

STAFF REPORT

Community Development | Planning Commission

APPLICATION DETAILS

Applicant	Episcopal Retirement Services (ERS), c/o Janet Westrich
Proposal	42-unit affordable senior apartment community
Location	4381 Oxford Reily Road – Parcel ID H4100119000029
Engineer	Bayer Becker, c/o John Bayer
Architect	ATA Beilharz Architects, c/o Greg Hackett
Property Owner	City of Oxford
Action Request	PC-2021-34: Preliminary Subdivision PC-2021-35: Preliminary Planned Development (PD)
Current Use	Undeveloped / Vacant Land
Current Zoning	R-1B Residential Single-Family Medium Density Residential District
Site Area	Overall Site: 46.55 acres Proposed Development Site: 7 acres
Surrounding Land Uses	Cedar Creek Condominiums (four- and five-family dwellings) to the north Western Knolls Subdivision (single-family dwellings) to the west & south Southern Knolls Subdivision (single-family dwellings) to the east
Staff Recommendation	Approval , subject to recommended conditions

PROPOSAL SUMMARY

The applicant is requesting approval of a Preliminary Subdivision for the purpose of subdividing out a 7-acre parcel from a 47-acre tract of land currently owned by the City of Oxford. The 7-acre parcel is to be accessed by a new public street connecting the northernmost end of Dana Drive in the Western Knolls subdivision to the intersection of Oxford-Reily Road & Melissa Drive. The rest of the 47 acres would be split between two other parcels totaling 12.25 acres and 23.49 acres, and remain undeveloped for the time being.

Within the newly created 7-acre site, the applicant also proposes a Preliminary Planned Development to develop 42 affordable rental housing units for seniors ages 55 and older. The units will be accessed by a loop of private parking, as well as internal footpaths linking to a new public sidewalk along the south side of the

extended Dana Drive. All 42 units are to serve tenants with incomes at or below 60% of Area Median Income (AMI) and will also accept Housing Choice Vouchers. To finance the project, the applicant plans to apply in February 2022 for Low Income Housing Tax Credit (LIHTC) funding from the Ohio Housing Finance Agency.

PUBLIC COMMENTS

Public notices were mailed to surrounding property owners and signs were posted on the property. No public comments have been received as of the writing of this report.

DEPARTMENT COMMENTS

Below are comments from City departments:

Department	Respondent	Response
Economic Development	Seth Cropsenbaker, Assistant to the City Manager	Returned with Comments
<i>The proposed development at 4381 Oxford Reily Road as an affordable rental housing senior living community is a positive addition to the City of Oxford.</i> <i>Affordable housing and housing for adult seniors are of high need within our community.</i> <i>The proposed development represents a first step of development in an under-utilized section of Oxford and opportunity for further development of City-owned property.</i> <i>Increasing affordable housing to support a local workforce is among the primary goals of the Community Improvement Corporation and economic development in Oxford.</i> <i>The proposal by Episcopal Retirement Services utilizes 7 of 47 total undeveloped acres of City-owned property, and could act as a catalyst for additional development in this area.</i> <i>Development of a masterplan for the full 47 acres would allow for conscious development of additional residential units to serve a variety of other areas of need for Oxford.</i> <i>The placement of this project, near the Cedar Creek condominium community, maintains the character of the area.</i> <i>The extension and connection of Dana Dr. and Melissa Dr., west of Oxford-Reily Rd. creates another entry and exit point for the Western Knolls development, potentially improving access and traffic flow.</i>		
Engineering	Scott Otto, City Engineer	Returned with Comments
<i>Further review of detailed construction plans may require additional information to verify proposed utilities will be designed to allow for utility service to future development adjacent to this project. Revisions to proposed water, storm sewer, and sanitary sewer utilities are potentially necessary.</i> <i>The traffic study recommends a westbound left turn lane on W. Chestnut St. at the Oxford-Reily Rd. intersection. Design and construction of this improvement will need to be approved by the City of Oxford Engineering Division.</i>		
Fire	John Detherage, Fire Chief	Returned without Comments

Police	John Jones, Police Chief	Returned without Comments

CASE HISTORY

The subject site and surrounding area has been involved in numerous past applications and approvals by the City of Oxford since the early 1980s. A summary of relevant case history is provided below:

Case No.	Application	Decision
PC-1980-05	Zoning Map Amendment	Council approved 9/15/1981 by Ord No. 1643
This action involved the rezoning of approximately 90.5 acres of previously R-1 single-family zoning. Of this acreage, 46.7 acres were rezoned R-2 (single-family), 12.1 acres to R-3 (single- and two-family), 19.6 acres to R-4a (multi-family), and 12 acres to C-2 (commercial).		
PC-1988-11	Preliminary Subdivision	Council approved 4/5/1988 by Ord No. 1997
The original Preliminary Subdivision Plan for the Western Knolls site contained 162 lots, inclusive of a single large parcel occupying the commercially zoned area fronting on Oxford-Reily Road. The plan showed Dana Drive forming a complete loop by intersecting twice with Oxford-Reily. Additional streets, including Ryan Drive, Randall Drive, and Josie Lane were planned with access from Dana. Ryan and Josie eventually came to fruition as originally planned, though only a short 120 foot long stub of Randall Drive ended up being constructed. A total of 3 shorter cul-de-sacs were also shown off Brookville Road, intended to provide access to 16 of the 162 lots. None of these cul-de-sac streets were ever built as originally planned. The Cedar Creek condominiums, built in the early 1990s, now occupy the area where two of the original cul-de-sacs had been planned.		
PC-1988-25	Final Subdivision – Section 1	Council approved 8/16/1988 by Ord No. 2013
The first platted section of Western Knolls consisted of 8 lots along the west side of Oxford-Reily Rd, 10 lots along Dana Drive, and 9 lots along Ryan Drive.		
PC-1990-23	Final Subdivision – Section 2	Council approved 2/19/1991 by Ord No. 2143
The second platted section of Western Knolls consisted of 4 more lots along Dana Drive, and 5 more lots along Ryan Drive.		
PC-1992-01	Final Subdivision – Section 3	Council approved 2/4/1992 by Ord No. 2215
The third platted section of Western Knolls consisted of 8 more lots along Ryan Drive.		
PC-1992-33	Final Subdivision – Section 4	Council approved 2/2/1993 by Ord No. 2276
The fourth platted section of Western Knolls effectively completed Ryan Drive with the installation of an “elbow” and cul-de-sac, and created 10 additional lots.		
PC-1994-01	Final Subdivision – Sections 5 & 6	Council approved 4/5/1994 by Ord No. 2347
Western Knolls Section 5 extended Dana Drive northward and resulted in the platting of 7 additional lots. Section 6 contained 10 total lots, and created a short cul-de-sac street (Josie Lane) as well as a short stub street (Randall Drive) off Dana Drive. Both Sections were recorded at the same time.		

PC-1994-21	Final Subdivision – Section 7	Council approved 2/3/1998 by Ord No. 2571
The last recorded section of the Western Knolls subdivision consisted of 12 lots along Dana Drive. A temporary turnaround was constructed at the northernmost end of Dana Drive, to remain in place until such time that the street was extended.		
PC-2000-23	Final Subdivision – Section 8	Council denied 9/4/2001
An application was submitted in October of 2000 to record an eighth final plat section for Western Knolls. Section 8 would have been the first to break into portions of the 1988 Preliminary Plan that were zoned to allow for more intense residential uses, including two-family and multi-family. The plat would have contained 27 lots, and connected the end of Dana Drive in Section 7 with the intersection of Oxford-Reily Rd and Melissa Drive. Along this new segment of street, a T-intersection for another stub street (Randall Drive) also would have been provided.		
PC-2001-12	Zoning Map Amendment	Council approved 9/18/2001 by Ord No. 2731
At the urging of Western Knolls residents at the time, Council filed a petition to consider amendment of the Zoning Map to re-classify acreage between the existing Western Knolls subdivision and Oxford-Reily Rd as R-2 Single-Family. The zoning classifications previous to this action were R-3, R-4A, and C-2 commercial. This decision resulted in court action against the City by Western Knolls Inc., which was eventually settled in December 2008 by the City agreeing to pay \$3.75 million to acquire the land.		

