

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-27-2008

Date – December 9, 2008
Revised – February 10, 2009

APPLICATION

Applicant:	Tim Myers
Location:	Between Contreras and Fairfield Roads
Owner:	Harry and Anna Belle Paulin
Action Request:	Preliminary Subdivision
Current Use:	Farming, agricultural
Surrounding Existing Land Uses:	Agricultural uses, retirement homes

DESCRIPTION

The Applicant is seeking approval of a preliminary subdivision to divide approximately 31.09 acres of land into 72 single-family residential lots in a R1-B (Medium Density Single Family Residential) District. The site is located between Contreras Road and Fairfield Road, directly west of the Knolls of Oxford. The development of this entire tract is divided into two development themes; one being a PUD project, the other a traditional subdivision. The entire Paulin Property, under the Annexation description, is about 54.77 acres.

This Preliminary Subdivision request is part of a newly annexed property granted in March 2008 and is located on the western half of the Paulin property. This portion is approximately 420' by 2865'. Furthermore, this new territory received municipal zoning designation October 2008 as R1B. The Application indicates this will be a two-phase development project. The first phase will consist of 11.5 acres of land for 27 home sites. The 2nd phase will be for the remaining acreage of 45 sites.

The original layout of this entire track was to dissect the parcel with a traditional subdivision plan to the west and a PUD to the east of a public roadway connecting Fairfield Road to Contreras Road. The revised plan shows an entirely different layout with the roadway being shown on the eastside of the parcel with the traditional subdivision plan occupying the north section; while the PUD occupies the southern section of the tract.

SURROUNDING NEIGHBORHOOD

The subject property was recently annexed into the City in 2008. It is bordered by the Knolls of Oxford to the east, Miami University Airport to the south, and agricultural uses to the north and east. It is the entry point into the City from the west through either Contreras or Fairfield Roads.

2008 COMPREHENSIVE PLAN

LAND USE: Manage growth to ensure small town character, green areas, and preserved farmland. The principles reflect a variety of land use topics and themes that are mutually reinforcing with respect to the framing intentions about future land use. The principles focus on long-term sustainability and the quality, pattern, character, and organization of the development. The principles also specifically address mobility and connectivity with a focus on expanding mobility choices for residents.

1. **The community's small college town character will be preserved and enhanced.**

Oxford's built environment is largely defined by a distinct land pattern of an older, smaller scale, and walk able core with a mix of uses. The community is also shaped by the presence of the Miami University Campus and expansive green spaces. This character is cherished by many local residents and distinguishes the community in a regional and historical context.

 - Future areas for growth and development will consider the essential elements of the exemplary areas of Oxford with respect to the form and pattern of development (Uptown and Mile Square), including US 27 South.
 - All rural gateways will reflect the transition from rural to small town.
 - New development and redevelopment will be sensitive to pedestrians in terms of scale and walk ability.
 - New architecture will add to the character of the community as opposed to corporate, franchise architecture.
2. **Uptown and new commercial developments will have a mix of uses that are distinctive and contribute to enhancing the community's overall identity.**

The recent residential and commercial land use pattern segregates uses from one another. This pattern of development is not conducive to creating a vibrant atmosphere where residents can live, work, and find opportunities for leisure and entertainment in the same area. Creating opportunities and encouraging new developments that include a variety of uses mixed together on the same block, or building, will help create a walk able and accessible development pattern noted by residents as desirable.

 - The city will encourage a mix of uses Uptown and areas of redevelopment and infill shown on the Conservation and Development Map.
 - Mixed-use centers will include a variety of commercial, office, and retail, civic and residential uses in the same building and/or adjacent to each other.
 - Mixed-use centers will be sensitive to the scale and character of surrounding uses and incorporate architectural elements that contribute to shaping the local identity.
3. **Infill development and redevelopment of underutilized sites is a priority.**

Oxford has a significant number of vacant sites and buildings that are detracting from the community's positive assets. Many of these sites are located within existing neighborhoods and districts. These sites should be redeveloped to enhance and serve surrounding neighborhoods and districts.

 - Specific sites will be targeted for redevelopment.
 - Reuse of vacant and underutilized sites will be encouraged prior to new development.
 - Redeveloped industrial and manufacturing sites will employ sustainable principles to mitigate any hazards that exists onsite and integrate energy efficient building design.
4. **The development of new residential areas, and redevelopment of existing residential areas, will have strong neighborhood qualities.**

The Mile Square in Oxford has a discernible center, includes numerous public spaces and is walk able and interconnected to surrounding areas.

The pattern in the community of residential growth has been to create subdivisions with a single use and building type. While many of these subdivisions have high-quality residential units and are well kept, they typically lack a real "center" and are framed by wide streets in a pattern that does not relate to the small town character.

 - Neighborhoods will be walk able with quality streets that accommodate both bicycles and automobiles, but give priority to the pedestrian experience.
 - Civic, institutional, and public spaces may be included in neighborhoods and form the physical nucleus of the neighborhoods.
 - Residential streets will be scaled to improve the pedestrian experience and character of the neighborhood.

5. Green space and public spaces will be incorporated as part of future developments.

Oxford's natural environment includes a variety of ecological systems and open spaces. Residents have a strong environmental ethic, support the protection of critical environmental areas, and desire open spaces for recreation agriculture, and protection of natural areas.

- Local watersheds are defining natural features in Oxford. The city will commit to protecting and enhancing the watersheds when development or redevelopment occurs.
- Wooded areas will be protected and integrated into new developments, and connected when possible to create a continuous open space system.
- Convenient and accessible recreational opportunities will be provided for all ages.
- Existing recreational, green space, public areas, open and natural spaces will be enhanced and new areas set aside that connect people to the natural environment and promote recreational opportunities to support active and healthy lifestyles.

6. Future growth at the edge of the city will preserve open space, protect the area's rural character, and be consistent with the other principles.

Unplanned growth on the edge of the city can compromise the area's rural character and viewsheds. Low-density growth on the city's periphery can also add to the cost and demand for community services, potentially creating fiscal hardships.

- New growth on the edge of the community will not compromise the rural landscape or the community's small town character.
- Open space and land currently in agricultural use will be strategically protected when and where appropriate.
- Public investments, e.g. roadways, will be improved in a manner that strengthens the rural character.
- Initiatives will be pursued (i.e., open space subdivision design) to protect the rural character.
- All development on the edge of the city will be carried out in consideration of township policies.

7. New commercial and light industrial developments will be developed with pedestrian amenities and green spaces.

Historically, commercial and industrial areas have been developed primarily in single-use strip developments along corridors. This pattern does not respond contextually to the surrounding neighborhoods and districts. These areas have typically been auto-oriented, with parking facing the street. Large-scale commercial centers or buildings have also been developed with only the immediate use considered. This practice has created barriers and added cost to redevelopment efforts.

- Smaller retail uses serving the local or neighborhood market will reflect the character of Oxford and be compatible with surrounding uses with respect to form, scale, and character.
- Large and small retail developments will be sited in a manner that is pedestrian-friendly with parking to the rear of the structure.
- Large format retail will be developed in a pattern that accommodates redevelopment (such as installing utilities that are mindful of how a parcel may be redeveloped).
- Utilities, roadways, and parking areas will be developed in commercial and industrial areas to support future reuse.
- Commercial and industrial parking areas will incorporate vegetation, walkways, and signage to facilitate pedestrian mobility.

8. Streets will create an attractive public realm.

Many local streets are designed primarily to facilitate the movement of automobiles. The scale (width) of some local streets encourages a higher rate of travel for motorists and creates a large distance between building fronts, which can detract from the pedestrian experience and small town character.

- New streets, and improvements to existing streets, will enhance the public realm through landscaping, bicycle and pedestrian design elements, and through a scale that enhances the nature of the district or neighborhood without compromising the safety of motorists.
- Roads in rural areas will complement the character of rural areas (i.e., width, setbacks, landscaping/buffers).
- Commercial buildings will be situated on site to define a high quality streetscape, including locating structures close to the street and placing parking in the side or rear yard whenever possible.

9. Places will be connected to create better opportunities to walk, bike and access public transportation throughout the community.

As part of the Plan Update, residents voiced an interest in increasing opportunities for making trips via walking, biking and public transit. Currently there are opportunities to walk easily within parts of the community, but more could be done to accommodate bicyclists. Improving the opportunities for biking will in turn discourage trips via the automobile.

Creating an interconnected street pattern will offer more options for residents to arrive at their destinations, potentially decreasing travel, reducing congestion and improving wayfinding. It will also create opportunities for walking and biking by better connecting neighborhoods and districts.

- The road pattern will be improved to keep local traffic off major arterials and high-speed through traffic off local streets.
- A connected grid street pattern, or modified grid system, is the preferred network for future development and redevelopment.
- Well-connected streets will be designed to facilitate walking.
- Bike paths and walking paths will be integrated into new development and areas undergoing redevelopment.

10. Environmentally sensitive and sustainable practices will be encouraged in future developments.

The community has a high level of environmental awareness that was reflected in the input received at public workshops. Residents desire to employ creative and sustainable choices as part of future growth.

- New construction will employ context sensitive design to reduce impacts on existing site features and the natural environment.
- Green building practices will be encouraged to minimize the consumption of resources, employ recycling of building materials, and promote quality indoor living and working environments for Oxford residents.
- Green stormwater and graywater management options will be implemented to retain and reuse stormwater to reduce surface runoff, which may have negative impacts on the watershed.

OBJECTIVES

1. Manage growth.
2. Enhance neighborhoods within the Mile Square.
3. Continue to enhance Uptown.
4. Promote new areas for light industrial and manufacturing, research and development, and office space.
5. Support the redevelopment of commercial areas along Locust Street.
6. Redevelop the U.S. 27 North corridor in a planned coordinated manner.
7. Preserve open space and farmland, and expand existing open space areas.
L.U. 7.6 Implement alternative cluster style subdivision development to encourage preservation of natural areas and farmlands as areas are developed
L.U. 7.8 Connect open and natural areas when possible
8. Expand urban green space.
L.U. 8.2 Require trees and landscaping in future subdivision and commercial properties

- L.U. 8.3 Beautify major corridors
- 9. Create new residential areas with traditional neighborhood qualities.
 - L.U. 9.1 Require all new subdivisions to complete a master plan, with an emphasis on protecting natural areas, and creating new parks and open spaces
 - L.U. 9.2 Consider permitting small-scale neighborhood commercial services as part of large-scale master plan development
 - L.U. 9.3 Create standards that require high quality pedestrian streets with sidewalks, street trees, adequate lighting, and tree lawns in newly developed residential areas
 - L.U. 9.4 Create standards, or modify existing standards, to allow for a mix of housing types within neighborhood
 - L.U. 9.5 Encourage connections among neighborhoods via roads, sidewalks and multi-use paths
- 10. Be a leader in environmental stewardship.

URBAN DESIGN: Honor and preserve the historic character and quality of Oxford while embracing high quality, which compliments existing developments.

Objective

- 1. Enhance the beauty and character of Oxford.
 - U.D. 1.6 Promote walkability and connectivity in new development
- 2. Continue to preserve the local rural heritage.
 - U.D. 6.1 Preserve the scenic quality of the rural landscape by defining the edge of the community

TRANSPORTATION: A quality, accessible transportation system with alternative forms of transportation for a diverse population, improved infrastructure, adequate parking, bikeways, and efficient traffic management.

Objective

- 1. Facilitate the flow of traffic in and around the City.
 - T 1.3. Require new large-scale developments to pay for independent traffic impact studies
 - T 1.6. Improve connectivity between areas within the City
- 2. Promote alternative modes of transportation.
 - T 2.4. Create connections between subdivisions and destinations to improve mobility, promoting a wider pedestrian and bicycle network throughout Oxford

SUBDIVISION REGULATIONS

1101.03 JURISDICTION AND PROCEDURE

- (a) No person being the owner, agent or person having control of any land within the City shall subdivide such land into lots unless by a plat, in accordance with the regulations contained herein.
- (b) The design and layout of all subdivisions shall conform with the requirements of Section 1101.05. The subdivision shall submit a preliminary plan for the entire subdivision and final plat, for each section, in accordance with the specifications of Section 1101.04.

