ordinances prohibits the sale or use of alcohol on any municipally owned or controlled property unless approved by City Council.

WHEREAS, Oxford Seniors wishes to serve alcoholic beverages free of charge at a private event held for "Members Only and Invited Guests" at 922 Tollgate Drive Oxford, Ohio 45056. This request was approved by Council for the event in 2017 and in 2018.

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

SECTION 1: Council hereby authorizes alcoholic beverages to be served free of charge at a private event on Friday, October 18, 2019 held for "Members Only and Invited Guests" at Oxford Seniors, 922 Tollgate Drive Oxford, Ohio 45056.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: September 17, 2019

Account Code #: Not applicable

Budgeted Amount: Not applicable

Service Department

Originating Department

Michael B. Dreisbach

Prepared By

September 5, 2019

Date Prepared

Agenda Title: Authorization to Dispose of Surplus Property

Recommendation: Approve

Discussion:

As the City has replaced equipment at the end of its useful service life, Staff is requesting City Council's authorization to dispose of surplus equipment. Exhibit A, attached, provides a detailed listing of the equipment proposed for disposal.

This Resolution will authorize the City Manager to dispose of the above referenced surplus vehicles and equipment by public auction, including Internet electronic auction, at the earliest convenience of the City.

Approved By:

Department Head:

Initial

Date

MFB \ 9/5/19

City Manager:

DRE \ 9/13/19

RESOLUTION NO.

A RESOLUTION DECLARING CERTAIN CITY PROPERTY NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE AS SURPLUS AND AUTHORIZING ITS ADVERTISEMENT AND SALE TO THE HIGHEST BIDDER BY PUBLIC AUCTION INCLUDING INTERNET ELECTRONIC AUCTION.

WHEREAS, the equipment set forth in Exhibit 'A' attached hereto and incorporated herein, is surplus and no longer needed for any municipal purpose, and

WHEREAS, the City Manager and the Service Director recommend the equipment set forth in Exhibit "A" attached hereto and incorporated herein be declared surplus and that the same be advertised and sold to the highest bidder by public auction including internet electronic auction at the earliest convenience of the City.

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

SECTION 1: Council accepts the recommendation of the City Manager and the Service Director and hereby declares the equipment set forth in Exhibit "A" attached hereto and incorporated herein as surplus.

SECTION 2: Council further authorizes the advertisement and sale of the surplus equipment set forth in Exhibit "A" attached hereto and incorporated herein to the highest bidder by public auction including internet electronic auction with the proceeds thereof deposited in the General Fund.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

10/30/19

Equipment for Disposal

[illegible]

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: September 17, 2019

Account Code #: N/A

Budgeted Amount: N/A

Service Department
Originating Department

Michael B. Dreisbach
Prepared By

September 5, 2019
Date Prepared

Agenda Title: Notice of Actual Costs for Special Assessment Improvements

Recommendation: Approve

Discussion:

On May 7, 2019, the Oxford City Council passed Resolution No. 7080 declaring the necessity to improve portions of certain properties on multiple streets in the City of Oxford. An exhibit with this Resolution identified properties that required improvements to the property's curb, gutter, sidewalk and/or driveway apron in the Right of Way (ROW).

On June 4, 2019, the Oxford City Council passed Resolution No. 7088 authorizing a construction contract with Jackson Construction, Inc. for the removal and replacement of substandard curb, gutter, sidewalk, and driveways. Jackson Construction, Inc. has completed all work necessary associated with this contract.

Since receiving notice of City's intention to move forward with improvements, several property owners elected to have the work done under their own control and at their own cost. Forty two properties elected to have the City construct the required improvements. Per Ohio Revised Code 729.07, the attached Exhibit "A" details the actual costs incurred by the City for each property electing improvements via special assessment on their property taxes.

Upon approval of this Resolution, these costs will be filed with the Clerk of Council for public inspection. The City will also publish a notice weekly for three consecutive weeks in the *Journal News* detailing the parcels involved and the actual costs of the work performed. If an owner objects to the assessment, they must file their objection in writing with the Clerk of Council within two weeks after the expiration of the notice.

The City Council will have the opportunity to review any objection and then consider adopting an Ordinance levying the costs of improvements upon the parcels as detailed in Exhibit "A". The Ordinance must detail the number of annual installments, in this case five (5), with City assessed interest on deferred payments at a rate of 5%. The owner may also pay cash for the assessment within 30 days after passage of the Assessing Ordinance.

Staff recommends Council authorize the Clerk to make said assessment costs available for public inspection and to publish such weekly in the *Journal News* for a period of three consecutive weeks. The Clerk shall then report to Council any objections to the assessments that may be received prior to an assessment authorizing Ordinance.

Approved By:

Department Head:

Initial MBD Date 9/5/19

City Manager:

DRB \ 9/13/19

RESOLUTION NO.

A RESOLUTION DETERMINING THE TOTAL COST OF THE ASSESSMENT BY LOT, AUTHORIZING THE LIST OF ASSESSMENTS BY LOT TO BE FILED WITH THE CLERK OF CITY COUNCIL AND ORDERING THE SAME BE OPENED FOR PUBLIC INSPECTION AND AUTHORIZING THE CLERK OF CITY COUNCIL TO PUBLISH NOTICE IN A NEWSPAPER OF GENERAL CIRCULATION THAT THE LIST OF ASSESSMENTS BY LOT IS AVAILABLE FOR PUBLIC INSPECTION.

WHEREAS, Pursuant to Ohio Revised Code 729.07, the City of Oxford Clerk of Council has reported to the Oxford City Council that the final cost of construction and repair of sidewalks, curbs and gutters was \$88,077.21; and

WHEREAS, Pursuant to Ohio Rev. Code 729.07, Oxford City Council authorized the creation of a list of estimated assessments ("Exhibit A"), which includes the total cost of construction, repair or installation to each lot or land abutting such construction, repair or installation.

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

SECTION I: Pursuant to Ohio Rev. Code 729.07, Council authorizes Exhibit A to be filed with the Clerk of Council and be made available for public inspection.

SECTION 2: Pursuant to Ohio Rev. Code 729.08, Council authorizes the Clerk of Council to publish a notice in the *Journal News* for three (3) consecutive weeks stating that Exhibit A is on file with the Clerk of Council and is available for public inspection. The notice shall further state that any person who objects to an assessment listed on Exhibit A must file his/her objections in writing with the Oxford Clerk of Council within two (2) weeks after the expiration of the notice.

SECTION 3: Pursuant to Ohio Rev. Code 729.09, the Clerk of Council shall deliver any written objections to City Council for review and City Council will adopt an ordinance levying upon the lots and lands listed in Exhibit A the final assessment amounts with such changes or corrections as Council deems proper. The ordinance shall state that the assessments are payable over no more than five (5) annual installments, with interest on deferred payments at the rate of 5%. The ordinance shall also state that assessments can be paid in full in cash within 30 days after passage of the ordinance.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: September 17, 2019

Service Department
Originating Department

Account Code #: N/A

David Treleaven
Prepared By

Budgeted Amount: N/A

September 5, 2019
Date Prepared

Agenda Title: Environmental Commission Meeting of September 4, 2019

Recommendation: For Review and Consideration

Discussion:

Environmental Commission members present at the Wednesday, September 4, 2019 meeting were: Chair, Mr. Wright Gwyn; Vice-Chair, Ms. Madeline Maurer; City Council Representative, Ms. Chantel Raghu; Planning Commission Representative, Ms. Carla Blackmar, and Mr. Jon Ralinovsky. A quorum was present. Mr. Andor Kiss had previously informed the Commission that he would be unable to attend the September meeting. Also in attendance were Mr. Sam Perry, Community Development Director for the City of Oxford, and Oxford residents, Ms. Margret Beckwith and Ms. Marilyn Elzey.

The minutes from the August 7, 2019 Environmental Commission meeting was unanimously approved as presented.

Ms. Beckwith and Ms. Elzey were present on behalf of Defending Democracy, a local grass-roots organization that is interested in performing some type of a hands-on project to assist the community and the environment, such as planting trees. Commissioners suggested investigation into food scraps composting for commercial operations, including food recovery of consumable items, or developing a public education program to encourage replacement and planting of trees on private properties.

Staff provided the Commission with a status update on the municipal operations' greenhouse gas (GHG) inventory. The Environmental Commission is the client for a Professional Service Project (PSP) inventorying the GHG emissions associated with the Oxford municipal operations, to be conducted by a team of graduate students with the Miami University Institute for the Environment and Sustainability Department (IES). The incoming class of IES graduate students had been provided with the list of this year's PSP topics on Tuesday, September 3, 2019, and is to have their preferences ranked by next Monday (September 9th), when the student teams are to be assigned to their specific PSP. Mayor Kate Rousmaniere has requested that Ms. Jessica Greene, Oxford's Assistant City Manager, assist in the gathering of the data necessary to prepare the GHG inventory.

Ms. Rahu updated the Commission on recent City Council activities. During the September 3, 2019 City Council meeting, the Council had unanimously voted for Oxford to formally participate in the Global Covenant of Mayors for Climate and Energy (GCoM). The GCoM is an international alliance of cities

(Continued)

Approved By:

Department Head:
City Manager:

Initial

Date

MPD

9/5/19

DRE

9/13/19

and local governments with a shared long-term vision of promoting and supporting voluntary action to combat climate change and move to a low emission, resilient society. Conducting the above-described GHG inventory will assist Oxford in meeting some of the requirements for the GCoM. Ms. Raghu informed the Commissioners that the City Council has committed to funding the residential food scrap drop-off composting program for 2020.

Mr. Perry informed the Commission that he had incorporated several primary components (the tree survey and the tree protection plan) of the draft Tree Preservation and Protection Ordinance that the Commission had created into the existing Oxford Planning and Zoning Code's text. Mr. Perry indicated his intention was to mesh tree preservation and protection concepts into the existing regulatory framework, emphasizing a gradual, incremental approach rather than the rigid approach of the draft Tree Preservation and Protection Ordinance's text. Mr. Perry addressed questions from the Commissioners, and indicated he was open to incorporating some of the Commissioner's concerns into his revised Planning and Zoning Code, such as providing a trunk diameter size for a "mature" tree. Commissioners indicated that they would still like to include more defined and specified requirements for replacement of trees removed during a property's development. Mr. Gwyn instructed that the Commissioners review Mr. Perry's revised Code text (encompasses some 90 pages of the Planning and Zoning Code), with the intent of finalizing the development of tree preservation and protection components into existing text or as a defined, self-standing Chapter in the City's Codified Ordinance during the October Environmental Commission meeting.

Staff informed the Commission that the specifications for the pending recycling and refuse contract had been completed. The specifications are scheduled to be made available to interested contractors in mid-September, with the formal submittal of prices to Oxford by the end of September. Included in the specifications were several of the Environmental Commission's recommendations, including an option for a lower volume of residential services ("Discounted Service"), having the 65-gallon lidded, waste wheeler cart be the default of residential recycling service (23-gallon red bins available upon request) each with no monthly rental fee, and a request for residential curbside food scraps collections. Ms. Raghu asked that bio-plastics be specifically referenced in the description of the residential curbside food scrap collection requirements.

A summary of the residential food scraps drop-off pilot program was provided and discussed. Through the end of August, approximately 10,700 pounds of food scraps have been collected by the residential drop-off program. Ms. Raghu informed the Commission that a food waste forum is scheduled for Wednesday, September 11, 2019 in Cincinnati.

Staff informed the Commission that the annual Tree Maintenance Project had been completed. Twenty one public trees (three of which were Ashes) were removed, and two existing stumps in the tree lawn had been ground-out. The dramatic decrease in the number of Ash trees included in the maintenance project suggests that the bulk of the public Ash trees affected by the Emerald Ash Borer have been removed, allowing more funds to be spent on planting replacement trees. Staff continues to compile planting locations for the annual Fall Tree Planting Project, and has noted that there are a large number of potential planting locations in the residential area between Tollgate Drive and West Chestnut Street, and South Locust Street and Emerald Woods Drive.

Commissioners concluded discussions at 8:30 p.m. The next Environmental Commission meeting is tentatively scheduled for 7:00 p.m. on October 2, 2019, in the Municipal Building's First Floor Conference Room.



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 one of the fastest growing groups 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, Kate Rousmaniere, Mayor of the City of Oxford, Ohio, do hereby proclaim September 15th thru October 15th, 2019 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 17th day of September, 2019.

Kate Rousmaniere, Mayor



CITY OF OXFORD

STAFF SUMMARY REPORT

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

Police

Originating Department

Council Meeting Of: September 17, 2019

John Jones

Account Code No. #: 130.710.52345

Prepared By

Budgeted Amount:

September 10, 2019

Date Prepared

Agenda Title: A resolution authorizing the city manager to enter into a contract with Citation Collection Services (CCS) for one (1) year for collection on referred accounts.

Recommendation: Approve the Resolution

Discussion: Our last contract with CCS was signed in 2007 and we had continued using their services for years after that contract expired. After moving to our NuPark parking software, we were told it does not have integrated compatibility with any citation collection services. Passport, the company that purchased NuPark this past year, has asked us to secure a one (1) year contract with a citation collections vendor until they can transition us over to the Passport parking software, which does have the collections capabilities. CCS is very familiar with our operations and can accommodate and process information provided by the NuPark software. This should be a seamless transition and should get our collections back up and running quickly.

Approved By:

Department Head:
City Manager:

Initial Date

JR 9/10/19
DRE 9/13/19

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CITATION COLLECTION SERVICES, LLC FOR PARKING CITATION COLLECTIONS FOR A PERIOD OF ONE YEAR.

WHEREAS, the City Manager and the Police Chief recommend Citation Collection Services, LLC be retained to perform Parking Citation Collections for a period of one year.

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

SECTION 1: The City Manager is hereby authorized to enter into a contract in a substantially similar form as Exhibit "A" a copy of which is attached hereto with Citation Collection Services, LLC for Parking Citation Collections for a period of one year.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

COLLECTION SERVICES AGREEMENT

THIS COLLECTION SERVICES AGREEMENT (this "**Agreement**") is made and entered into this ____ day of _____ 2019, by and between CITATION COLLECTION SERVICES, LLC, an Indiana limited liability company ("**CCS**"), and the CITY OF OXFORD, OHIO ("**Customer**").

RECITALS

WHEREAS, Customer has authority pursuant to certain laws, ordinances and/or regulations to assess and collect fines and citations for violations of these laws, ordinances and/or regulations; and

WHEREAS, CCS is a duly licensed collection agency, and possesses the personnel, experience, expertise, and equipment to collect the fines and citations through an effective collection process and court action, if necessary; and

WHEREAS, Customer and CCS have mutually agreed that CCS will assist in the collection of, or actually collect, certain unpaid fines and citations (the "**Accounts**") which Customer refers to CCS from time to time during the Term of this Agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

Article 1. Referred Accounts

Section 1.1 **Referred Accounts.** Pursuant to the terms and conditions of this Agreement, Customer shall provide to CCS, from time to time, those Accounts which Customer desires CCS to assist in the collection of (or actually collect) on behalf of Customer. All Accounts submitted to, and accepted by, CCS shall be referred to as "**Referred Accounts**."

Section 1.2 **Collection of Referred Accounts.** CCS agrees to undertake the collection of each Referred Account in accordance with the level of service selected by Customer which shall be described in more detail in a Statement of Work ("**SOW**") in the form attached hereto as Exhibit A (collectively, the "**Collection Services**").

Section 1.3 **CCS Collection Services.** During the Term of this Agreement, CCS agrees to employ such lawful means, methods, and procedures as in CCS's judgment, discretion and experience, it believes will best affect the collection of the Referred Accounts. CCS may use outside contractors or vendors to perform certain portions of the Collection Services and/or gather information about Referred Accounts and the obligors thereon. CCS will pursue court action to obtain/perfect civil judgments against those violators who do not pay their fines when, in its judgment and discretion, it believes such action is necessary and will aid in its collection efforts.

Section 1.4 **Authority to Settle Referred Accounts.** Customer hereby authorizes CCS to collect, litigate, compromise, or settle each Referred Account. However, unless otherwise authorized by Customer in writing, any such settlement shall be in conformance with the minimum amounts as set forth on the applicable SOW related to the Referred Account in question.

Section 1.5 **Transfer of Accounts.** All Accounts will be forwarded to CCS using the systems and procedures designed by CCS. Upon request of CCS, Customer will provide certified copies or originals of violation notices, tickets, citations, assessment letters, and any other documents necessary for use by CCS in collection of the Referred Accounts. CCS agrees to keep all such documents confidential and to not use or disclose them (or the information contained therein) for any purpose other than the performance of the Collection Services.

Section 1.6 **Exclusivity of Collection Services.** Customer agrees that CCS shall be the exclusive third-party collector of all Referred Accounts during the Term of this Agreement and during any applicable retention period set forth in Section 2.3. If Customer refers an Account to CCS, which becomes a Referred Account, Customer may continue to exercise its collection efforts with respect to such Referred Account; provided, however, that CCS shall be entitled to payment pursuant to the terms of this Agreement for all collections made against such Referred Account, irrespective of who makes such collection.

Section 1.7 **Rejected and Returned Accounts.** CCS may reject any Account or return any Referred Account to Customer at any time for any reason (or no reason) in its sole discretion. After an Account is rejected or a Referred Account is returned to Customer at CCS's request, CCS shall not be entitled to any additional fees with respect thereto. CCS will return to Customer such Referred Accounts which it determines, in its sole judgment and discretion, to be uncollectible. If Customer wishes to remove a Referred Account from CCS (the "**Returned Accounts**"), Customer will notify CCS in writing at least 10 days in advance (the "**Return Notice**"). Section 2.3 shall govern the collection on any Returned Accounts. Within thirty (30) days of the expiration of the one (1) year period set forth in Section 2.3 for Returned Accounts, CCS agrees to return each such Returned Account to Customer.

Article 2. Term and Termination

Section 2.1 **Term.** The initial term of this Agreement is one (1) year. This Agreement will automatically renew for additional one (1) year terms unless written notice is provided to the other party at least ninety (90) days prior to the expiration of the then-current term. The initial term and any renewal terms are collectively referred to as the "**Term**."

Section 2.2 **Termination.** Either party may terminate this Agreement if the other party fails to perform any obligation hereunder which failure is not cured within 15 days after notice from the other party, except that CCS may terminate this Agreement immediately for Customer's failure to pay any amounts hereunder when due and payable. In the event CCS elects to retain any Referred or Returned Account pursuant to Section 2.3, the provisions of this Agreement applicable to such continuing collection efforts shall survive any termination or expiration of this Agreement until all rights and obligations hereunder are fully performed and/or satisfied with respect to such accounts.

Section 2.3 Retention of Returned and Referred Accounts. The parties agree that upon receipt by CCS of a Return Notice under Section 1.7, for a period of one (1) year from the date of CCS's receipt of such Return Notice, CCS may retain for collection, in accordance with the terms hereof, at its sole discretion, any Returned Account. In addition, upon the expiration of this Agreement or earlier termination of this Agreement by CCS due to a breach by Customer, CCS shall have the right, at its sole discretion, to retain for collection, pursuant to the terms and conditions of this Agreement, any Referred Account upon which a partial payment has been made within the prior one (1) year period or which is subject to an agreed upon payment plan.

Article 3. Payment Terms

Section 3.1 Collection Fees. During the Term of this Agreement and during any applicable retention period set forth in Section 2.3, CCS shall be entitled to the fees, costs and expenses set forth *with respect to a Referred Account, 30 percent (30%) on all monies collected with respect to a Referred Account (regardless of whether collected by CCS, Customer or others).*]

Section 3.2 Payments to and from Customer. CCS shall remit each payment it collects on a Referred Account to Customer, minus CCS's fees and any other amounts owed to CCS, on or before the 20th day of each month following the month in which the amount was actually collected. Customer shall remit, or cause to be remitted, all amounts owed CCS under this Agreement, if any, within thirty (30) days of receipt of notice thereof from CCS. A late fee of one percent (1%) per month shall be assessed on all past due amounts from Customer based upon the aggregate amount of all past due monies. CCS shall also be entitled to reasonable attorney's fees and other costs of collection incurred in attempting to collect past due amounts from Customer.

Section 3.3 Direct Payments. Customer agrees to immediately notify CCS of any payments on a Referred Account made directly to Customer, and CCS will be entitled to the fees specified in this Agreement as if CCS had actually collected the Referred Account. Any such amounts may be deducted from Customer's next monthly payment from CCS.

Article 4. ADDITIONAL AGREEMENTS AND COVENANTS

Section 4.1 Independent Contractor. Customer and CCS agree that CCS is an independent contractor with respect to Customer. As an independent contractor, CCS shall be solely responsible for the selection, training, compensation, direction, and discipline of its employees and agents, and for the acts or omissions of its employees and agents.

Section 4.2 Compliance with Laws. In its performance of the Collection Services, CCS shall comply, in all respects, with the applicable provisions of federal, state, and local laws and governmental orders applicable to the Collection Services, including, without limitation, the Federal Fair Debt Collection Practices Act.

Section 4.3 Insurance. During the Term of this Agreement, CCS shall maintain, at its own expense, insurance which it deems reasonable and necessary for its business and the

performance of its obligations hereunder. CCS will, upon reasonable advanced notice, provide Customer with a copy of its certificate(s) of insurance.

Article 5. INDEMNIFICATION

Section 5.1 **Indemnification.** CCS (an “**Indemnifying Party**”) agrees to indemnify, defend and hold the Customer and its respective, officers, employees, and agents (collectively, the “**Affiliates**”), harmless from and against any and all liabilities, obligations, damages, claims, suits, proceedings, costs, fees and expenses, including reasonable attorneys’ fees and costs, arising out of the acts or omissions of the Indemnifying Party or any of its Affiliates.

Section 5.2 **Defense.** The party alleged to be obligated to provide indemnification shall have the right to appoint counsel and in all other respects control any litigation and/or settlement thereof, provided, however, that any such settlement shall not bind the non-Indemnifying Party or obligate it to pay any monies without its express prior written consent. If one party is notified of any potential or actual claim or liability against the other party or named in any suit or proceeding of any kind that could give rise to an indemnification claim under this Agreement or otherwise subject the other party to a suit, proceeding or claim (or threat thereof), the notified party shall immediately inform the other party.

Article 6. MISCELLANEOUS

Section 6.1 **Inspection Rights.** Customer, its auditors, or any governmental agency or other party authorized to supervise, regulate or audit Customer, may examine CCS’s records pertaining to the Referred Accounts during normal business hours and upon ten (10) days’ advance written notice; or with less notice if required of Customer by any such agency or other party or by law.

Section 6.2 **Assignment.** Customer may not assign or transfer its rights or obligations under this Agreement, by operation of law or otherwise, without the prior written consent of CCS. Except as provided in Section 1.3, CCS may not assign or transfer its rights or obligations under this Agreement, by operation of law or otherwise, without the prior written consent of Customer, provided, however, that the Company may assign, delegate or transfer this Agreement and all of the Company’s rights and obligations under this Agreement, without Customer’s consent, to any of its subsidiaries or to any business entity that by merger, consolidation or otherwise acquires all or substantially all of the assets of CCS or any subsidiary or to which the CCS or any subsidiary transfers all or substantially all of its assets. Upon such assignment, delegation or transfer by CCS, (i) the transferee or other party to such transaction, as applicable, shall be deemed to be substituted for CCS for all purposes of this Agreement, (ii) CCS shall be released from all obligations and liabilities hereunder arising after the effective date of the transfer or assignment, and (iii) Customer shall be deemed to have consented to the assignment, delegation or transfer. Subject to the foregoing, this Agreement and the terms and provisions hereof shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

Section 6.3 **Authorization.** Both parties represent and warrant that they have the authority to bind their respective agency, institution, or company, and that they are authorized to sign this Agreement.