COMMENTARY

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

- Buildings and Uses:** A total of six (6) buildings are proposed on the 7-acre site. Three buildings would contain 6 units each, and the other three would contain 8 units each. One of the 8-unit buildings would also provide space for a community center. Of the 42 planned units, 32 would be one-bedroom and 10 would be two-bedroom units. All buildings are one-story and proposed with various exterior materials, including brick veneer, vinyl lap siding, and shake siding. Each dwelling unit would have its own “front door” on the exterior of the building, with off-street parking provided close-by.
- Density:** Development built by-right in the R-1B District must adhere to a minimum lot size of 7,500 square feet, where each lot supports a single-family dwelling unit. Multi-family residential however is possible through the Planned Development process, though density must be capped at no greater than 110% of underlying district density. The 7,500 square foot lot size in R-1B translates to a maximum density of **5.81** dwelling units per acre (du/ac), thus the maximum possible density via the Planned Development process is **6.39** du/ac (5.81 * 110%) which amounts to a maximum of **44** dwelling units allowed by Code on a 7 acre site. Therefore, the proposal for **42** units – and a resulting density of **6** du/ac – is compliant from a density standpoint.
- Landscaping and Tree Preservation:** The project is subject to the standards of Chapter 1148 Landscaping and Tree Preservation, which includes both tree planting and tree preservation requirements. It should be noted however that the Commission has the ability to waive or modify such standards, or impose more stringent requirements, inherent to a more discretionary review process involved with a Planned Development. Summaries by subject are provided below:
 - Tree Planting:** Minimum tree planting standards for nonresidential and multi-family developments are provided in *Section 1148.04(c)* of the Oxford Zoning Code. For every ten

(10) feet of site frontage along a public right-of-way, a minimum of one (1) tree must be provided somewhere on the site. Total frontage for the development site is approximately 927 feet, thus a total of 92 trees are required on-site. The applicant provides a total of 103 trees on their Landscaping Plan, exclusive of 18 street trees shown in the right-of-way which are figured separately from on-site trees.

- **Tree Preservation:** Chapter 1148 also requires a tree survey for nonresidential and multi-family developments. The Code provides for certain areas to be exempted from surveying as well as replanting, including areas within fifteen (15) feet of new structures and within five (5) feet of parking or walkway surfaces. In addition, areas more than one hundred (100) feet from proposed construction areas are exempt from survey. When accounting for the various exemptions, 52% of the site is exempt from tree preservation/replanting and 63% is exempt from surveying. Most of the remaining half of the development is proposed as open space, and would be left undisturbed. The applicant notes in their narrative that they deliberately concentrated the footprint of the development in an effort to best comply with the City's tree requirements. Unlike a single-family subdivision where the extent of construction footprints is not precisely known at the preliminary stage, this development is being planned comprehensively on a single site. Therefore, the extent of construction is clear and thus preservation of open space all but guaranteed. For these reasons, staff believes the spirit of the tree preservation provisions is met by the proposal without the need for a tree survey of open space areas.
- **Parking Area Trees:** The Parking Code also specifies tree planting requirements based on the number of parking spaces provided. The standard, per **Section 1149.07(e)(6)(B)**, is a minimum of 2 trees per facility plus 1 tree for every 5 parking spaces or fraction thereof. If the entire site is considered 1 facility, based on a total of 53 parking spaces this amounts to a minimum of 13 trees to be planted in close proximity to parking. The applicant more than meets this requirement with the submitted Landscaping Plan.
- **Lighting:** Lighting details have yet to be provided. Such details may be considered at the Final Planned Development stage. Street lighting along Dana / Melissa Drive will need to be provided consistent with the Subdivision Regulations. In addition, internal site lighting along parking areas will need to be provided consistent with requirements in the Parking Chapter (1149) of the Oxford Zoning Code.
- **Lot Coverage:** The maximum lot coverage in the R-1B District is **35** percent. The proposed development layout constitutes 1.74 acres of coverage, amounting to **25** percent of the 7 acre site.
- **Non-Vehicular Mobility:** Relevant topics are discussed below:
 - **Pedestrian Facilities:** The submitted plan provides a network of internal pathways linking dwelling unit entrances to parking, and to a new public sidewalk to be provided along the south side of the extended Dana/Melissa Drive. The new sidewalk would link to existing sidewalk at the end of Dana Drive in the Western Knolls subdivision, as well as to a segment of the OATS trail (Phase 4) planned along Oxford-Reily Road. At this time, a crosswalk improvement at the intersection of Melissa and Oxford-Reily is not shown. The applicant has submitted a separate request to the City asking for financial support in constructing the street and associated infrastructure, to ensure the feasibility of keeping the development affordable.
 - **Bicycle Parking:** The Zoning Code typically requires bicycle parking to be provided for multi-family developments. These standards work well for conventional multi-family

housing complexes, as well as those which are purpose-built for student renters. For this particular development, the Code requires a minimum of 10 spaces that can be provided either in the form of racks or lockers. Staff brought this to the attention of the applicant during the review process. The applicant expressed their view that bicycle use is expected to be minimal due to the senior living focus of the development. Additionally, since all units are planned at ground level with dedicated entrances, the natural place for bike storage will be within or next to each unit. For these reasons, staff is supportive of waiving bicycle parking requirements.

- **Open Space:** There is a **20%** minimum open space requirement for Planned Developments per **Section 1145.12(f)(1)**, which cannot include any area less than 50 feet by 50 feet nor can it include the required 25-foot perimeter setback for a residential zoning district. The proposed development sets aside 2.95 acres of open space, equivalent to **42%** of the 7 acre site.
- **Signage:** One freestanding sign is proposed to be located in proximity to the easternmost curb cut off the extended Dana Drive. The applicant provides a sample sign design from another ERS property in the region, which as designed would comply with the Zoning Code's freestanding sign standards for multi-family development sites. Signage details may be revisited and further refined during the Final Planned Development stage.
- **Stormwater Management:** The applicant proposes a stormwater basin in the southeast corner of the site, due to the site's topography sloping from west to east. Storm sewers within the 7 acre site will feed into this basin, and then be gradually released at the pre-development rate into a separate storm sewer planned along the extended Dana/Melissa Drive. Runoff generated by the development would eventually flow northward toward an existing stream located just south of the Cedar Creek condominiums.
- **Traffic Circulation:** Various topics are discussed below:
 - **Proposed Street Extension (Dana/Melissa Dr.):** The 2007 Oxford Transportation Thoroughfare Plan (as reflected in the Oxford Transportation Plans compilation document most recently approved by Council in May 2020) shows a future Minor Collector roadway (Segment 8) running east-west between Oxford-Reily Rd (SR 732) and the northernmost existing end of Dana Drive. Another north-south Minor Collector road is also shown, to serve as a connector between the east-west road and Brookville Road, intersecting approximately 680 feet west of Quail Ridge Drive. While the Thoroughfare Plan's Typical Section for a Minor Collector provides 80 feet of right-of-way with 36 feet of pavement, the Subdivision Regulations alternatively specify a 58-foot right-of-way width with 33 feet of pavement for the same classification. The applicant proposes a 60-foot right-of-way with 36 feet of pavement, which should closely align with the existing Dana Drive stub street.
 - **Future North-South Street:** During the review process, staff asked the applicant to revise the plan to illustrate where a future north-south street could be positioned in relationship to the ERS development and extended Dana/Melissa Drive. To accommodate the area for this future street, the overall ERS development layout (buildings, parking, etc.) was shifted roughly 60 feet to the west in order to preserve a four-acre area to the east as originally envisioned. A T-intersection/stub and dead-end signage for the future street is to be provided just northeast of the 7 acre development site. This intersection could also serve as the junction point where Melissa Drive ends and Dana Drive begins, thus ensuring there are not two intersections signed as Dana Drive off Oxford-Reily. At some point in the future when either a master plan is developed, and/or additional development is proposed, allocating area for a future north-south street will allow for inter-connectivity between

developments on the rest of the Western Knolls site. The applicant has also provided a “pathway stub” in the southeast corner of the ERS development, to guarantee a shortcut into the community if and when the future street is ever constructed.

- **Request for Financial Assistance:** The applicant has submitted a separate request to the City to share in the cost of constructing the public street (Dana/Melissa) and associated infrastructure. If such request is considered, it will ultimately be a Council decision, so the Planning Commission does not need to consider this aspect as part of its recommendation.
- **Parking:** An off-street parking area is proposed in a loop configuration with two curb cuts off the extended public street. The Oxford Zoning Code requires a minimum of 2.5 parking spaces for unit for multi-family residential developments. The proposed application falls short of the normal minimum, and requests a waiver to this provision. Below is a table providing a comparison between the proposed ERS development and four other existing ERS developments (data on these from applicant). Providing additional parking spaces to better achieve the Code minimum would undoubtedly add extra impervious surface area and disturb more natural ground, and as the applicant suggests, would likely remain empty most of the time. If by chance there is a point in time where demand exceeds the 53 available spaces, the adjoining street could accommodate overflow on-street. For these reasons, staff is supportive of the waiver request.