1101.04(a) DATA REQUIRED UPON PRELIMINARY PLANS, FINAL PLATS AND ENGINEERING DRAWINGS

- (a) Preliminary Plan Whenever any person desires to subdivide land into lots, ten copies of the preliminary sketch plan are submitted to the Planning Commission before submission of the final

plan. Plats containing less than three lots are exempted from the provisions of this section. The preliminary plan shall show:

- (1) Vicinity sketch showing general location in the City.
- (2) The location of present property and section lines, streets, buildings, lakes, watercourses.
- (3) Size and tract in square feet and acres and boundary lines.
- (4) Any existing water mains, culverts, sewer lines and streets within the tract or immediate adjacent thereto. The location and size of the nearest water main and sewer line are to be indicated in a general way upon the plat.
- (5) The proposed location and width of streets, alleys, lots, buildings and setback lines and easements.
- (6) The title under which the proposed subdivision is to be recorded and the name of the subdivider and owner if other than the subdivider platting the tract.
- (7) The names and boundaries of all adjoining subdivisions and the names of recorded owners of adjoining parcels of unsubdivided land.
- (8) North point, scale and date.
- (9) Contours with intervals of five feet or less referred to U.S.G. S. datum and obtained from a field survey.
- (10) Name and seal of the Registered Engineer who prepared the plan.
- (11) The plan should evaluate existing watercourses, channels, storm sewers, culverts and proposed improvements pertaining to drainage and flood control in regard to their ability to handle the anticipated greater volume of run-off and peak flows.

ANNEXATION AGREEMENT

The owners and the City entered into an annexation agreement to outline expectations and responsibilities of each party. Those responsibilities are expected to be fulfilled by subsequent developer(s). Several key features from this agreement are provided and are the basis of some of the staff analysis for the Commission's consideration. The entire Agreement is also attached for your reference.

- (1) The City agrees to annex the property into the City.
- (2) The zoning application for this property will seek to rezone the Property to R1B.
- (3) The City agrees to make municipal water service available to the Property for future development. The cost to connect to the existing nearest municipal water service to the Property will be the City's responsibility. The owners shall pay for the running of any lateral.
- (4) The Owner shall extend the municipal water line serving the property to the west property line to allow the future extension of the municipal water service to the adjoining property at the earlier of any development of the Owners property that encompass forty percent (40%) or more of the area of the Property, or at the time of a Phase II development.
- (5) The Owner shall extend the municipal sanitary sewer line servicing the Property to the west property line to allow the future extension of the municipal sanitary sewer service to the adjoining properties at the earlier of any development of the Owners' property that encompasses forty percent (40%) or more of the area of the Property or at the time of a Phase II development.
- (6) The Owner shall conduct a traffic impact study for the development of the Property prior to submitting any subdivision request to the Oxford Planning Commission for review. The Owners are responsible for the signalization of the entrance/entrances as determined by the Service Director, based on the traffic impact study for the development of the Property.
- (7) It is the owners' responsibility to ensure the drainage easement at the Property serving the adjoining property to the west be maintained and respected.

- (8) The Owners agree to dedicate sufficient right-of-way to construct an acceleration/deceleration lane at Fairfield Road and Contreras Road entrances to the Properties.
- (9) The Owners are required to dedicate a bike trail/path through this property to connect Fairfield Road to Contreras Road. The land dedicated for the bike trail/path right of way shall be a minimum of 20 feet with pavement width being 10'. Said right-of-way shall be located on the 20 feet immediately adjacent to the west property line of the Property.

SITE HISTORY

July 1998 The City entered into an agreement with the Owners for the use of their land in connection with the development of the Knolls of Oxford.

August 2006 An Annexation petition was filed by the Applicant, on behalf of the Owners, requesting the property be annexed into the City.

July 2007 An Annexation agreement was entered between the City and the Owners.

August 2007 A Roadway Agreement was executed between the City and the Butler County Engineering Office

March 2008 An Annexation petition requesting the property to be annexed into the City was granted.

October 2008 A Zoning Change request was granted from the County's Agricultural Zone to R1B District

AGENCY COMMENTS

Requests for comment were sent to the Police, Fire and Engineering office. The returned comments are attached for your consideration.

ANALYSIS

The revised layout is different from the original submission before the Planning Commission in December, 2008. The Applicant was also given the opportunity to present a revised site layout during the January Planning Commission meeting. The revised layout seems to address many concerns the Commission had. Therefore, the Applicant brought back the revised plan for Planning Commission's formal consideration.

The revision shows the subdivision plan occupying the northern section of this newly annexed area. The following analysis is the review comments based on the revised layout as attached to this updated staff report.

The site is being proposed to utilize the open space cluster development regulations to provide a minimum of 20% of total area for open space. The acreage of set aside open space is approximately 6.62 acres. The revised site is about 32.1 acre of land and shows to have 77 single-home sites.

SUBDIVISION REGULATIONS: Issues that are identified by Staff, based on the Oxford Subdivision Regulations are outlined below for the Planning Commission to consider and to request the Applicant provide further clarifications:

~~1101.04(a)(4) — Size and tract in square feet and acres and boundary lines~~

~~**Staff Analysis:** It would appear that most of the lots meet the minimum requirement of the underlying zoning district. However, Lot #1, Lot #17, Lot #20, Lot #27, Lot #41, Lot #44, Lot #58 and Lot #59 do not meet the minimum lot width. Furthermore, it would appear that all the lots meet the minimum lot size requirement, even though there is no square footage information shown on the submittal.~~

1101.04 (a)(11) The plan should evaluate existing watercourses, channels, storm sewers, culverts and proposed improvements pertaining to drainage and flood control in regard to their ability to handle the anticipated greater volume of run-off and peak flows.

Staff Analysis: *The revised site plan outlines an area for storm water retention purpose, approximately 3.47 acre in size. Additionally, the existing watercourse from the adjoining property to the west has been extended and incorporated as part of the open space to discharge into the above mentioned pond area. The revised site plan indicates that a Homeowner's Association be created for the maintenance of the drainage easements, the open space and retention pond. Staff is unclear whether the open space/retention could satisfy the additional surface runoff from this development, along with the perpetual drainage easement obtained by owners to the property immediately to the west of this tract of land. It is critical that there is some assurance from the Engineering Office as well as the Project Engineer that this matter would be satisfied.*

11101.05(c) (1) No block shall be longer than 1,200 feet. Where blocks are over 1,000 feet in length, a public walkway which traverse the block may be required to be dedicated and installed by the subdivider. The easement for such traverse walks shall be at least ten feet in width and any paved walking surface shall conform with City Standards.

Staff Analysis: *The middle block in this subdivision is over 1,300 feet and needs to provide a minimum 10' wide dedicated public walkway. A sidewalk is only provided on one side of the proposed connecting roadway with 8' path. .*

1101.05 (d)(2) All side lines of lots shall be at right 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. Lots having sides should avoid having street frontage on front and rear.

Staff Analysis: *Based on the submittal, there are about 42 lots that have street frontage on front and rear. The application does provide some remedies to minimize this issue by proposing mounding/landscaping along the rear of these lots. Additionally, there are four (4) lots having three street frontages. It is unclear whether proposed open spaces #2 and #3 is encumbered by each individual lot or is considered as a stand-alone parcel. There would be no double frontage issue if open spaces #2 and #3 were stand-alone parcels.*

1101.05(d)(5) When necessary, easements of at least ten feet in width shall be provided on each side of all real lot lines and along side lot lines for poles, wires, conduits, storm and sanitary sewers, gas, water or other utilities or where both water and sewer lines are located in the same easement. The total minimum width of all other utility easements shall be twenty feet.

Staff Analysis: *The utility easements are to be 20' in width. Several sanitary easements shown on the plan only are 10' in width. Additionally, Lot #18, Lot#19, Lot#42, Lot#43 do not have 20' easements to the west of the property. The revised layout shows a combined easement to be 20' in the rear of proposed lots. However, there is an inconsistency between the utility easement in front of each lot. Some has 20' and most of the proposed lots have a 10' utility easement.*

1101.05(b) *Street Classification. The classification of all proposed streets shall be determined by the Planning Commission and shall conform to the official City Major Street Plan. The proposed use of the street type of traffic and future traffic volume shall also be considered in determining the classification of a street.*

Street Classification

- (1) Major streets
- (2) Collector streets
- (3) Local streets
- (4) Cul-de-sacs

The revised plan shows that all main roads to be 66' in right-of-way width. All local streets have the right-of-way width to be 50 feet.

Staff Analysis. *All local streets are required to have a 60' right-of-way width. A typical section is incorporated in the Subdivision Regulations by reference as part of the standards, Chapter 1101.05(h). Additionally, the Applicant only proposed to build sidewalk on one side of all the local streets.*

The plan does not show any sidewalk along Fairfield Road or Contreras Road in front of this subdivision project. Furthermore, a temporary turn-around would be needed at the terminus of the two streets connecting to the property to the west in the future.

ANNEXATION AGREEMENT REQUIREMENTS: Several issues that were agreed to in the Annexation agreement that are not shown on this application and require the Planning Commission's consideration when deliberating its recommendations are:

- A. Traffic Impact Study: The agreement stipulates that a traffic impact study shall be conducted prior to submitting any subdivision request to the Planning Commission for review. No traffic study was completed to be reviewed by the Service Director. A copy of the traffic impact study was forwarded to the Engineering Office since December, 2008. No response has been provided has been received.
- B. Acceleration/deceleration lanes at Fairfield and Contreras Road entrances. The application does not show any dedication of sufficient right-of-way to construct an acceleration/deceleration lane to the property.
- C. Bike trail/path: A bike trail/path through this property to connect Fairfield Road to Contreras Road. The land dedicated for the bike trail/path right-of-way shall have a minimum width of 20 feet, with pavement being 10 feet in width. This shall be located twenty (20) feet immediately adjacent to the west property line.
- D. The drainage easement at the property serving the adjoining property to the west shall be maintained and respected.

Staff Summary: *The revised plan shows the layout utilizing the open space cluster development pattern as outlined in Chapter 1101.07.. There are five (5) open space areas designed in the plan. The size of these open space areas range from 0.07 acres to 3.47 acres. However, the smallest open space does not meet the minimum area size (50' by 50') for open space purposes. The proposed layout still meets the requirement of 20% of the site for open space purposes.*

There are not many setbacks stipulated within the Open Space Cluster Development, other than distancing between proposed buildings, as well as the minimum front setback. It appears that each proposed lot would have sufficient space to house a decent sized home.

The Annexation Agreement requires for the path to be located on the western side of the track with a minimum 20' wide and 10' pavement width. The revised plan shows a 20' path partially on the eastern side of the property line. This 20' does not extend to the full length of this annexed area. Furthermore, the width of the proposed multi-use path is only 8' wide.

The local streets are to be 50' in width (right-of-way) which is less than the standard width. There are instances that such narrow streets may create safety concern. Additionally, a sidewalk is only proposed on one side of the street throughout this subdivision submission.

The plan also shows several connecting sidewalks from the residential portion to the multi-path to allow future residents to take advantage of the multi-path. The Applicant also indicated that additional right-of-way would be dedicated along Fairfield and Contreras Roads from the current 33' to 40' to the centerline.

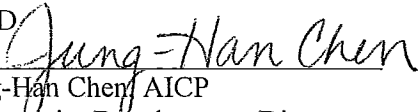
It would appear that the revised site plan is nearly identical to the concept plan that was presented to the Planning Commission during the January meeting. Several modifications need pointed out to be deliberated by the Commission: the right-of-way widths of the local streets, that the additional open space will be maintained by the Homeowner's Association. The issue of a multi-purpose path is also an issue that needs to be discussed. The creation and covenants of the future Homeowner's Association must be reviewed and approved by City Legal Counsel.

RECOMMENDATION

It is encouraging that the Applicant is utilizing the Open Space Cluster Development regulations for this subdivision. However, the issue of sidewalks, the location and the width of the multi-use path, the right-of-way width for local streets need addressed.

SUBMITTED

BY:


Jung-Han Chen AICP
Community Development Director

DATE: January 29, 2009

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 1/30/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-27-2008

Description:

PC-27-2008 **PRELIMINARY SUBDIVISION**, Myers Subdivision, to divide 31.09 acres into 72 lots in an R1B (Single-family medium density residential) district located between Contreras and Fairfield Roads, **Tim Myers, Applicant (Tabled)**

☒ Review ☐ Revisions ☐ Other

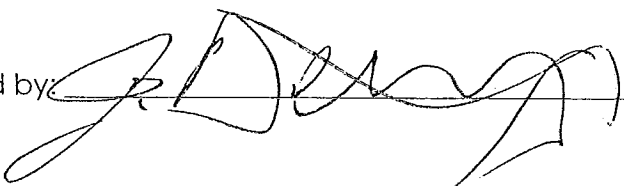
Comments or status update requested by: Lynn Taylor

Please return no later than: **2/5/2009** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

These are revised plans

Drawings reviewed by: 

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 1/30/2009

To: Fire Department Engineering Division Police Department Economic Development

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☒ Review ☐ Revisions ☐ Other

Comments or status update requested by: Lynn Taylor

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.....