Section 6.4 **Entire Agreement; Amendments.** This Agreement contains the entire agreement between the parties with respect to the subject matter hereof and supersedes all prior agreements and understandings oral or written, between the parties hereto with respect to the subject matter hereof. This Agreement may only be amended by an agreement signed by Customer and CCS.

Section 6.5 **Waiver.** The failure of any party to this Agreement to enforce at any time any provision of this Agreement shall in no way be construed to be a waiver of that or any other provision herein, unless such waiver is in writing.

Section 6.6 **Severability.** In the event that one or more of the provisions of this Agreement shall, for any reason, be held to be invalid, illegal or unenforceable, the remaining provisions of this Agreement shall remain in full force and effect.

Section 6.7 **Captions.** The captions and section headings included in this Agreement are for convenience only and shall not affect the scope, intent, meaning or function of any provision of this Agreement.

Section 6.8 **Notice.** All notices and other communications permitted or required by this Agreement shall be in writing and shall be personally delivered, sent by overnight courier service, sent by registered or certified mail, return receipt requested, postage prepaid, or sent by facsimile transmission (with acknowledgment of successful transmission by the party sending the facsimile), addressed to:

CCS:

CITATION COLLECTION SERVICES, LLC
8900 Keystone Crossing, Suite 700
Indianapolis, IN 46240
Attn: Adam Rausch
Phone: (317) 524-2180
Fax: (317) 524-5501

Customer:

City of Oxford
15 S. College Avenue
Oxford, OH 45056
ATTN: City Manager

Either party may change the address (or other contact information) to which notices are to be sent to it by giving written notice of such change to the other party in the manner herein provided for giving notice.

Section 6.9 Governing Law. This Agreement and the performance of the parties under this Agreement shall be construed and governed in accordance with the laws of the State of Ohio, to the exclusion of the law of any other forum and notwithstanding any jurisdiction's choice-of-law rules to the contrary. Any legal action relating to this Agreement shall be commenced and maintained exclusively before any appropriate state court of record in Butler County, Ohio, or the United States District Court for the Southern District of Ohio, and the parties hereby consent and submit to the jurisdiction and venue of such courts and waive any rights to challenge or otherwise object to the personal jurisdiction or venue in any action commenced or maintained in such courts.

IN WITNESS WHEREOF, the parties have executed this Agreement by a duly authorized representative thereof on the date first above written.

"Customer"

CITY OF OXFORD, OHIO

By: _____
Printed Name: _____
Title: _____

"CCS"

CITATION COLLECTION SERVICES, LLC

By: _____
Printed Name: Adam Rausch
Title: Senior Vice President, Services

Attachments:

Exhibit A Statement of Work

EXHIBIT A
T2 SYSTEMS, INC.
STATEMENT OF WORK

THIS STATEMENT OF WORK (“**SOW**”) was issued pursuant to that certain Collection Services Agreement between T2 SYSTEMS, INC. (the “**Company**”) and City of Oxford, Ohio (the “**Customer**”) dated _____¹, 2019, and is governed by the terms and conditions thereof, except to the extent the terms and conditions of this SOW supersede or conflict with the terms of that agreement.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Finance
Originating Department

Council Meeting Of: 9/17/19

Joe Newlin
Prepared By

Account Code No. _____

Budgeted Amount: _____

9/10/15
Date Prepared

Agenda Title:	Resolution for Audit
---------------	----------------------

Recommendation:	Approve
-----------------	---------

Discussion:

The Finance Department recommends approval of the contract for the audit with Clark, Schaeffer, Hackett & Co. for the years ending 2019 - 2023. The Auditor of State Keith Faber “implemented a contract extension process, assuming all parties agree and a reasonable fee is set, whereby the incumbent firm may be awarded a one-time contract extension without utilizing the bidding process for a period not to exceed the number of years as the original contract, nor to result in an individual or combination of IPA firms performing the audit of the public office for more than ten consecutive years”. Pricing from Clark, Schaeffer, Hackett & Co. \$111,000 (or \$22,200 average per year) with 2019 being \$20,400 or 4.6% higher compared with 2018 audit at \$19,500.

For comparison sake, our 5 year agreement 2014 – 2018 with Clark, Schaeffer, Hackett & Co. \$93,000 (or \$18,600 average per year), our 5 year agreement 2008 – 2012 with Plattenburg was \$117,110 (or \$23,422 average per year). 2013 audit by the Auditor of State’s office was \$27,798.

Approved By:

Department Head:
City Manager:

Initial Date

[Signature] 9/10/19
[Signature] 9/13/19

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CLARK, SCHAEFER, HACKETT & CO. TO COMPLETE THE AUDIT OF THE ANNUAL FINANCIAL STATEMENTS FOR EACH OF THE FIVE YEARS ENDING DECEMBER 31, 2019 THROUGH 2023.

WHEREAS, Clark, Schaefer, Hackett & Co. submitted an audit extension bid of \$111,000.00 for the City's annual audit of the City's financial statements years ending December 31, 2019 through 2023 by a contract extension process agreement between Auditor of State Keith Faber and the City of Oxford; and

WHEREAS, the City Manager and the Finance Director recommend Council accept the annual audit bid of Clark, Schaefer, Hackett & Co. of \$111,000.00 for the City's annual audit of the City's financial statements years ending December 31, 2019 through 2023.

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

SECTION 1: Council hereby accepts the recommendation of the City Manager and the Finance Director and accepts the audit bid of Clark, Schaefer, Hackett & Co. of \$111,000.00 for the City's annual audit of the City's financial statements years ending December 31, 2019 through 2023.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: September 3, 2019

Zachary Moore
Prepared By:

Account Code No. #:

Budgeted Amount:

August 23, 2019
Date Prepared:

PC-2019-16, PRELIMINARY PLANNED DEVELOPMENT, South Farm Section Two, West End of Roberts Drive, 6.7 acres, South Farm Development, LLC, Applicant
--

Recommendation: Approval with conditions

Proposal Summary:

On behalf of South Farm Development LLC, Etta Reed, PE of Bayer Becker has submitted an application for a Preliminary Subdivision consisting of 25 single-family residential lots situated on 6.7 acres. The development site is located just west of the existing South Farm subdivision (as seen from Kehr Road), which currently consists of 11 homes on a cul-de-sac (Morgan Circle). Within the development area, a record plat is currently on the books for 13 individual lots, but all are unimproved with no street or other means of access provided – thus, a replat would be necessary to achieve the newly proposed design.

Proposed lots range between 3,620 and 5,095 square feet in size, with most around 4,000 square feet. Access is to be provided by extending an existing public street stub on Roberts Drive, and constructing a new street named Hoover Drive. This subdivision is proposed as a Planned Development in order to seek waivers to the Zoning Code to allow for a cluster design alternative, which incorporates flexibility in dimensional standards in exchange for retaining a greater degree of natural open space and thereby reducing overall construction impacts to the site.

Discussion and Recommended Conditions:

The Planning Commission considered the applicant's proposal at its August 13 meeting. Much of the Planning Commission's discussion on this case revolved around street accessibility and connectivity, buffering, and housing affordability. Mr. Mike Rudolph, a nearby resident, voiced concerns over traffic signage and housing price points, as well as the setup and responsibilities of the proposed homeowners association in relation to the existing association currently serving the already developed lots in South Farm Section 1. Economic Development Director Alan Kyger also spoke in favor of the development. The Commission voted 6-0-1 to recommend approval of the proposed Preliminary Planned Development to Council subject to the following conditions:

- 1) Estimated cost for removal of the hammerhead turnaround shall be submitted as a performance bond and found acceptable by the Service Department. The performance bond shall not be released until one of the following occurs, subject to the satisfaction of the Service Department:
 - a. The hammerhead is removed by the developer due to continuation of development to the south (extension of Hoover Drive); or
 - b. A period of ten (10) years has passed since the Final Planned Development was approved by City Council, unless a Certificate of Occupancy has not been issued for the final lot within the development in which case the bond should not be released until this occurs.

- 2) Construction drawings shall be submitted to the Community Development Department for distribution and review, prior to submittal of the Final Planned Development application.
- 3) Configuration of the alleyway and intersection with the hammerhead turnaround (in the southwestern corner of the development), as shown on the construction drawings, shall be to the satisfaction of the Fire Chief in providing sufficient accessibility for emergency vehicles.
- 4) In satisfying the spirit of Section 1145.12(h)(2), the applicant shall submit a revised Landscape Plan as part of the Final Planned Development submittal showing areas to be regraded or cleared of vegetation within the 25-foot setback area along the southern boundary of the site, as well as replacement vegetation within the cleared areas (trees, shrubs, etc.). The determination of whether the revised Landscape Plan satisfies the Zoning Code standard shall be determined as part of the Final Planned Development review by the Planning Commission and City Council.
- 5) In lieu of a sidewalk required by Section 405(A)(1), a 10-foot wide asphalt bike path shall be installed on the north side of Roberts Drive within the right-of-way. The bike path shall be installed prior to the release of the performance bond, in accordance with the spirit of Section 405(A)(3) as normally applies to all sidewalks.
- 6) The area to be conserved as permanent protected open space shall be shown on the final record plat, together with a set of covenants and restrictions outlining how the area is to be maintained and preserved over time. Conservation language shall be determined during review of the Final Planned Development.
- 7) The proposed Water Quality Basin in the open space north of Roberts Drive shall be maintained by the Homeowners Association, not the City of Oxford.

The Planning Commission also approved the following waivers:

- 1) The maximum residential lot coverage shall be increased from 40% to 65%.
- 2) The minimum front yard setback shall be reduced from 30 feet to 15 feet.
- 3) The minimum number of entrances to an existing street system shall be reduced from 2 to 1.
- 4) For Hoover Drive, the maximum street length shall be increased from 500 feet to 600 feet.

Staff Follow-Up:

During the August 13 Planning Commission meeting, the applicant objected to the inclusion of Condition #1 due to the cost, length of time involved, and contrast to lesser turnaround requirements in other jurisdictions. The argument made was that the party ultimately responsible for extending the street should bear the cost of removing the turnaround. In response to this objection and resulting discussion amongst Planning Commission members, City staff (inclusive of the Planner, Fire Chief and City Engineer) met with the applicant on August 23 to see if a solution or compromise could be reached on this issue. The end result was the conclusion that a temporary hammerhead turnaround was not actually necessary, since an alleyway connection would be provided to allow traffic to exit in the opposite direction, thus rendering the requirement for a performance bond moot. Staff is now recommending Condition #1 be reworded as follows:

- 1) The configuration of Hoover Drive at the southern end of the development and its intersection with the private alleyway to the west shall be to the satisfaction of the Fire Chief and City Engineer.

Approved By:

Department Head:
City Manager:

SP / 8-26-19
DRE / 8-30-19

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE RECOMMENDATION OF THE PLANNING COMMISSION AND APPROVING THE PRELIMINARY PLANNED DEVELOPMENT AND PRELIMINARY SUBDIVISION APPLICATION FOR SOUTH FARM SECTION TWO WITH CONDITIONS.

WHEREAS, Council hereby finds the Planning Commission held a public hearing on August 13, 2019 in accordance with Chapters 1101 and 1145 of the Codified Ordinances of the City of Oxford, on the application of Etta Reed, Bayer Becker, on behalf of South Farm Development LLC, for a Preliminary Subdivision and Preliminary Planned Development for South Farm Section Two; and

WHEREAS, the Planning Commission, after due deliberation found the application satisfies the code requirements in Chapters 1101 and 1145 of the Codified Ordinances of the City of Oxford, and recommended approval of the Preliminary Subdivision and Preliminary Planned Development application for South Farm Section Two with conditions.

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

SECTION 1: Council hereby accepts the recommendation of the Planning Commission and further approves the Preliminary Subdivision and Preliminary Planned Development application for South Farm Section Two with the following conditions:

01. The configuration of Hoover Drive at the southern end of the development and its intersection with the private alleyway to the west shall be to the satisfaction of the Fire Chief and the City Engineer.
02. Construction drawings shall be submitted to the Community Development Department for distribution and review, prior to submittal of a Final Planned Development application.
03. Configuration of the alleyway and intersection with the hammerhead turnaround (in the southwestern corner of the development), as shown on the construction drawings, shall be to the satisfaction of the Fire Chief in providing sufficient accessibility for emergency vehicles.
04. In satisfying the spirit of Section 1145.12(h)(2), the applicant shall submit a revised Landscape Plan as part of the Final Planned Development submittal showing areas to be regraded or cleared of vegetation within the 25-foot setback area along the southern boundary of the site, as well as replacement vegetation within the cleared areas (trees, shrubs, etc.). The determination of whether the revised Landscape Plan satisfies the Zoning Code standard shall be determined as part of the Final Planned Development review by the Planning Commission and City Council.
05. In lieu of a sidewalk required by Section 405(A)(1), a 10-foot wide asphalt bike path shall be installed on the north side of Roberts Drive within the right-of-way. The bike path shall be installed prior to the release of the performance bond, in accordance with the spirit of Section 405(A)(3) as normally applies to all sidewalks.

07. The proposed Water Quality Basin in the open space north of Roberts Drive shall be maintained by the Homeowners Association, not the City of Oxford.
08. The maximum residential lot coverage shall be increased from 40% to 65%.
09. The minimum front yard setback shall be reduced from 30 feet to 15 feet.
10. The minimum number of entrances to an existing street system shall be reduced from 2 to 1.
11. The maximum street length for Hoover Drive shall be increased from 500 feet to 600 feet.
12. **South side alley encroachment into the required 25 foot perimeter setback shall be allowed.**

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2019-16

Date – August 13, 2019

GENERAL INFORMATION

Applicant:	South Farm Development LLC c/o Michael Shea
Engineer:	Bayer Becker c/o Etta Reed
Location:	West end of Roberts Drive, adjoining existing South Farm Section 1
Owners:	Cobblestone Community Church; John Boyle et al.
 Action Request:	 Preliminary Subdivision & Preliminary Planned Development to replat 13 unimproved lots into 25 new single-family lots
Current Use:	Vacant Land
Site Size:	6.70 acres
Zoning:	R1-B Single-Family Medium Density Residential District
Surrounding Land Uses:	Church, Single-Family Residential and Vacant Land

PROPOSAL SUMMARY

On behalf of South Farm Development LLC, Etta Reed, PE of Bayer Becker has submitted an application for a Preliminary Subdivision consisting of 25 single-family residential lots situated on a 6.7-acre development site. The site is located just west of the existing South Farm subdivision (as seen from Kehr Road), which currently supports 11 homes on a cul-de-sac (Morgan Circle). Access is to be provided by extending an existing public street stub on Roberts Drive, as well as realigning the right-of-way for Hoover Drive with construction as a new street.

A record plat is currently on the books for 13 individual lots, but all are presently unimproved with no street or other means of access provided – thus, a replat would be necessary to achieve the newly proposed design. Proposed lots range between 3,620 and 5,095 square feet in size, with most around 4,000 square feet.

This subdivision is proposed as a Planned Development in order to seek waivers to the Zoning Code to allow for a cluster design alternative. The basic principle of a cluster design (or what our Code refers to as “Open Space Residential”) is to maintain the overall zoning density allowed for a given site, while reserving a significant portion as open space so that a greater degree of natural areas can be retained and left undisturbed. In order to achieve this type of development pattern, certain zoning standards must be relaxed to enable concentrated development and reduced construction impacts. As stated in the Zoning Code, one of the primary goals of a Planned Development is to provide for environmentally sensitive and cohesive developments that are an attractive alternative to traditional subdivisions.

AGENCY REVIEWS

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

Police:	Returned with comments
Fire:	Returned with comments
Engineering:	Returned with comments
Econ. Dev.:	Returned with comments

PUBLIC COMMENTS

Public notices were mailed to surrounding property owners and a sign was posted at the front of the property. No public comments have been received as of the writing of this report.

STAFF RECOMMENDATION

Staff recommends **approval** of the application subject to the following conditions:

- 1) Estimated cost for removal of the hammerhead turnaround shall be submitted as a performance bond and found acceptable by the Service Department. The performance bond shall not be released until one of the following occurs, subject to the satisfaction of the Service Department:
 - a. The hammerhead is removed by the developer due to continuation of development to the south (extension of Hoover Drive); or
 - b. A period of ten (10) years has passed since the Final Planned Development was approved by City Council, unless a Certificate of Occupancy has not been issued for the final lot within the development in which case the bond should not be released until this occurs.
- 2) Construction drawings shall be submitted to the Community Development Department for distribution and review, prior to submittal of the Final Planned Development application.
- 3) Configuration of the alleyway and intersection with the hammerhead turnaround (in the southwestern corner of the development), as shown on the construction drawings, shall be to the satisfaction of the Fire Chief in providing sufficient accessibility for emergency vehicles.
- 4) In satisfying the spirit of Section 1145.12(h)(2), the applicant shall submit a revised Landscape Plan as part of the Final Planned Development submittal showing areas to be regraded or cleared of vegetation within the 25-foot setback area along the southern boundary of the site, as well as replacement vegetation within the cleared areas (trees, shrubs, etc.). The determination of whether the revised Landscape Plan satisfies the Zoning Code standard shall be determined as part of the Final Planned Development review by the Planning Commission and City Council.
- 5) In lieu of a sidewalk required by Section 405(A)(1), a 10-foot wide asphalt bike path shall be installed on the north side of Roberts Drive within the right-of-way. The bike path shall be installed prior to the release of the performance bond, in accordance with the spirit of Section 405(A)(3) as normally applies to all sidewalks.
- 6) The area to be conserved as permanent protected open space shall be shown on the final record plat, together with a set of covenants and restrictions outlining how the area is to be maintained and preserved over time. Conservation language shall be determined during review of the Final Planned Development.
- 7) The proposed Water Quality Basin in the open space north of Roberts Drive shall be maintained by the Homeowners Association, not the City of Oxford.
- 8) The following waivers are hereby granted:
 - a. The maximum residential lot coverage shall be increased from 40% to 65%.
 - b. The minimum front yard setback shall be reduced from 30 feet to 15 feet.
 - c. The minimum number of entrances to an existing street system shall be reduced from 2 to 1.
 - d. For Hoover Drive, the maximum street length shall be increased from 500 feet to 600 feet.

WAIVER REQUESTS

Section 1145.07(b) provides that the *Planning Commission, in its recommendation, and Council in its decision may waive or modify dimensional regulations of the Zoning Code, or impose more strict regulations and any additional conditions, guarantees, and safeguards it deems necessary to satisfy the purposes of this Zoning Code. Dwelling unit density cannot be waived.* The applicant has requested the following waivers as part of the Planned Development application (commentary below extracted from applicant's cover letter):

- 1) **Section 1145.12(f)(2) – Residential Lot Coverage – maximum is 40%**
The lot coverage of the overall development is 38%, which is less than the 40% maximum allowable. However, the lot coverage for the individual lots is proposed to be 65% for the lots located on the east side of Hoover Drive, and 60% for those on the west side of Hoover Drive. South Farm Section Two is not your typical single family subdivision where the

home is surround[ed] by a yard, rather it is more in line with a condominium type development, wherein the homeowner owns the land under their home and a minimal area surrounding it. Since the HOA is responsible for the maintenance of all the ground, the land was placed in open space rather than within the individual residential lots. Furthermore, the impact to the existing vegetation is reduced by providing the smaller lot sizes.

- 2) **Section 1145.12(e)(2) – Front Setbacks – minimum is 30 feet per the R-1B district**
The proposed front setbacks (...) are 20 feet on the east side of Hoover Drive, and 15 feet on the west side of Hoover Drive. The reduced setbacks allows existing vegetation to be preserved and contributes to the cluster effect of the development while still meeting the needs of the residents.
- 3) **Section 1101.404(c)(7) – Dead-End/Loop/Stub Streets shall not exceed 500 feet unless otherwise approved due to topography or unusual circumstances**
Hoover Drive is 585 feet in length terminated with a temporary hammerhead turnaround. The dead-end/stub street classification for Hoover Drive is temporary. Per the Oxford Roadway Alternatives and Roadway Classifications map, a Major Collector roadway is planned to be located just to the south of the development on the Talawanda School District property. When the proposed roadway is constructed, Hoover Drive will be connected and will no longer be a dead-end/stub street.

STAFF ANALYSIS

History

The site has been involved in numerous past applications and approvals by the City of Oxford following annexation from Oxford Township in the early 1990s. A summary of the relevant case history is provided below:

- **8 Aug 1991, Preliminary Subdivision & Preliminary PUD Approval:** City Council by Ord. No. 2181 approves a preliminary subdivision plan comprising 186 single-family lots and 220 multi-family units on 94.385 acres west of Kehr Road. The applicant for this submittal was COGO Co. A condominium owners association was to be established for the common areas within the development.
- **17 March 1992, Final Plat & Final PUD for South Farm Section 1:** City Council by Ord. No. 2221 approves the first section of the approved development comprising a total of 11 lots on Morgan Circle. The final plat was recorded with the County Recorder on January 1, 1993.
- **20 October 1998, Final Plat & Final PUD for South Farm Section 2:** City Council by Ord. No. 2609 approves the second section of the approved development comprising a total of 18 lots. 6 of the new lots were situated on an extension of Roberts Drive to the west, while the other 12 were along a street to the south also named Roberts Drive at the time. A Y-intersection was platted on the southernmost end of the plat, with a new stub street called Hoover Lane veering to the east. The final plat was recorded with the County Recorder on March 22, 1999.
- **10 December 2002, Administrative Approval of a 32-acre Lot Split:** A 32-acre tract comprising the southern third of the original overall planned development is administratively approved and sold to the Talawanda School District, which still owns the property to this day.
- **16 August 2005, Conditional Use for a Place of Worship:** City Council by Ord. No. 2858 approves a conditional use permit to allow for development of Cobblestone Community Church. The site plan approved at the time reserved 39 acres for the church site and pond, and 19 acres for a reduced number of single-family lots (11 developed lots on Morgan Circle, and 34 undeveloped lots of which 13 were already platted as part of South Farm Section 2). The ordinance also established phasing requirements, with the final phase of necessary construction permits

submitted by 2014 and substantially operational within 2 years. Therefore, the conditional use approval is now considered expired.

- **7 February 2006, Replat of South Farm Section 2:** City Council by Ord. No. 2893 approves replat of 5 lots at the end of Roberts Drive South into 6 lots. Council also requires the street to be renamed Hoover Drive, and by separate Ord. No. 2894 vacates the original right-of-way supporting these lots to make way for the new right-of-way configuration. The final plat was recorded with the County Recorder on August 22, 2006.
- **23 February 2007, a small 3 acre portion of South Farm Section 2 is sold to Talawanda:** Following the replat and right-of-way vacation in 2006, Cobblestone Church sells a small triangle-shaped piece of land not contained within the “new” South Farm Section 2 to Talawanda School District.
- **8 May 2007, Conditional Use Minor Amendment:** Planning Commission approves a minor amendment to the Cobblestone Church Plan, to allow for a larger building and modified parking layout. The applicant and staff later met on May 24, 2007 and determined that a series of steps (outlined in the next bullet point) needed to be completed before any future building permits could be issued for the subdivision or the church.
- **18 September 2007, Final Plat South Farm Section 3:** City Council by Ord. No. 2972 replats 6 lots along Roberts Drive West into 1 lot, by Ord. No. 2973 vacates the Roberts Drive West right-of-way, and by Ord. No. 2974 approves South Farm Section 3. Section 3 effectively consolidated a series of parcels into one 42 acre lot to support the church. The final plat was recorded with the County Recorder on October 16, 2007.
- **16 October 2007, Replat of South Farm Section 2:** City Council by Ord. No. 2979 approves a replat of all 13 lots in order to increase the right-of-way width from 50 feet to 60 feet. The staff report indicates that the prior recorded plat had a provision requiring all streets to be constructed within 1 year from the original approval date in February 2006; however this did not happen and the standard right-of-way width had since changed. The final plat was recorded with the County Recorder on November 9, 2007.