Community	Units	Parking Spaces Provided	Min. Parking Required by Oxford Code	Parking Spaces per Unit	Typical Parking Utilization
Knowlton Place	56	39	140	0.7	90%
Marlowe Court	53	50	132	0.9	60%
St. Paul Village	168	118	420	0.7	58%
Madison Villa	95	82	237	0.9	61%
Oxford Court Village (subject application)	42 (proposed)	53 (proposed)	105	1.26	N/A

- **Utilities:** Comments on individual utility services are provided below.
 - **Sanitary Sewer:** The sanitary sewer lines to be installed will gravity feed into existing infrastructure located west of the Oxford-Reily/Melissa intersection.
 - **Water:** An 8-inch water main is currently installed on the site, between the Dana Drive stub and Oxford-Reily/Melissa intersection. Water service will tap into this existing main.
 - **Electric:** Information on electric utility connections is not shown at this time. The preference is for such utilities to be located underground.
 - **Garbage & Recycling Collection:** Two trash enclosure areas are proposed within the site, access from parking aisles. These enclosures will need to meet the City’s sizing and material standards and requirements at the time of Building Permit review.

DECISION CRITERIA

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

1. **The proposed planned development is in fact permitted in the zoning districts in which it is proposed.**
The underlying R-1B zoning district allows single-family residential use by-right. However, when undergoing a Planned Development process, any residential land use is potentially permissible so long as the resulting density is at or below what would be allowed in the underlying zone. This proposal is technically multi-family residential, given that multiple principal buildings containing multiple units each will be constructed on a single site. The proposed development satisfies this criterion, since the planned density of 6 du/ac falls below 110% of the underlying district density of 5.81 du/ac.
2. **If the application is for the same site where a planned development application has been denied within one year, the plan is substantially different from the application so denied.**
This criterion does not apply, since this is the first Planned Development proposal for this site. The Preliminary Subdivision portion of the application (dividing into 3 parcels) would effectively supersede the previous 1988 Preliminary Plan.
3. **The uses and site plan will satisfy the general intent of the Zoning Code.**
The Oxford Zoning Code provides a purpose statement and lists a number of goals for Planned Developments. The general purpose is to encourage creative and flexible land development that would not be permitted by-right within the underlying zoning district, while also planning sites in an environmentally sensitive and cohesive way. One of the stated goals that is particularly relevant to this proposal is the facilitation of a variety of dwelling types to enable diverse and affordable housing. Overall, staff believes the proposal satisfies the general intent of the Code.
4. **The uses and site plan will be compatible with the general intent of the Comprehensive Plan.**
Map 3.6 (Conservation and Development Map) in the Oxford Comprehensive Plan establishes preferred land uses for undeveloped sites within the City limits. This Map designates the site for “Traditional Neighborhood Development” (TND) which calls for residential development to have a distinct center and edge, open spaces, well designed streets and public spaces, and multiple housing options. While this proposal may not fully embrace all TND traits, staff believes the proposal represents a good design that is sensitive to its surroundings and will be able to integrate with future development that may occur to the east or south later on down the road. The Comprehensive Plan also provides a number of housing-related objectives which the subject application will help meet, including: (1) expanding housing options; (2) supporting the development of new senior housing with community resources and services; and (3) encouraging diverse and affordable housing choices.
5. **The size and shape of the site are sufficient for the proposed planned development.**
The size of the development site has already been pre-determined, more or less, by ERS entering into an Option-to-Purchase agreement with the City in April 2021 for the potential future purchase of approximately 8 acres. With this proposal, the applicant has decided 7 acres is sufficient for the extent of the envisioned development to create a total of 42 dwelling units. Given that development features have been concentrated to the greatest extent possible, thus reserving 42% of the site as open space when the minimum is only 20%, this proves the size of the site is more than sufficient.
6. **The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.**

Staff believes the proposed community footprint is well-positioned in relationship to other surrounding developments. The closest distance between a planned building and an existing dwelling in Western Knolls is approximately 200 feet. The distance is also roughly the same when measuring between the edge of the planned street (Dana/Melissa) and the nearest developed feature on the Cedar Creek Condominiums site. Therefore, staff does not believe the proposed development will be hazardous or disturbing to these existing uses. In addition, it should be noted the buildings are “inwardly” focused, with vegetation planned around the outer perimeter to provide a screening effect; this will help keep the units insulated from any future development that may occur in proximity, while also remaining connected from both a vehicular and pedestrian standpoint.

7. **The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.**

This criterion is generally not applicable to a residential proposal, as these external effects mostly pertain to activities or processes associated with commercial or industrial businesses. The applicant submitted a traffic study focusing on the anticipated traffic to be generated by the 42-unit development, which concluded no other off-site roadway improvements were warranted. If the City were to create a master plan for the 47-acre site at some point in the future, a more thorough traffic study could be performed which examines the maximum potential traffic demand generated by the total number of residential units and/or any commercial, office, or service-oriented development anticipated for the overall site.

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

In a sense, the proposed Community Center could be seen as an accessory use to the planned principal use of the development site as multi-family residential. So long as this Center remains primarily dedicated to serving residents of the community wherein and not residents from elsewhere in the City, it would be seen as ancillary to – and not independent of – the principal use.

9. **The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.**

The applicant has provided preliminary details for all such services as part of their application. The Fire and Police Chiefs reviewed the application and did not have any comments or concerns to share. The provision of water and sewer utilities will be coordinated with the City’s Service Department. Staff has discussed the submitted traffic study with the City Engineer, and together determined that no off-site roadway improvements are warranted by the development; this is inclusive of a west-bound left turn lane on W Chestnut Street, which the study concluded was warranted by existing traffic conditions.

10. **Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.**

The applicant has submitted a separate request to the City to help fund construction of the extended public street (Dana/Melissa Drive). Normally a developer is required to foot the cost of constructing all public infrastructure that enables and supports their development. The applicant has expressed a willingness to contribute \$50,000 toward the extended street, on top of the agreed upon price to purchase the 7 acres from the City at \$25,000/acre. The total anticipated cost of constructing the street and associated infrastructure/utilities is not known at this time.

11. **The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures**

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

Staff believes this criterion can be addressed by requiring building architecture to have a substantially similar appearance to the submitted elevations and renderings. More precise architectural standards may be explored as part of the Final Planned Development.

12. **The site is designed so that on-site traffic and traffic accessing the site will not adversely impact the movement or safety of all modes of traffic on adjacent public streets.**

The anticipated development is not expected to have a significant adverse impact on traffic patterns. In addition to providing access to the subject development, connecting Dana Drive to Melissa Drive & Oxford-Reily Road will also entail the benefit of providing more than one way to access homes within the existing Western Knolls subdivision. The planned street network, including a future connection to the south, is actually reminiscent of the original network envisioned in the 1980s.

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

The site is heavily wooded and includes a significant amount of coniferous trees. The applicant has recognized this fact, and has made a conscious effort to create a condensed layout that would enable as much of the existing woods to be preserved as possible. The location of preserved areas makes sense in terms of buffering the development from existing single-family units to the west, as well as from whatever future development (most likely residential) may arise in the future to the south. In addition, by situating the development site on the south side of Dana/Melissa, this leaves an area with steeper slopes, mature trees, and streams to the north untouched.

14. **Proposed construction will not result in the complete elimination of existing mature tree canopy. Effort shall be made to direct disturbance and construction around or away from existing mature tree canopy without completely taking away use of the site or connectivity to existing infrastructure.**

The site is mostly covered by coniferous vegetation, but also includes some relatively tall deciduous trees in the western corner near the existing Dana Drive stub/turnaround. The development plan for the 7 acres enables a significant portion of this pocket of deciduous trees to be preserved.

STAFF RECOMMENDATION

There are no decision criteria for a Preliminary Subdivision application, as the review is based on meeting the spirit of the design standards in **Section 1101.4** of the Subdivision Regulations. **Section 1101.4(400)** provides some general statements for the Commission to consider in reviewing a subdivision proposal (see Appendix B).

On the other hand, consideration of a Preliminary Planned Development must rely on decision criteria provided in **Section 1145.06(b)** as touched upon in the previous section.

In consideration of the relevant standards and criteria, staff recommends **approval** of both the Preliminary Subdivision and Preliminary Planned Development proposed by Episcopal Retirement Services (ERS) subject to the following conditions:

1. The proposal is recognized as an affordable housing community for seniors. If the applicant fails to obtain LIHTC funding from OHFA and another applicant wishes to move forward with the development prior to the expiration of this approval, the Planning Commission shall re-evaluate the application pursuant to **Section 1145.10** of the Oxford Zoning Code.
2. All buildings on the 7-acre development site shall maintain a minimum 30-foot setback from the northern and eastern property lines.