Drawings are returned: w/comments without/comments

SEE MEMO DATED 2-4-09

✓ These are revised plans

Drawings reviewed by: *A. P. [Signature]*



Memo

Service Department
Engineering Division

513/524-5208 fax 513/524-5267

TO: Community Development Department

FROM: Victor Popescu, P.E.
City Engineer

RE: Case # PC-27-2008
Myers Subdivision

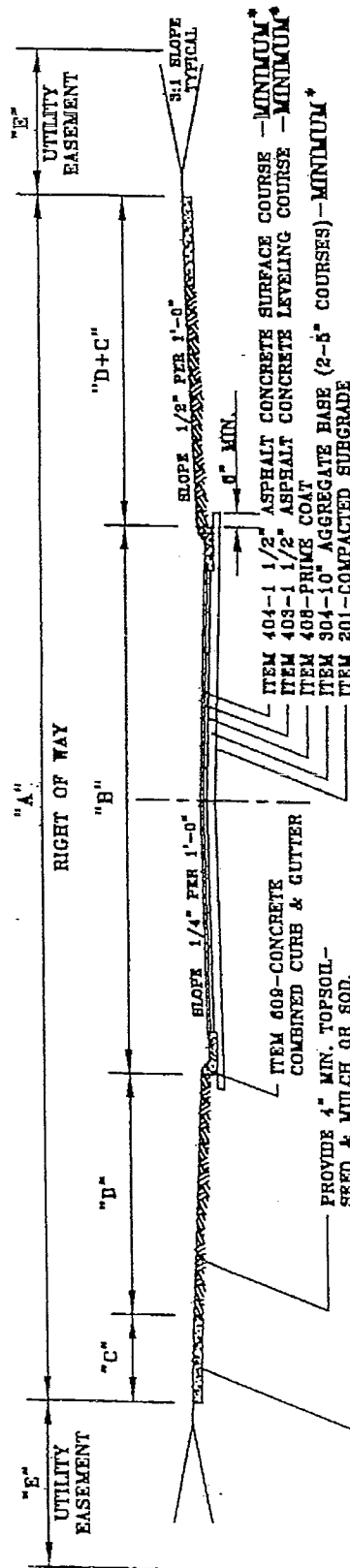
DATE: February 4, 2009

Below are the Engineering Division's comments on the submitted Preliminary Plan dated January 23, 2009.

- All water mains shall be located under the roadway pavements. Reference is made to Standard Drawing #1, Utility Typical Section, copy attached.
- Consider looping the water mains in the two (2) cul-de-sacs, and the east - west street just west of the detention pond.
- All "Local Streets" require a 60' right-of-way. Refer to the attached standard drawing.
- The street connecting Fairfield Road with Contreras Road is classified as a "Collector Street". Refer to the attached standard drawing, specifically the width of pavement.
- The cul-de-sacs must meet City design standards. Refer to the attached standard drawing, specifically the cul-de-sac radius.
- Are acceleration/deceleration lanes proposed for the subdivision's entrance from Contreras Road and Fairfield Road? Please note that the posted speed limit on Fairfield Road is 45 MPH.

- Note should be taken of the existing perpetual drainage easement that transverses the proposed development from west to east. The easement is for field tiles that serve to carry surface water across the proposed development. The proposed subdivision shall not negatively impact the integrity of the drainage.
- A storm sewer is proposed between Lots 1 & 2. The plan shows this storm discharging into the perpetual drainage easement. Is there another pond proposed for the discharge area?
- A culvert is proposed to connect the perpetual drainage area and the proposed pond, northeast corner of the property. What does this culvert serve? Is the culvert carrying the water that is being discharged from the storm sewer that runs between Lots 1 & 2?

If there are questions, please contact the Engineering Division at 513-524-5208.



*PAVEMENT THICKNESS LISTED TO BE MINIMUM ALLOWED. ACTUAL PAVEMENT DESIGN TO BE BASED ON CALIFORNIA BEARING RATIO (CBR) VALUE OF SOIL IN THE IMMEDIATE DEVELOPMENT AREA. A MINIMUM OF ONE SOIL BORING SHALL BE TAKEN FOR EVERY 1000' OF ROADWAY IN THE SOIL MATERIAL THAT IS REPRESENTATIVE OF THE STREET SUBGRADE.

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

BEFORE THE PLACEMENT OF ASPHALT COURSES, THE BASE COURSE SHALL BE PROOF ROLLED UNDER THE PRESENCE AND SUPERVISION OF THE CITY OF OXFORD IN ACCORDANCE WITH ITEM 504 OF THE MOST CURRENT EDITION OF THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION CONSTRUCTION MATERIAL AND SPECIFICATIONS MANUAL. IF ASPHALT COURSES ARE INSTALLED WITHOUT PROOF ROLLING IN THE PRESENCE OF A CITY INSPECTOR, THE STREET WILL NOT BE ACCEPTED BY THE CITY.

MINIMUM

A	60'
B	35'
C	5'
D	5'
D&C	10'
E	10'

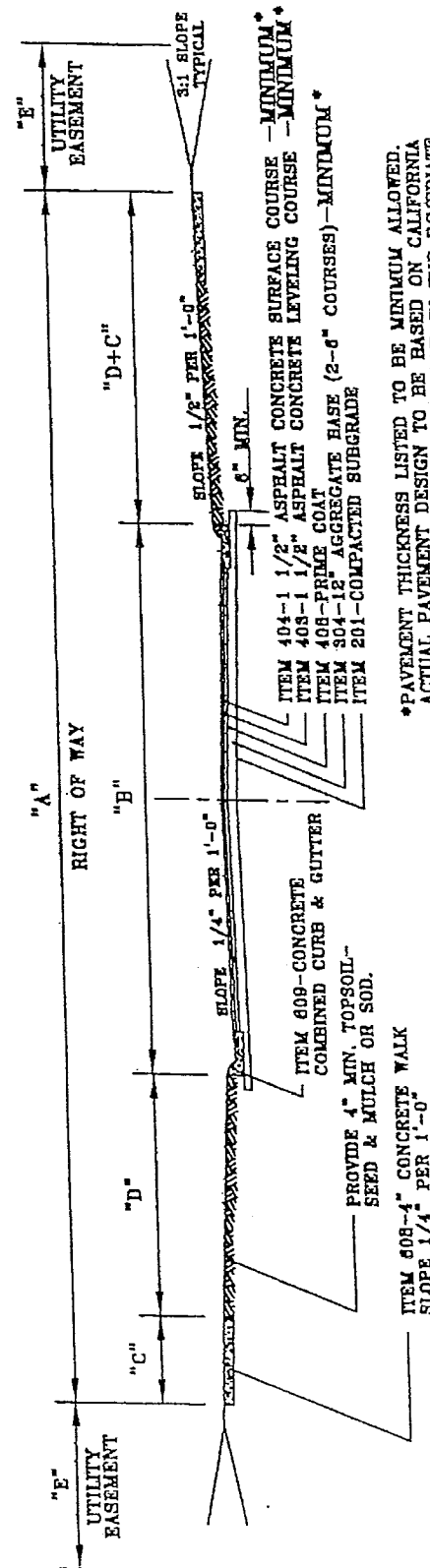
REQUIRED STANDARD DIMENSIONS

*SUBDIVISIONS/PUD'S WITH PRELIMINARY APPROVAL PRIOR TO MARCH OF 1997 ARE SUBJECT TO STANDARDS IN EFFECT AT THE TIME OF APPROVAL.

City of Oxford
Engineering Department

LOCAL STREET
TYPICAL SECTION

STANDARD DRAWING #3



*PAVEMENT THICKNESS LISTED TO BE MINIMUM ALLOWED. ACTUAL PAVEMENT DESIGN TO BE BASED ON CALIFORNIA BEARING RATIO (CBR) VALUE OF SOIL IN THE IMMEDIATE DEVELOPMENT AREA. A MINIMUM OF ONE SOIL BORING SHALL BE TAKEN FOR EVERY 1000' OF ROADWAY IN THE SOIL MATERIAL THAT IS REPRESENTATIVE OF THE STREET SUBGRADE.

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

BEFORE THE PLACEMENT OF ASPHALT COURSES, THE BASE COURSE SHALL BE PROOF ROLLED UNDER THE PRESENCE AND SUPERVISION OF THE CITY OF OXFORD IN ACCORDANCE WITH ITEM 304 OF THE MOST CURRENT EDITION OF THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION CONSTRUCTION MATERIAL AND SPECIFICATIONS MANUAL. IF ASPHALT COURSES ARE INSTALLED WITHOUT PROOF ROLLING IN THE PRESENCE OF A CITY INSPECTOR, THE STREET WILL NOT BE ACCEPTED BY THE CITY.

MINIMUM

A	68'
B	41'
C	5'
D	7.5'
D&C	12.5'
E	10'

REQUIRED

STANDARD DIMENSIONS

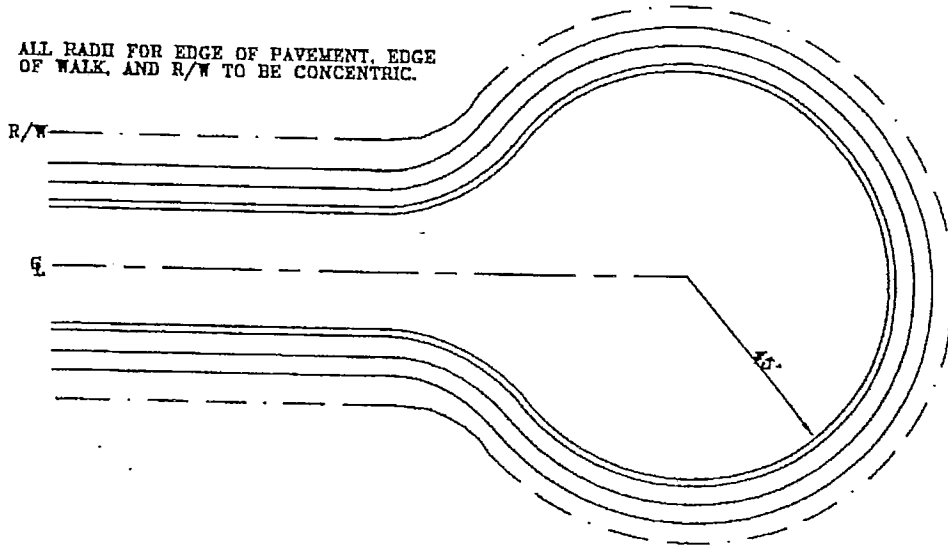
*SUBDIVISIONS/PUD'S WITH PRELIMINARY APPROVAL PRIOR TO MARCH OF 1987 ARE SUBJECT TO STANDARDS IN EFFECT AT THE TIME OF APPROVAL.

City of Oxford
Engineering Department

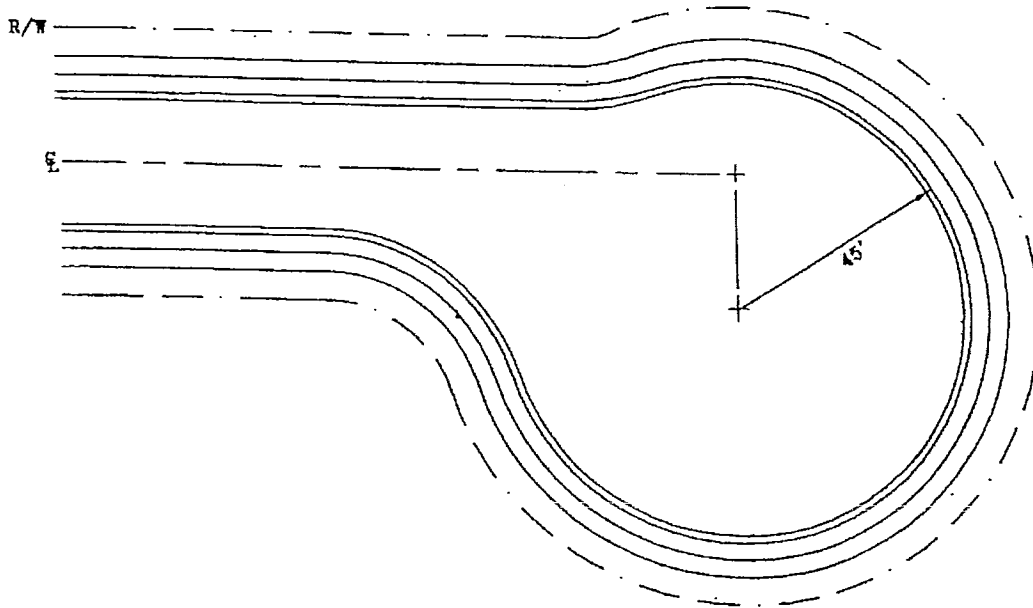
COLLECTOR STREET TYPICAL SECTION

STANDARD DRAWING #4

ALL RADII FOR EDGE OF PAVEMENT, EDGE
OF WALK, AND R/W TO BE CONCENTRIC.