Commentary

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

- **Density:** The gross density of the proposed development is 3.73 dwelling units/acre (25 units / 6.7 acres). The allowable density of the R-1B district is 5.81 dwelling units/acre (43,560 square feet in one acre / 7,500 square foot minimum lot size). When considering the residential lots alone exclusive of the open space areas, the net density is around 8.33 dwelling units/acre (25 units / approx. 3 acres) – this number represents the density “impression” to an onlooker, even though it is not the true density. It is safe to say that the number of units proposed is less than the maximum number of units possible if developed under “straight zoning” and not as a Planned Development. If the same amount of space were used for infrastructure/right-of-way (0.7 acres, or roughly 10% of the site), then the balance of the site area (6 acres) divided by the minimum lot size would result in a total of 31 units. Therefore, the proposed dwelling unit density is found acceptable and in keeping with the underlying zone.
- **Dwellings:** Each of the 25 lots proposed would support a single-family dwelling, in keeping with the underlying R1-B zoning. Home sizes and layouts would be similar to those found in Fairfield’s Olde Winton development, which was built by the same developer. Housing units essentially fall into 2 different categories:
 - **Garages in Front:** The east side of Hoover Drive is proposed to support houses with front-loading 2-car garages and driveways accessed from the public street. The applicant specifies a minimum floor area of 1,300 square feet for these units.

- **Garages in Rear:** The west side of Hoover Drive is proposed to support houses with rear-loading 2-car garages and driveways accessed from a private alley. The applicant specifies a minimum floor area of 1,150 square feet for these units.
- **Landscaping/Screening:** The applicant has submitted a Landscape Plan showing a total of 43 new trees to be planted, which includes 2 trees in open space areas near the hammerhead turnaround, 2 trees on Lot 1 near the Roberts/Hoover intersection, and 39 street trees planted in tree lawns within proposed right-of-ways. The street trees are planted 40 feet on center, and six different species are utilized. Section 1145.12(h)(2) specifies that *the required perimeter setback area [25 feet] shall be retained in natural woods or suitably landscaped with grass, ground cover, shrubs, trees, or earthen mound*. Staff believes the Landscape Plan submitted at this time does not fully comply with this standard, specifically in regard to the buffer along the southern boundary of the site near Lots 13 and 14. Additional information is needed to verify which existing trees can be salvaged and which areas to be cleared for construction will require re-planting of trees or other landscaping. The potential for a future major collector roadway to the south also serves as further impetus for a suitable buffer in order to provide adequate screening for Lots 13 and 14.
- **Lot Coverage:** Section 1145.12(f)(2) provides that *lot coverage for the residential portion of any planned development shall not exceed 40%*. The applicant proposes a waiver to this standard, interpreting it only to apply to the private residential lots exclusive of the open space (staff agrees with this interpretation). The maximum lot coverage proposed is 65%, applying to lots fronting on the east side of Hoover Drive which would support houses with front-loading garages. Lots on the west side of Hoover Drive would have slightly lower lot coverages at 60%, supporting houses with rear-loading garages.
- **Lot Dimensions:** A comparison of proposed lot dimensions to those required in the underlying R1-B zoning district is provided below.

	LOT SIZE	LOT WIDTH
Standard (R-1B)	7,500 square feet	65 feet
Proposed (Garages in Front)	3,620 square feet	40 feet
Proposed (Garages in Rear)	3,800 square feet	40 feet

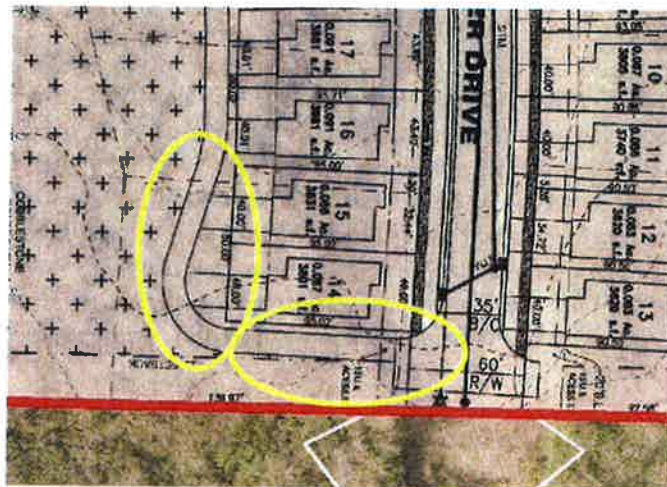
- **Lighting:** No information has been provided on the locations of street lights or any private light fixtures supporting alleys or open space areas. Section 406(F) of the Subdivision Regulations requires one street light to be installed *within 50 feet of every intersection, at the end of a cul-de-sac or dead end/stub street, and at intervals not exceeding 400 feet*. The Code gives the City Engineer the ability to vary spacing standards. Details on lighting should be provided as part of a Final Planned Development submittal.
- **Natural Resources:** Roughly 67% of the site (4.5 acres) is wooded, while the rest is occupied by tall grasses in a prairie-like setting. It is likely the prairie section of the site resulted from previous clearing of trees/vegetation in anticipation of a future street and construction of the original South Farm Section 2, which was platted but never materialized. According to Butler County Soil & Water, the site is confirmed to have been part of a larger row crop and pasture farm as far back as the 1930s, with the woods seen today recognized as successional growth that has taken place since farming operations ceased. Though there are smaller-sized native trees scattered throughout the wooded areas, there are also invasive species including Honeysuckle present as well. Topographically, the site slopes from south to north, leading all stormwater to drain down into the existing pond located on land owned by the South Farm Owners Association. A water quality basin is proposed in a section of open space north of Roberts Drive to capture and filter stormwater prior to being released into the pond. According to official sources, there are no wetlands or floodplain present on the site. The applicant also specifies that minimal areas (0.08 acres in total) contain slopes greater than 15%.

- **Neighborhood Conservation Overlay:** The applicant has submitted a written request for establishment of a Neighborhood Conservation (NC) Overlay District to encompass the entire proposed development. Under Chapter 1146 of the Zoning Code, NC Overlays reduce the number of unrelated occupants in any given dwelling down to 2, as opposed to the normal limit of 4. The Code provides that these restrictions are *intended to preserve the attractiveness, desirability and privacy of residential neighborhoods by precluding all or certain types of rental properties, thereby precluding the deleterious effect rental properties can have on a neighborhood such as property deterioration, increased density, congestion, and noise and traffic levels leading to the reduction of property values.* A previous subdivision proposal, Heritage Vineyard, had also proposed a “preemptive” approval of an NC Overlay prior to selling off lots to new owners. In keeping with the same procedure followed for Heritage Vineyard, if/when the South Farm development is approved and recorded, the overlay review and approval process can begin following acceptance of a single letter from the ownership group as the petition.
- **Open Space:** The Planned Development Code requires a minimum of **20%** of a site (in this case, 1.34 acres) to be devoted to open space, exclusive of a required 25-foot setback around the site perimeter. The applicant’s plan complies by reserving **25%** (1.68 acres) as open space. The division of land would result in three separate open space parcels, all under the HOA’s ownership. A significant degree of existing woodlands fall within these areas and should be retained in a natural state.
- **Setbacks:** A comparison of proposed setbacks to those required in the underlying R1-B zoning district is provided below. The applicant is requesting a waiver for the front yard setbacks, due to the Planned Development Code specifically calling for adherence to these setbacks in Section 1145.12(e)(2).

	SETBACKS		
	Front Yard	Side Yard	Rear Yard
Standard (R-1B)	30 feet	8 feet each side	35 feet
Proposed (Garages in Front)	20 feet	5 feet each side	5 feet
Proposed (Garages in Rear)	15 feet	5 feet each side	20 feet

- **Sidewalks & Trail Connections:** Section 405(A)(2) of the Subdivision Regulations requires sidewalks of no less than 5 feet in width to be constructed along both sides of all public and private streets, in accordance with the City’s Curb/Gutter/Sidewalk Manual unless otherwise determined by the Planning Commission. Sidewalks are shown along all sides of the proposed public streets, with the exception of the north side of Roberts Drive where a 10-foot wide area for a “Future OATS Trail – By Others” is noted. This segment aligns with the route shown on the City’s latest Oxford Area Trail System (OATS) map as a “Future Phase” from Peffer Park to Oxford-Reily Road/Talawanda Middle School. This segment would link Phases 3 and 4 together, as well as potentially to a future multi-modal facility at Chestnut Fields. The construction of Phase 2 recently went out to bid and was awarded, with estimated completion by next year.
- **Signage:** The applicant’s proposal does not contain any information on gateway signage or other “zoning applicable” types of signage to be installed on or near the site.
- **Streets & Traffic Circulation:** A variety of topics are discussed below:

- **Accessibility:** In his comments, the Fire Chief expresses concern over accessibility to the rear side of lots situated west of Hoover Drive, in being able to maneuver a fire engine onto the alleyway in the event of an emergency. The Chief believes extra pavement width and/or wider radii are necessary in certain locations so that an engine can effectively maneuver around tight turns. Specific locations are shown below; the location on the left could benefit from additional pavement width along the alley to help facilitate a turn, while the location on the right could benefit from a wider radius off the hammerhead as well as a taper to help funnel vehicles into the alley.



- **Connectivity Index:** Section 404(D)(1)(a) of the Subdivision Regulations mandates a minimum Connectivity Index of **1.25** for all major subdivisions. The index is determined by dividing the number of street *links* (road sections between intersections and cul-de-sacs) by the number of street *nodes* (intersections and cul-de-sac heads). The index resulting from the applicant's proposed development layout is **3** (2 links on Roberts Dr., 1 link on Hoover Dr., and 1 node at Hoover/Roberts intersection; $3 \text{ links} \div 1 \text{ node} = 3$), which is in compliance.
- **Entrances:** Section 404(C)(8) of the Subdivision Regulations requires all subdivisions to *have at least two (2) entrances to an existing street system unless otherwise determined by the Planning Commission*. Staff recommends a waiver to this provision since only 1 street stub currently exists, with no other way to access another existing street or road. It should additionally be noted that an 82-foot wide easement is currently on the books for a future extension of Booth Road directly to the south of the development site, on land owned by the Talawanda School District. The easement was recorded in 2014 to satisfy the City's reversionary rights to the old high school property, which was transferred to Miami University. This means there is another possible connection to the south if and when a road is built. The 2007 Thoroughfare Plan shows a future major collector road in this location.
- **Utilities:** The applicant proposes tapping into existing sanitary and water lines in proximity to the proposed development, which are currently serving the existing section of the South Farm subdivision to the east. Public streets and associated infrastructure are to be built according to City specifications, including a network of storm sewers which will feed stormwater into a water quality basin at the north end of the site. Section 1145.12(j) of the Zoning Code requires *electric and telephone facilities, street light wiring, and other wiring circuits and similar facilities* to be located underground.

General Decision Standards

All Planned Developments shall satisfy the General Decision Standards provided in Section 1145.06(b). The standards found within this section are below with staff analysis provided for each:

- 1. The proposed planned development is in fact permitted in the zoning districts in which it is proposed.**

Single-family dwellings are a permitted use under the R1-B Zoning District. The resulting density of 3.73 dwelling units/acre has been found to be consistent with the underlying zoning.

- 2. If the application is for the same site where a planned development application has been denied within one year, the plan is substantially different from the application so denied.**

Not applicable.

- 3. The uses and site plan will satisfy the general intent of this Zoning Code.**

The proposed subdivision design satisfies one of the key purposes of a Planned Development, in providing for an environmentally sensitive and cohesive development that is an attractive alternative to a traditional subdivision. Open Space Residential Developments, as provided for in the City's Subdivision Regulations but not technically followed as part of this submittal, are encouraged in order to conserve and protect the natural environment and rural landscapes within the City, and furthermore to promote efficient land development that reduces the costs of infrastructure, public service provision and ensures the orderly coordination of public streets.

- 4. The uses and site plan will be compatible with the general intent of the Comprehensive Plan.**

One of the Comprehensive Plan's stated objectives is to create new residential areas with traditional neighborhood qualities, with an emphasis on protecting natural areas and creating new open spaces. The Plan further encourages implementation of alternative cluster style subdivision development. Staff believes this development proposal fulfills these objectives as well as the overall spirit of the Comprehensive Plan.

- 5. The size and shape of the site are sufficient for the proposed planned development.**

The size and shape are found to be sufficient.

- 6. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.**

The applicant has taken great care to preserve a buffer around the perimeter of the subdivision as open space, specifically on the east side of the property adjoining the existing South Farm subdivision. The development will be in keeping with the surrounding existing and future land uses, including undeveloped land to the west, south, and east which is also zoned R1-B.

- 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.**

Staff does not believe this development will pose any of these concerns.

- 8. Accessory uses will be directly related to the operation of the principal uses and will not be operated independent of the principal uses.**

Other than single-family residential dwellings, no other accessory uses (such as a club house or other amenities) are proposed at this time. Accessory uses pursued by future resident owners, such as sheds, fences, etc. would be reviewed against the Zoning Code in effect at the time.

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.** *Opportunity for comment was provided to Fire, Police and Service Departments. The Fire Chief has expressed concerns over the configuration of the alleyway in the southwest corner of the development, as explained in the body of this staff report. The City Engineer has also commented about the temporary nature of the hammerhead turnaround, questioning how the hammerhead would be removed in the future and who would be responsible for it as it transitions into a standard intersection with a future roadway. Conditions are recommended that address these issues.*

10. **Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.** *Based on the information submitted, it does not appear that there will be any unusual or more substantial public expenditure involved than what is typically involved for development of a conventional residential subdivision.*

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.** *Though the housing units proposed in this "revised" South Farm section would differ in size and character in comparison to those currently located on Morgan Circle, the development would likely stand as its own unique enclave serving a specific market segment that is believed to have a short supply of available housing products at this point in time.*

L. **The site is designed so that on-site traffic and traffic accessing the site will not adversely impact the movement or safety of all modes of traffic on adjacent public streets.** *The Engineering Division has expressed that a Traffic Impact Study will not be necessary for this development, as the existing configuration between Roberts Drive and Kehr Road is expected to be able to handle the additional traffic load from the 25 new lots in combination with the 11 existing lots on Morgan Circle. The developer can participate in the OATS trail project by constructing the segment within their subdivision boundary; this segment would contribute to a trail route currently planned along Roberts Drive and crossing Kehr Road.*

M. **Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.** *Staff believes the applicant has designed their planned lots in such a way as to reduce the impacts to existing natural wooded areas on site. The protection of vegetation within open space areas should be ensured, at a minimum, through means of conservation restrictions on the plat.*

SUBMITTED BY:



Zachary Moore, AICP
Planner

DATE: August 8, 2019

APPENDIX

RELEVANT ZONING CODE PROVISIONS

Chapter 1101 constitutes the City of Oxford's Subdivision Regulations, in which Section 1101.4 provides design and construction standards to follow. Within the Zoning Code (Title Three), Section 1143.02 provides base zoning standards for the R1-B district and Chapter 1145 governs Planned Development applications.

1101.4 – Design standards and construction standards.

400 – General Statement

- (A) In laying out a subdivision, the subdivider shall comply with the following design standards and requirements. The regulations contained herein, the Zoning Ordinance, Comprehensive Plan, Stormwater Drainage Plan, Water System Master Plan, and the City of Oxford Thoroughfare Plan shall control the manner in which streets, lots, and other elements of a subdivision are arranged on the land. These design controls shall help ensure:
 - (1) Convenient and safe streets;
 - (2) Creation of useable lots;
 - (3) Provision of space for public utilities;
 - (4) Reservation of land for recreation uses;
 - (5) To minimize the impact on natural resources and the environment, and
 - (6) To ensure that planning of attractive, connected and functional neighborhoods shall be promoted, minimizing the undesirable features of unplanned, unconnected, undirected, haphazard growth.
- (B) The Planning Commission has the responsibility for reviewing the layout of each future subdivision early in its design development. The development shall be laid out
 - (1) To minimize
 - (a) The effect on ground water and aquifer recharge;
 - (b) Excavation and embankment;
 - (c) Unnecessary impervious cover;
 - (2) To provide adequate access to lots and sites; and
 - (3) To mitigate adverse effects of noise, odor, traffic, drainage, utilities and increased storm water runoff on neighboring properties.

401 – Suitability of Land

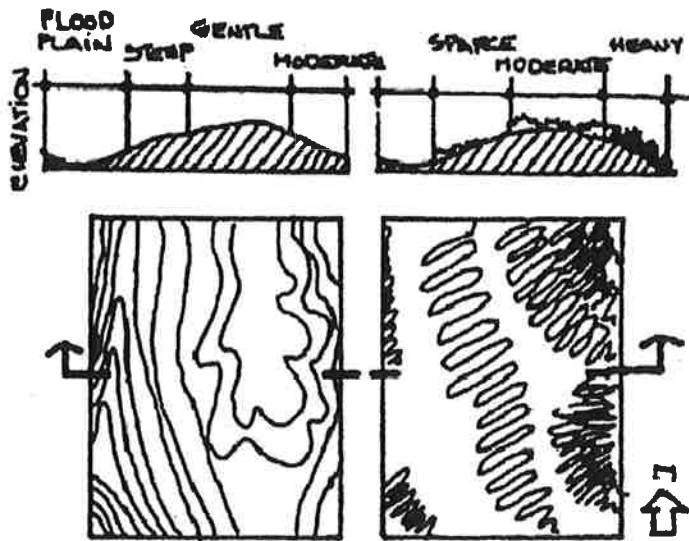
If the Planning Commission finds that land proposed to be subdivided is unsuitable for subdivision development due to poor drainage, flood hazard, topography, inadequate water or sewer supply, slippage potential, unstable subsurface conditions due to poor soils or other reasons and other such conditions which may endanger health, life, safety, or property and, if by any public agencies concerned it is determined that in the best interest of the public the land should not be developed for the purpose proposed, the Planning Commission shall not approve the subdivision unless adequate methods for solving the problems are advanced by the subdivider. For major subdivisions a written statement may be required by the Planning Commission describing characteristics of the development site, such as bedrock geology and soils, topography, flood prone areas, existing vegetation, structures and road networks, visual features, and past and present use of the site.

402 – Sensitive Development Areas

- (A) A Sensitive Development Area is defined as any land(s) or soil(s) proposed to be subdivided that, if subjected to improper use or management, is otherwise determined to be incapable or unsuitable of urban use. Sensitive Development Areas can also be considered those lands that pose special hazards to development or the environment, consisting of lands or soils of such sensitive character that they may require special use, design and engineering restrictions.
- (B) For the Preliminary Subdivision Plat, the applicant must create an inventory of sensitive areas identified in Section 402 (d) 1-8 from publicly available resources such as OEPA, ODNr, HAPC, FEMA, USFWS, OHPO, OKI, Butler County Soil and Water Conservation District, and other public entities. This information shall be provided with the preliminary application. Design of the subdivision shall be based on a site analysis provided by the applicant.
- (C) After the approval of the Preliminary Subdivision Plat, the applicant must develop a detailed site analysis of sensitive environmental areas on the site, conducted by firm(s) specialized in the areas, at a minimum: Ecological Survey, and Environmental Site Assessment. Other documentation may be required based on the site and the discretion of

- the Planning Commission, including, but not limited to: Stream and Wetland Mitigation, Water Way Permits, Archaeological Inventory, Historic Architecture Inventory. The applicant must also provide report of the analyses following current professional norms for the discipline. It will be the Planning Commission's role to review information submitted by the applicant on each discipline to make the recommendations to City Council
- (D) Design of the subdivision shall be based on the site analysis provided by the applicant. To the maximum extent practicable, development shall be located to preserve the natural features of the site, to avoid areas of environmental sensitivity, and to minimize negative impacts and alterations of natural features. The following specific areas shall be preserved as undeveloped open space, and in accordance with the U.S. and Ohio Constitutions and state or federal regulations:
- (1) Unique and/or fragile areas, including wetlands, as may be defined in Section 404, Federal Clean Water Act, as amended; and in Ohio Environmental Protection Agency standards.
 - (2) Land in the floodway as identified and mapped using the Federal Emergency Management Agency's Flood Hazard Boundary Maps. Federal Emergency Management Agency in scientific and engineering reports entitled 'Flood Insurance Study for Butler County, Ohio and Incorporated Areas' effective 12/17/2010, with accompanying Flood Insurance Rate Maps for Butler County, Ohio and Incorporated Areas effective 12/17/2010 and any revisions thereto are hereby adopted by reference and declared to be part of this chapter.
 - (3) Steep slopes fifteen (15%) percent or more, unless appropriate engineering measures concerning slope stability, erosion, and resident safety are taken into account.
 - (4) Habitats of endangered wildlife, as identified on federal and state lists.
 - (5) Historically and culturally significant structures and sites, as listed on, but not limited to, the National Register of Historical Places or on the local inventory of historic places maintained by the City of Oxford's Historic Architectural Preservation Commission.
 - (6) Aquifers and tributary drainage systems.
 - (7) Tree growth areas or urban forested areas containing native mature trees.
 - (8) Any area as identified on Map 3.3 of the Comprehensive Plan.
- (E) The development shall be laid out to avoid adversely affecting groundwater and aquifer recharge; to reduce excavation and embankment; to avoid unnecessary impervious cover; to prevent flooding; to provide adequate access to lots and sites; and, to mitigate adverse effects of noise, odor, traffic, drainage, and utilities on neighboring properties. The placement of buildings shall take into consideration topography, building height, orientation and drainage. Storm Water Best Management Practices and Low Impact Development Designs are desirable and encouraged. City guidelines for these practices and designs can be found in the City of Oxford Storm Water Management Design Manual.
- (F) If the Planning Commission, or its designated representative, may require the applicant to submit a statement in order to demonstrate that satisfactory efforts have been made to mitigate any special hazards posed to the site if these sensitive lands are subjected to improper use or management. The statement, if required, shall be submitted in one or more of the following forms:
- (1) The statement shall describe in detail the extent of encroachment on any Sensitive Development Area, the extent and nature of the proposed alteration, the environmental impacts resulting from the proposed alteration, and the proposed methods of mitigation.

- (2) A Geotechnical Report and/or a Wetlands Assessment/Delineation, prepared by a professional engineer, licensed in the State of Ohio, or by a specialist in Streams and Wetland. This report can be in lieu of a development narrative.



403 – Typical Sections

Subdivisions shall be designed and constructed to conform to the Typical Sections incorporated by reference herein as Attachment H. The Typical Sections adopted as the standards for construction and design in the City are the following:

- (A) Principal Arterial street typical section;
- (B) Minor Arterial street typical section;
- (C) Major Collector street typical section;
- (D) Minor Collector street typical section;
- (E) Local street typical section;
- (F) Alley typical section;
- (G) Typical cul-de-sac details;
- (H) Temporary turn around;
- (I) Dead End/ Stub Street typical section (Hammerheads);
- (J) Multi-Use Path typical section;
- (K) Utility typical section; Utility locations;
- (L) Typical Lot Consolidation/Split;
- (M) Standard Plat of Survey;
- (N) Record Plats
- W.1: Standard Record Plat Title Sheet;
- W.2: Standard Record Plat.