3. An access and construction easement shall be established so that the connector walkway in the southeast corner of the development site may eventually be extended to the eastern property line by the City, or a development entity authorized by the City.
4. Provisions for mail delivery, including possible installation of cluster mailboxes for USPS, shall be evaluated at the Final Planned Development stage.
5. Buildings shall substantially conform to the submitted architectural elevations and renderings dated 11/1/2021. Architectural standards may be further evaluated at the Final Planned Development stage.
6. A freestanding sign (if installed) shall be situated as shown on the submitted plans, shall have indirect illumination, and shall not exceed the dimensional parameters of the example sign plan provided ("Manse Apartments") unless alternative sign standards and details are approved at the Final Planned Development stage.
7. A waiver to **Section 1148.05(b)(2)(A)** is hereby granted to relieve the developer from the Tree Survey requirement, on condition that the submitted Landscaping Plan is fulfilled, and designated open space areas remain undisturbed as noted.
8. A waiver to **Section 1149.05** is hereby granted to reduce the required number of parking spaces per unit from 2.5 to 1.26.
9. A waiver to **Section 1149.07(e)(5)(A)** is hereby granted to relieve the applicant from bicycle parking requirements.

SUBMITTED BY:



Zachary Moore, AICP
Planner

DATE: December 8, 2021

APPENDIX A

RELEVANT PROVISIONS FROM THE ZONING CODE

Within the Oxford Zoning Code, *Section 1143.02* provides the base zoning standards for the R-1B zoning district and *Chapter 1145* governs Planned Development applications.

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

- (a) Purpose.
This district is designed to provide and preserve single family residential development of a moderately low density character within and adjacent to areas of similar development.
- (b) Uses.
 - (1) Permitted uses.
 - A. Single-family dwellings.
 - B. Accessory buildings and uses incidental to the principal use as provided in Chapter 1141.
 - C. Day Care Home Type B family.
 - (2) Conditional uses.
The following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.
 - A. Community-Oriented Residential Social Service Facilities (CORSSF's).
 - B. Shared Housing for the elderly.
 - C. Government owned and/or operated parks and recreation facilities.
 - D. Bed & Breakfasts.
 - E. Open space recreation areas that are privately or publicly owned, such as golf courses, tennis courts, parks, forests, or wildlife preserves.
 - F. Day care facilities, including Child Day Care, Child Day Care Center, and Day Care Home Type A family.
 - G. Schools: primary, intermediate, and secondary, both public and private.
 - H. Places of worship.
- (c) Site Development Regulations. (Unless superseded by Conditional Use Requirements)
 - (1) Lot requirements.
 - A. Minimum lot area 7,500 sq. feet
 - B. Minimum lot width 65 feet
 - C. Minimum lot frontage 65 feet (not applicable to cul-de-sac lots)
 - (2) Yard requirements.
 - A. Minimum front yard depth 30 feet
 - B. Minimum rear yard depth 35 feet
 - C. Minimum side yard width 8 feet on each side
 - (3) Structural requirements.
 - A. Maximum building height 35 feet
 - (4) Lot coverage.
 - A. Lots with vehicular access from a public street
 - 1. Lot total – Maximum 35 percent
 - 2. All enclosed buildings – Maximum 25 percent of lot
 - 3. Front yard – Maximum 25 percent of front yard
 - B. Lots with vehicular access from a rear or side alley, and no access from a public street
 - 1. Lot total – Maximum 40 percent
 - 2. All enclosed buildings – Maximum 25 percent of lot
 - 3. Front yard – Maximum 15 percent of front yard

1145.06 Planning Commission and Council review.

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

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

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

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

(a) **Burden of Proof.**

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

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

(b) **General Decision Standards.**

All planned developments shall satisfy these general decision standards:

- (1) The proposed planned development is in fact permitted in the zoning districts in which it is proposed
- (2) If the application is for the same site where a planned development application has been denied within one year, the plan is substantially different from the application so denied.
- (3) The uses and site plan will satisfy the general intent of this Zoning Code.
- (4) The uses and site plan will be compatible with the general intent of the Comprehensive Plan.
- (5) The size and shape of the site are sufficient for the proposed planned development.
- (6) The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.
- (7) The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.
- (8) Accessory uses will be directly related to the operation of the principal uses and will not be operated independent of the principal uses.
- (9) The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services

privately.

- (10) Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
- (11) The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.
- (12) The site is designed so that on-site traffic and traffic accessing the site will not adversely impact the movement or safety of all modes of traffic on adjacent public streets.
- (13) Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
- (14) Proposed construction will not result in the complete elimination of existing mature tree canopy. Effort shall be made to direct disturbance and construction around or away from existing mature tree canopy without completely taking away use of the site or connectivity to existing infrastructure.

1145.07 Action by Planning Commission

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

1145.12 Design.

- (a) Arrangement.
The physical arrangement of a planned development is not subject to the specific dimensional regulations that apply in the underlying zoning district, except as specifically noted in this Chapter. Land uses may be distributed throughout the site and throughout individual buildings in whatever manner is best suited to a particular planned development. Structures, vehicle management areas, open spaces, landscaping, and other elements may be distributed throughout the site in whatever manner is best suited to a particular planned development and the surrounding area.
- (b) Land Area.
A planned development shall be a minimum of 1 (one) contiguous acre or more.
- (c) Land Use.
 - (1) The following land uses are permitted in proportion to those portions of a planned development that overlay an existing residential zoning district:
 - A. Any land use permitted in any residential zoning district in this Code, except Mobile Homes.
 - B. Institutional, public, and semi-public land uses that serve the planned development or the general public.

- C. Commercial land uses, if the total land area of the planned development is greater than 10 acres and if the commercial land use is intended to serve the planned development only. Such commercial land uses shall be limited as follows:
 - 1. No signs that are visible from outside of the development.
 - 2. No direct vehicular access to a public thoroughfare.
 - 3. No less than 95 percent of the total land area shall be devoted to residential land uses.
 - 4. No separate structure intended to be used, in whole or part, for commercial land uses shall be constructed prior to the construction of not less than 50 percent of the dwelling units.
 - (2) The following land uses are permitted in proportion to those portions of a planned development that overlay an existing commercial zoning district:
 - A. Any land use permitted in the underlying zoning district.
 - B. Any land use permitted in any residential zoning district in this Code, except Mobile Homes.
 - (3) The following land uses are permitted only in the portions of a planned development that overlay an existing industrial zoning district:
 - A. Any land use permitted in the underlying zoning district.
 - (4) The land uses permitted in a planned development may be distributed as follows:
 - A. If a single planned development overlays more than one zoning district, then the land uses permitted according to this Section may be distributed throughout the entire planned development site.
 - B. If a planned development includes land uses permitted only in an industrial zoning district, then those land uses may only be located in that portion of the planned development that overlays the industrially zoned land.
 - (d) Residential Density.
Residential density shall not exceed 110 percent of the density permitted in the underlying zoning district. Residential land uses in a planned development that overlays a commercial zoning district shall not exceed the density of the R1B Single-Family Medium-Density Residential Zoning District. Area devoted entirely to non-residential land uses, including buildings, vehicle management areas, and other associated land use elements shall be excluded from the area used to calculate residential density.
 - (e) Dimensional Regulations.
 - (1) Building Heights shall be limited as in the underlying zoning district, regardless of land use.
 - (2) Front setbacks shall be limited as in the underlying zoning district.
 - (3) All buildings and vehicle management areas shall be setback from the perimeter of a planned development no less than:
 - A. Residential zoning district - 25 feet.
 - B. Commercial zoning district - 25 feet.
 - C. Industrial zoning district - 50 feet.
 - (f) Open Space.
 - (1) No planned development shall have less than 20 percent open space, which includes any area not less than 50 by 50 feet, not including the required setbacks, and includes nothing other than natural area.
 - (2) Lot coverage shall be regulated according to the underlying zoning district, except that lot coverage for the residential portion of any planned development shall not exceed 40 percent.
 - (g) Sensitive Development Area.
 - A. A Sensitive Development Area is defined as any land(s) or soil(s) proposed to be developed that, if subjected to improper use or management, is otherwise determined to be incapable or unsuitable of urban use. Sensitive Development Areas can also be considered those lands that pose special hazards to development

or the environment, consisting of lands or soils of such sensitive character that they may require special use, design and engineering restrictions.