ALL RADII FOR EDGE OF PAVEMENT, EDGE
OF WALK, AND R/W TO BE CONCENTRIC.



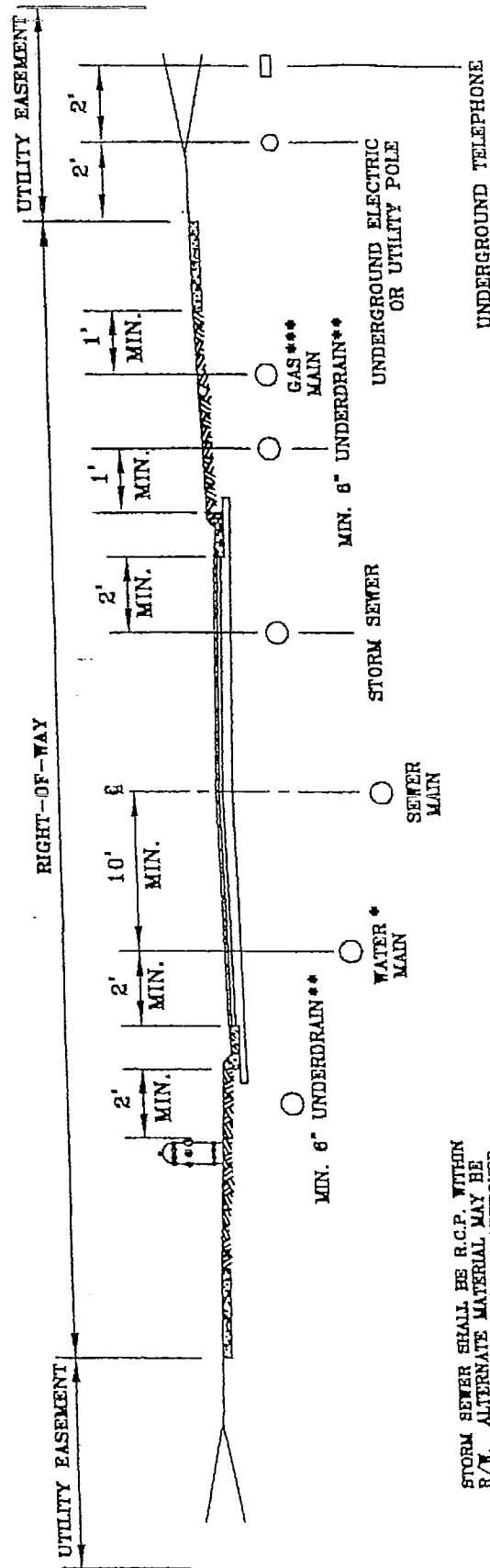
MAXIMUM CUL-DE-SAC LENGTH SHALL BE 600'

City of Oxford
Engineering Department

TYPICAL CUL-DE-SAC
DETAILS

STANDARD DRAWING # 8

1998 Replacement



UTILITY	MINIMUM COVER
STORM DRAIN & CROSS DRAIN (MIN. 15" R.C.P.)	2'-0"
GAS MAIN	2'-0"
UNDERGROUND ELECTRIC & TELEPHONE CONDUITS	2'-6"
WATER MAIN	4'-0"
SEWER MAIN	4'-0"
6" UNDERDRAIN	2'-0"

* CAN BE LOCATED ON EITHER SIDE OF STREET AND MAINTAINED ON THE SELECTED SIDE FOR THE ENTIRE DEVELOPMENT IF POSSIBLE.

** UNDER DRAIN TO BE USED FOR DOWN SPOUT, SUMP PUMP, & FOOTER DRAIN TIE-INS

*** GAS MAIN CAN BE LOCATED ON EITHER SIDE OF STREET

City of Oxford
Engineering Department

UTILITY TYPICAL SECTION

STANDARD DRA #1

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 1/30/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-27-2008

Description:

PC-27-2008 **PRELIMINARY SUBDIVISION**, Myers Subdivision, to divide 31.09 acres into 72 lots in an R1B (Single-family medium density residential) district located between Contreras and Fairfield Roads, **Tim Myers, Applicant (Tabled)**

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **2/5/2009** Note: If no comments are received, we will assume the project meets your department's standards.

.....

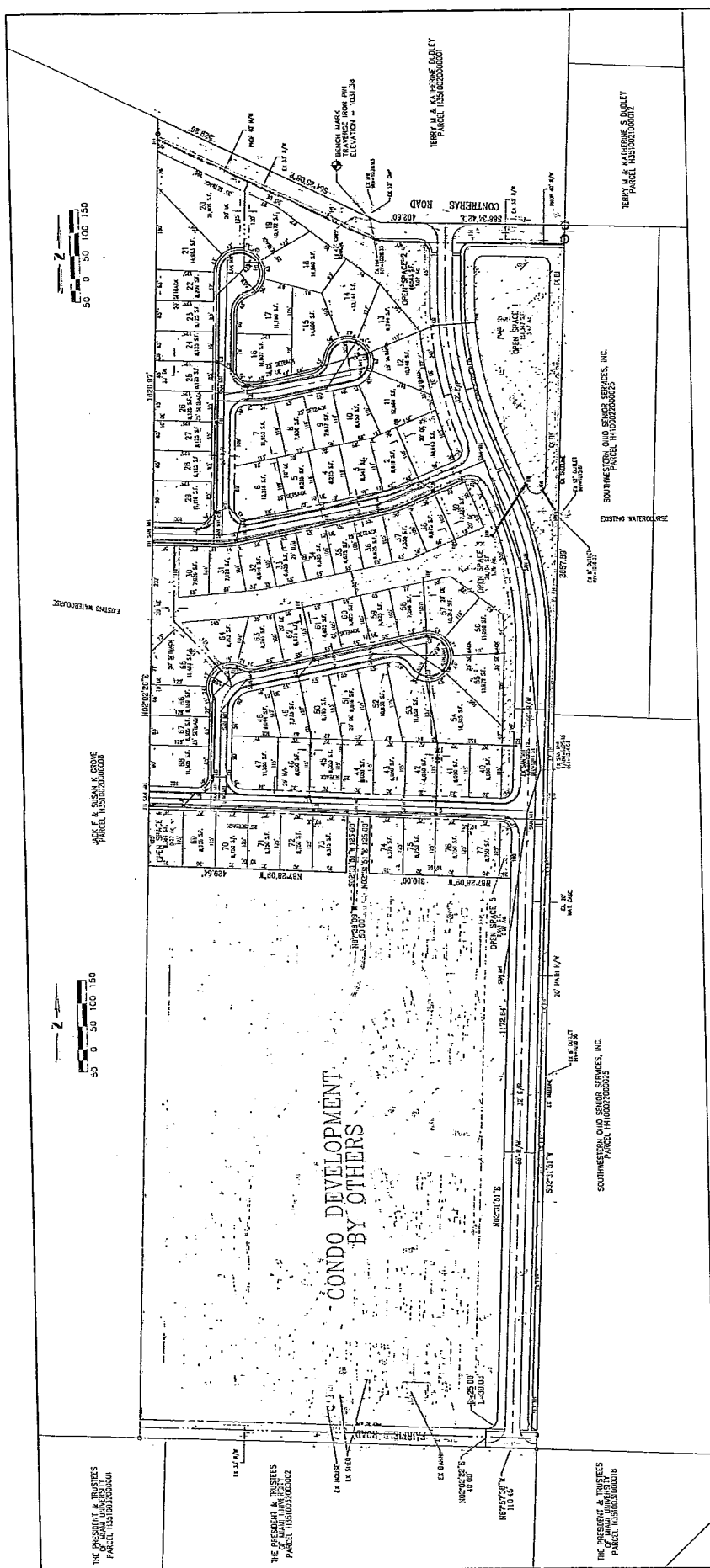
Drawings are returned: w/comments without/comments

These are revised plans

Drawings reviewed by: SS Stulen

My only concern is street width so that we don't end up w/another Kelly Drive.

My only concern is street width so that we don't end up with another Kelly Drive.

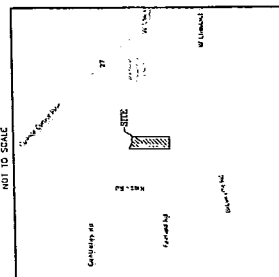


DEVELOPER
SOUTHWESTERN OHIO SENIOR SERVICES, INC.
11100 W. 10TH AVE., SUITE 100
CINCINNATI, OH 45240
(513) 553-3181

SUBDIVISION SITE INFORMATION

PROPERTY AREA: 31.12 AC.
TOTAL AREA: 31.12 AC.
OPEN SPACE: 1.57 AC.

VICINITY MAP
NOT TO SCALE



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

APEX
ENGINEERING & SURVEYING, INC.
11100 W. 10TH AVE., SUITE 100
CINCINNATI, OH 45240
(513) 553-3181

DATE: JAN. 24, 2003
PROJECT: OXLEY
SHEET: 1 OF 1

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



City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-01-2009

Date – February 10, 2009

APPLICATION

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

DESCRIPTION

This application is seeking to amend the Oxford Zoning Code by adding an additional provision governing the temporary use category with respect to the placement and the duration of placing any portable storage containers within the City.

This request was directed by City Council after several complaints were filed regarding temporary storage containers being placed in the Right-of-Way as well as on private properties for long periods. It is also unclear in the current code as to how to regulate this type of temporary storage container.

STAFF ANALYSIS

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

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

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

DECISION CRITERIA

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

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

RECOMMENDATION

Not Applicable

SUBMITTED

BY: Jung-Han Chen

Jung-Han Chen, AICP

Director

Community Development Department

DATE: January 26, 2009

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 1/29/ 2008

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-01-2009

Description:

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

____X____ Review _____ Revisions _____ Other

Comments or status update requested by: Lynn Taylor

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

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:

_____

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 1/29/ 2008

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

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-01-2009

Description:

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

_____X_____ Review _____ Revisions _____ Other

Comments or status update requested by: Lynn Taylor

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

.....

Drawings are returned: w/comments without/comments

SEE MEMO DATED 2-4-09.

Drawings reviewed by: *A. P. Rescu*



Memo

Service Department
Engineering Division

513/524-5208 fax 513/524-5267

TO: Community Development Department

FROM: Victor Popescu, P.E.
City Engineer

RE: Case #: PC-01-2009
Zoning Text Amendment

DATE: February 4, 2009

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

- At times, due to the location of permanent structures on certain lots, a Portable Storage Container may encroach upon the right-of-way. It is suggested that in such cases the property owner be subject to a right-of-way permit.
- Under no circumstances may a Portable Storage Container be placed over utilities that are located within an easement.
- A Portable Storage Container shall be located such that it will not obstruct the sight distance.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 1/29/2008

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-01-2009

Description:

PC-01-2009

**ZONING TEXT AMENDMENT, Chapter 1141, Section 1141.02(c) Permitted
Temporary Uses, Portable Storage Containers, City of Oxford, Applicant**

☒ Review ☐ Revisions ☐ Other

Comments or status update requested by: Lynn Taylor

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

Drawings are returned: w/comments without/comments

Drawings reviewed by:

J. Sewer

See next page

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

Transcribed from Chief Schwein's Comments:

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

ORDINANCE NO.

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

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

SECTION I: Council hereby finds that the City of Oxford Planning Commission held a public hearing on _____, 2008 and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Section 1141.02, Uptown District, and adopting new Section 1141.02, Uptown District.

SECTION II: Council hereby repeals Section 1143.10 of the Oxford Code of Ordinances and adopts new Section 114.02 as follows:

1 141.02 TEMPORARY REGULATIONS.