404 – Streets

The purpose of a street network is to connect spatially separated places and to enable movement from one place to another. More specifically, the street network provides continuous and direct routes; provides greater emergency vehicle access; provides convenience and safety to drivers and pedestrians and to provide access to residents for goods and services.

Although the Planning Commission has established general street guidelines, many of the specific technical standards governing the Public Streets are regulated by the City of Oxford's Engineering Division.

(A) Relation to Adjoining Street System

- (1) The arrangement of streets in new subdivisions shall make provisions for the continuation of the principal existing streets in adjoining areas, or their proper projection where adjoining land is not subdivided, unless prevented by topography or other physical conditions, or unless, in the opinion of the Commission, such extension is not necessary or desirable for the coordination of the layout of the subdivision with the possible future development of adjacent tracts. The Planning Commission reserves the right to disapprove any street plan which does not represent good design or does not ensure continuity of the existing street system.

- (2) Offset streets shall be avoided within a proposed subdivision and adjacent to an existing subdivision.
- (3) The street and alley arrangement(s) shall be such, so as not to cause a hardship to owners of adjoining property when they plat their own land and seek to provide for convenient access to it.
- (4) Streets obviously in alignment with existing streets shall bear the names of the existing streets. All proposed street names shall be checked against duplication or near duplication of other street names.
- (5) Wherever the tract to be subdivided abuts a dedicated or platted half-width street or alley, the other half-width of such street or alley falling within the proposed subdivision shall be platted.
- (6) Any subdivision with its main entrance onto an Arterial or Collector street shall provide a 25% wider opening at the entrance to the subdivision than the rest of the subdivision street width, unless otherwise determined by the Planning Commission.

(B) Street Classifications

- (1) The classification of all proposed streets shall be determined by the Planning Commission and shall conform to the Official City Thoroughfare Plan. The proposed use of the street, type of traffic and future traffic volume shall also be considered in determining the classification of a street.

Street Classifications:

- (a) Principal Arterial
- (b) Minor Arterial
- (c) Major Collector
- (d) Minor Collector
- (e) Local streets
- (f) Alleys

(C) Street Improvements

- (1) All public streets in residential subdivisions shall be the minimum width necessary to safely and adequately accommodate the vehicular traffic needs specific to the proposed subdivision, while balancing the needs of safe alternative modes of transportation. In all instances, street widths shall be measured from back-to-back of the installed curb. Minimum street width requirements are contained in Attachment H.
- (2) The City Engineer shall determine the need for a traffic impact study, based upon the level of impact of this development upon surrounding traffic flow and safety.
- (3) All street and public ways shall be constructed to their full specified width and to the appropriate grade and shall be surfaced in accordance with applicable standard specifications of the City. Such construction shall be subject to inspection by the City Engineer prior to release of the performance bond by Council. It is the duty of the subdivider to give proper notification to the City Engineer:
 - (a) Before the commencement of the work;
 - (b) Twenty-four hours prior to seeking an inspection; and
 - (c) At the end of the one-year maintenance improvements.
- (4) Proposed streets shall intersect one another and existing street(s) at right angles as topography and other limiting factors allow.
- (5) Street grade shall be designed to the Ohio Department of Transportation Highway Design Manual and acceptable to the City Engineer.
- (6) Where a tract of land is of such size, location or contour, preventing a lot arrangement directly related to a normal street design, there may be established one or more, dead-end/stub streets or other arrangements, provided that proper access shall be given to all lots from a dedicated street.
- (7) A cul-de-sac, dead-end/stub street or loop street shall not exceed 500 feet in length unless otherwise approved by the Planning Commission due to topography or unusual circumstances. (See also Section 405(B)(4))
- (8) All subdivisions shall have at least two (2) entrances to an existing street system unless otherwise determined by the Planning Commission. The spacing of the entrances shall be separated and in accordance with traffic engineering standards.

(D) Street Connectivity

The purpose of this section is to support the creation of a highly connected transportation system within the City in order to enhance traffic circulation efficiency for drivers,

pedestrians, and bicyclists; promote various modes of transportation; connect neighborhoods to each other and to local destinations such as schools and parks; reduce emergency response times; reduce vehicle miles of travel and travel time; increase effectiveness of municipal services delivery.

- (1) The following standard shall be met in all new residential development in order to increase connectivity.

- (a) Any residential development shall be required to achieve a connectivity index of 1.2 or greater unless the Planning Commission determines that this requirement is impractical due to topography, existing development, and/or natural features. A connectivity index is a ratio of the number of street links (road sections between intersections and cul-de-sacs) divided by the number of street nodes (intersections and cul-de-sac heads).

The following illustration provides an example of how to calculate the index. Street links on existing adjacent streets that are not part of the proposed subdivision are not included in the connectivity index calculation. The measure of connectivity is the number of street links divided by the number of nodes. Nodes exist at street intersections as well as cul-de-sac heads. Links are the stretches of road that connect nodes. Stub outs shall also be considered as links. In this example, there are five (5) links (circles) and four (4) nodes (stars); therefore, the connectivity index is 1.25.

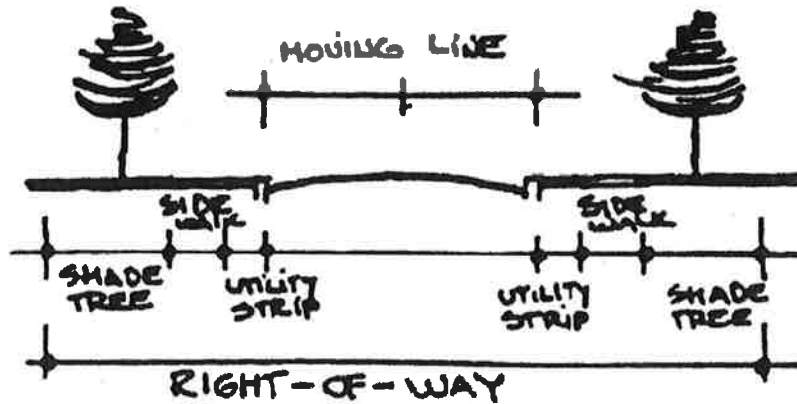


(E) Private Streets

- (1) No primary access into a subdivision shall be a private road.
- (2) Private streets shall conform to the minimum street standards, including construction materials, unless otherwise approved by the Planning Commission upon the City Engineer's recommendation.
 - (a) Sidewalks are required along a private street as required on public streets.
- (3) Any proposed private street shall serve a minimum of six (6) lots in order to be platted and recorded as a private street.
- (4) All lots utilizing a private street for access shall be provided with an access easement and maintenance agreement, to be noted on the Record Plat and to be outlined with the appropriate covenants and restrictions as to ensure that the private street is appropriately maintained. Such maintenance agreement shall be acceptable to the Planning Commission and Law Director.
- (5) The Planning Commission may require passing lanes, turnarounds, and overhead and width clearances as necessary to accommodate, public utility and fire and emergency vehicles.

(F) Rights-of-Way

Defined as a general term identifying land or property, usually in the configuration of a strip, acquired for or devoted to transportation purposes. When used in this context, right-of-way shall include the roadway, shoulders or berm, ditch, and slopes extending to the right-of-way limits under the control of the state or local authority. The usage of the term "right-of-way" for land platting purposes shall mean that every right-of-way hereafter established and shown on a final Record Plat is to be separate and distinct from the lots or parcels adjoining such rights-of-way and not included within the dimensions or areas of such lots or parcels, provided the size of the lot for zoning purposes shall be determined by the applicable zoning resolution.



- (1) The right-of-way width required shall reflect future development as indicated by the Thoroughfare Plan and the Typical Section Drawings in Attachment H herein.
 - (2) When a road is not referenced in the City of Oxford Thoroughfare Plan, or the Typical Section Drawings in Attachment H, the right-of-way width shall be established per the recommendation of the City of Oxford Engineer, and shall be approved by the Planning Commission.
 - (3) The right-of-way shall be measured from lot line to lot line and shall be sufficiently wide to contain the roadway, curbs, sidewalks, utilities, graded areas and shade trees.
 - (4) The right-of-way of a new street that is a continuation of an existing street shall in no case be continued at a width less than that of the existing street unless otherwise approved by the City Engineer and Planning Commission.
- (G) **Street Signage**
Street signs, regulation signage, and warning signs shall be erected by the subdivider before building permits for homes are obtained. The subdivider shall maintain such signage until such time when the City accepts the streets for public use. All regulatory and warning signs shall meet the Ohio Manual of Uniform Traffic Control Devices. All signage shall be regulated by the City of Oxford Engineering Division.
- (H) **Parking**
(1) Off-street parking lots shall follow the Vehicle Management Chapter 1149 of the Zoning Code including landscaping, screening and lighting.

405 – Pedestrian/Multi-Use Paths

- (A) **Sidewalks**
(1) Concrete sidewalks, not less than five feet in width, shall be constructed along both sides of all streets, both private and public, and shall be in accordance with the City of Oxford's Curb, Gutter & Sidewalk Specifications Manual unless otherwise determined by the Planning Commission.
- (2) Sidewalks shall be required as a continuation of any existing sidewalk adjoining the lands to be subdivided.
- (3) It shall be the responsibility of the subdivider, prior to the release of the performance bond, to install any missing sidewalk segment on any undeveloped lots and in accordance with Section 106.
- (B) **Bike Paths/ Walking Trails**
(1) All bike paths or walking trails shall be elevated and/or distinguished from driving surfaces through the use of durable, low maintenance, hard surface materials such as asphalt, concrete, or other material approved by the City Engineer, to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.

- (2) Bike paths shall be installed in accordance with these regulations, the City of Oxford Comprehensive Plan, Thoroughfare Plan and Typical Section Drawings in Attachment H.
- (3) All proper easements, dedication and maintenance shall be recorded on the Record Plat.
- (4) Cul-de-sacs that exceed 300 feet in length shall provide a multi-use path and easement at the end of such cul-de-sac. The purpose of this is to provide connectivity to neighboring subdivisions as well as emergency access.

406 – Infrastructure

- (A) **Water Lines**
An approved public water supply shall be provided for each lot within the subdivision areas and shall be in accordance with the City of Oxford Water and Sanitary Sewer Improvement Specifications Manual. Fire hydrants shall be installed in all subdivisions wherever required by the City Engineer and the Fire Chief in accordance with Ohio Fire Code and NFPA standards.
- (B) **Sanitary Sewers**
The subdivider shall install sanitary sewer lines to serve each lot. All such sewer lines shall be constructed in accordance with regulations and requirements the City of Oxford Water and Sanitary Sewer Improvement Specifications Manual, the Sanitary Sewer Pump Station Requirements and under the inspection of the City Engineer.
- (C) **Storm Drainage**
All necessary facilities, either underground pipe or drainage ditches, shall be installed to provide adequate disposal of surface water, groundwater and the waters of any natural watercourse and shall be in accordance with the City of Oxford Storm Water Management Design Manual.
- (D) **Detention/Retention**
All necessary detention or retention facilities shall be installed in accordance with the City of Oxford Storm Water Management Design Manual.
- (E) **Utilities**
Items of work which pertain to underground utilities, such as gas mains, electric lines and telephone cables, shall be constructed according to the standards and specifications of the utility company involved. Every effort shall be made to have all utilities provided underground.
- (F) **Street Lights**
 - (1) One street light shall be installed in conformance with the Ohio Department of Transportation specifications within 50 feet of every intersection created by the subdivision, at the end of a cul-de-sac or dead end/stub street, and at intervals not exceeding 400 feet. A street light shall have a fixture of at least 9,500 lumens. The City Engineer may vary from the spacing standards where the City Engineer determines that public safety or professional engineering design practice makes it necessary to vary the spacing standards.
 - (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 along the sidewalks shall not exceed 16' in height in accordance with Chapter 1149 of the Planning and Zoning Code. Streetlights for the purpose of illuminating an intersection, parking facility or roadway for safety purposes shall not exceed 32' in height.
- (G) **Sedimentation and Erosion Control**
The subdivider shall comply with all requirements of Ohio's Standards for Stormwater Management Land Development and Urban Stream Protection, City of Oxford Storm Water Management Design Manual and subsequent amendments or revisions, as hereby incorporated into these regulations. In the development of a subdivision, the subdivider shall not cause or allow earth-disturbing activities that can pollute a public or private surface ditch, subsurface drainage, stream, river or lake. The subdivider shall also, to the greatest extent possible, take steps so that sediment will not be deposited onto an adjoining property or public right-of-way. Adequate control of soil erosion and sedimentation, through the use of best management practices with both temporary and permanent measures, shall be used during all phases of clearing, grading, and construction to conserve

soil resources and to maintain existing water quality. The Engineering Division will continuously monitor site development and efforts of sedimentation and erosion control.

407 – Driveways

- (A) Minimizing driveway access points or curb cuts by using access roads, shared entrances and access management best practices shall be encouraged.
- (B) All lots using common driveways shall provide a driveway easement and maintenance agreement noted on the Record Plat.
- (C) Driveways shall have a maximum grade of eight (8%) percent.
- (D) Residential driveway access shall not be permitted onto Principal and Minor Arterials or Major Collector streets. Subdivisions shall be designed to encourage residential driveway access by using, but not limited to, alleys, access roads or common driveways.
- (E) Shared driveways shall serve a maximum of three (3) lots and shall not exceed three hundred (300') feet unless otherwise determined by the Planning Commission.
- (F) Driveways shall be in accordance with Chapter 1149 of the Planning and Zoning Code and the Curb, Gutter, Sidewalk Manual.

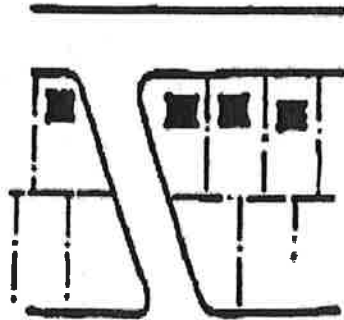
408 – Blocks

Blocks shall be arranged to accommodate lots and building sites of the size and character required by these Regulations and the applicable zoning district, to provide for adequate community facilities, and with regard of the limitations and opportunities of topography. Irregularly shaped blocks, blocks intended for dead end/stub and loop streets, and blocks containing interior parks and playgrounds may be approved by the Planning Commission if properly designed and located.

- (A) The maximum block length shall be 800 feet.
- (B) Where blocks are over 600 feet in length, a public walkway which traverses the block may be required to be dedicated and installed by the subdivider.
- (C) In platting residential lots, the depth of the block should not exceed 350 feet.
- (D) Blocks in the traditional gridiron pattern should consist of two tiers of lots and an alley right-of-way easement may be required to separate them where appropriate to continue an existing alleyway.

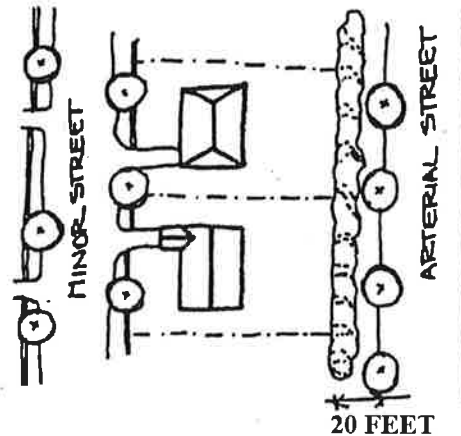
409 – Lots

- (A) The lot arrangement and design shall be such that all lots will provide satisfactory and desirable building sites, properly related to topography and the character of surrounding development. Consideration should be given to natural features and sites of historical significance.



- (B) All side lines of lots shall be at right angles to straight street lines and radial to curved street lines except where a variation to this rule will provide a better street and lot layout.
- (C) Through lots (extending from one parallel street to the other) are discouraged to avoid problems between adjoining owners, creating double frontage lots and to reduce the number of streets.
- (D) No lot shall have an area or width less than that required by applicable sections of the Zoning Code except those pursuant to the Open Space Residential Development Regulations.
- (E) Where corner lots back upon lots facing the side street, the corner lots shall have extra width sufficient to permit the establishment of front building lines on both the front and side of the lots adjoining the streets.
- (F) All utility easements on individual lots shall be in accordance with the Record Plat and Street Standards of Attachment H herein.
- (G) Each lot shall front (abut) on an approved street.

- (H) Lots may not be created in a new, proposed subdivision, by dividing land at the end of stub streets in adjacent, existing subdivision(s), such stub streets being intended to promote continuity of street systems in adjoining subdivisions, unless otherwise determined by the Planning Commission.



- (I) Twenty (20') feet minimum, of additional lot depth or a buffer strip, in accordance with the landscape standards of Chapter 1149 of the Zoning Code, Chapter 935 of the Codified Ordinance and Section 410 below, may be required where a residential lot in a subdivision backs up to a railroad right-of-way, a high pressure gasoline or natural gas line, open drainage ditch, an arterial street or highway, an industrial area or other existing land use which may have a detrimental effect on the residential use of the property.
- (J) Lands abutting State or Federal highways, collector streets, or arterials should be platted with the view of making the lots, if for residential use, desirable for such use by cushioning the impact of heavy traffic on such trafficways; and with the view also to minimizing interference with traffic on such trafficways as well as the accident hazard.
- (K) Panhandle or flag lots are specifically prohibited.
- (L) All lot numbers shall be assigned by the Butler County Auditor's office and addresses will be provided by the City of Oxford Community Development Department.

410 – Landscape Plan

- (A) A landscape plan shall be submitted with each plat application for proposed developments in accordance with Chapter 1149 of the Zoning Code and Chapter 935 of the City of Oxford Codified Ordinance, unless an exception is granted by the Planning Commission pursuant to these Regulations. The landscape plan shall identify existing and proposed trees, shrubs, and ground covers; natural features such as rock outcroppings; and other landscaping elements. Where existing plants are to be retained, the applicant shall include in the plans proposed methods of protecting them during construction.
- (B) Buffering
- Buffering is the provision of an area between different land uses that attempts to minimize negative environmental impacts from one to the other. Buffers shall provide a year-round visual screen in order to minimize adverse impacts. They may consist of fencing, evergreens, berms, rocks, boulders, mounds, or combinations thereof to achieve the same objectives. Multi-use paths are permitted in the buffer area. Every subdivider shall provide sufficient buffering or additional lot depth when topographical or other barriers do not provide reasonable screening and when the Planning Commission determines that there is a need to shield;
- (1) Neighboring properties from any adverse external effects of a development; or
 - (2) The development from negative impacts of adjacent uses such as streets or railroads.
 - (3) Requirements
 - (a) Plant materials shall be sufficiently large and planted in such a fashion that a year-round screen at least eight (8) feet in height shall be produced within three (3) growing seasons.
 - (b) All plantings shall be installed according to accepted horticultural standards.
 - (c) A five (5') foot minimum buffer width from parking lots, garbage collection, utility areas, and loading and unloading areas shall be provided.

- (d) Twenty (20') foot width minimum from all other land uses.
- (i) When adjoining undeveloped, vacant or agricultural land, such buffer width may be reduced to ten (10') feet.

In high-density developments, when building design and siting do not provide privacy, the Planning Commission may require landscaping, fences, or walls to screen dwelling units for privacy. Buffers shall be measured from the property line.

411 – Maintenance of Improvements

Whenever any subdivision contains park areas, sewage treatment plants, water systems, drainage facilities or any other improvements to be used in common by persons living in the subdivision and which improvements cannot be maintained or are not maintained by an existing public agency, the deed restrictions applicable to the subdivision shall contain provisions establishing trusteeships and assessment procedures that will enable adequate care and maintenance to be provided for such improvements at the cost of persons residing in the subdivision.

412 – Deed Restrictions and Covenants

Deed restrictions or covenants running with the land may be included to provide for the creation of a Home Owner's Association, Condominium Association, or Board of Trustees in which individual owners share common responsibilities for the cost and upkeep of common open space, private driveways or streets, park areas, sewage treatment plants, water systems, drainage facilities or other facilities and the enforcement of the covenants and restrictions relating to the development. Any restrictions or easements; declaration of covenants, bylaws of a Home Owner's Association and its incorporation; Declaration of Condominium Ownership or other covenants, if any, shall be reviewed and approved by the City of Oxford Law Director and shall be recorded with the Record Plat. Enforcement of said Restrictions and Covenants is not the responsibility of the City.

1143.02 R-1B Single-Family Medium Density Residential District.

- (a) Purpose.
This district is designed to provide and preserve single family residential development of a moderately low density character within and adjacent to areas of similar development.
- (b) Uses.
 - (1) Permitted uses.
 - A. Single-family dwellings.
 - B. Accessory buildings and uses incidental to the principal use that do not include any activity conducted as business.
 - C. Day Care Home Type B family.
 - (2) Conditional uses.
The following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.
 - A. Community-Oriented Residential Social Service Facilities (CORSSF's).
 - B. Shared Housing for the elderly.
 - C. Government owned and/or operated parks and recreation facilities.
 - D. Bed and breakfast homes for transients.
 - E. Open space recreation areas that are privately or publicly owned, such as golf courses, tennis courts, parks, forests, or wildlife preserves.
 - F. Day care facilities, including Child Day Care, Child Day Care Center, and Day Care Home Type A family.
 - G. Schools: primary, intermediate, and secondary, both public and private.
 - H. Places of worship.
- (c) Site Development Regulations. (Unless superseded by Conditional Use Requirements)
 - (1) Lot requirements.
 - A. Minimum lot area 7,500 sq. feet
 - B. Minimum lot width 65 feet
 - (2) Yard requirements.
 - A. Minimum front yard depth 30 feet
 - B. Minimum rear yard depth 35 feet
 - C. Minimum side yard width 8 feet on each side
 - (3) Structural requirements.
 - A. Maximum building height 35 feet
 - (4) Lot coverage.
 - A. Lots with vehicular access from a public street
 - 1. Lot total – 35 percent
 - 2. All enclosed buildings – 25 percent of lot

3. Front yard – 25 percent of front yard
- B. Lots with vehicular access from a rear or side alley, and no access from a public street
 1. Lot total – 40 percent
 2. All enclosed buildings – 25 percent of lot
 3. Front yard – 5 percent of front yard

1145.06 Planning Commission and Council review.

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

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

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

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

(a) **Burden of Proof.**

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

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

(b) **General Decision Standards.**

All planned developments shall satisfy these general decision standards:

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

- streets.
- (13) Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

1145.07 Action by Planning Commission

- (a) The Planning Commission shall recommend to Council approval, approval with conditions, or denial of an application as presented and shall clearly state the findings upon which its recommendation is based.
- (b) The Planning Commission shall base its recommendation and Council its decision upon how well the application satisfies the Decision Standards. Planning Commission, in its recommendation, and Council in its decision may waive or modify dimensional regulations of the Zoning Code, or impose more strict regulations and any additional conditions, guarantees, and safeguards it deems necessary to satisfy the purposes of this Zoning Code. Dwelling unit density cannot be waived.
- (c) Council may require the developer to file performance bonds with the City to guarantee completion of any public utilities associated with the planned development and any elements of the plan that are necessary to its success, if abandoned by the developer.