- B. For the Preliminary Planned Development, the applicant must create an inventory of sensitive environmental area identified in subsection (g)D.(1) to (8) from publicly available resources such as Butler County Soil and Conservation District, OKI, OEPA, ODNR, HAPC, FEMA, USFWS, OHPO and other public entities. This information shall be provided with the preliminary application. Design of the site shall be based on site information obtained from those public entities. An existing landscape plan shall be submitted with each application. The landscape plan shall identify existing trees, natural features and other landscaping elements.
- C. After the approval of the Preliminary Planned Development, the applicant must develop a detailed site analysis of sensitive environmental areas on the site, conducted by firm(s) specialized in the areas, at a minimum: Ecological Survey, and Environmental Site Assessment. Other documentation may be required based on the site and the discretion of the Planning Commission, including, but not limited to: Stream and Wetland Mitigation, Water Way Permits, Archaeological Inventory, Historic Architecture Inventory. The applicant must also provide reports of the analyses following current professional norms for the discipline. It will be the Planning Commission's role to review information submitted by the applicant on each discipline to make the recommendations to City Council.
- D. Design of the proposed Planned Development site shall be based on the site information obtained from those public entities. To the maximum extent practicable, development shall be located to preserve the natural features of the site, to avoid areas of environmental sensitivity, and to minimize negative impacts and alterations of natural features. The following specific areas shall be preserved as undeveloped open space, and in accordance with the U.S. and Ohio Constitutions and state or federal regulations:
 - (1) Unique and/or fragile areas, including wetlands, as may be defined in Section 404, Federal Clean Water Act, as amended; and in Ohio Environmental Protection Agency standards.
 - (2) Land in the floodway as identified and mapped using the Federal Emergency Management Agency's Flood Hazard Boundary Maps. Federal Emergency Management Agency in scientific and engineering reports entitled 'Flood Insurance Study for Butler County, Ohio and Incorporated Areas' effective 12/17/2010, with accompanying Flood Insurance Rate Maps for Butler County, Ohio and Incorporated Areas effective 12/17/2010 and any revisions thereto are hereby adopted by reference and declared to be part of this chapter.
 - a. 100 foot natural buffer shall be maintained adjacent to all permanent and natural surface waters, springs, and wetlands. Development of this area is regulated as follows:
 - 1. Natural vegetation shall be maintained.
 - 2. No structures shall be built or improvements made, except as follows:
 - (a). Walking paths, bicycling paths, and the like, including infrastructure necessary to facilitate their development are permitted anywhere within the buffer.
 - (b). Roads and associated infrastructure are permitted in the buffer to facilitate crossing such water elements.
 - (c). Any improvements approved in a final plan.
 - (d). Any public safety or public utility improvements not associated with the planned development, but deemed necessary by the Service Director, Police Chief or Fire Chief.

- (3) Steep slopes fifteen (15%) percent or more, unless appropriate engineering measures concerning slope stability, erosion, and resident safety are taken into account.
 - (4) Habitats of endangered wildlife, as identified on federal and state lists.
 - (5) Historically and culturally significant structures and sites, as listed on, but not limited to, the National Register of Historical Places or on the local inventory of historic places maintained by the City of Oxford's Historic Architectural Preservation Commission.
 - (6) Aquifers and tributary drainage systems.
 - (7) Tree growth areas or urban forested areas as defined in Chapter 935, of the Codified Ordinances of Oxford.
 - (8) Any area as identified on Map 3.3 of the Comprehensive Plan.
- E. The development shall be laid out to avoid adversely affecting groundwater and aquifer recharge; to reduce excavation and embankment; to avoid unnecessary impervious cover; to prevent flooding; to provide adequate access to lots and sites; and, to mitigate adverse effects of noise, odor, traffic, drainage, and utilities on neighboring properties. The placement of buildings shall take into consideration topography, building height, orientation and drainage. Storm water Best Management Practices in Low Impact Development Designs are desirable and encouraged. City guidelines for these practices and designs can be found in the City of Oxford Storm Water Management Design Manual
- F. If the Planning Commission, or its designated representative, may require the applicant to submit a statement in order to demonstrate that satisfactory efforts have been made to mitigate any special hazards posed to the site if these sensitive lands are subjected to improper use or management. The statement, if required, shall be submitted in one or more of the following forms:
 - (1) The statement shall describe in detail the extent of encroachment on any Sensitive Development Area, the extent and nature of the proposed alteration, the environmental impacts resulting from the proposed alteration, and the proposed methods of mitigation.
 - (2) A Geotechnical Report and/or a Wetlands Assessment/Delineation, prepared by a professional engineer, licensed in the State of Ohio, or by a specialist in Streams and Wetland. This report can be in lieu of a development narrative.
- (h) Landscaping and Screening.
 - (1) A planned development shall satisfy all landscaping elements required by other sections of this Code.
 - (2) The required perimeter setback area shall be retained in natural woods or suitably landscaped with grass, ground cover, shrubs, trees, or earthen mound.
 - (3) A planned development that overlays a commercial or industrial zoning district that is adjacent to a residential zoning district shall be screened from the residential zoning district by a dense evergreen hedge a minimum of 8 feet tall and 10 feet wide at planting and that will maintain at least 90 percent opacity over time.
- (i) Access and Mobility.
 - (1) At residential densities greater than would be permitted in the R-1A District, have direct and principal access from a collector or arterial road.
 - (2) Bicycle rack spaces shall be provided at all planned developments that overlay a commercial zoning district at a rate of 3 per acre.
 - (3) Adequate pedestrian connectivity shall be provided to and through a planned development.
- (j) Utilities and Infrastructure.
Electric and telephone facilities, street light wiring, and other wiring conduits and similar facilities shall be located underground.
- (k) Plan-Specific.
Any other design elements deemed necessary by Planning Commission and Council to ensure that a planned development satisfies the decision criteria of this Chapter.

APPENDIX B

RELEVANT PROVISIONS FROM THE SUBDIVISION REGULATIONS

Section 1101.4 of the Oxford Subdivision Regulations provides the design standards applicable to major subdivisions.

1101.4 – Design standards and construction standards.

400 – General Statement

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

401 – Suitability of Land

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

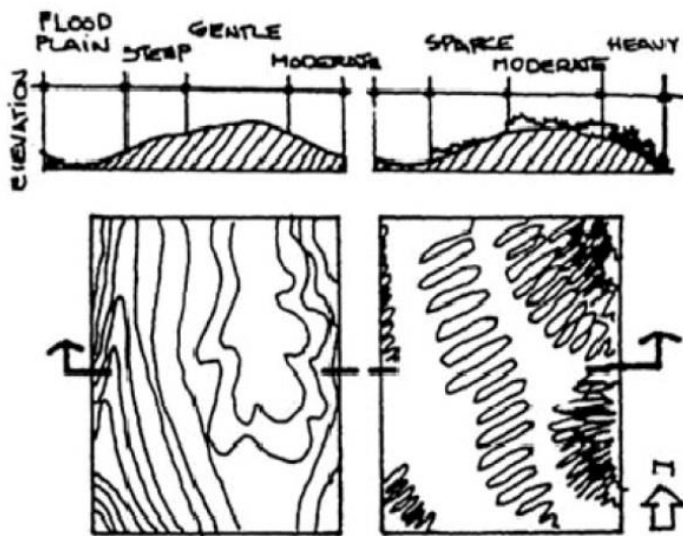
402 – Sensitive Development Areas

- (A) A Sensitive Development Area is defined as any land(s) or soil(s) proposed to be subdivided that, if subjected to improper use or management, is otherwise determined to be incapable or unsuitable of urban use. Sensitive Development Areas can also be considered those lands that pose special hazards to development or the environment, consisting of lands or soils of such sensitive character that they may require special use, design and engineering restrictions.
- (B) For the Preliminary Subdivision Plat, the applicant must create an inventory of sensitive areas identified in Section 402 (d) 1-8 from publicly available resources such as OEPA, ODNr, HAPC, FEMA, USFWS, OHPO, OKI, Butler County Soil and Water Conservation District, and other public entities. This information shall be provided with the preliminary

application. Design of the subdivision shall be based on a site analysis provided by the applicant.

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

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



403 – Typical Sections

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

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

404 – Streets

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

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

- (A) Relation to Adjoining Street System
 - (1) The arrangement of streets in new subdivisions shall make provisions for the continuation of the principal existing streets in adjoining areas, or their proper

projection where adjoining land is not subdivided, unless prevented by topography or other physical conditions, or unless, in the opinion of the Commission, such extension is not necessary or desirable for the coordination of the layout of the subdivision with the possible future development of adjacent tracts. The Planning Commission reserves the right to disapprove any street plan which does not represent good design or does not ensure continuity of the existing street system.