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

(b) General Provisions.

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

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

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

(1) Uses.

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

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

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

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

- E. Real estate sales offices and/or model homes shall be permitted in any district provided that a preliminary plat for such development has been approved by Council. Any such unit shall conform to all requirements for residential uses for the district in which it is located. Maximum length of permit shall be one year. Offices shall be removed upon completion of the development of the subdivision.
- F. Tent meetings are permitted in any district other than Residential Districts. Maximum length of permit shall be seven days.
- G. Seasonal merchandise, such as plants, garden supplies, pumpkins, fruit, vegetables, etc., may be sold outdoors within the General Business, and Light Industrial District. Permits will be for a 60-day period and must be renewed if longer duration is desired, for a maximum of two renewals. Such activities shall be placed in such location that will not interfere with access drives into or within the site, nor will reduce space for required off-street parking facilities. Such facilities shall maintain a 30-foot setback from all adjacent thoroughfare rights-of-way.
- H. Searchlights drawing attention to the event are prohibited.
- I. The temporary outdoor sales of handcrafted items and artwork are allowed only in conjunction with a temporary event except as otherwise provided by this section.
- J. Temporary Shelter: When fire or natural disaster has rendered a single-family residence unfit for human habitation, the temporary use of a mobile home located on the single-family lot during rehabilitation of the original residence or construction of a new residence is permitted subject to the following additional requirements.
 - 1. Required water and sanitary facilities must be provided.
 - 2. Maximum length of permit shall be six months, but the zoning office may extend the permit for periods not to exceed 60 days in the event of circumstances beyond the control of the owner. Application for extension shall be made at least 15 days prior to the expiration of the original permit.
 - 3. The mobile home shall be removed from the property upon issuance of any occupancy permit for the new or rehabilitated residence. The applicant shall be required to provide express consent and authorization to the City to remove the shelter at the owner's expense upon termination of the permit.
- K. Any other use, temporary in nature, which the Zoning Administrator deems as beneficial to the public good and which does not impair the public health, safety and welfare.
- L. Garage Sales. Temporary garage sales in residential districts in order to allow residents to sell excess personal property are permitted, provided that the following conditions are met:
 - 1. Each garage sale shall not exceed four days.
 - 2. Only two garage sales shall be permitted per calendar year at any individual location.
 - 3. No person conducting a garage sale under the provisions of this Article shall sell or offer for sale any food or beverage for consumption on the premises. Food or beverage may be provided for such consumption at no cost to the consumer, but only if a permit is obtained in advance from the Health Department.
 - 4. No fee or other charge shall be imposed upon members of the public attending any such sale.

5. One non-illuminated sign not exceeding four square feet in size, no more than three feet in height above grade may be displayed on the property where the sale is being held.
6. Special lighting and noise making devices or other similar advertising displays or notices shall not be used to call attention to the garage sale.
- M. Auctions of used household goods and property may be conducted at any individual location in a Residential District no more than once per year.
- N. Portable Storage Containers- Containers designed for temporary storage of personal property that can be moved by truck or trailer.
 1. Only one (1) portable storage container is permitted on a property.
 2. No portable storage containers shall be permitted for more than fourteen (14) consecutive days per year. The Zoning Administrator may permit any portable storage container to be placed on a property for up to thirty (30) days, provided the property owner has an active building permit or has demonstrated that extenuating circumstances exist to justify the extension.
 3. Any portable storage container must be located on a hard surfaced area. Portable storage containers shall be placed at least ten feet (10') from the existing right-of-way, easement of access, or edge of pavement, whichever is the greater setback.
 4. Calamity Exception. If the portable storage container is being used to store personal property as a result of a major calamity (e.g. fire, flood or other event where there is significant property damage), the City Manager may extend the time period allowed in division (2).

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

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

MAYOR

ADOPTED: _____, 2009

ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY:

PREPARED BY: LAW (STAFF)

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

Zoning Code Text Amendment Application
City of Oxford, Ohio

REQUIRED INFORMATION

Name of Applicant: City of Oxford
(Attach a letter of agency if the applicant is not the property owner.)
Mailing Address: 101 E High St
Telephone Number(s): (513) 425-~~5204~~
5204

SUBMISSION REQUIREMENTS

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

All applications must include:

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

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

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

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

All materials and the application fee in the amount of \$150.00 payable to the City of Oxford must be delivered to the office of Community Development, 101 East High Street, Oxford, Ohio 45056. **Incomplete applications will not be processed.** Any questions should be directed to the Community Development Department at (513) 524-5204.

NOTE: Notification and publication requirements must be adhered to. Submit materials 45 days prior to the proposed meeting date.

SIGNATURE OF APPLICANT: Jung-Han Chen Date: 12.26.08

PRINTED NAME: Jung-Han Chen

FEE / RECEIPT

\$150 Fee Paid / Receipt Number: NA

Portable Storage Unit

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-28-2008

Date – December 9, 2008
Revised- February 10, 2009

APPLICATION

Applicant:	Foundation Development Group, LLC
Location:	Paulin property between Fairfield Road and Contreras Road
Owner:	Harry and Anna Belle Paulin
Action Request:	Preliminary PUD to construct retirement homes
Current Use:	Farming, agricultural
Surrounding Existing Land Uses:	Agricultural uses, retirement center

DESCRIPTION

The Applicant is seeking approval of a preliminary planned development to construct a total of 112 units of retirement homes in 28 structures in a R1B (Medium Density Single Family Residential) District. The site is located between Contreras Road and Fairfield Road, directly west of the Knolls of Oxford.

This Preliminary PUD is part of a property that was just annexed in March 2008 and is located on the eastern half of the Paulin property. This portion is approximately 380' by 2650'. Furthermore, this new territory also had received municipal zoning designation in October 2008 as R1B. The entire Paulin property, under the Annexation description, is about 54.77 acres. The development of this entire tract is divided into two development themes; one being a PUD project and the other a traditional subdivision.

The application indicates that this would be a two-phase development project. The first phase will consist of 9.4 acres of land for 40 units in 10 buildings. The 2nd phase will be for the remaining acreage having 18 buildings for 72 units. The layout of the complex is a unit mix concept that provides different housing types for each pod. It is also assumed that this development and management of the site afterward will be under one ownership; therefore, it is proposed to be a non-traditional urban environment with narrow streets and housing units located closer to the street than the standard subdivision. The street will be 24' wide and the housing units will have a setback between 15' to 20'.

The revised layout depicts the proposed PUD as located on the southern portion of this newly annexed territory. The revised plan is approximately 22.46 acres that proposes to have 22 buildings of pods for a total of 88 units. This revision shows a reduction in the area size as well as the number of dwelling units from the previous submittal

SURROUNDING NEIGHBORHOOD

The subject property was recently annexed into the City in 2008. It is bordered by the Knolls of Oxford to the east, Miami University airport to the south and agricultural uses to the north and east. It is the entry point into the City from the west through either Contreras or Fairfield Roads.

2008 COMPREHENSIVE PLAN

LAND USE: Manage growth to ensure small town character, green areas, and preserved farmland. The principles reflect a variety of land use topics and themes that are mutually reinforcing with respect to the framing intentions about future land use. The principles focus on long-term sustainability and the

quality, pattern, character, and organization of the development. The principles also specifically address mobility and connectivity with a focus on expanding mobility choices for residents.

1. The community's small college town character will be preserved and enhanced.

Oxford's built environment is largely defined by a distinct land pattern of an older, smaller scale, and walk able core with a mix of uses. The community is also shaped by the presence of the Miami University Campus and expansive green spaces. This character is cherished by many local residents and distinguishes the community in a regional and historical context.

- Future areas for growth and development will consider the essential elements of the exemplary areas of Oxford with respect to the form and pattern of development (Uptown and Mile Square), including US 27 South.
- All rural gateways will reflect the transition from rural to small town.
- New development and redevelopment will be sensitive to pedestrians in terms of scale and walk ability.
- New architecture will add to the character of the community as opposed to corporate, franchise architecture.

2. Uptown and new commercial developments will have a mix of uses that are distinctive and contribute to enhancing the community's overall identity.

The recent residential and commercial land use pattern segregates uses from one another. This pattern of development is not conducive to creating a vibrant atmosphere where residents can live, work, and find opportunities for leisure and entertainment in the same area. Creating opportunities and encouraging new developments that include a variety of uses mixed together on the same block, or building, will help create a walk able and accessible development pattern noted by residents as desirable.

- The city will encourage a mix of uses Uptown and areas of redevelopment and infill shown on the Conservation and Development Map.
- Mixed-use centers will include a variety of commercial, office, and retail, civic and residential uses in the same building and/or adjacent to each other.
- Mixed-use centers will be sensitive to the scale and character of surrounding uses and incorporate architectural elements that contribute to shaping the local identity.

3. Infill development and redevelopment of underutilized sites is a priority.

Oxford has a significant number of vacant sites and buildings that are detracting from the community's positive assets. Many of these sites are located within existing neighborhoods and districts. These sites should be redeveloped to enhance and serve surrounding neighborhoods and districts.

- Specific sites will be targeted for redevelopment.
- Reuse of vacant and underutilized sites will be encouraged prior to new development.
- Redeveloped industrial and manufacturing sites will employ sustainable principles to mitigate any hazards that exists onsite and integrate energy efficient building design.

4. The development of new residential areas, and redevelopment of existing residential areas, will have strong neighborhood qualities.

The Mile Square in Oxford has a discernible center, includes numerous public spaces and is walk able and interconnected to surrounding areas.

The pattern in the community of residential growth has been to create subdivisions with a single use and building type. While many of these subdivisions have high-quality residential units and are well kept, they typically lack a real "center" and are framed by wide streets in a pattern that does not relate to the small town character.

- Neighborhoods will be walk able with quality streets that accommodate both bicycles and automobiles, but give priority to the pedestrian experience.
- Civic, institutional, and public spaces may be included in neighborhoods and form the physical nucleus of the neighborhoods.

- Residential streets will be scaled to improve the pedestrian experience and character of the neighborhood.

5. Green space and public spaces will be incorporated as part of future developments.

Oxford's natural environment includes a variety of ecological systems and open spaces. Residents have a strong environmental ethic, support the protection of critical environmental areas, and desire open spaces for recreation agriculture, and protection of natural areas.

- Local watersheds are defining natural features in Oxford. The city will commit to protecting and enhancing the watersheds when development or redevelopment occurs.
- Wooded areas will be protected and integrated into new developments, and connected when possible to create a continuous open space system.
- Convenient and accessible recreational opportunities will be provided for all ages.
- Existing recreational, green space, public areas, open and natural spaces will be enhanced and new areas set aside that connect people to the natural environment and promote recreational opportunities to support active and healthy lifestyles.

6. Future growth at the edge of the city will preserve open space, protect the area's rural character, and be consistent with the other principles.

Unplanned growth on the edge of the city can compromise the area's rural character and viewsheds. Low-density growth on the city's periphery can also add to the cost and demand for community services, potentially creating fiscal hardships.

- New growth on the edge of the community will not compromise the rural landscape or the community's small town character.
- Open space and land currently in agricultural use will be strategically protected when and where appropriate.
- Public investments, e.g. roadways, will be improved in a manner that strengthens the rural character.
- Initiatives will be pursued (i.e., open space subdivision design) to protect the rural character.
- All development on the edge of the city will be carried out in consideration of township policies.

7. New commercial and light industrial developments will be developed with pedestrian amenities and green spaces.

Historically, commercial and industrial areas have been developed primarily in single-use strip developments along corridors. This pattern does not respond contextually to the surrounding neighborhoods and districts. These areas have typically been auto-oriented, with parking facing the street. Large-scale commercial centers or buildings have also been developed with only the immediate use considered. This practice has created barriers and added cost to redevelopment efforts.

- Smaller retail uses serving the local or neighborhood market will reflect the character of Oxford and be compatible with surrounding uses with respect to form, scale, and character.
- Large and small retail developments will be sited in a manner that is pedestrian-friendly with parking to the rear of the structure.
- Large format retail will be developed in a pattern that accommodates redevelopment (such as installing utilities that are mindful of how a parcel may be redeveloped).
- Utilities, roadways, and parking areas will be developed in commercial and industrial areas to support future reuse.
- Commercial and industrial parking areas will incorporate vegetation, walkways, and signage to facilitate pedestrian mobility.