1145.12 Design.

- (a) Arrangement.
The physical arrangement of a planned development is not subject to the specific dimensional regulations that apply in the underlying zoning district, except as specifically noted in this Chapter. Land uses may be distributed throughout the site and throughout individual buildings in whatever manner is best suited to a particular planned development. Structures, vehicle management areas, open spaces, landscaping, and other elements may be distributed throughout the site in whatever manner is best suited to a particular planned development and the surrounding area.
- (b) Land Area.
A planned development shall be a minimum of 1 (one) contiguous acre or more.
- (c) Land Use.
- (1) The following land uses are permitted in proportion to those portions of a planned development that overlay an existing residential zoning district:
- A. Any land use permitted in any residential zoning district in this Code, except Mobile Homes.
- B. Institutional, public, and semi-public land uses that serve the planned development or the general public.
- C. Commercial land uses, if the total land area of the planned development is greater than 10 acres and if the commercial land use is intended to serve the planned development only. Such commercial land uses shall be limited as follows:
1. No signs that are visible from outside of the development.
2. No direct vehicular access to a public thoroughfare.
3. No less than 95 percent of the total land area shall be devoted to residential land uses.
4. No separate structure intended to be used, in whole or part, for commercial land uses shall be constructed prior to the construction of not less than 50 percent of the dwelling units.
- (2) The following land uses are permitted in proportion to those portions of a planned development that overlay an existing commercial zoning district:
- A. Any land use permitted in the underlying zoning district.
- B. Any land use permitted in any residential zoning district in this Code, except Mobile Homes.
- (3) The following land uses are permitted only in the portions of a planned development that overlay an existing industrial zoning district:
- A. Any land use permitted in the underlying zoning district.
- (4) The land uses permitted in a planned development may be distributed as follows:
- A. If a single planned development overlays more than one zoning district, then the land uses permitted according to this Section may be distributed throughout the entire planned development site.

- B. If a planned development includes land uses permitted only in an industrial zoning district, then those land uses may only be located in that portion of the planned development that overlays the industrially zoned land.
- (d) Residential Density.
Residential density shall not exceed 110 percent of the density permitted in the underlying zoning district. Residential land uses in a planned development that overlays a commercial zoning district shall not exceed the density of the R1B Single-Family Medium-Density Residential Zoning District. Area devoted entirely to non-residential land uses, including buildings, vehicle management areas, and other associated land use elements shall be excluded from the area used to calculate residential density.
- (e) Dimensional Regulations.
(1) Building Heights shall be limited as in the underlying zoning district, regardless of land use.
(2) Front setbacks shall be limited as in the underlying zoning district.
(3) All buildings and vehicle management areas shall be setback from the perimeter of a planned development no less than:
A. Residential zoning district - 25 feet.
B. Commercial zoning district - 25 feet.
C. Industrial zoning district - 50 feet.
- (f) Open Space.
(1) No planned development shall have less than 20 percent open space, which includes any area not less than 50 by 50 feet, not including the required setbacks, and includes nothing other than natural area.
(2) Lot coverage shall be regulated according to the underlying zoning district, except that lot coverage for the residential portion of any planned development shall not exceed 40 percent.
- (g) Sensitive Development Area.
A. A Sensitive Development Area is defined as any land(s) or soil(s) proposed to be developed that, if subjected to improper use or management, is otherwise determined to be incapable or unsuitable of urban use. Sensitive Development Areas can also be considered those lands that pose special hazards to development or the environment, consisting of lands or soils of such sensitive character that they may require special use, design and engineering restrictions.
B. For the Preliminary Planned Development, the applicant must create an inventory of sensitive environmental area identified in subsection (g)D.(1) to (8) from publicly available resources such as Butler County Soil and Conservation District, OKI, OEPA, ODNr, HAPC, FEMA, USFWS, OHPO and other public entities. This information shall be provided with the preliminary application. Design of the site shall be based on site information obtained from those public entities. An existing landscape plan shall be submitted with each application. The landscape plan shall identify existing trees, natural features and other landscaping elements.
C. After the approval of the Preliminary Planned Development, the applicant must develop a detailed site analysis of sensitive environmental areas on the site, conducted by firm(s) specialized in the areas, at a minimum: Ecological Survey, and Environmental Site Assessment. Other documentation may be required based on the site and the discretion of the Planning Commission, including, but not limited to: Stream and Wetland Mitigation, Water Way Permits, Archaeological Inventory, Historic Architecture Inventory. The applicant must also provide reports of the analyses following current professional norms for the discipline. It will be the Planning Commission's role to review information submitted by the applicant on each discipline to make the recommendations to City Council.
D. Design of the proposed Planned Development site shall be based on the site information obtained from those public entities. To the maximum extent practicable, development shall be located to preserve the natural features of the site, to avoid areas of environmental sensitivity, and to minimize negative impacts and alterations of natural features. The following specific areas shall be preserved as undeveloped open space, and in accordance with the U.S. and Ohio Constitutions and state or federal regulations:
(1) Unique and/or fragile areas, including wetlands, as may be defined in Section 404, Federal Clean Water Act, as amended; and in Ohio Environmental Protection Agency standards.

- (2) Land in the floodway as identified and mapped using the Federal Emergency Management Agency's Flood Hazard Boundary Maps. Federal Emergency Management Agency in scientific and engineering reports entitled 'Flood Insurance Study for Butler County, Ohio and Incorporated Areas' effective 12/17/2010, with accompanying Flood Insurance Rate Maps for Butler County, Ohio and Incorporated Areas effective 12/17/2010 and any revisions thereto are hereby adopted by reference and declared to be part of this chapter.
 - a. 100 foot natural buffer shall be maintained adjacent to all permanent and natural surface waters, springs, and wetlands. Development of this area is regulated as follows:
 1. Natural vegetation shall be maintained.
 2. No structures shall be built or improvements made, except as follows:
 - (a). Walking paths, bicycling paths, and the like, including infrastructure necessary to facilitate their development are permitted anywhere within the buffer.
 - (b). Roads and associated infrastructure are permitted in the buffer to facilitate crossing such water elements.
 - (c). Any improvements approved in a final plan.
 - (d). Any public safety or public utility improvements not associated with the planned development, but deemed necessary by the Service Director, Police Chief or Fire Chief.
 - (3) Steep slopes fifteen (15%) percent or more, unless appropriate engineering measures concerning slope stability, erosion, and resident safety are taken into account.
 - (4) Habitats of endangered wildlife, as identified on federal and state lists.
 - (5) Historically and culturally significant structures and sites, as listed on, but not limited to, the National Register of Historical Places or on the local inventory of historic places maintained by the City of Oxford's Historic Architectural Preservation Commission.
 - (6) Aquifers and tributary drainage systems.
 - (7) Tree growth areas or urban forested areas as defined in Chapter 935, of the Codified Ordinances of Oxford.
 - (8) Any area as identified on Map 3.3 of the Comprehensive Plan.
- E. The development shall be laid out to avoid adversely affecting groundwater and aquifer recharge; to reduce excavation and embankment; to avoid unnecessary impervious cover; to prevent flooding; to provide adequate access to lots and sites; and, to mitigate adverse effects of noise, odor, traffic, drainage, and utilities on neighboring properties. The placement of buildings shall take into consideration topography, building height, orientation and drainage. Storm water Best Management Practices in Low Impact Development Designs are desirable and encouraged. City guidelines for these practices and designs can be found in the City of Oxford Storm Water Management Design Manual
- F. If the Planning Commission, or its designated representative, may require the applicant to submit a statement in order to demonstrate that satisfactory efforts have been made to mitigate any special hazards posed to the site if these sensitive lands are subjected to improper use or management. The statement, if required, shall be submitted in one or more of the following forms:
- (1) The statement shall describe in detail the extent of encroachment on any Sensitive Development Area, the extent and nature of the proposed alteration, the environmental impacts resulting from the proposed alteration, and the proposed methods of mitigation.
 - (2) A Geotechnical Report and/or a Wetlands Assessment/Delineation, prepared by a professional engineer, licensed in the State of Ohio, or by a specialist in Streams and Wetland. This report can be in lieu of a development narrative.
- (h) Landscaping and Screening.

- (1) A planned development shall satisfy all landscaping elements required by other sections of this Code.
- (2) The required perimeter setback area shall be retained in natural woods or suitably landscaped with grass, ground cover, shrubs, trees, or earthen mound.
- (3) A planned development that overlays a commercial or industrial zoning district that is adjacent to a residential zoning district shall be screened from the residential zoning district by a dense evergreen hedge a minimum of 8 feet tall and 10 feet wide at planting and that will maintain at least 90 percent opacity over time.

(i) Access and Mobility.

- (1) At residential densities greater than would be permitted in the R-1A District, have direct and principal access from a collector or arterial road.
- (2) Bicycle rack spaces shall be provided at all planned developments that overlay a commercial zoning district at a rate of 3 per acre.
- (3) Adequate pedestrian connectivity shall be provided to and through a planned development.

(j) Utilities and Infrastructure.

Electric and telephone facilities, street light wiring, and other wiring conduits and similar facilities shall be located underground.

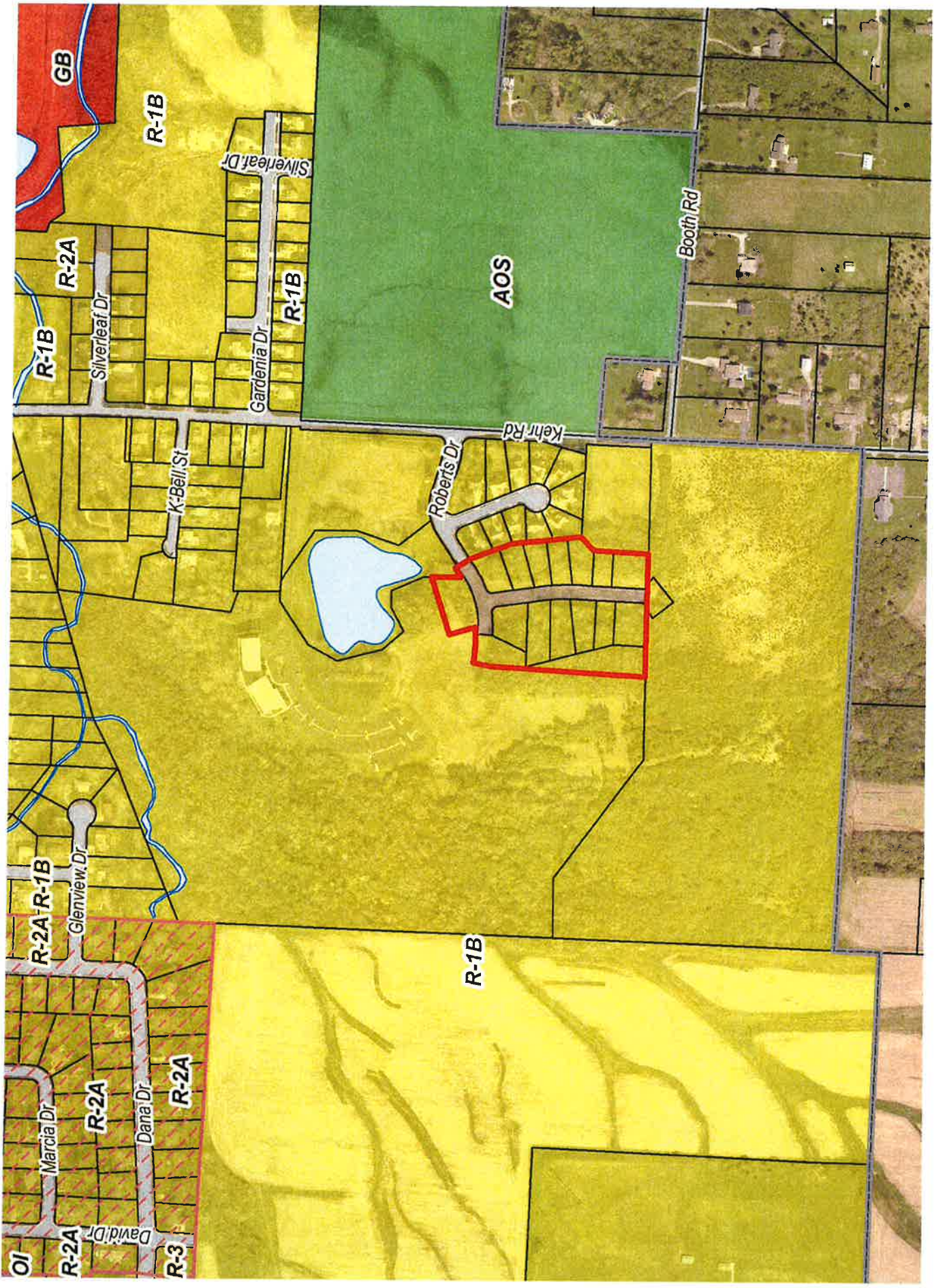
(k) Plan-Specific.

Any other design elements deemed necessary by Planning Commission and Council to ensure that a planned development satisfies the decision criteria of this Chapter.

Location Map



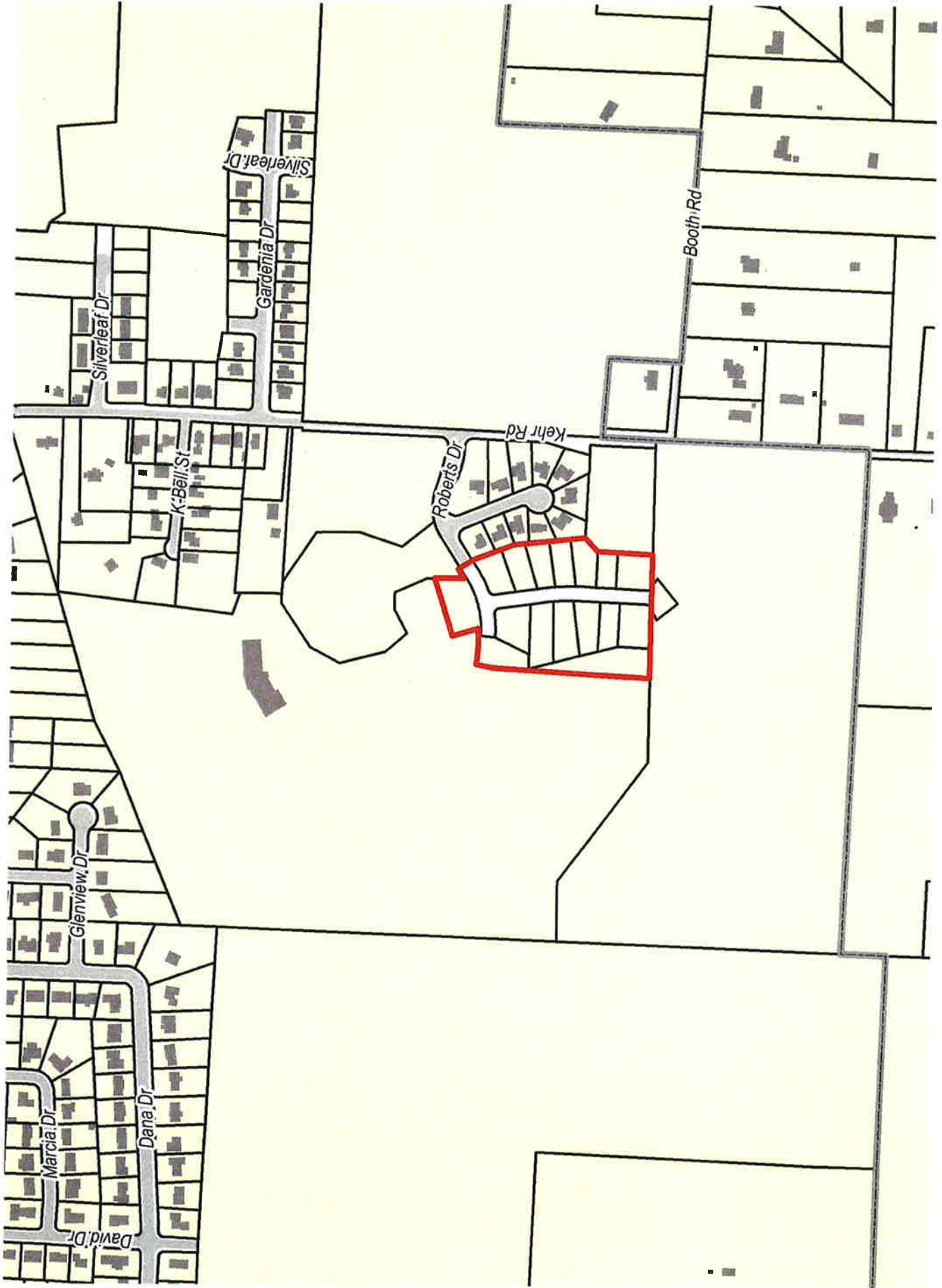
 Site Boundary



Location Map

 Site Boundary

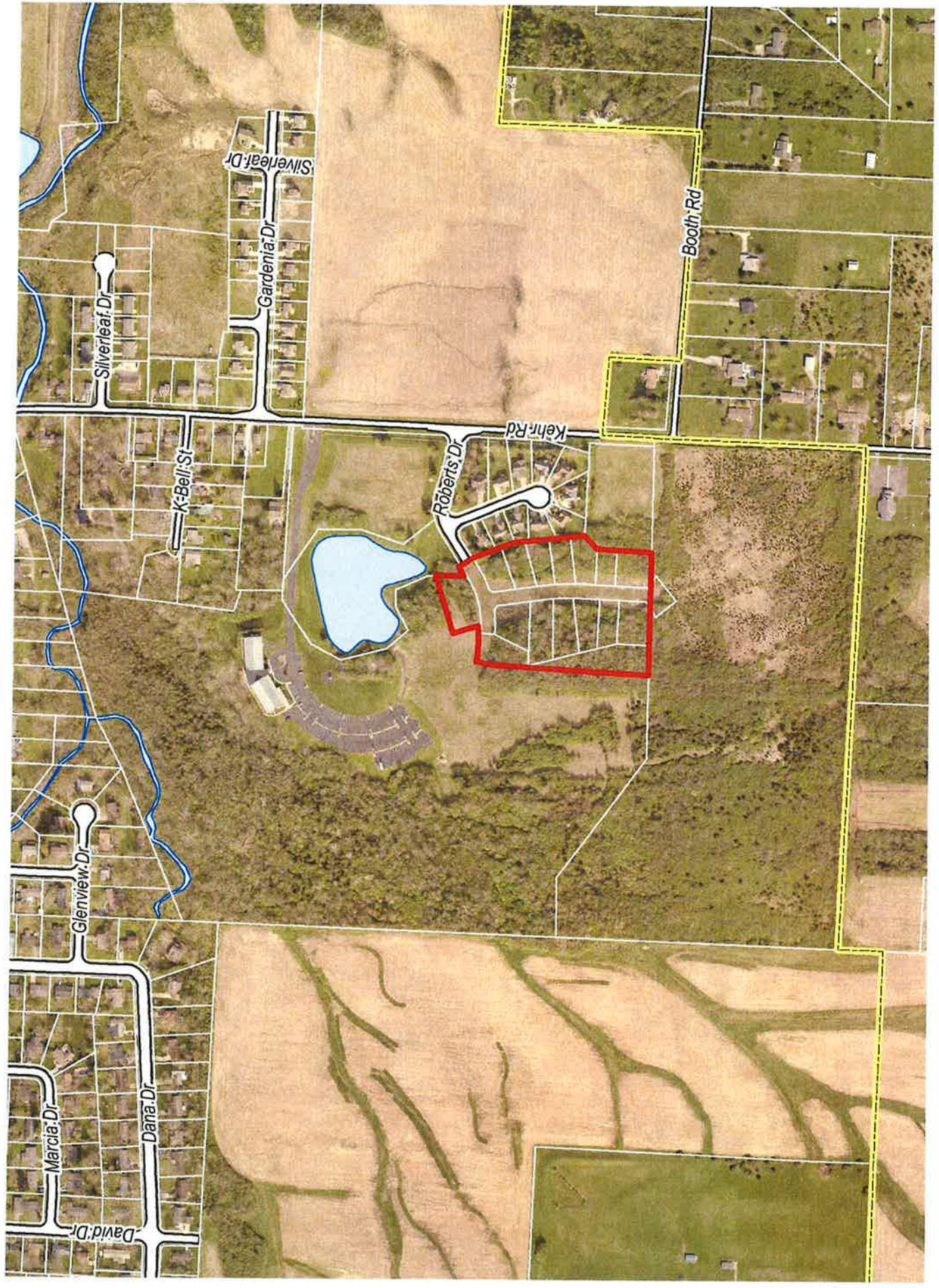
0 250 500 1,000 Feet



Location Map



Site Boundary



City of Oxford
Inter-Office Review Transmittal Sheet

✓

Date: July 10, 2019

To: **Fire Department** Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2019-16, PRELIMINARY PLANNED DEVELOPMENT, South Farm Section Two, West End of Roberts Drive, 6.7 acres, South Farm Development, LLC, Applicant

 X Review Revisions Other

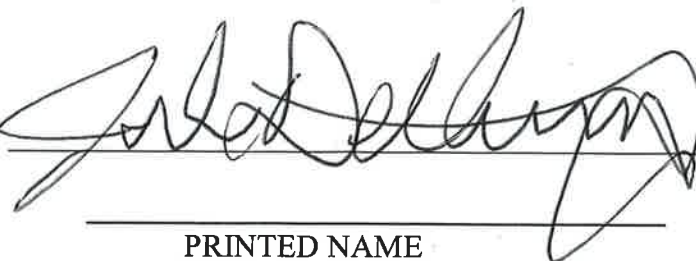
Please return no later than: **August 5, 2019** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

SEE ATTACHED

Drawings reviewed by:



PRINTED NAME

Date:

7-18-19

Memo

To: Community Development
From: John Detherage, Fire Chief
CC: N/A
Date: 7/18/2019
Re: South Farm Section Two

In response to waiver request #3, I would suggest eliminating the hammerhead at the end of Hoover Dr. By widening the alley to allow for emergency vehicles to continue moving forward in a loop to exit the street we could eliminate backing fire and EMS vehicles. This would also provide much better and more direct access to the garages and driveways of the units on the west side of Hoover Dr. should there be a car fire.

I spoke with Mike Davis, and he stated that the school district had no plans for the adjacent property. This street would likely remain a dead end for the foreseeable future.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: July 10, 2019

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2019-16, PRELIMINARY PLANNED DEVELOPMENT, South Farm Section Two, West End of Roberts Drive, 6.7 acres, South Farm Development, LLC, Applicant

 X Review Revisions Other

Please return no later than: **August 5, 2019** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

see memo dated 8/2/19.

-SAO

Drawings reviewed by: Scott Otto Date: 8/2/19

Scott Otto

PRINTED NAME



Memo

Service Department
Engineering Division

513/524-5208 fax 513/524-5267

TO: Community Development Department

FROM: Scott Otto, P.E.
City Engineer

RE: PC-2019-16
Preliminary Planned Development – South Farm Section Two
South Farm Development, LLC

DATE: August 2, 2019

The Engineering Division offers the following comments:

- Typical Sections in the City of Oxford Subdivision Regulations show sidewalk on both sides of a newly constructed street. For the extension of Roberts Drive, construct the asphalt trail instead of sidewalk on the north side of Roberts Drive.
- The proposed Water Quality Basin in the open space north of Roberts Dr. shall be maintained by the Homeowner's Association, not the City of Oxford.
- Language should be provided to explain a process for the HOA to remove the hammerhead turnaround if a future roadway is constructed to the south of this development and Hoover Drive is connected.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: July 10, 2019

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2019-16, PRELIMINARY PLANNED DEVELOPMENT, South Farm Section Two, West End of Roberts Drive, 6.7 acres, South Farm Development, LLC, Applicant

 X Review Revisions Other

Please return no later than: **August 5, 2019** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

The side with the alley → is there a way to make it easier for first responders to know which side to respond to? For example if a 911 caller says respond to front door, which side is it? And how does responder know that?

Not a major issue, but I can see some confusion. Overall, I support this project and do not see a negative impact on providing emergency services.