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

(B) Street Classifications

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

Street Classifications:

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

(C) Street Improvements

- (1) All public streets in residential subdivisions shall be the minimum width necessary to safely and adequately accommodate the vehicular traffic needs specific to the proposed subdivision, while balancing the needs of safe alternative modes of transportation. In all instances, street widths shall be measured from back-to-back of the installed curb. Minimum street width requirements are contained in Attachment H.
- (2) The City Engineer shall determine the need for a traffic impact study, based upon the level of impact of this development upon surrounding traffic flow and safety.
- (3) All street and public ways shall be constructed to their full specified width and to the appropriate grade and shall be surfaced in accordance with applicable standard specifications of the City. Such construction shall be subject to inspection by the City Engineer prior to release of the performance bond by Council. It is the duty of the subdivider to give proper notification to the City Engineer:
 - (a) Before the commencement of the work;
 - (b) Twenty-four hours prior to seeking an inspection; and
 - (c) At the end of the one-year maintenance improvements.
- (4) Proposed streets shall intersect one another and existing street(s) at right angles as topography and other limiting factors allow.
- (5) Street grade shall be designed to the Ohio Department of Transportation Highway Design Manual and acceptable to the City Engineer.
- (6) Where a tract of land is of such size, location or contour, preventing a lot arrangement directly related to a normal street design, there may be established

one or more, dead-end/stub streets or other arrangements, provided that proper access shall be given to all lots from a dedicated street.

- (7) A cul-de-sac, dead-end/stub street or loop street shall not exceed 500 feet in length unless otherwise approved by the Planning Commission due to topography or unusual circumstances. (See also Section 405(B)(4))
- (8) All subdivisions shall have at least two (2) entrances to an existing street system unless otherwise determined by the Planning Commission. The spacing of the entrances shall be separated and in accordance with traffic engineering standards.

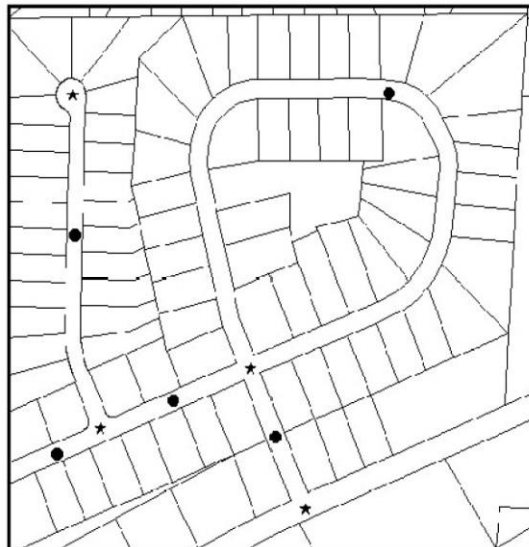
(D) Street Connectivity

The purpose of this section is to support the creation of a highly connected transportation system within the City in order to enhance traffic circulation efficiency for drivers, pedestrians, and bicyclists; promote various modes of transportation; connect neighborhoods to each other and to local destinations such as schools and parks; reduce emergency response times; reduce vehicle miles of travel and travel time; increase effectiveness of municipal services delivery.

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

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

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



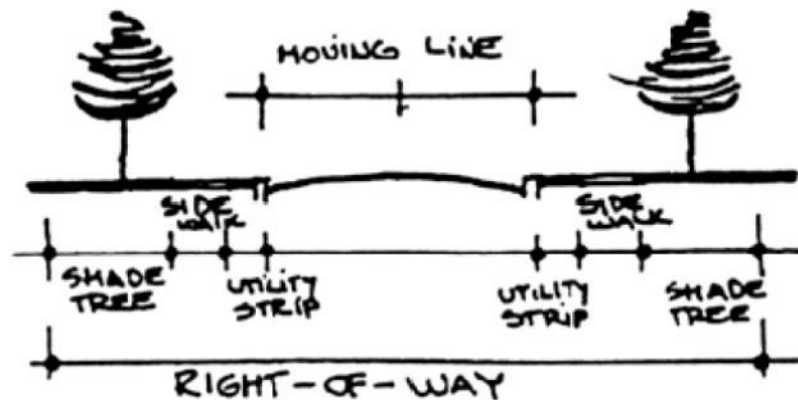
(E) Private Streets

- (1) No primary access into a subdivision shall be a private road.

- (2) Private streets shall conform to the minimum street standards, including construction materials, unless otherwise approved by the Planning Commission upon the City Engineer's recommendation.
 - (a) Sidewalks are required along a private street as required on public streets.
- (3) Any proposed private street shall serve a minimum of six (6) lots in order to be platted and recorded as a private street.
- (4) All lots utilizing a private street for access shall be provided with an access easement and maintenance agreement, to be noted on the Record Plat and to be outlined with the appropriate covenants and restrictions as to ensure that the private street is appropriately maintained. Such maintenance agreement shall be acceptable to the Planning Commission and Law Director.
- (5) The Planning Commission may require passing lanes, turnarounds, and overhead and width clearances as necessary to accommodate, public utility and fire and emergency vehicles.

(F) Rights-of-Way

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



- (1) The right-of-way width required shall reflect future development as indicated by the Thoroughfare Plan and the Typical Section Drawings in Attachment H herein.
- (2) When a road is not referenced in the City of Oxford Thoroughfare Plan, or the Typical Section Drawings in Attachment H, the right-of-way width shall be established per the recommendation of the City of Oxford Engineer, and shall be approved by the Planning Commission.
- (3) The right-of-way shall be measured from lot line to lot line and shall be sufficiently wide to contain the roadway, curbs, sidewalks, utilities, graded areas and shade trees.
- (4) The right-of-way of a new street that is a continuation of an existing street shall in no case be continued at a width less than that of the existing street unless otherwise approved by the City Engineer and Planning Commission.

(G) Street Signage

Street signs, regulation signage, and warning signs shall be erected by the subdivider before building permits for homes are obtained. The subdivider shall maintain such signage until such time when the City accepts the streets for public use. All regulatory and warning signs

shall meet the Ohio Manual of Uniform Traffic Control Devices. All signage shall be regulated by the City of Oxford Engineering Division.

(H) Parking

- (1) Off-street parking lots shall follow the Vehicle Management Chapter 1149 of the Zoning Code including landscaping, screening and lighting.

405 – Pedestrian/Multi-Use Paths

(A) Sidewalks

- (1) Concrete sidewalks, not less than five feet in width, shall be constructed along both sides of all streets, both private and public, and shall be in accordance with the City of Oxford's Curb, Gutter & Sidewalk Specifications Manual unless otherwise determined by the Planning Commission.
- (2) Sidewalks shall be required as a continuation of any existing sidewalk adjoining the lands to be subdivided.
- (3) It shall be the responsibility of the subdivider, prior to the release of the performance bond, to install any missing sidewalk segment on any undeveloped lots and in accordance with Section 106.

(B) Bike Paths/ Walking Trails

- (1) All bike paths or walking trails shall be elevated and/or distinguished from driving surfaces through the use of durable, low maintenance, hard surface materials such as asphalt, concrete, or other material approved by the City Engineer, to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.
- (2) Bike paths shall be installed in accordance with these regulations, the City of Oxford Comprehensive Plan, Thoroughfare Plan and Typical Section Drawings in Attachment H.
- (3) All proper easements, dedication and maintenance shall be recorded on the Record Plat.
- (4) Cul-de-sacs that exceed 300 feet in length shall provide a multi-use path and easement at the end of such cul-de-sac. The purpose of this is to provide connectivity to neighboring subdivisions as well as emergency access.

406 – Infrastructure

(A) Water Lines

An approved public water supply shall be provided for each lot within the subdivision areas and shall be in accordance with the City of Oxford Water and Sanitary Sewer Improvement Specifications Manual. Fire hydrants shall be installed in all subdivisions wherever required by the City Engineer and the Fire Chief in accordance with Ohio Fire Code and NFPA standards.

(B) Sanitary Sewers

The subdivider shall install sanitary sewer lines to serve each lot. All such sewer lines shall be constructed in accordance with regulations and requirements the City of Oxford Water and Sanitary Sewer Improvement Specifications Manual, the Sanitary Sewer Pump Station Requirements and under the inspection of the City Engineer.

(C) Storm Drainage

All necessary facilities, either underground pipe or drainage ditches, shall be installed to provide adequate disposal of surface water, groundwater and the waters of any natural watercourse and shall be in accordance with the City of Oxford Storm Water Management Design Manual.

(D) Detention/Retention

All necessary detention or retention facilities shall be installed in accordance with the City of Oxford Storm Water Management Design Manual.

(E) Utilities

Items of work which pertain to underground utilities, such as gas mains, electric lines and telephone cables, shall be constructed according to the standards and specifications of the utility company involved. Every effort shall be made to have all utilities provided underground.