8. Streets will create an attractive public realm.

Many local streets are designed primarily to facilitate the movement of automobiles. The scale (width) of some local streets encourages a higher rate of travel for motorists and creates a large

distance between building fronts, which can detract from the pedestrian experience and small town character.

- New streets, and improvements to existing streets, will enhance the public realm through landscaping, bicycle and pedestrian design elements, and through a scale that enhances the nature of the district or neighborhood without compromising the safety of motorists.
- Roads in rural areas will complement the character of rural areas (i.e., width, setbacks, landscaping/buffers).
- Commercial buildings will be situated on site to define a high quality streetscape, including locating structures close to the street and placing parking in the side or rear yard whenever possible.

9. Places will be connected to create better opportunities to walk, bike and access public transportation throughout the community.

As part of the Plan Update, residents voiced an interest in increasing opportunities for making trips via walking, biking and public transit. Currently there are opportunities to walk easily within parts of the community, but more could be done to accommodate bicyclists. Improving the opportunities for biking will in turn discourage trips via the automobile.

Creating an interconnected street pattern will offer more options for residents to arrive at their destinations, potentially decreasing travel, reducing congestion and improving wayfinding. It will also create opportunities for walking and biking by better connecting neighborhoods and districts.

- The road pattern will be improved to keep local traffic off major arterials and high-speed through traffic off local streets.
- A connected grid street pattern, or modified grid system, is the preferred network for future development and redevelopment.
- Well-connected streets will be designed to facilitate walking.
- Bike paths and walking paths will be integrated into new development and areas undergoing redevelopment.

10. Environmentally sensitive and sustainable practices will be encouraged in future developments.

The community has a high level of environmental awareness that was reflected in the input received at public workshops. Residents desire to employ creative and sustainable choices as part of future growth.

- New construction will employ context sensitive design to reduce impacts on existing site features and the natural environment.
- Green building practices will be encouraged to minimize the consumption of resources, employ recycling of building materials, and promote quality indoor living and working environments for Oxford residents.
- Green stormwater and graywater management options will be implemented to retain and reuse stormwater to reduce surface runoff, which may have negative impacts on the watershed.

OBJECTIVES

1. Manage growth.
 2. Enhance neighborhoods within the Mile Square.
 3. Continue to enhance Uptown.
 4. Promote new areas for light industrial and manufacturing, research and development, and office space.
 5. Support the redevelopment of commercial areas along Locust Street.
 6. Redevelop the U.S. 27 North corridor in a planned coordinated manner.
 7. Preserve open space and farmland, and expand existing open space areas.
- L.U. 7.6 Implement alternative cluster style subdivision development to encourage preservation of natural areas and farmlands as areas are developed
- L.U. 7.8 Connect open and natural areas when possible

8. Expand urban green space.
L.U. 8.2 Require trees and landscaping in future subdivision and commercial properties
L.U. 8.3 Beautify major corridors
9. Create new residential areas with traditional neighborhood qualities.
L.U. 9.1 Require all new subdivisions to complete a master plan, with an emphasis on protecting natural areas, and creating new parks and open spaces
L.U. 9.2 Consider permitting small-scale neighborhood commercial services as part of large-scale master plan development
L.U. 9.3 Create standards that require high quality pedestrian streets with sidewalks, street trees, adequate lighting, and tree lawns in newly developed residential areas
L.U. 9.4 Create standards, or modify existing standards, to allow for a mix of housing types within neighborhood
L.U. 9.5 Encourage connections among neighborhoods via roads, sidewalks and multi-use paths
10. Be a leader in environmental stewardship.

URBAN DESIGN: Honor and preserve the historic character and quality of Oxford while embracing high quality, which compliments existing developments.

Objective

1. Enhance the beauty and character of Oxford.
U.D. 1.6 Promote walkability and connectivity in new development
2. Continue to preserve the local rural heritage.
U.D. 6.1 Preserve the scenic quality of the rural landscape by defining the edge of the community.

TRANSPORTATION: A quality, accessible transportation system with alternative forms of transportation for a diverse population, improved infrastructure, adequate parking, bikeways, and efficient traffic management.

Objective

1. Facilitate the flow of traffic in and around the City.
T 1.3. Require new large-scale developments to pay for independent traffic impact studies
T 1.6. Improve connectivity between areas within the City.
2. Promote alternative modes of transportation.
T 2.4. Create connections between subdivisions and destinations to improve mobility, promoting a wider pedestrian and bicycle network throughout Oxford.

SITE HISTORY

July 1998	The City entered into an agreement with the Owners for the use of their land in connection with the development of the Knolls of Oxford.
August 2006	An Annexation petition was filed by the Applicant, on behalf of the Owners, requesting the property be annexed into the City.
July 2007	An Annexation agreement was entered between the City and the Owners.
August 2007	A Roadway Agreement was executed between the City and the Butler County Engineering Office.
March 2008	An Annexation petition requesting the property to be annexed into the City was granted.
October 2008	A Zoning Change request was granted from the County's Agricultural Zone to R1B District.

AGENCY COMMENTS

Requests for comment were sent to the Police, Fire and Engineering offices. The returned comments are attached for your consideration.

ANNEXATION AGREEMENT

The owners and the City entered into an annexation agreement to outline expectations and responsibilities of each party. Those responsibilities are expected to be fulfilled by subsequent developer(s). Several key features from this agreement are provided and are the basis of some of the staff analysis for the Commission's consideration. The entire Agreement is also attached for your reference.

- (1) The City agrees to annex the property into the City.
- (2) The zoning application for this property will seek to rezone the Property to R1B.
- (3) The City agrees to make municipal water service available to the Property for future development. The cost to connect to the existing nearest municipal water service to the Property will be the City's responsibility. The owners shall pay for the running of any lateral.
- (4) The Owner shall extend the municipal water line serving the property to the west property line to allow the future extension of the municipal water service to the adjoining property at the earlier of any development of the Owners property that encompass forty percent (40%) or more of the area of the Property, or at the time of a Phase II development.
- (5) The Owner shall extend the municipal sanitary sewer line servicing the Property to the west property line to allow the future extension of the municipal sanitary sewer service to the adjoining properties at the earlier of any development of the Owners' property that encompasses forty percent (40%) or more of the area of the Property or at the time of a Phase II development.
- (6) The Owner shall conduct a traffic impact study for the development of the Property prior to submitting any subdivision request to the Oxford Planning Commission for review. The Owners are responsible for the signalization of the entrance/entrances as determined by the Service Director, based on the traffic impact study for the development of the Property.
- (7) It is the owners' responsibility to ensure the drainage easement at the Property serving the adjoining property to the west be maintained and respected.
- (8) The Owners agree to dedicate sufficient right-of-way to construct an acceleration/ deceleration lane at Fairfield Road and Contreras Road entrances to the Properties.
- (9) The Owners are required to dedicate a bike trail/path through this property to connect Fairfield Road to Contreras Road. The land dedicated for the bike trail/path right of way shall be a minimum of 20 feet with pavement width being 10'. Said right-of-way shall be located on the 20 feet immediately adjacent to the west property line of the Property.

ZONING REGULATIONS

REQUIRED SITE PLAN SUBMITTAL

- 1145.05(a)(6)(H) Approximate location and design of all proposed vehicle and pedestrian routes and nonresidential vehicle management areas.
- 1145.05(a)(6)(I) Approximate location and size of all existing and proposed utilities that will serve the planned development.
- 1145.05(a)(6)(J) Approximate location, size and type of all proposed signs.
- 1145.05(a)(6)(K) Approximate location, height, and type of all proposed screening and landscaping.

SECTION 1145 PLANNED DEVELOPMENT

- 1145.12(c)(1): The following land uses are permitted in proportion to those portions of a planned development that overlay an existing residential zoning district:
- A. Any land use permitted in any residential zoning district in this code, except mobile homes.

Staff Finding: ~~The proposed development would be a total of 28 buildings 4-unit complex; a multi-dwelling arrangement.~~

The revised plan shows the development would be approximately 22.36 acres of tract having 22 buildings (4-unit complex) for a total of 88 dwelling units.

- 1145.12(d): Residential Density. Residential density shall not exceed 110 percent of the density permitted in the underlying zoning district.

Staff Finding: The allowable density for a PUD in a R1B is 6.4 dwellings per acre. ~~The proposed development will have 4.77 dwellings per acre.~~

The revised plan shows the proposed development will be approximately 3.92 dwelling units per acre.

- 1145.12 (e)(2): Front setback shall be limited in the underlying zoning district. *A minimum front setback is 30' for R1B district.*

Staff Finding: ~~The proposed site plan shows the setback from 30 feet to 70 feet along the street frontage.~~

The setback to the internal street is between 15' to 20'. No proposed building will face the collector road connecting Fairfield and Contreras Roads.

- 1145.12(f)(2) Lot coverage shall be regulated according to the underlying zoning district, except that lot coverage for the residential portion of any planned development shall not exceed 40 percent.

Staff Finding: ~~The proposed project would present approximately 65% of the lot coverage for the entire project. This issue needs to be discussed by the Planning Commission.~~

The revised site plan indicates the lot coverage area is approximately 39.6%. Staff received the detailed calculation of the lot coverage for this project and determined that the lot coverage would be 47%.

- 1145.12(h) (2) The required perimeter setback area shall be retained in natural woods or suitably landscaped with grass, ground cover, shrubs, trees, or earthen mound.

Staff Finding: No landscaping plan is shown. *The Applicant has provided a typical landscaping plan used for other projects. It is assumed that this development would have a similar plan and would be ready during the final PUD consideration.*

- 1145.12(i) Access and Mobility. Adequate pedestrian connectivity shall be provided to and through a planned development.

Staff Finding: The site plan shows a sidewalk along the 80' road dissecting the property, but does not show any sidewalks within the development or along Fairfield Road or Contreras Road.

The "proposed public road" would be 66 feet in width. No multi-purpose path is indicated on the revised site plan.

The revised site plan shows a sidewalk on Fairfield Road with an additional right-of-way being dedicated and an additional sidewalk is also shown on one side of the internal roadway connecting to the public streets. Internal roadways are to be 24 feet in width, with one additional segment, on the south-west corner of the development, to be only 20 feet in width. Please also note that the roadway width is 18' serving each 4-unit building.

114512(j) Utilities and infrastructure: Electric and telephone facilities, street light wiring, and other wiring conduits and similar facilities shall be located underground.

Staff Finding: Detailed submittal should be provided during the final development review.

1149.03(C) *General Regulations of Vehicle Management: All off-street parking space shall contain a rectangular area of a minimum of 9 feet wide and 20 feet long, except that parallel parking spaces shall be a minimum of 22 feet long.*

Staff Finding: The off-street parking spaces around the Club House only show to be 9 feet by 19 feet.

ANNEXATION AGREEMENT REQUIREMENTS: Several issues that were stipulated in the Annexation Agreement that are not shown on this application and require the Planning Commission's consideration when deliberating its recommendations are:

- A. Traffic Impact Study: The agreement stipulates that a traffic impact study shall be conducted prior to submitting any subdivision request to the Planning Commission for review. No traffic study was completed to be reviewed by the Service Director.
- B. Acceleration/deceleration lanes at Fairfield and Contreras Road entrances. The application does not show any dedication of sufficient right-of-way to construct an acceleration/deceleration lane to the property.
- C. The drainage easement at the property serving the adjoining property to the west shall be maintained and respected.

ZONING CODE COMPLIANCE: ~~The submitted site plan does not provide information related to pedestrian routes, utilities, landscaping or any proposed signage, per 1145.05(a)(6)(H),(I),(J),(K).~~

~~Furthermore, the proposed development plan does not meet the lot coverage for the residential portion, and there was no landscaping plan for review, per Section 1145.12(f)(2), 1145.12(h)(2).~~

The PUD Preliminary submission does require information on the approximate location for landscaping, signage and utility. However, the Applicant did provide typical information from other projects and indicated that this project could be designed and constructed the same as other projects. It is important to realize that staff has not reviewed the signage and landscaping plan since the enclosed information was only for illustration purposes.

STAFF ANALYSIS

~~This is a Planned Development request to develop approximately 23.5 acres of land into 28 building 4-dwelling complex for a total of 112 units of single-family residential. There are different issues of the development that require extensive discussion and deliberation prior to making any recommendations~~

The revised layout was first presented to the Planning Commission at its January meeting as a Concept to gather the Commission's comments finalizing the revision for preliminary consideration. The revised plan shows that the project has been reduced to 22.46 acres of land to have 22 buildings of 4-dwelling complex for a total of 88 units of single residential.