Drawings reviewed by: _____

Date: _____

John A. Jones, Police Chief
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: July 10, 2019

To: Fire Department Engineering Division Police Department **Econ Dev Department**

From: Community Development Department

PC-2019-16, PRELIMINARY PLANNED DEVELOPMENT, South Farm Section Two, West End of Roberts Drive, 6.7 acres, **South Farm Development, LLC, Applicant**

 X Review Revisions Other

Please return no later than: **August 5, 2019** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

SEE ATTACHED LETTER

Drawings reviewed by: _____

Date: 7-29-19

G. Alan Kyeon

PRINTED NAME

While I will defer to those more qualified to address items like emergency response access and lot coverage and restrictions, I do want to voice my support on a few items.

Thank you, South Farm Development LLC for continuing to use the street name Hoover Drive. Bill Hoover was the captain of the undefeated 1947 Miami football team and later was a co-owner of the Capital Varsity Athletic Equipment in Oxford. The Hoover family will appreciate your choice in keeping the street name.

Housing options for non-students, especially catering to Oxford's young professionals and empty-nesters, has been a repeated request within the community. Understandably, the Oxford Housing Advisory Commission and the OxVillAge Network are very interested in creating additional housing options in Oxford. Even during the last meeting of the Oxford Community Improvement Corporation, the question was asked, how the CIC could assist in creating housing options within the community. Over the last 30 years, the number of Oxford residents over the age of 30 has declined. Yes, declined. One of the reasons repeatedly stated is the lack of housing options within the Oxford community. Yet this same data shows those living in Oxford over the age of 65 are at an all-time high.

Census data like this may cause one to think we are a community of shrinking employment. This is not the case. The Oxford job market remains strong, with no significant employment reductions from Oxford's major employers. The jobs are here, there has been an increase in the number of employees who are choosing to live outside of Oxford.

My hope is a proposal like this will assist in attracting young professionals in choosing Oxford and to give the expanding Baby Boomer population more options to stay in Oxford.

I really like the west side of the proposed Hoover Drive development. With the garages in the rear of the lots and the homes moved forward on the lot. In my opinion, this will create a street which is inviting for walkability and is welcoming for neighborhood living. If possible, I would like to see both sides of Hoover Drive developed with rear garages. I think it would really create a unique neighborhood. Even if this means it may need to exceed the lot coverage requirements; it may prove to be a worthy exception.

To discourage the homes from migrating to potential student rental homes, hopefully the applicant will create a Neighborhood Overlay District for the street.

Oxford needs more non-student housing options. The lack of housing options in Oxford is, in my opinion, hurting our community.

Sincerely,

Alan Kyger

Oxford Population By Year & Age

	1960	1970	1980	1990	2000	2010
Under 5 years	420	656	565	545	461	457
5 to 9 years	376	561	567	551	499	429
10 to 14 years	294	550	516	506	533	331
15 to 19 years	1,938	4,615	3,794	3,761	5,310	4,758
20 to 24 years	2,342	5,701	7,613	8,254	9,669	10,004
25 to 29 years	364	784	1,058	910	945	981
30 to 34 years	257	470	641	734	526	533
35 to 44 years	486	674	853	1,235	1,101	812
45 to 54 years	411	642	637	851	1,128	937
55 to 59 years	276	279	317	277	444	509
60 to 64 years	193	262	273	286	277	432
65 to 74 years	289	417	447	531	484	581
75 years and above	182	257	374	496	566	607
All ages	7,828	15,868	17,655	18,937	21,943	21,371
0 to 14	1,090	1,767	1,648	1,602	1,493	1,217
as a % of total	8%	7%	5%	2%	2%	2%
15 to 29	4,644	11,100	12,465	12,925	15,924	15,743
as a % of total	59%	70%	71%	68%	73%	74%
30 to 44	743	1,144	1,494	1,969	1,627	1,345
as a % of total	9%	7%	8%	10%	7%	6%
35 to 64	1,366	1,857	2,080	2,649	2,950	2,690
as a % of total	17%	12%	12%	14%	13%	13%
65 plus	471	674	821	1,027	1,050	1,188
as a % of total	6.0%	4%	5%	5%	5%	5.6%

1990 to 2010	Population		as a %		Employment
0-14	385	Decreased	-0.04%	Decreased	Miami
15 to 29	2,818	Increased	5.4%	Increased	MHMH
30 to 44	624	Decreased	-4.1%	Decreased	TSD
35 to 64	41	Decreased	-1.4%	Decreased	City
65 Plus	717	Increased	0.1%	Increased	Schnider

Blue = High Point for the age group

Red = Decrease from previous year.



PC-2019-16

Surrounding Property Owners Notifications Map

Legend

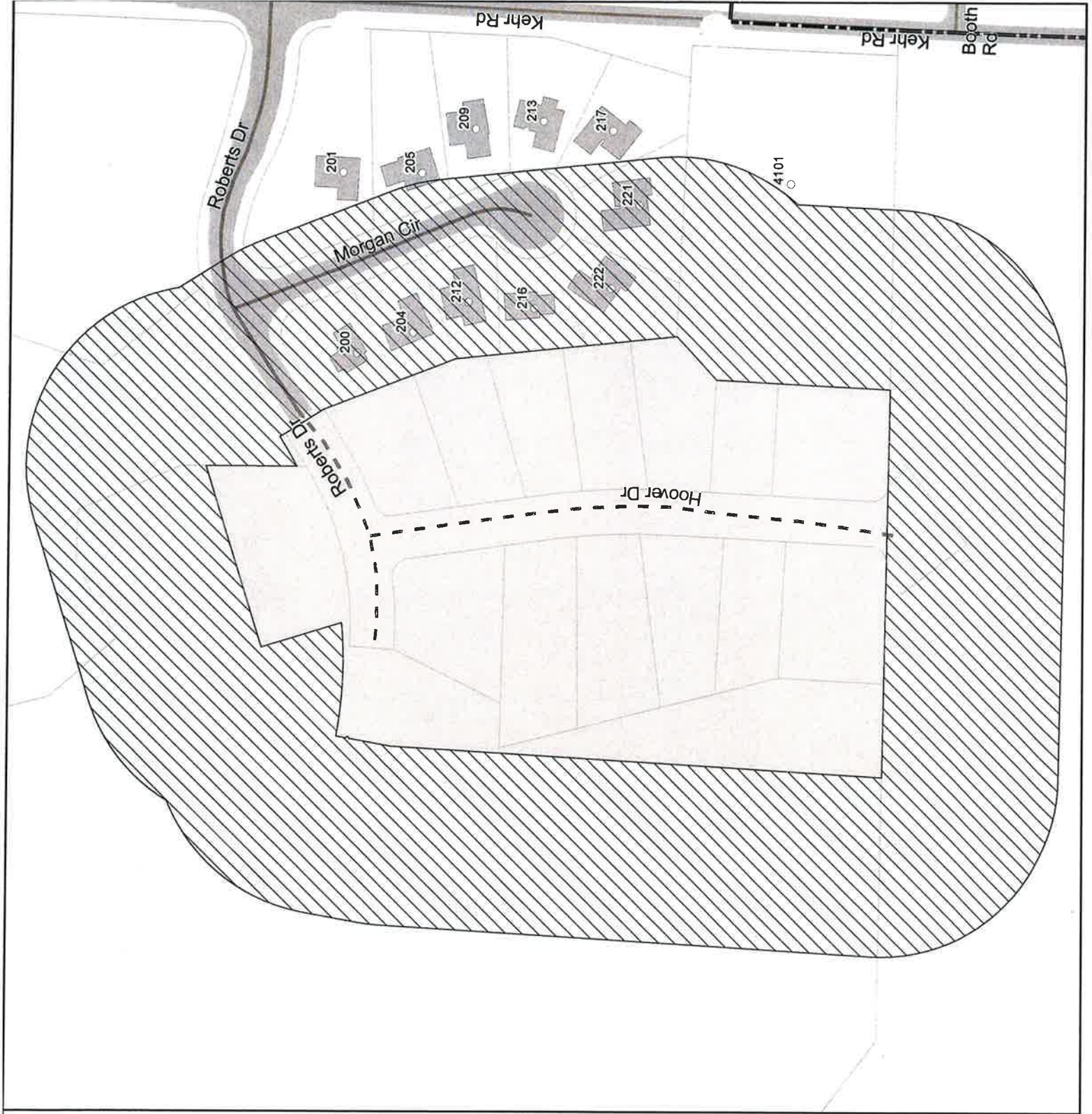
-  Subject Area
-  200 Ft. Buffer
-  Oxford Corp. Limit
-  Address Point
-  Parcel
-  16.5' Vacated ROW
-  Building Footprint
-  Paved Roadway



1 inch = 150 feet

Prepared on Wednesday, July 24, 2019

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.





Butler Soil and Water Conservation District

1802 Princeton Road, Suite 300
Hamilton, Ohio 45011
Telephone: (513) 887-3720
Fax: (513) 785-6668
www.butlerswcd.org

Zachary Moore
City of Oxford
15 S. College Avenue
Oxford, Ohio 45056

July 26th, 2019

Subject: South Farm Natural Resource Review

Dear Mr. Moore,

This letter and attachments provide our review of natural resources of the South Farm PUD submission to the City of Oxford. The Butler Soil & Water Conservation District (SWCD) checklist established with the City of Oxford was reviewed and the following are items to note.

- The receiving watershed through this area is about 20 acres (see attached map). This area is set within the larger Four Mile Creek HUC11 Watershed and the smaller Acton Lake Dam-Four Mile Creek HUC 12 Watershed. The proposed South Farm subdivision has about a 3-4% slope within the central cleared area.
- The soils found within the area are Wynn Silt Loam (WyC2 and WyB2) which are historically prime farmland soils. Looking at historical imagery dating back to 1938, this area was part of a larger row crop and pasture farm (see attachments). According to the USDA Web Soil Survey, Wynn Silt Loam soils are present and are very limited to dwellings with or without basements due to their shrink-swell components and depth to soft bedrock. This means that the developer will have to take special precautions to prevent these soil features from negatively impacting the infrastructure. The water table is greater than 2 meters deep, which should not negatively impact construction.
- According to the Butler County waterway maps and historical imagery, there is a gully or intermittent waterway flowing through the vegetated area on the west side of the property, then making its way towards the pond (see attached map). This may have been slightly redirected when the site was cleared and graded during construction of the neighboring South Farm subdivision. Precautions should be taken on the southernmost lots (14&15) to accept or reroute the flow of water that comes onto the site from 'uphill', but also make sure all the lots are properly graded to direct runoff to either a drainage collection system or the open spaces.
- The native trees found while walking the site included Black Cherry, Black Locust, Honey Locust, Cotton Wood, Ash, and Black Willow. There were also several types of invasive species, such as Amur Honeysuckle, Autumn Olive, Bradford Pear, Teasel and Phragmites. The majority of the forest understory contains invasive species. It would be

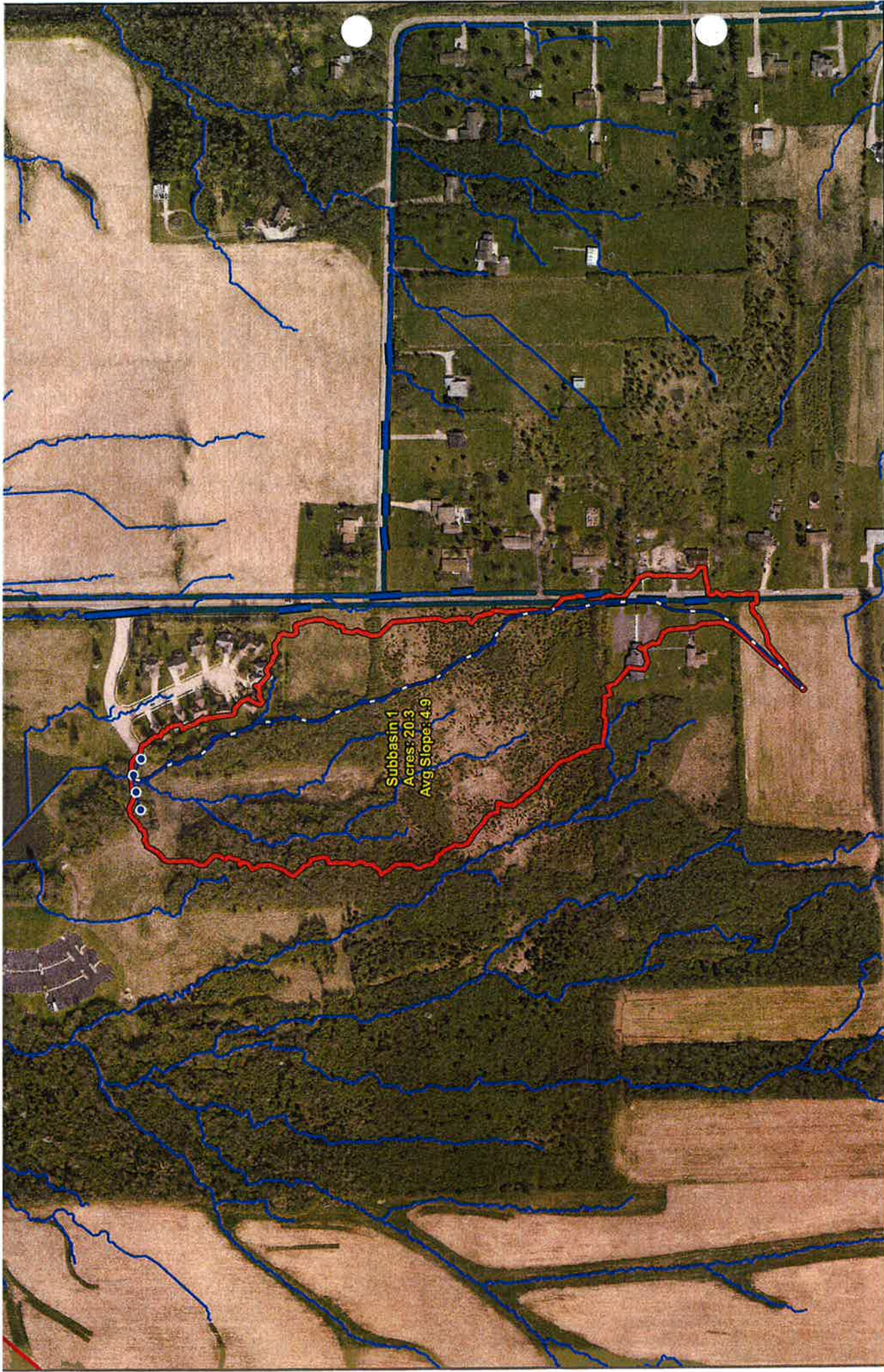
beneficial to the wildlife and surrounding vegetation if the developer could remove these while clearing other vegetation for construction.

Butler SWCD is not a regulatory agency; therefore, this information is technical advice to address natural resource concerns before future developed. If you have any additional questions or concerns, please do not hesitate to contact us at (513)887-3720.

Sincerely,

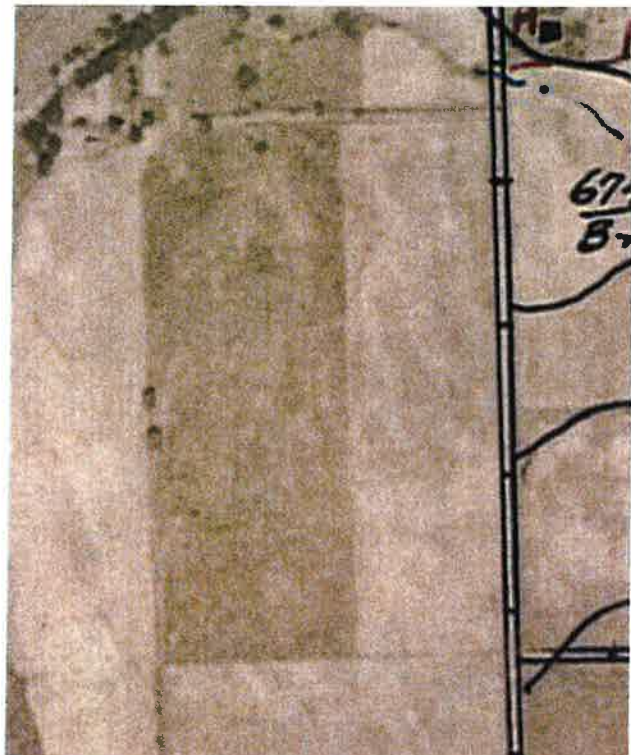
A handwritten signature in black ink, reading "Madeline Maurer". The signature is fluid and cursive, with the first name "Madeline" and last name "Maurer" clearly distinguishable.

Madeline Maurer
Urban Specialist
Butler Soil and Water Conservation District



This assessment was done by the Butler SWCD. No surveying or GPS points were used to create this map. It was digitized in relative mode from aerial photography and digital photos taken in the field. The data were obtained from the Ohio Department of Natural Resources and the Butler County GIS Department. It is to be used for informational purposes only and accurate only to the scale upon which it was mapped.

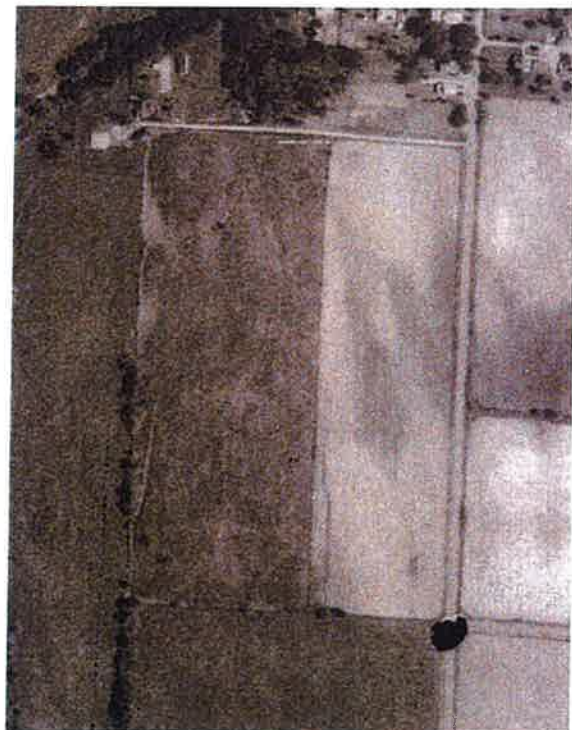
1938



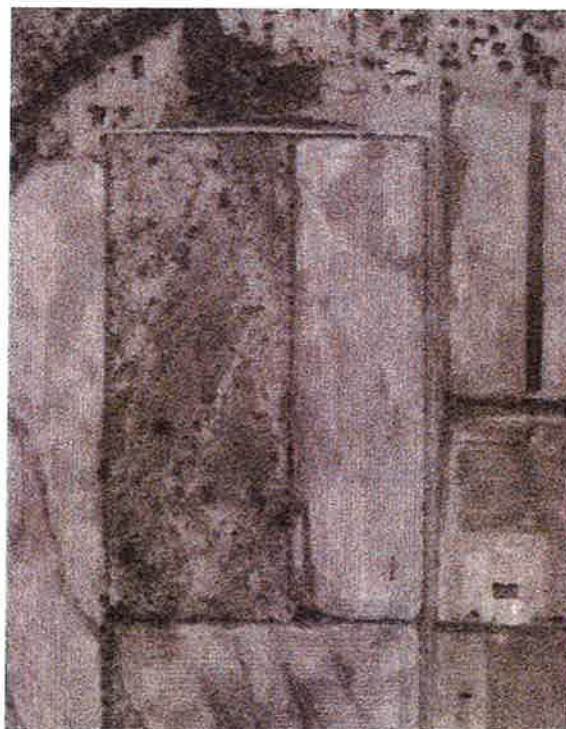
1968



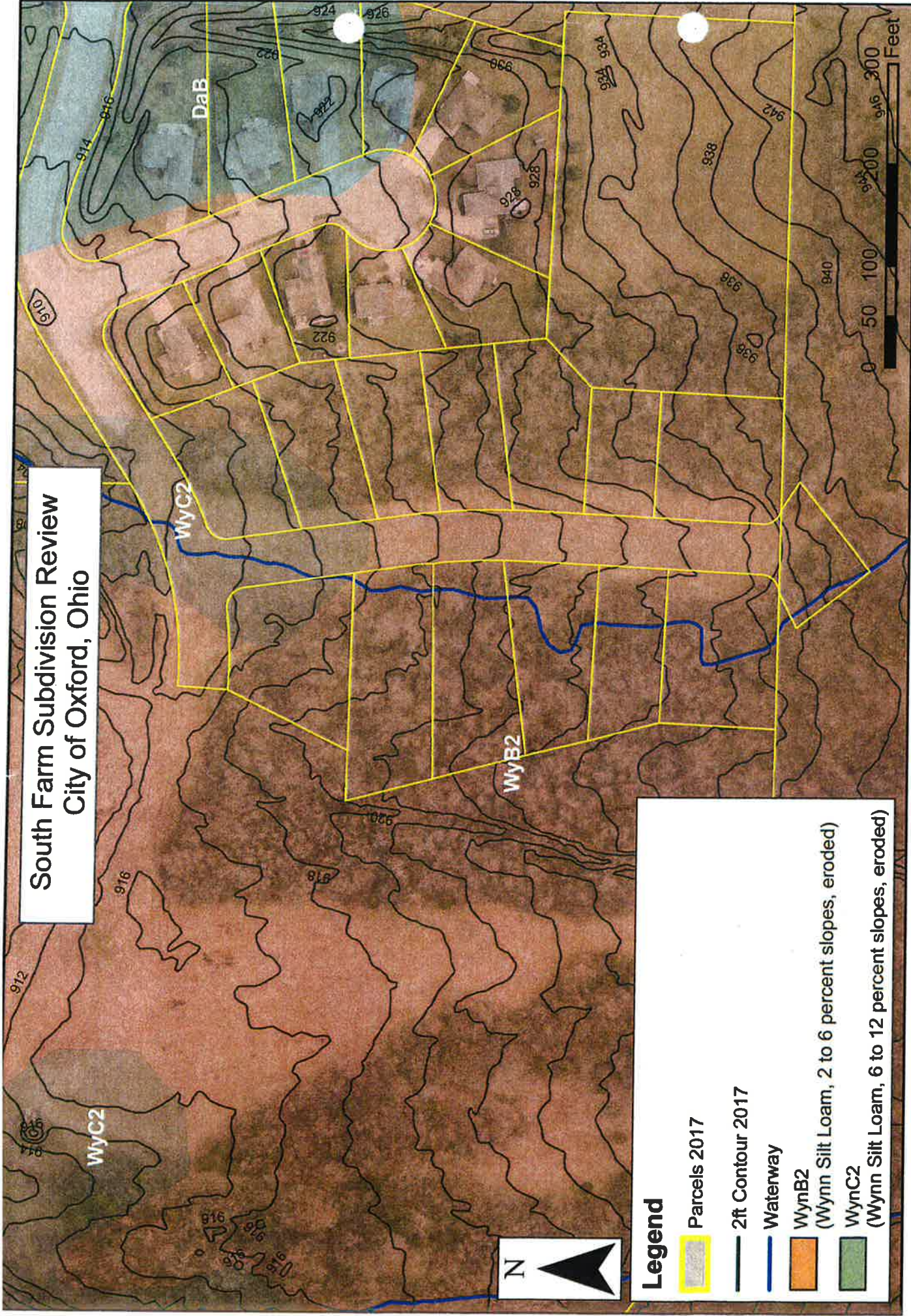
1976



1987



South Farm Subdivision Review City of Oxford, Ohio



Legend

- Parcels 2017
- 2ft Contour 2017
- Waterway
- WynB2
(Wynn Silt Loam, 2 to 6 percent slopes, eroded)
- WynC2
(Wynn Silt Loam, 6 to 12 percent slopes, eroded)

This assessment was done by the Butler SWCD. No surveying or GPS points were used to create this map. It was digitized in relative mode from aerial photography and digital photos taken in the field. The data were obtained from the Butler County GIS Department. It is to be used for informational purposes only and accurate only to the scale upon which it was mapped.