(F) Street Lights

- (1) One street light shall be installed in conformance with the Ohio Department of Transportation specifications within 50 feet of every intersection created by the subdivision, at the end of a cul-de-sac or dead end/stub street, and at intervals not exceeding 400 feet. A street light shall have a fixture of at least 9,500 lumens. The City Engineer may vary from the spacing standards where the City Engineer determines that public safety or professional engineering design practice makes it necessary to vary the spacing standards.
 - (2) Streetlights shall be designed, with appropriate lamps and reflectors, to minimize light pollution.
 - (3) Light poles shall be consistent with the overall architectural theme and scale of the site.
 - (4) Streetlights along the sidewalks shall not exceed 16' in height in accordance with Chapter 1149 of the Planning and Zoning Code. Streetlights for the purpose of illuminating an intersection, parking facility or roadway for safety purposes shall not exceed 32' in height.
- (G) Sedimentation and Erosion Control
The subdivider shall comply with all requirements of Ohio's Standards for Stormwater Management Land Development and Urban Stream Protection, City of Oxford Storm Water Management Design Manual and subsequent amendments or revisions, as hereby incorporated into these regulations. In the development of a subdivision, the subdivider shall not cause or allow earth-disturbing activities that can pollute a public or private surface ditch, subsurface drainage, stream, river or lake. The subdivider shall also, to the greatest extent possible, take steps so that sediment will not be deposited onto an adjoining property or public right-of-way. Adequate control of soil erosion and sedimentation, through the use of best management practices with both temporary and permanent measures, shall be used during all phases of clearing, grading, and construction to conserve soil resources and to maintain existing water quality. The Engineering Division will continuously monitor site development and efforts of sedimentation and erosion control.

407 – Driveways

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

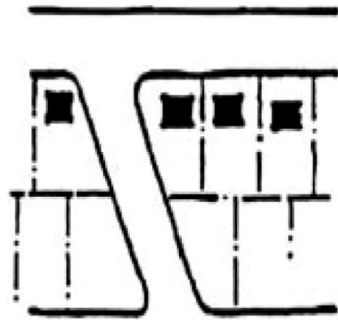
408 – Blocks

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

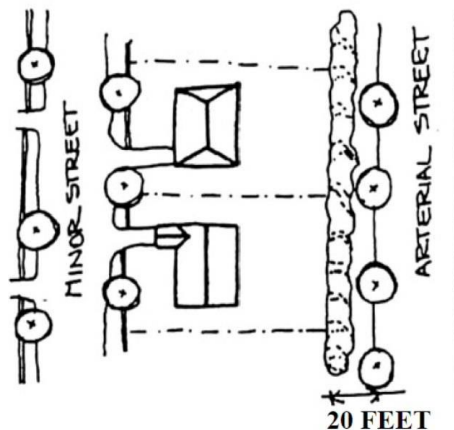
- (A) The maximum block length shall be 800 feet.
- (B) Where blocks are over 600 feet in length, a public walkway which traverses the block may be required to be dedicated and installed by the subdivider.
- (C) In platting residential lots, the depth of the block should not exceed 350 feet.
- (D) Blocks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

409 – Lots

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



- (B) All side lines of lots shall be at right angles to straight street lines and radial to curved street lines except where a variation to this rule will provide a better street and lot layout.
- (C) Through lots (extending from one parallel street to the other) are discouraged to avoid problems between adjoining owners, creating double frontage lots and to reduce the number of streets.
- (D) No lot shall have an area or width less than that required by applicable sections of the Zoning Code except those pursuant to the Open Space Residential Development Regulations.
- (E) Where corner lots back upon lots facing the side street, the corner lots shall have extra width sufficient to permit the establishment of front building lines on both the front and side of the lots adjoining the streets.
- (F) All utility easements on individual lots shall be in accordance with the Record Plat and Street Standards of Attachment H herein.
- (G) Each lot shall front (abut) on an approved street.
- (H) Lots may not be created in a new, proposed subdivision, by dividing land at the end of stub streets in adjacent, existing subdivision(s), such stub streets being intended to promote continuity of street systems in adjoining subdivisions, unless otherwise determined by the Planning Commission.



- (I) Twenty (20') feet minimum, of additional lot depth or a buffer strip, in accordance with the landscape standards of Chapter 1149 of the Zoning Code, Chapter 935 of the Codified Ordinance and Section 410 below, may be required where a residential lot in a subdivision backs up to a railroad right-of-way, a high pressure gasoline or natural gas line, open drainage ditch, an arterial street or highway, an industrial area or other existing land use which may have a detrimental effect on the residential use of the property.

- (J) Lands abutting State or Federal highways, collector streets, or arterials should be platted with the view of making the lots, if for residential use, desirable for such use by cushioning the impact of heavy traffic on such trafficways; and with the view also to minimizing interference with traffic on such trafficways as well as the accident hazard.
- (K) Panhandle or flag lots are specifically prohibited.
- (L) All lot numbers shall be assigned by the Butler County Auditor's office and addresses will be provided by the City of Oxford Community Development Department.

410 – Landscape Plan

- (A) A landscape plan shall be submitted with each plat application for proposed developments in accordance with Chapter 1149 of the Zoning Code and Chapter 935 of the City of Oxford Codified Ordinance, unless an exception is granted by the Planning Commission pursuant to these Regulations.
 - (1) The landscape plan shall identify existing and proposed trees, shrubs, and ground covers; natural features such as rock outcroppings; and other landscaping elements.
 - (2) Where existing plants are to be retained, the applicant shall include in the plans proposed methods of protecting them during construction such as but not limited to the Tree Protection Detail.
 - (3) The landscape plan shall demonstrate compliance with the requirements of Chapter 1148.
- (B) Buffering

Buffering is the provision of an area between different land uses that attempts to minimize negative environmental impacts from one to the other. Buffers shall provide a year-round visual screen in order to minimize adverse impacts. They may consist of fencing, evergreens, berms, rocks, boulders, mounds, or combinations thereof to achieve the same objectives. Multi-use paths are permitted in the buffer area. Every subdivider shall provide sufficient buffering or additional lot depth when topographical or other barriers do not provide reasonable screening and when the Planning Commission determines that there is a need to shield;

 - (1) Neighboring properties from any adverse external effects of a development; or
 - (2) The development from negative impacts of adjacent uses such as streets or railroads.
 - (3) Requirements
 - (a) Plant materials shall be sufficiently large and planted in such a fashion that a year-round screen at least eight (8) feet in height shall be produced within three (3) growing seasons.
 - (b) All plantings shall be installed according to accepted horticultural standards.
 - (c) A five (5') foot minimum buffer width from parking lots, garbage collection, utility areas, and loading and unloading areas shall be provided.
 - (d) Twenty (20') foot width minimum from all other land uses.
 - (i) When adjoining undeveloped, vacant or agricultural land, such buffer width may be reduced to ten (10') feet.

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

411 – Maintenance of Improvements

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

412 – Deed Restrictions and Covenants

Deed restrictions or covenants running with the land may be included to provide for the creation of a Home Owner's Association, Condominium Association, or Board of Trustees in which individual

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



PC-2021-34 PC-2021-35

Surrounding Property Owners Notifications Map

Legend

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



1 inch = 300 feet

Prepared on Tuesday, November 02, 2021

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





Memo
Service Department
Engineering Division
513/524-5208

TO: Community Development Department

FROM: Scott Otto, P.E.
City Engineer

RE: Application #PPC-2021-35
4381 Oxford Reily Road Episcopal Retirement Services – Preliminary
Planned Development

DATE: November 24, 2021

The Engineering Division offers the following comments:

- Further review of detailed construction plans may require additional information to verify proposed utilities will be designed to allow for utility service to future development adjacent to this project. Revisions to proposed water, storm sewer, and sanitary sewer utilities are potentially necessary.
- The traffic study recommends a westbound left turn lane on W. Chestnut St. at the Oxford-Reily Rd. intersection. Design and construction of this improvement will need to be approved by the City of Oxford Engineering Division.

**Internal Use Only:**

Case No. _____

Date Filed _____

Preliminary Subdivision Application

Applicant Information

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

Name * _____ Episcopal Retirement Services

Mailing Address * _____ 3870 Virginia Avenue

City, State & Zip Code * _____ Cincinnati, Ohio 45227

Telephone Number(s) * _____ 513-979-2240

Email Address _____

Engineer/Surveyor Information

Name * _____ Bayer Becker

Mailing Address * _____ 110 South College Avenue

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

Telephone Number(s) * _____ 513-336-6600

Email Address _____ johnbayer@bayerbecker.com

Location and Lot Information

Location of Property * _____

Legal Description * _____ Part of Lot 2102 as platted in the City of Oxford

Zoning District * _____ R-1B _____ Proposed Lots * _____ 2 _____ Total Area * _____ 47.4 _____ Acres

Requirements and Documentation

Plat

Twenty (20) copies of the plat on bond. Drawing size must be at least 17x22" and should never exceed 24x36." The plat must be prepared in accordance with Chapter 1101, Subdivision Regulations and Chapters 1121-1137, Zoning Code of the City of Oxford¹. Scale should not exceed 1" = 100.' Plats containing less than three lots are exempted from the provisions of this section. The preliminary plat shall show:

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

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

Surrounding Property Owners

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

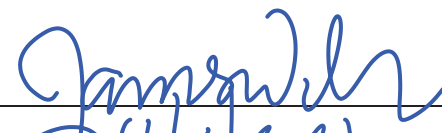
Fees & Receipt

The required fee for preliminary plan is \$570.00 plus \$10.00 per lot, plus \$10.00 postage charge.