A minimum of 25 feet perimeter setback is required for any PUD development. The proposed site plan depicts a perimeter setback of 25' to 35' to satisfy the requirement. The Annexation Agreement does stipulate that there shall be 20 feet of a multi-purpose path on the western side of this property. None is provided. A 35' mounding is being proposed along the west side of this site.

It would appear this revised layout has addressed many issues identified from the previous analysis. Two detention ponds are shown on the revised site plan to accommodate any surface storm water generated from this development.

The pedestrian sidewalk along the main roadway is addressed in the companion piece (Myer Subdivision request). It would appear that the sidewalk serving this PUD area would connect to the subdivision side along the northern entrance point. As indicated in this report, some preliminary information was not included, but can and must be provided in the final submission. That information includes signage, landscaping/screening and all utility serving this development. Staff believes that all internal roadways within this PUD will be developed as private streets. Furthermore, a homeowners association will be formed to maintain all the common areas.

RECOMMENDATION

Staff believes this revised layout has met many requirements of Chapter 1145. There are several issues that require the Commission's deliberation:

- 1. Lot coverage issue*
- 2. Sidewalk issue*
- 3. Private streets and the width of the private streets*
- 4. The location of the multi-path as stipulated in the Annexation Agreement*

SUBMITTED

BY:

Jung-Han Chen
Jung-Han Chen, AICP
Community Development Director

DATE: January 30, 2009

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 1/30/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-28-2008

Description:

PC-28-2008

PLANNED DEVELOPMENT, Villas of Oxford, 24 acres, 112 homes, R1B (Single-family medium density residential) located between Contreras and Fairfield Roads, Foundation Development Group LLC, Applicant (Tabled)

☒ X Review ☐ Revisions ☐ Other

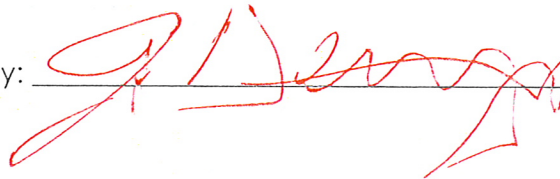
Comments or status update requested by: Lynn Taylor

Please return no later than: **2/5/2009** Note: If no comments are received, we will assume the project meets your department's standards.

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

These are revised plans

Drawings reviewed by: _____



City of Oxford
Inter-Office Review Transmittal Sheet

Date: 1/30/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-28-2008

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PLANNED DEVELOPMENT, Villas of Oxford, 24 acres, 112 homes, R1B (Single-family medium density residential) located between Contreras and Fairfield Roads, **Foundation Development Group LLC, Applicant (Tabled)**

☒ Review ☐ Revisions ☐ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **2/5/2009** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

SEE MEMO DATED 2-5-09.

These are revised plans

Drawings reviewed by: *A. D. [Signature]*



Memo

Service Department
Engineering Division

513/524-5208 fax 513/524-5267

TO: Community Development Department

FROM: Victor Popescu, P.E.
City Engineer

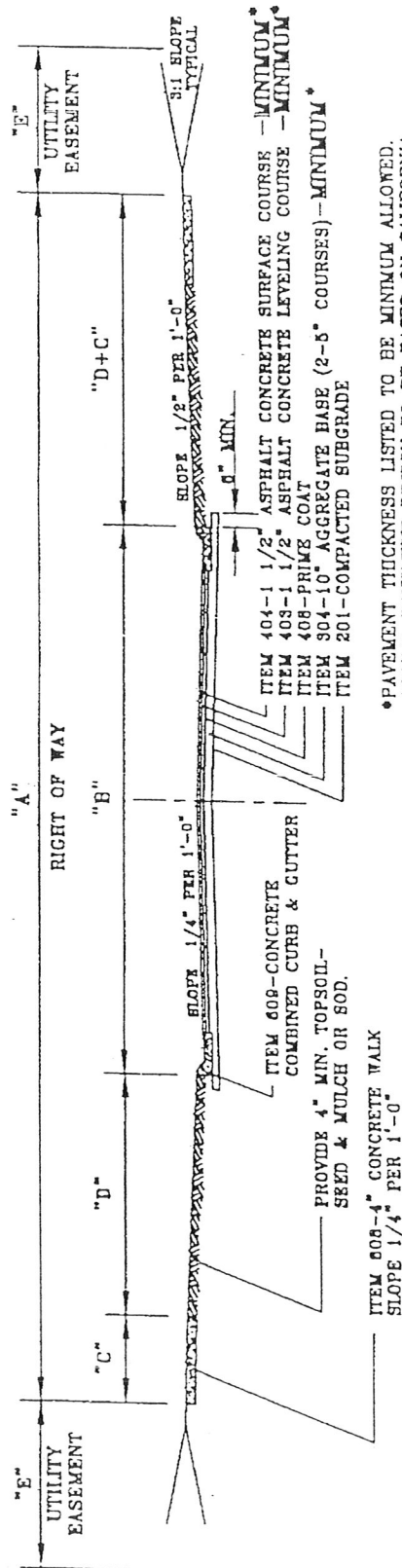
RE: Case # PC-28-2008
Villas of Oxford

DATE: February 5, 2009

Below are the Engineering Division's comments on the submitted Preliminary Plan dated October 2008, revised January 26, 2009, and received by the Engineering Division on January 30, 2009.

- Consider looping the water mains within the development.
- All "Local Streets" require a 60' right-of-way. Refer to the attached standard drawing.
- Is the storm sewer system private? If not, easements are required.
- Where will the gas and electric mains/services be located? Easements may be required.
- Easements for water mains must be 20 linear feet in width.
- Will the developer of the Myers Subdivision be extending the water main along Fairfield Road? If not, who will do the extension?
- The water main between Lots 15 & 22 requires a fire hydrant ahead of the east end.

If there are questions, please contact the Engineering Division at 513-524-5208.



*PAVEMENT THICKNESS LISTED TO BE MINIMUM ALLOWED. ACTUAL PAVEMENT DESIGN TO BE BASED ON CALIFORNIA BEARING RATIO (CBR) VALUE OF SOIL IN THE IMMEDIATE DEVELOPMENT AREA. A MINIMUM OF ONE SOIL BORING SHALL BE TAKEN FOR EVERY 1000' OF ROADWAY IN THE SOIL MATERIAL THAT IS REPRESENTATIVE OF THE STREET SUBGRADE.

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

BEFORE THE PLACEMENT OF ASPHALT COURSES, THE BASE COURSE SHALL BE PROOF ROLLED UNDER THE PRESENCE AND SUPERVISION OF THE CITY OF OXFORD IN ACCORDANCE WITH ITEM 304 OF THE MOST CURRENT EDITION OF THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION CONSTRUCTION MATERIAL AND SPECIFICATIONS MANUAL. IF ASPHALT COURSES ARE INSTALLED WITHOUT PROOF ROLLING IN THE PRESENCE OF A CITY INSPECTOR, THE STREET WILL NOT BE ACCEPTED BY THE CITY.

MINIMUM

A	60'
B	35'
C	5'
D	5'
D+C	10'
E	10'

REQUIRED STANDARD DIMENSIONS

*SUBDIVISIONS/PUD'S WITH PRELIMINARY APPROVAL PRIOR TO MARCH OF 1997 ARE SUBJECT TO STANDARDS IN EFFECT AT THE TIME OF APPROVAL.

City of Oxford
Engineering Department

LOCAL STREET
TYPICAL SECTION

STANDARD DRAWING #3

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 1/30/2009

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

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-28-2008

Description:

PC-28-2008

PLANNED DEVELOPMENT, Villas of Oxford, 24 acres, 112 homes, R1B (Single-family medium density residential) located between Contreras and Fairfield Roads, **Foundation Development Group LLC, Applicant (Tabled)**

☒ Review ☐ Revisions ☐ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **2/5/2009** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

These are revised plans

Drawings reviewed by: JS Schaefer

My only concern is with street widths
so that we do not end up w/another Kelly Drive.

My only concern is with street widths so that we do not end up with another Kelly Drive.

Case No.: PC-28-2008
Date filed: 10/24/2008

Planned Development Application
City of Oxford, Ohio

REQUIRED INFORMATION

Name of Applicant: FOUNDATION DEVELOPMENT GROUP LLC
(Attach a letter of agency if the applicant is not the property owner.)
Mailing Address: 1156 NEIL AVE COLUMBUS OH 43201
299 -
Telephone Number(s): 614-229-4540
Name of Subdivision: VILLAS OF OXFORD
Location of Property: LOCATED BETWEEN FAIRFIELD RD + CONTRERAS
Legal Description: SEE ATTACHED
Zoning District: R1-B
Number of Lots: NA
Total Acreage: 24 Acres
Surveyor/Engineer: EMH+T
Address: 8790 GOVERNORS HILL DR CINTION OH 45249
Phone Number: 513-697-8701

DRAWING REQUIREMENTS

Please submit **thirteen (13)** complete sets of all information with each preliminary and final application. The Zoning Administrator may modify this requirement based upon the type of materials included. The applicant shall contact the Zoning Administrator prior to submitting an application to discuss the submission requirement.

If any information is submitted in color or on non-standard paper, more copies may be required.

A. Preliminary Plan

1. Application Fee ✓
2. The name, mailing address, and telephone number of the applicant and all property owners ✓
3. If the applicant is not the owner, or if there are multiple owners within the proposed area, a statement from all owners that the applicant is entitled to apply on their behalf, and that they agree to be legally bound to any decision reached according to this Chapter
4. Evidence sufficient to ensure that the applicant has the financial capacity to complete the proposed development
5. Evidence of unified control of all land in the proposed area
6. The name, mailing address, and telephone number of any planner, engineer, surveyor, or other design professional who assisted with preparation of the plans
7. Description of Use and Site
 - a. A written, detailed description shall include the following information. A separate response is required for each subsection.
 - b. A legal description of the site, including all separate lots - zoning lot
 - c. A description of the existing uses of the site
 - d. The zoning districts in which the site is located
 - e. A description of the proposed PD
 - i. The number of housing units by size and type proposed within each phase
 - ii. A description of any nonresidential operations, including type of goods sold, services performed, and expected number of customer, clientele, delivery, and service vehicles
 - iii. The hours of operation of any nonresidential use
 - iv. A phased development schedule, if applicable, that indicates the location and timing of phases and demonstrates that each completed phase would form a reasonably independent unit if succeeding phases were abandoned

- f. A narrative statement that evaluates the compatibility of the proposed PD with the general vicinity and adjacent properties
 - i. How the proposed uses are similar to or different from existing area uses and if there will be any interaction between the proposed site and adjacent sites
 - ii. How any existing structures, proposed structures, and the site design relate to adjacent structures and sites
 - iii. If the proposed uses will involve any operations that create potential nuisances such as excessive noise, lighting, odor, fumes, vibration, or emissions
 - iv. How any potential negative effects on adjacent land will be mitigated
 - g. A statement about why the location proposed is appropriate for the PD
 - i. A statement of the necessity or desirability of the proposed PD to the neighborhood or community
 - ii. Proposals for the provision of public utilities and services, if insufficient or not available for the planned development, or for the provision of suitable private utilities and services
 - iii. The substance of proposed covenants, easements, and other restrictions on the land and structures
 - iv. For a CPD, an independent market analysis sufficient to ensure that the planned commercial entities have a reasonable chance of success
 - v. A list of the names, mailing addresses and parcel numbers of all property owners within 200 feet of the site, including those across streets, roads, alleys and highways. NOTE: The Butler County website (www.butlercountyoio.org/auditor) is very helpful when searching for the mailing address of adjoining property owners. Once the site is up, click on online searches, then click on real estate. It will allow you to search by owner, address or parcel number.
 - vi. Such other information regarding the proposed uses, site design, or surrounding area as may be pertinent to the application or required by Planning Commission or Council.
8. Site Plan
- A scaled site plan shall include the following information in detail. The required information may be submitted on multiple site plans if inclusion of all information on a single plan makes it illegible or difficult to understand.
- a. North arrow
 - b. Scale
 - c. Vicinity map
 - d. All existing and proposed lot lines within the site
 - e. Dimensions of all lots and of the entire site and any adjacent rights-of-way
 - f. The location of all Primary Conservation areas, and all proposed parks, playgrounds, pedestrian paths and other open space areas
 - g. Location, height, dimensions, and use of all proposed and existing structures
 - h. Location and design of all proposed vehicle and pedestrian routes and nonresidential vehicle management areas
 - i. Approximate location and size of all existing and proposed utilities that will serve the PD
 - j. Location, size, and type of all proposed signs
 - k. Location, height, and type of all proposed screening and landscaping
 - l. Distances to residential zoning districts if within 1,000 feet
 - m. The use of land and location of structures on adjacent property and across adjacent rights-of-way
 - n. The location of any nearby schools and commercial facilities
 - o. Other information as required by the Planning Commission or Council
9. Elevations
- Elevations of proposed structures or typical elevations if structures are not yet designed.
10. Other
- Photographs of any existing uses, vacant land, and the surrounding area

B. Final Plan Additional Submission Requirements

Maps in the form required by the City of Oxford Subdivision Regulations, with such modifications and additions as required concerning such items as building sites when used as a substitute for lots, common open space not dedicated for public use, and other matters as appropriate to planned

developments generally or to the specific planned development. Similar modifications of standards contained in the Subdivision Regulations or in other regulations or policies applying generally may be reflected in such maps and report if the Planning Commission shall find and shall certify, after consultations with other agencies of government as appropriate in the specific case, that the public purposes of such regulations or policies are as well or better served by specific proposals of the final plan and reports.