Map generated by Madeline Maurer on 7/25/2019





4131 Kehr Road
Oxford, OH 45056

July 1, 2019

Mr. Zach Moore
Planner
City of Oxford
15 South College Ave.
Oxford, Ohio 45056

Re: South Farm Section Two

Dear Mr. Moore,

Please be advised that South Farm Development LLC, has our permission to submit applications for the approval of a Preliminary Planned Development on a portion of parcel H4100-132-000-014 located adjacent to Roberts Drive.

Should you have any questions, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Daryl Zimmer". The signature is fluid and cursive.

Daryl Zimmer, Trustee
Cobblestone Community Church

RECEIVED JUL - 1 2019

July 1, 2019

Mr. Zach Moore
Planner
City of Oxford
15 South College Avenue
Oxford, Ohio 45056

Re: South Farm Section Two

Dear Mr. Moore,

Please be advised that South Farm Development LLC, has our permission to submit applications for the approval of a Preliminary Planned Development parcels H4100-137-000-040 thru 061.

Should you have any questions, please do not hesitate to contact us.

Sincerely,

A handwritten signature in cursive script, appearing to read "John Boyle, et al".

John Boyle, et al

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Internal Use Only:

Case No.

Date Filed

PC-2019-16

7/1/19

Preliminary Subdivision Application

Applicant Information

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

Name * South Farm Development LLC

Mailing Address * 3225 Indian Creek Road

City, State & Zip Code * Oxford, Ohio 45056

Telephone Number(s) * 513-260-2234

Email Address msfarm3225@yahoo.com

Engineer/Surveyor Information

Name * Bayer Becker

Mailing Address * 110 South College Avenue, Suite 101

City, State & Zip Code * Oxford, Ohio 45056

Telephone Number(s) * 513-523-4270

Email Address ettareed@bayerbecker.com

Location and Lot Information

Location of Property * West end of Roberts Drive

Legal Description * H4100-132-000-014, H4100-137-000-049 thru 061

Zoning District * R-1B Proposed Lots * 28 Total Area * 6.70 Acres

Requirements and Documentation

Plat

Twenty (20) copies of the plat on bond. Drawing size must be at least 17x22" and should never exceed 24x36." The plat must be prepared in accordance with Chapter 1101, Subdivision Regulations and Chapters 1121-1137, Zoning Code of the City of Oxford¹. Scale should not exceed 1" = 100.¹ Plats containing less than three lots are exempted from the provisions of this section. The preliminary plat shall show:

No.	Required Item Description
1	20 sets (17" x 22" minimum)
2	Electronic version of all documentation submitted (PDF preferred)
3	Digital copy in Auto CAD format submitted on a CD. Shall utilize the NAD-83 Ohio South State Plane Coordinate System for horizontal control and the NAVD-1988 for vertical control. All subdivision boundary corners shall also be tied to the NAD-83 Ohio South State Plane Coordinate System and labeled with a northing and easting, as well as centerline intersections, temporary turn-around center points and easement centerline that does not follow a lot line.
4	The name, mailing address, and telephone number of the applicant and owner.
5	Letter of Agency. (A statement from the owner that the applicant is entitled to apply on his or her behalf.)

No.	Required Item Description
6	Attach a written, detailed description of the request.
7	Metes and bounds description of the property (Legal Description).
8	Vicinity Map
9	The zoning district in which the site is located.
10	Required Fee.
11	Number of proposed lots.
12	Preliminary Plat shall show the following:
12	A. The location of present property and section lines, streets, buildings, lakes and watercourses.
12	B. Boundary lines, size and tract of whole site and each individual lot in square feet and/or acres.
12	C. Any existing water mains, culverts, sewer lines, railroads, easements, parks, permanent buildings, power poles, other underground structures and streets within the tract or immediately adjacent thereto, including the location, dimension and size of the nearest water main and sewer line.
12	D. The proposed location and width of streets, alleys, lots, parking areas, pedestrian walks, ingress/egress, setback lines and easements.
12	E. The title under which the proposed subdivision is to be recorded and the name of the subdivider and owner if other than the subdivider platting the tract.
12	F. The names and boundaries of all adjoining subdivisions and the names of recorded owners of adjoining parcels including mailing addresses and parcel numbers within 200 feet of the site.
12	G. North point, scale and date.
12	H. Existing contours with intervals of five feet or less referred to U.S.G.S. datum and obtained from a field survey.
12	I. The seal, registry number and signature of the registered surveyor and professional engineer who prepared the plat.
12	J. The plan should evaluate existing watercourses, channels, storm sewers, culverts and proposed improvements pertaining to drainage and flood control in regard to their ability to handle the anticipated greater volume of run-off and peak flows.
12	K. Any existing building(s) to remain or to be razed.
12	L. Location of any wooded areas, topographic and natural features that are within and adjacent to the proposed project area to be preserved.
12	M. If and how the proposed subdivision will be subdivided in Phases.
12	N. Site Analysis as stipulated in Section 402(b).
12	O. Landscaping Plan
12	P. Building Concepts, as applicable.
12	R. Any other information that may be necessary as determined by Staff.

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.

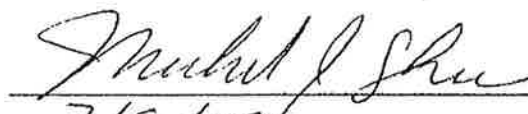
Fees & Receipt

The required fee for preliminary plan is \$470.00 plus \$10.00 per lot, plus \$10.00 postage charge.

Sign and Date

Applicant Signature *

Date *


7/9/19



Internal Use Only:	
Case No.	PC-2019-16
Date Filed	7/1/19

Planned Development Application

Application Type

Choose One

☒

Preliminary

☐

Final

☐

Preliminary & Final

Applicant Information

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

Name * South Farm Development LLC

Mailing Address * 3225 Indian Creek Road

City, State & Zip Code * Oxford, Ohio 45056

Telephone Number * 513-260-2234 Email Address msfarm3225@yahoo.com

Owner Information

Name * John Boyle, et al Cobblestone Community Church Inc.

Mailing Address * 3225 Indian Creek Road 152 Ryan Dr., Suite 5

City, State & Zip Code * Oxford, Ohio 45056 Oxford, Ohio 45056

Telephone Number * 513-260-2234 Email Address msfarm3225@yahoo.com

Engineer/Surveyor Information

Name * Bayer Becker

Mailing Address * 110 South College Avenue, Suite 101

City, State & Zip Code * Oxford, Ohio 45056

Telephone Number * 513-523-4270 Email Address ettareed@bayerbecker.com

Location and Lot Information

Name of Subdivision * South Farm Section Two

Location of Property * West end of Roberts Drive

Legal Description * H4100-132-000-014, H4100-137-000-049 thru 061

Zoning District * R-1B Total Area * 6.7 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

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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 fees for a Preliminary, Final, or combined Preliminary and Final Planned Development application are \$470.00 plus \$100.00 per acre, plus \$10.00 postage charge.

Sign and Date

Applicant Signature *



Date *

6/27/19

Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

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

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

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

July 1, 2019

Mr. Zach Moore
Planner
City of Oxford
15 South College Avenue
Oxford, Ohio 45056

Re: South Farm, Section Two
Neighborhood Conservation Overlay District

Dear Mr. Moore,

Upon recordation of the Record Plat for South Farm, Section Two, South Farm Development LLC intends to request approval of a Neighborhood Conservation Overlay District to be placed on the South Farm, Section Two.

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

Sincerely,



South Farm Development LLC

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July 1, 2019

Mr. Zach Moore
Planner
City of Oxford
15 South College Avenue
Oxford, Ohio 45056

Re: South Farm, Section Two
Preliminary PUD Submittal

Dear Mr. Moore:

Enclosed please find the following items in support of South Farm Development LLC's Application for Preliminary Planned Development approval for South Farm, Section Two to be located at the end of Roberts Drive:

- 1) Executed Planned Development Application.
- 2) A check in the amount of \$1,150.00 made payable to the City of Oxford for the application fee.
- 3) Thirteen individual packets containing one (1) copy of each of the following:
 - a. Executed Planned Development Application.
 - b. An Affidavit from Cobblestone Community Church Inc. granting South Farm Development LLC permission to submit applications for the approval of a Preliminary Planned Development.
 - c. An Affidavit from John Boyle et al. granting South Farm Development LLC permission to submit applications for the approval of a Preliminary Planned Development.
 - d. List of property owners within 200 feet of the site.
 - e. Legal description of the property.
 - f. Existing Conditions Plan.
 - g. Preliminary Development Plan.
 - h. Typical Building Floor Plans and Elevations.
 - i. Preliminary Landscape Plan.
 - j. Photos of the subject site and surrounding area.
 - k. Example of proposed covenants and restrictions.
 - l. Letter from South Farm Development LLC regarding intention to request a Neighborhood Conservation District Overlay.
 - m. Marketing Material for homes in Olde Winton development.
- 4) A CD containing a pdf of the aforementioned items.
- 5) Applicant:

*South Farm Development LLC
3225 Indian Creek Road
Oxford, Ohio 45056
513-260-2234*

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Owner:

John Boyle, et.al
3225 Indian Creek Road
Oxford, Ohio 45056
513-260-2234

Cobblestone Community Church Inc.
152 Ryan Drive, Suite 5
Oxford, Ohio 45056

6) Design Professionals:

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

7) Description of use and site:

- a. A legal description of the boundary of the proposed development is enclosed.
- b. The property is currently vacant.
- c. The property is zoned R-1B, Single Family Medium-Density Residential District.
- d. A description of the proposed planned development:

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

South Farm, Section Two is a single family residential cluster development wherein the homes are clustered in the center of the development surrounded by natural open space area. The builder of South Farm Section Two has been successful in building homes in a similar development in the City of Fairfield. The size of the proposed lots and homes are similar to those in the Olde Winton development located on Winton Road in the City of Fairfield, Ohio.

The development shall consist of 25 single family homes located along a public street, however vehicular access to the homes located on the west side of Hoover Drive is provided via an alley located to the rear of the homes.

A separate Homeowners Association (HOA) will be established for South Farm, Section Two. The HOA will be responsible for the maintenance of the alley, snow removal for all the residences, and maintenance of the open space and all the lawns and landscaping around the homes.

Two different housing products will be provided within this development:

- *The east side of Hoover Drive will contain 3,620 SF minimum lots with driveway access to the public roadway. Homes will contain a minimum of 1,300 SF. Front yard setback shall be 20 feet with a 5 foot rear yard setback.*
- *The west side of Hoover Drive will contain 3,800 SF minimum lots with driveway access to a private alley located behind the homes. Homes will contain a minimum of 1,150 SF. Front yard setback shall be 15 feet with a 20 foot rear yard setback.*
- *Side yard setbacks for all lots within the development will be a minimum 5 feet on each side.*
- *All homes will contain attached 2 car garages.*

- 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.

- e. A narrative statement that evaluates the compatibility of the proposed planned development with the general vicinity and adjacent properties.

- i. How the proposed uses are similar to or different from existing area uses and if there will be any interaction between the proposed site and adjacent sites.

The proposed single family residential homes will be comparable in size with the existing single family homes located to the east on Morgan Circle and contain similar building materials. The proposed one and two story homes will be constructed of a mix of brick, stone and vinyl building materials.

5 foot wide sidewalks will be constructed along the south side of Roberts Drive and along both sides of the proposed Hoover Drive, as required by the Subdivision Regulations. Said sidewalk will connect to the existing sidewalk on the south side of Roberts Drive to the east. It is our understanding that the Oxford Area Trail System (OATS) will be constructed along the north side of Roberts Drive in the future.

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

The proposed homes to be constructed within South Farm, Section Two will be comparable in size and contain similar building materials as the existing homes in South Farm, Section One.

- 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.

South Farm, Section Two will not have a negative effect on adjacent land. The properties to the east contain single family residences, the property to the north and west contains Cobblestone Community Church and the property to the south is vacant and is owned by the Talawanda School District. South Farm Development LLC intends to maintain the existing tree buffer along the east and west property lines of the development.

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

The subject property is an ideal location for South Farm, Section Two for several reasons:

- 1) *Per the Comprehensive Plan, South Farm, Section Two 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-1B single family medium density residential.*
 - 3) *Property was previously approved and is currently subdivided for 13 single family lots and public dedicated streets, Roberts Drive and Hoover Drive.*
 - 4) *The proposed density of the development is 3.73 units/acre is significantly lower than the allowable density of the R-1B district, 5.81 units per acre*
 - 5) *The property contains mature vegetation on the east and west sides of the property and cleared in the middle, which lends itself nicely for a cluster development.*
 - 6) *South Farm, Section Two will contain a Neighborhood Conservation Overlay District.*
 - 7) *The infrastructure is currently in place to support a residential development of this nature.*
 - 8) *Provides a type of residential housing that is currently not available in Oxford.*
 - 9) *The development will contain over 20% open space and maintain the existing vegetation along both the east and west property lines.*
- g. A statement of the necessity or desirability of the proposed planned development to the neighborhood or community.
- There is a shortage of available single family residential lots within the City of Oxford for individuals to construct a new home. South Farm, Section Two will fulfill this need. With the maintenance free exteriors, and smaller lot sizes the homes will be attractive to empty nesters and young professionals.*
- h. How the proposed mix of dwelling types and/or commercial uses advances community goals of diversity, affordability and market changes.
- South Farm Section Two will provide the City of Oxford with a housing stock that they currently do not have - single family lots which will marketed to the empty nester, young professional demographic with the exterior maintenance being provided by the HOA.*
- i. Proposals for the provision of public utilities and services, if insufficient or not available for the planned development, or for the provision of suitable private utilities and services.
- Public water and sanitary sewer are available to the property. Stormwater retention has been provided in the existing retention pond to the north. A water quality basin will be provided to meet the requirements of the Ohio EPA National Pollutant Discharge Elimination System (NPDES) Permit. Overall impact from this development on the community is negligible, as 13 single family lots have been recorded for this property but never constructed.*
- j. A general analysis of expected traffic impact, including vehicular and pedestrian safety resulting from the proposed development.
- The proposed 25 single family lots will generate an additional 13 trips (3 entering and 10 exiting) in the AM Peak and 14 trips (9 entering and 5 exiting) in the PM Peak hour over the originally approved 13 lots. To accommodate pedestrian circulation, sidewalks will be provided on both sides of Hoover Drive and the south side of Roberts Drive. Additionally, in the future, a portion of the OATS trail will be constructed along the north side of Roberts Drive.*

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

Enclosed please find the Covenants and Restrictions from the Olde Winton development. South Farm Development LLC intends to prepare similar covenants and restrictions for South Farm, Section Two.

In addition to the request for approval of the Preliminary Development Plan, South Farm Development LLC requests that the following waivers be granted for South Farm, Section Two:

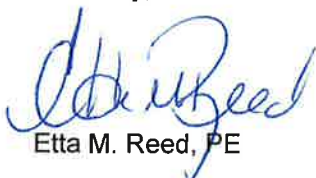
- 1) Per Section 1145.12(f)(2) "... lot coverage for the residential portion of any planned development shall not exceed 40%". The lot coverage of the overall development is 38%, which is less than the 40% maximum allowable. However, the lot coverage for the individual lots is proposed to be 65% for the lots located on the east side of Hoover Drive and 60% for those on the west side of Hoover Drive. South Farm Section Two is not your typical single family subdivision where the home is surrounding by a yard, rather it is more in line with a condominium type development, wherein the homeowner owns the land under their home and a minimal area surrounding it. Since the HOA is responsible for the maintenance of all the grounds, the land was placed in open space rather than within the individual residential lots. Furthermore, the impact to the existing vegetation is reduced by providing the smaller lot sizes.
- 2) Per Section 1145.12(e)(2) "Front setbacks shall be limited as in the underlying zoning district." R-1B requires a minimum 30 ft. front yard setback. The proposed front setbacks for South Farm, Section Two are 20 ft. on the east side and 15 ft. on the west side of Hoover Drive. The reduced setbacks allows existing vegetation to be preserved and contributes to the cluster effect of the development while still meeting the needs of the residents.
- 3) Section 1101.404(C)(7) of the Subdivision Regulations states "...dead-end/stub streets or loop street shall not exceed 500 feet in length unless otherwise approved by the Planning Commission due to topography or unusual circumstances." Hoover Drive is 585 feet in length terminated with a temporary hammerhead turnaround. The dead-end/stub street classification for Hoover Drive is temporary. Per the *Oxford Roadway Alternatives and Roadway Classifications* map, a Major Collector roadway is planned to be located just to the south of the development on the Talawanda School District property. When the proposed roadway is constructed, Hoover Drive will be connected and will no longer be a dead-end/stub street.

As aforementioned, this development is modeled after the Olde Winton Development located on the east side of Winton Road, north of Nilles Road in the City of Fairfield. We encourage you, Planning Commission members and City Council members to visit the development prior to the Planning Commission meeting.

Please place this item on the August 13th Planning Commission Meeting agenda.

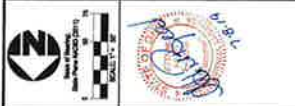
Should you have any questions, or need any additional information, please do not hesitate to contact us.

Sincerely,


Etta M. Reed, PE

Enclosures

Cc: Mike Shea
John Boyle



DATE	11/15/18
BY	JD
CHECKED BY	JD
SCALE	AS SHOWN
PROJECT	SECTION 24, TOWN 5, RANGE 1
SUBJECT	PRELIMINARY DEVELOPMENT PLAN
LOCATION	BUTLER COUNTY, OHIO
OWNER	SOUTH FARM DEVELOPMENT LLC
PROJECT NO.	18-0000000000

SOUTH FARM SECTION TWO PRELIMINARY DEVELOPMENT PLAN



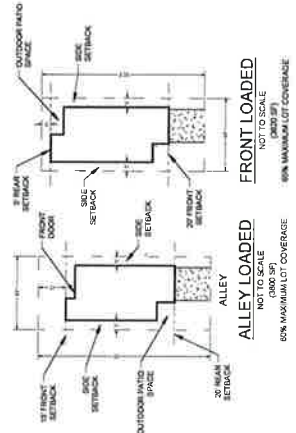
DATE	11/15/18
BY	JD
CHECKED BY	JD
SCALE	AS SHOWN
PROJECT	SECTION 24, TOWN 5, RANGE 1
SUBJECT	PRELIMINARY DEVELOPMENT PLAN
LOCATION	BUTLER COUNTY, OHIO
OWNER	SOUTH FARM DEVELOPMENT LLC
PROJECT NO.	18-0000000000

PRE



VICINITY MAP
NO SCALE

- LEGEND**
- OPEN SPACE
 - 5' CONCRETE WALK
 - FUTURE ASPHALT TRAIL - BY OTHERS



SITE DEVELOPMENT DATA

EXISTING ZONING: R-1B SINGLE FAMILY
MEDIUM DENSITY RESIDENTIAL DISTRICT

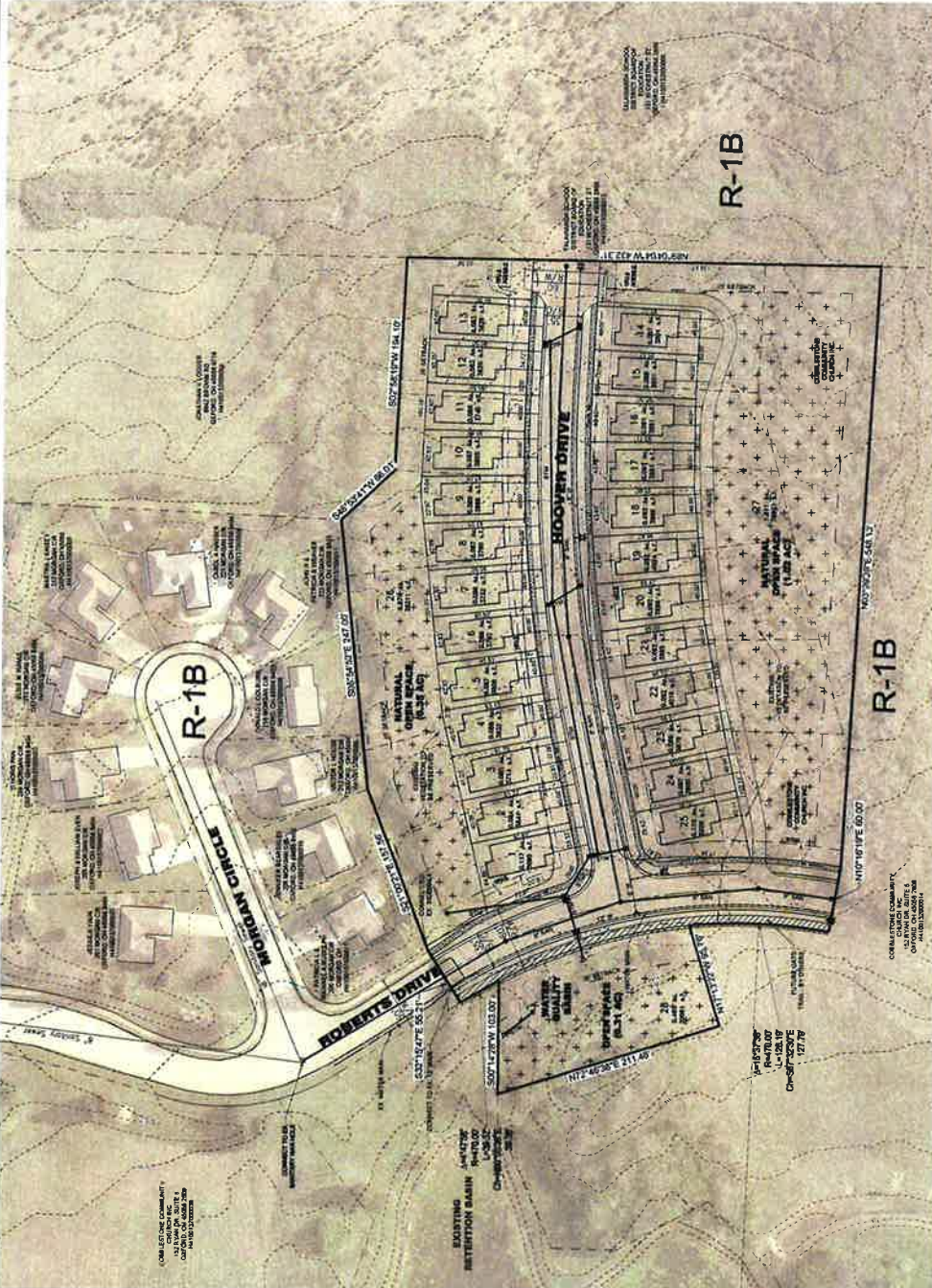
PROPOSED ZONING: R-PUD RESIDENTIAL
PLANNED UNIT DEVELOPMENT

DEVELOPMENT AREA: 6.70 AC.
OPEN SPACE: 1.68 AC. = 25% PROVIDED
1.34 AC. = 20% REQUIRED

DEVELOPMENT LOT COVERAGE:
2.55 AC. = 38% (40% MAXIMUM)

UNIT COUNT:
TOTAL UNITS = 25
FRONT LOADED = 13
ALLEY LOADED = 12

SINGLE FAMILY LOTS = 25
OPEN SPACE LOTS = 3
TOTAL LOTS = 28



GENERAL NOTES

- SANITARY SEWER, STORM SEWER AND WATER MAIN SHALL BE CONNECTED TO EXISTING CITY OF OXFORD SYSTEMS AND CONSTRUCTED PER CITY OF OXFORD STANDARDS AND SPECIFICATIONS.
- ELECTRIC TO BE SUPPLIED BY DUKE ENERGY.
- ALL PUBLIC STREETS TO BE CONSTRUCTED ACCORDING TO CITY OF OXFORD STANDARDS AND SPECIFICATIONS.
- 2-FOOT INTERVAL CONTOURS PROVIDED BY BUTLER COUNTY GIS, DATED 2017 AND BASED ON NAD83(HARN) GEOGRAPHIC COORDINATE SYSTEM.

OWNERS

JOHN BOYLE, ET AL
3225 INDIAN CREEK RD
OXFORD, OH 45056
513-260-2234

DEVELOPER

SOUTH FARM DEVELOPMENT LLC
3225 OXFORD CREEK RD
OXFORD, OH 45056
513-260-2234

COBLESTONE COMMUNITY CHURCH INC.
152 RYAN DR, SUITE 5
OXFORD, OH 45056

1	Amount Due City of Oxford Government	12/18	100	0000
2	Maximum Contribution	12/18	100	0000
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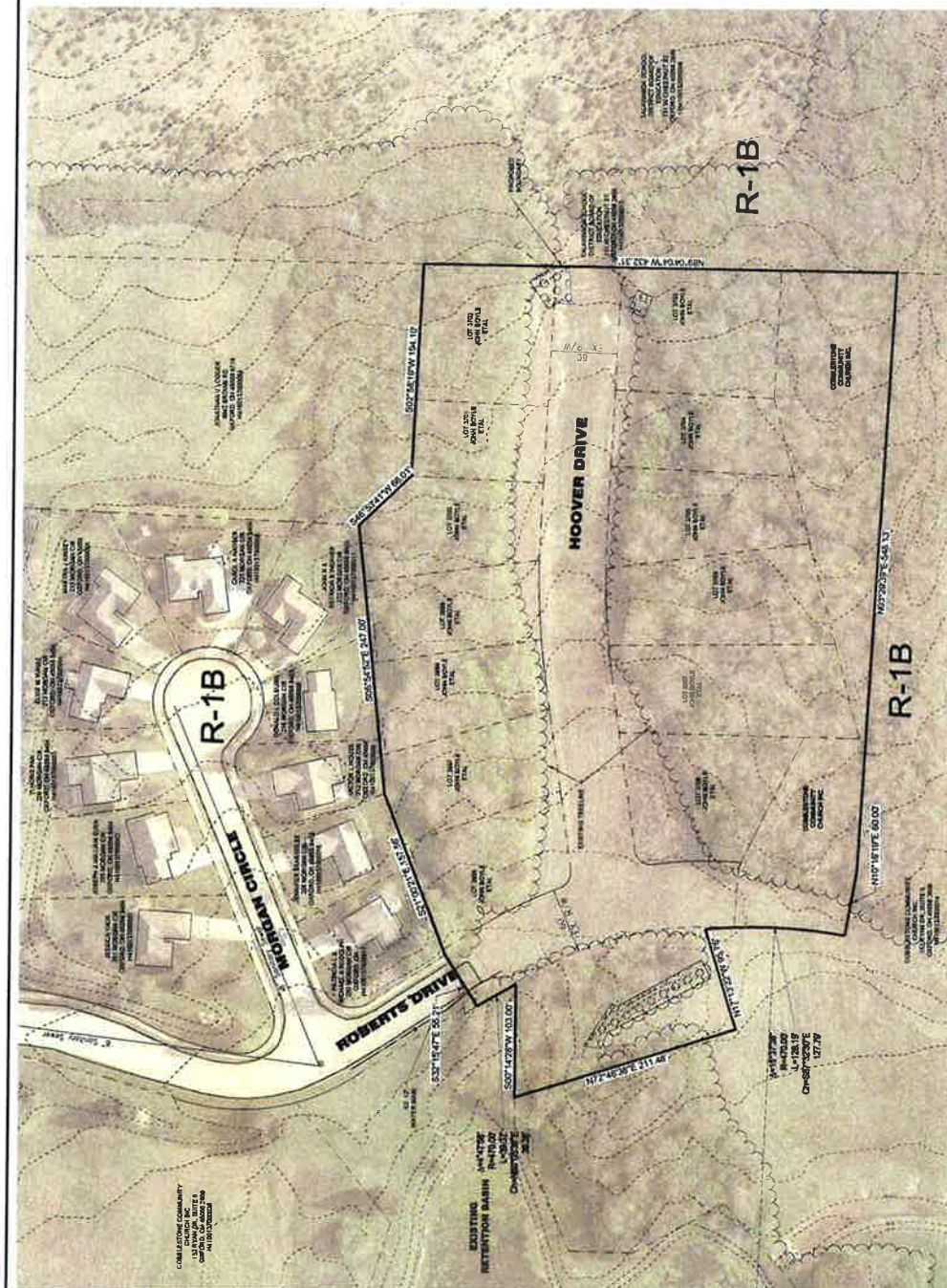


VICINITY MAP
NO SCALE

SLOPES > 15%

LEGEND

SITE ANALYSIS

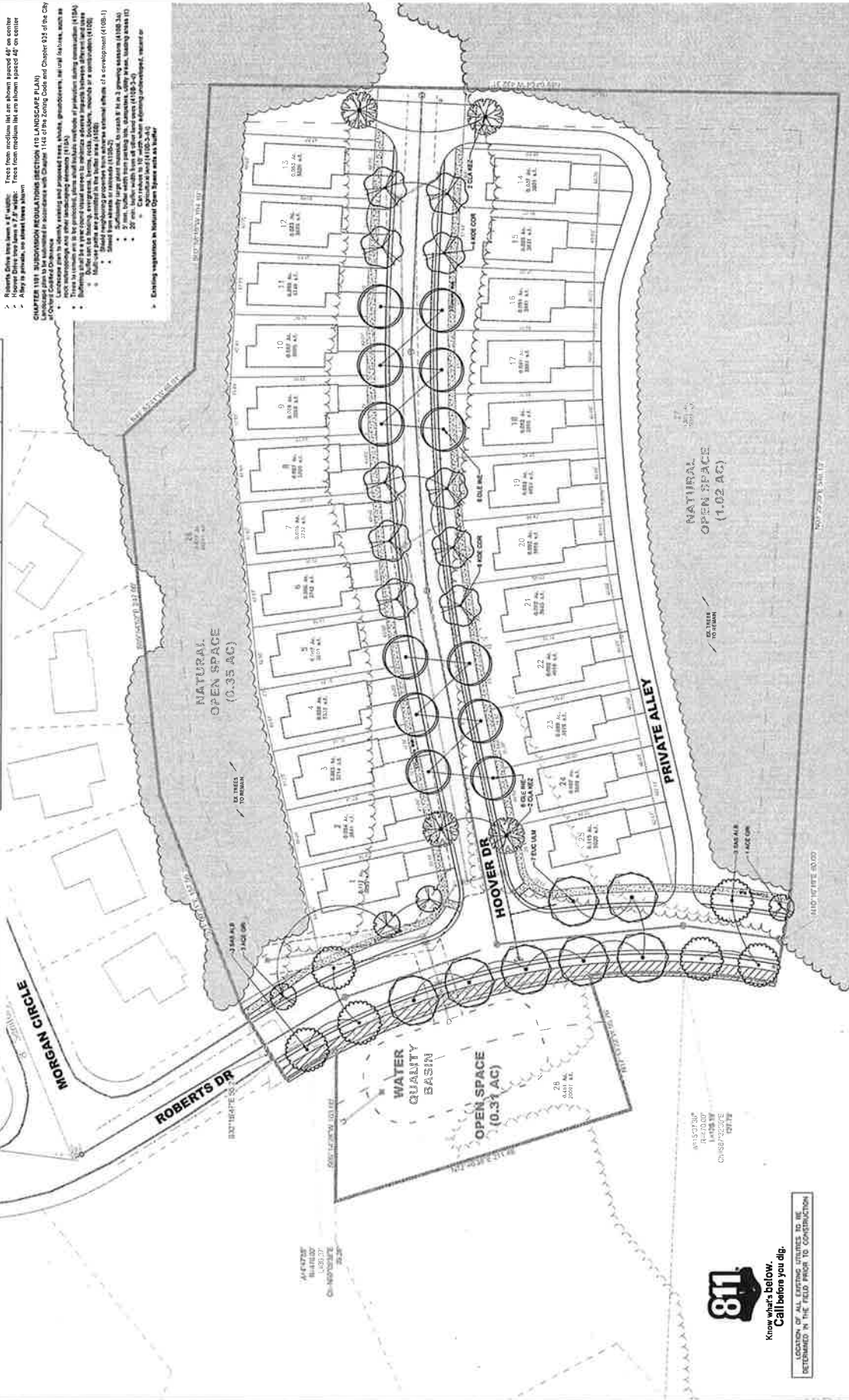
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- A. SEE SHEET L2.0 FOR PLANTING NOTES & DETAILS.
- B. INSTALL REPOOT RIBBED ROOT BARRIER BY WWW.GREENBLUE.COM OR EQUIVALENT, ALONG ALL CONCRETE EDGES WITHIN 8" OF NEW TREE PLANTING. REPOOT DEPTH TO EXTEND THE FULL DEPTH OF AGGREGATE CONCRETE. SEE DETAIL 5, SHEET L2.0.
- C. BURLAP TO BE PARTIALLY REMOVED FROM ROOTBALLS AND TWINE REMOVED ENTIRELY. SEE NOTE SHEET L2.0.
- D. MULCH SHOULD NOT TOUCH TREE TRUNK AND VOLCANO MULCHING IS PROHIBITED. SEE NOTE SHEET L2.0.

PLANT SCHEDULE					
SCIDCULUS TREES	QTY	BOTANICAL NAME	COMMON NAME	TYPE	MINI SIZE
ACE ORE	4	<i>Acacia galeata</i>	Acacia galeata	B & B	2'0" Cal
CLA REZ	4	<i>Clusia rosea</i>	American Yellowwood	B & B	2'0" Cal
ELC LUM	7	<i>Euterpe limicola</i>	Harpy Rubber Tree	B & B	2'0" Cal
ELC LUM	7	<i>Euterpe limicola</i>	Harpy Rubber Tree	B & B	2'0" Cal
GLE ORE	12	<i>Gleditsia triacanthos</i>	Silky Tree	B & B	2'0" Cal
GLE ORE	10	<i>Gleditsia triacanthos</i>	Silky Tree	B & B	2'0" Cal
GLA LUM	6	<i>Gleditsia triacanthos</i>	Silky Tree	B & B	2'0" Cal

[illegible]

PLANT SCHEDULE				
	QUANTITY	BOTANICAL NAME	COMMON NAME	TYPE
DECIDUOUS TREES				
ACE OBI	4	<i>Acer glabrum</i>	Parish's Maple	B&B
CHA REZ	4	<i>Chaetochloa kerriana</i>	American Yellowwood	B&B
ELC LAL	7	<i>Elaeagnus laevis</i>	Wax Leaf Rubber Tree	B&B
GLE IRE	12	<i>Gleditsia triacanthos</i>	Black Locust	B&B
JOSE COR	10	<i>Juniperus communis</i>	Common Juniper	B&B
MOE LAL	6	<i>Malus domestica</i>	Domestic Apple	B&B
SPIN LAL	10	<i>Spinacia oleracea</i>	Spinach	B&B



LOCATION OF ALL EXISTING UTILITIES TO BE DETERMINED IN THE FIELD PRIOR TO CONSTRUCTION

811

LOCATION OF ALL EXISTING UTILITIES TO BE DETERMINED IN THE FIELD PRIOR TO CONSTRUCTION

L1.0



www.bayer.com

SECTION 34, TOWN 5, RANGE 1
CITY OF OXFORD
BUTLER COUNTY, OHIO
PLANTING PLAN



N
NATIONAL ANTIMONY
COUNCIL

[illegible]



View from the center of Roberts Dr. facing west towards future development.



View from east property line north of Roberts Dr. facing north.

RECEIVED JUL - 1 2019



View from east property line north of Roberts Dr. facing south.



View from north property line facing west.



View from the north property line facing south towards future development.



View from the north property line facing southeast towards future development.

RECEIVED JUL - 1 2019



View from the west property line facing north.



View from the west property line facing east.



View from the center of the property of the future development facing east.



View from the center of the property of the future development facing south.



View from the center of the property of the future development facing north.



View from the center of the property towards the south end of the future development facing south.



View from Roberts Dr extended facing back east towards Roberts Dr.



View from the south end of the future street facing north.

RECEIVED JUL - 1 2019



View from the end of Roberts Dr. facing east along Roberts Dr.

Date: July 1, 2019
Description: South Farm Section Two
Location: City of Oxford,
Butler County, Ohio



Situated in the State of Ohio, Congress Lands West of the Miami River, Section 34, Town 5, Range 1, City of Oxford, Butler County and being the dedicated roadways of Roberts Drive West and Hoover Drive and all of Lots 3696-3708 of Replat for South Farm, Section 2 & 2A as recorded in Official Record 7959, Page 1551 of the Butler County, Ohio Recorder's Office and part of Lot 3695 of The Final Plat For South Farm, Section 3 as recorded in Official Record 7951, Page 589 of the Butler County, Ohio Recorder's Office and being further described as follows:

Beginning at the southwest corner of Lot 2892 of South Farm, Section 1 as recorded in Plat Envelope 2357, Page "A" of the Butler County, Ohio Recorder's Office and being the northwest corner of Part Lot 2821 and being the lands of Jonathan V. Lodder as recorded in Official Record 8995, Page 1056 of the Butler County, Ohio Recorder's Office and being the **True Point of Beginning**;

thence, leaving the southwest corner of said South Farm, Section 1 and with the westerly boundary of said lands of Jonathan V. Lodder, South 46° 53' 41" West, 66.01 feet;

thence, South 02° 58' 19" West, 194.10 feet to the southwest corner of said lands of Jonathan V. Lodder and being on the northerly boundary of Part Lot 2821 and being the lands of Talawanda School District Board of Education as recorded in Official Record 6978, Page 2200 of the Butler County, Ohio Recorder's Office;

thence, leaving the southwest corner of said lands of Jonathan V. Lodder and with the northerly boundary of said lands of Talawanda School District Board of Education as recorded in Official Record 6978, Page 2200 and as recorded in Official Record 7861, Page 23 of the Butler County, Ohio Recorder's Office, North 89° 04' 04" West, 432.31 feet;

thence, leaving the northerly boundary of said lands of Talawanda School District Board of Education as recorded in Official Record 6978, Page 2200 and on a new division line through said Lot 3695 for the following five courses:

- 1) North 03° 29' 39" East, 548.13 feet;
- 2) North 10° 16' 19" East, 60.00 feet;
- 3) with a curve to the left, having a central angle of 15° 37' 38", a radius of 470.00 feet, an arc length of 128.19 feet, and a chord bearing and distance of South 87° 32' 30" East, 127.79 feet;
- 4) North 17° 13' 22" West, 95.76 feet;
- 5) North 72° 46' 38" East, 211.48 feet to the easterly boundary of said Lot 3695;

thence, leaving said new division line and with the easterly boundary of said Lot 3695, South 00° 14' 28" West, 103.00 feet to the northerly right of way of Roberts Drive West;

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

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

<http://www.bayerbecker.com>

thence, leaving the easterly boundary of said Lot 3695 and with the northerly right of way of said Roberts Drive West, with a curve to the left, having a central angle of $04^{\circ} 47' 58''$, a radius of 470.00 feet, an arc length of 39.37 feet, and a chord bearing and distance of North $60^{\circ} 05' 36''$ East, 39.36 feet;

thence, through said Roberts Drive West, South $32^{\circ} 15' 47''$ East, 55.21 feet to the northwest corner of Lot 2896 of said South Farm, Section 1 and being on the southerly right of way of said Roberts Drive;

thence, leaving the southerly right of way of said Roberts Drive West and with the westerly boundary of said South Farm, Section 1, South $21^{\circ} 00' 21''$ East, 157.56 feet;

thence, continuing with the westerly boundary of said South Farm, Section 1, South $05^{\circ} 54' 52''$ East, 247.00 feet to the **True Point of Beginning** containing 291,817 square feet or 6.70 acres of land, more or less.

OLDE WINTON

CUSTOM GARDEN HOMES

HASSLE-FREE LIVING IN FAIRFIELD

Sample
Homes



**COLDWELL
BANKER**
WEST SHELL



STARTING AT ~~\$160,000~~

price
incorrect

Built by JNB Custom Homes, LLC

HOA | \$99 Monthly | Mowing | Snow Removal | Landscape Management



The Schneider Group | "Don't Make a Move Without Us"
Clare Schneider, Realtor, SRS | clare.schneider@cbws.com | 513-377-2325
Matt Schneider, Realtor | matt.schneider@cbws.com | 513-377-2326



Coldwell Banker West Shell | 9106 West Chester Towne Centre Dr | West Chester, Ohio 45069



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OLDE WINTON GARDEN HOMES

THREE MODELS AVAILABLE

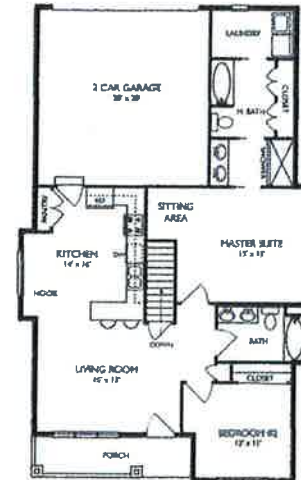
All Models | First Floor Master | 2-car Garage | 2 Full Baths
First Floor Laundry | Porch or Patio | Custom Finishes



THE BETSY

2 Bedroom | Ranch Style
Starts at approx. 1150 square feet

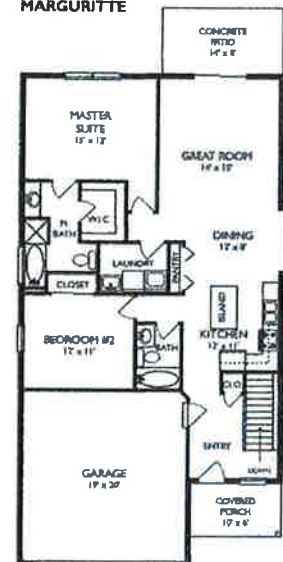
BETSY



THE MARGUERITE

2 Bedroom | Ranch Style
Starts at approx. 1210 square feet

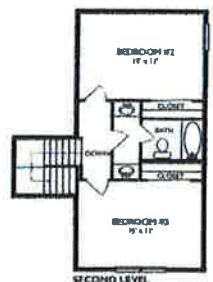
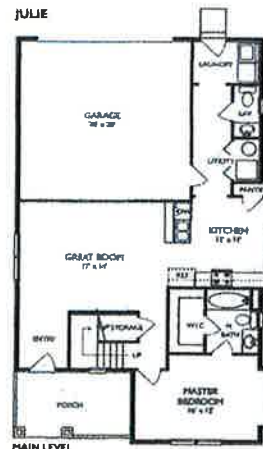
MARGUERITE



THE JULIE

3 Bedroom | 2 Story
Starts at approx. 1300 Square Feet

JULIE



Note: Bump-outs on the floor plans are extra features and not included in the base price.



MARGUERITE

2 Bedroom Ranch

Master Suite with Attached Bath

Great Room

Dining Room

First Floor Laundry

Front Entry Garage

Covered Front Porch

Rear Patio

Basement

Starts at Approx 1210 Sq Ft

~~\$99~~ per month HOA

Includes Snow Removal, Mowing
and Landscape Management

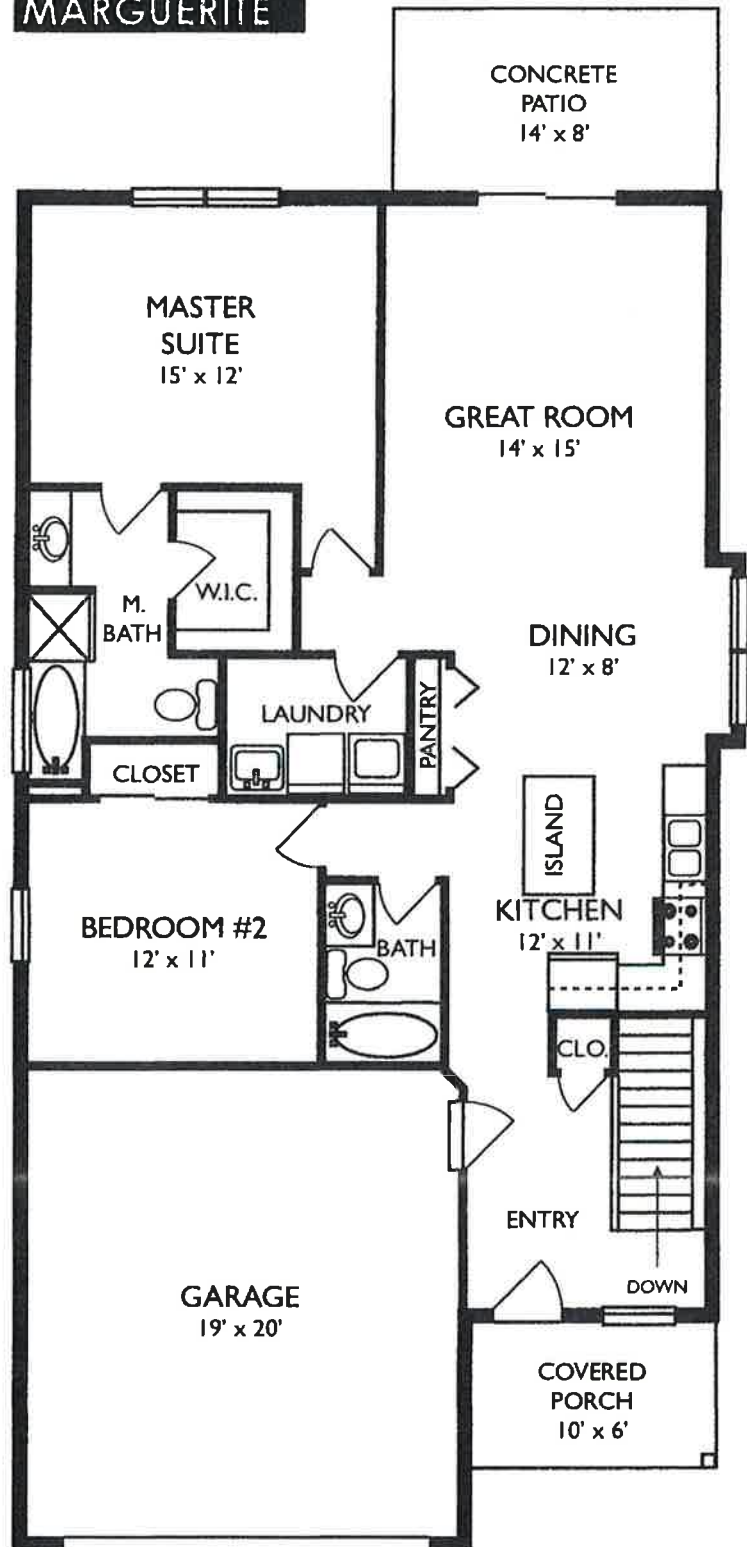
Built by JNB Custom Homes, LLC

Base Price ~~\$195,450~~

prices incorrect

Note: Bump-outs on the floor
plan are extra features and
not included in the base
price.

MARGUERITE



**COLDWELL
BANKER**

WEST SHELL