1. Topographic data map drawn to a scale of 100 feet to one inch by a registered surveyor or engineer showing:
 - a. Boundary lines: bearings and distances.
 - b. Easements: location, width, and purpose.
 - c. Wooded areas, streams, lakes, marshes, and any other physical conditions that affect the site.
 - d. Ground elevations on the tract: for land that slopes less than one-half percent, show one-foot contours; for land that slopes more than one-half percent, show two foot.
 - e. If deemed necessary, subsurface conditions on the tract, including the location and results of tests made to ascertain the conditions of subsurface soil, rock and ground water, and the existing depth of ground water.
2. A general site and land use plan for the planned development as a whole, indicating sub-areas for phased development, if any, and showing location and use of structures and portions of structures in relation to building site lines; floor plans of the buildings involved, indicating horizontal dimensions, uses of space, and floor area; elevations of the buildings involved, indicating height, and if required, in determinations for the particular building or use location and dimensions of all windows and other glassed areas; building sites reserved for future use and uses for which sites are reserved, automotive and pedestrian circulatory networks, principal parking areas, open space not in building sites and use for which it is intended, and such other matters as are required to establish a clear pattern of the relationship to exist between structures, uses, circulation and land.
3. Agreements, Contracts, Deed Restrictions, and Sureties:
 - a. Filing a performance and labor and material payment bond in the amount of 110 percent of the estimated construction cost as determined by the City.
 - b. Depositing or placing in escrow or certified check, cash, or other acceptable pledge, in the amount of 110 percent of the construction cost as approved by the City.

NOTE: Incomplete applications CANNOT be processed.

Submit this application, required copies of the preliminary plan containing all required information and the required fee (\$400 plus \$100.00 per acre for preliminary subdivision or planned development), made payable to the City of Oxford, to the office of the Planning Director, Municipal Building, 101 East High Street, Oxford, Ohio 45056. Any questions should be directed to the Planning Department at (513) 524-5204. The plan will be placed on the next possible agenda

NOTE: Notification and publication requirements must be adhered to. Submit materials 45 days prior to the proposed Planning Commission meeting date.

SIGNATURE OF APPLICANT: _____

Date: 10-29-08

PRINTED NAME: _____

FEE / RECEIPT

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

VILLAS OF OXFORD NARRATIVE RESPONSE

7.B - A legal description of the site, including separate lots

See Attached Legal Description

7.C - A description of the existing uses of the site

The site is currently used for agriculture uses while the annexation into the City of Oxford has been pending

7.D - The Zoning District in which the site is located

R1-B

7.E - A description of the proposed PD

88 ranch homes arranged in four unit buildings. The buildings will be a mix of the specific home types below. The streets will be private and maintained by the Community Association.

The homes types are:

Abbey – 1718 SF of living space

Villa – 1325 SF of living space

Chateau – 1926 SF of living space

Canterbury – 1861 SF of living space

The square footages do not include garage space or options chosen by the residents when purchasing their home.

A clubhouse for the community will be provided for the resident's use and enjoyment. The clubhouse will be owned by the Community Association and be solely for the Villas of Oxford residential use. All units will have two car garages. Please see attached elevations and floor plans of the units.

7.F - A narrative statement that evaluates the compatibility of the proposed PD with the general vicinity and adjacent properties

The proposed use is a residential community geared to the lifestyles of Oxford's empty nester population. It will be located adjacent to and is anticipated to be constructed simultaneously with Tim Meyer's proposed single family community on the North side of the property. A shared public road will be located along the eastern property line of the single family community and the Villas of Oxford. Sidewalks will be integrated between the communities for pedestrian traffic to enjoy. On the East Side of the property is an existing Retirement Community that is self insulated from our property.

Significant drainage improvements will be made on the property to capture the stormwater run off and comply with all local, state, and federal requirements. These improvements will mitigate the existing drainage from the property west of the Villas of Oxford through our property into the Retirement Communities property. The Stormwater improvements will be turned into an amenity through the creation of Retention basins shown on the attached Site Plan.

7.G - A statement about why the location proposed is appropriate for the PD

The Villas of Oxford will conform to the requirements of the PD district and utilize the density requirements of the current R1-B zoning district. Through a curvilinear layout and innovative unit type a new product geared towards empty nesters can be offered to the residents of Oxford. This home type will be a natural transition between the existing multi-family retirement community on the East of the property and the proposed Single Family R1-B community on the North side.

Market studies have shown that there is a strong demand for upscale, single story maintenance free living in the City of Oxford. Our homes and community is directly targeted to meet this demand. In our other Butler County communities we have great success, and a significant portion of our buyers are from the Oxford vicinity. We believe this single story ranch living option will be well received by the residents.

All of our homes will be served by public sewer and water currently adjacent to the property.

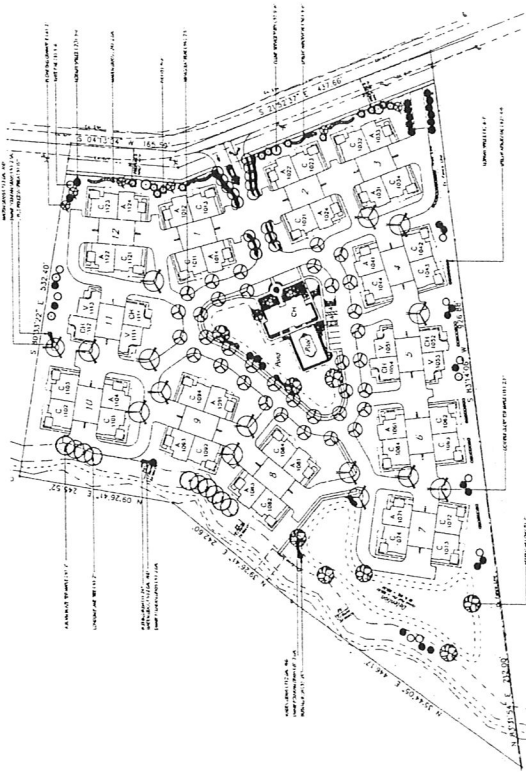
A Condominium Association will be established for the community to maintain the clubhouse and other common area facilities for the resident's benefit.

Attached to our application are names and addresses of all property owners within 200 feet of the site.

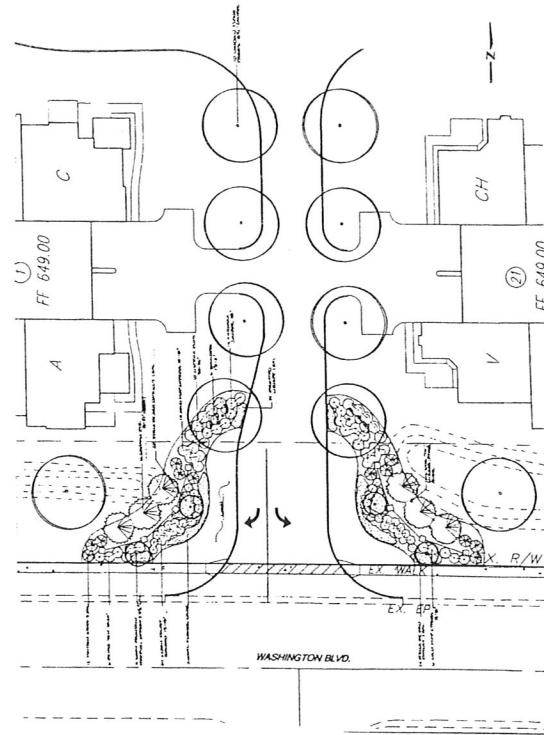
THE VILLAS
 OF OXFORD
 TYPICAL LANDSCAPE PLAN

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

REV	DATE	DESCRIPTION
1	01/20/09	ISSUED FOR PERMIT



TYPICAL OVERALL SITE LANDSCAPE

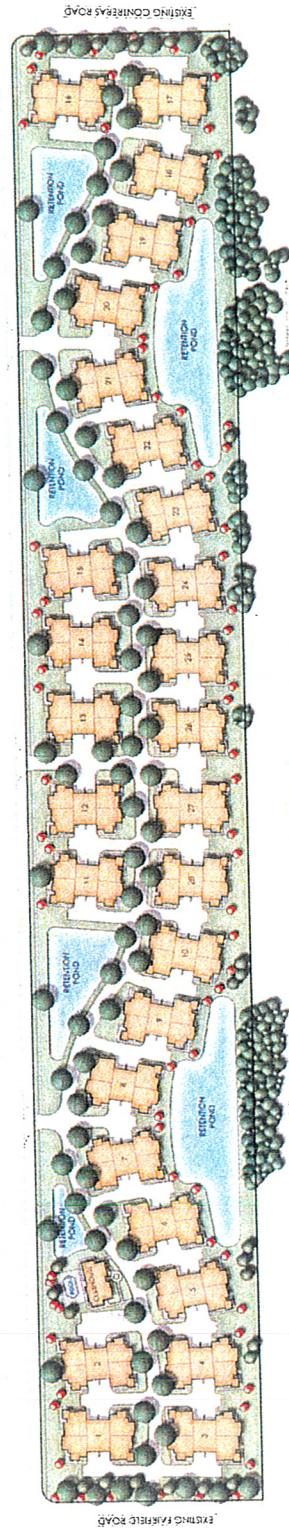


TYPICAL ENTRANCE LANDSCAPE

**EPCON COMMUNITIES
 OF OXFORD
 COLOR SITE PLAN**

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

REVISIONS



ZONING DESCRIPTION
22.456 ACRES

Situated in the State of Ohio, County of butler, Township of Oxford, located in Lots 1 and 2, Section 20, Township 5, Range 1, being more particularly bounded and described as follows:

Beginning, for reference, at the southeast corner of Lot 1, and the southeast corner of Section 2, said point being in the centerline of Fairfield Road;

thence North $87^{\circ} 57' 40''$ West, with the southerly line of said lot and section and in the centerline of Fairfield Road, a distance of 110.45 feet to the TRUE POINT OF BEGINNING;

thence North $87^{\circ} 57' 40''$ West, continuing with the southerly line of said lot and section and in the centerline of Fairfield Road, a distance of 754.48 feet to a point;

thence North $01^{\circ} 59' 43''$ East, with the easterly line of Jack F. and Susan K. Grove tract, a distance of 1244.16 feet to a point;

thence across said Lot 1, the following courses and distances:

South $87^{\circ} 28' 09''$ East, a distance of 430.52 feet to a point;

North $02^{\circ} 31' 51''$ East, a distance of 125.00 feet to a point;

South $87^{\circ} 28' 09''$ East, a distance of 50.00 feet to a point;

South $02^{\circ} 31' 51''$ West, a distance of 125.00 feet to a point;

South $87^{\circ} 28' 09''$ East, a distance of 310.00 feet to a point;

South $02^{\circ} 31' 51''$ West, a distance of 1172.64 feet to a point on the arc of a curve to the right;

with the arc of said curve, having a central angle of $89^{\circ} 30' 31''$, a radius of 39.06 feet, an arc length of 39.06 feet, a chord bearing and distance of South $47^{\circ} 17' 06''$ West, 35.20 feet to a point;

South $02^{\circ} 02' 22''$ West, a distance of 40.00 feet to the TRUE POINT OF BEGINNING and containing 22.456 acres of land, more or less.

EVANS, MECHWART, HAMBLETON, & TILTON, INC.