Sign and Date

Applicant Signature *

Date *




Submit Application, Plans and Documentation, and Fees

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

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

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

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

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

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

**Internal Use Only:**

Case No. _____

Date Filed _____

Planned Development Application

Application Type

Choose One



Preliminary



Final



Preliminary & Final

Applicant Information

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

Name *

Episcopal Retirement Services

Mailing Address *

3870 Virginia Avenue

City, State & Zip Code *

Cincinnati, Ohio 45227

Telephone Number *

513-979-2240

Email Address _____

Owner Information

Name *

The City of Oxford

Mailing Address *

15 South College Avenue

City, State & Zip Code *

Oxford, Ohio 45056

Telephone Number *

513-524-5200

Email Address

zmoore@cityofoxford.org

Engineer/Surveyor Information

Name *

Bayer Becker

Mailing Address *

110 South College Avenue

City, State & Zip Code *

Oxford, Ohio 45056

Telephone Number *

513-336-6600

Email Address

johnbayer@bayerbecker.com

Location and Lot Information

Name of Subdivision *

Location of Property *

Legal Description *

Zoning District *

west of Oxford Reilly Road, south of Brookville Road, northwest of Melissa Dr

Part of Lot 2102 as platted in the City of Oxford

R1-B

Total Area *

7.0

Acres

Submission Requirements and Documentation

The application requirements (Section 1145.05¹) for a preliminary and final planned development are different. The final planned development application requires a greater degree of accuracy and completeness than does the preliminary planned development application. This section describes the application content requirements for each step of the process.

Thirteen (13) complete sets of all information shall be submitted with each preliminary and final application. If any information is submitted in color or on non-standard paper, more copies may be required. The Zoning Administrator may modify this requirement based upon

the type of materials included. **The applicant shall contact the Zoning Administrator prior to submitting an application to discuss the submission requirement.**

(a) Preliminary Plan.

- (1) Application fee.
- (2) The name, mailing address, and telephone number of the applicant and all property owners.
- (3) If the applicant is not the owner, or if there are multiple owners within the proposed area, a statement from all owners that the applicant is entitled to apply on their behalf, and that they agree to be legally bound to any decision reached according to this Chapter.
- (4) The name, mailing address, and telephone number of any planner, engineer, surveyor, or other design professional who assisted with preparation of the plans.
- (5) Description of use and site. A written, detailed description shall include the following information. A separate response is required for each subsection.
 - A. A legal description of the site, including all separate lots.
 - B. A description of the existing uses of the site.
 - C. The zoning districts in which the site is located.
 - D. A description of the proposed planned development.
 1. The number of housing units by size and type proposed within each phase.
 2. A description of any nonresidential operations, including type of goods sold, services performed, and expected number of customer, clientele, delivery, and service vehicles.
 3. The hours of operation of any nonresidential use.
 4. A phased development schedule, if applicable, that indicates the location and timing of phases and demonstrates that each completed phase would form a reasonably independent unit if succeeding phases were abandoned.
 - E. A narrative statement that evaluates the compatibility of the proposed planned development with the general vicinity and adjacent properties.
 1. How the proposed uses are similar to or different from existing area uses and if there will be any interaction between the proposed site and adjacent sites.
 2. How any existing structures, proposed structures, and the site design relate to adjacent structures and sites.
 3. If the proposed uses will involve any operations that create potential nuisances such as excessive noise, lighting, odor, fumes, vibration, or emissions.
 4. How any potential negative effects on adjacent land will be mitigated.
 - F. A statement about why the location proposed is appropriate for the planned development.
 - G. A statement of the necessity or desirability of the proposed planned development to the neighborhood or community.
 - H. How the proposed mix of dwelling types and/or commercial uses advances community goals of diversity, affordability and market changes (e.g. adaptability of flats versus townhomes)
 - I. Proposals for the provision of public utilities and services, if insufficient or not available for the planned development, or for the provision of suitable private utilities and services.
 - J. A general analysis of expected traffic impact, including vehicular and pedestrian safety, resulting from the proposed development.
 - K. The substance of proposed covenants, easements, and other restrictions on the land and structures.
 - L. A list of the names and mailing addresses of all landowners within 200 feet of the site.
 - M. Such other information regarding the proposed uses, site design, or surrounding area as may be pertinent to the application or required by Planning Commission or Council.
- (6) Site plan. A scaled site plan shall include the following information in detail. The required information may be submitted on multiple site plans if inclusion of all information on a single plan makes it illegible or difficult to understand.
 - A. North arrow.
 - B. Scale.
 - C. Vicinity map.
 - D. All existing and proposed lot lines within the site.
 - E. Dimensions of all lots and of the entire site and any adjacent rights-of-way.
 - F. The location and intended purpose of all open spaces
 - G. Approximate location, height, dimensions, and use of all proposed and existing structures.
 - H. Approximate location and number of different uses (i.e. dwelling types and/or commercial uses).
 - I. Approximate location and design of all proposed vehicle and pedestrian routes and nonresidential vehicle management areas.
 - J. Approximate location and size of all existing and proposed utilities that will serve the planned development.
 - K. Approximate location, size, and type of all proposed signs.
 - L. Approximate location, height, and type of all proposed screening and landscaping.

- M. Distances to residential zoning districts if within 1,000 feet.
 - N. The use of land and location of structures on adjacent property and across adjacent rights-of-way.
 - O. The location of any nearby schools and commercial facilities.
 - P. Other information as required by the Planning Commission or Council.
- (7) Landscape plan.
- A. The plan shall demonstrate compliance with the requirements of Chapter 1148.
- (8) Elevations. Elevations of proposed structures or typical elevations if structures are not yet designed.
- (9) Other. Photographs of the existing site and its surroundings.
- (10) Digital Submittal. Adobe PDF version of all information submitted to also be submitted on a current digital format.
- (b) Final Plan.
- (1) The same items and information as required for the preliminary plan, except that the approximations shall be refined to specific locations, dimensions, and descriptions.
 - (2) A detailed traffic impact analysis, including all modes of transportation, prepared by a qualified professional engineer
 - (3) Any additional description or information requested by the Planning Commission or Council during the preliminary plan approval process.
 - (4) Detailed agreements, contracts, deed restrictions, and sureties that will be used to guarantee performance of the development during and after construction.

Surrounding Property Owners

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

Decision Process

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

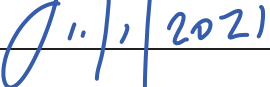
Fees & Receipt

The fees for a Preliminary, Final, or combined Preliminary and Final Planned Development application are \$570.00 plus \$100.00 per acre, plus \$10.00 postage charge.

Sign and Date

Applicant Signature *

Date *

Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

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

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

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

October 21, 2021

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

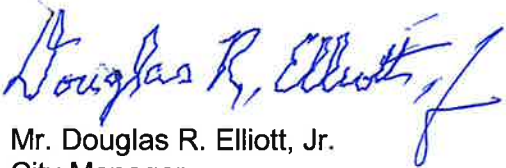
Re: Parcel H4100-119-000-029

Dear Mr. Moore,

Please be advised that Episcopal Retirement Services and Model Group have permission from the City of Oxford to submit applications for the approval of a Preliminary Planned Development and Preliminary Subdivision on Parcel H4100-119-000-029 located west of Oxford Reilly Road across from Melissa Drive in the City of Oxford, Ohio.

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

Sincerely,

A handwritten signature in blue ink that reads "Douglas R. Elliott, Jr." with a stylized flourish at the end.

Mr. Douglas R. Elliott, Jr.
City Manager

November 1, 2021

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

Re: Western Knolls Property
Oxford Reily Road
Episcopal Retirement Services
Preliminary Subdivision

Dear Mr. Moore:

Enclosed please find the following items in support of Episcopal Retirement Services's (ERS) Application for Preliminary Subdivision approval for the above noted project located on Oxford Reily Road north and west of Melissa Drive:

- 1) Executed Preliminary Subdivision Application.
- 2) An affidavit from the City of Oxford granting Episcopal Retirement Services permission to submit an application for approval of a Preliminary Planned Development and Preliminary Subdivision.
- 3) List of property owners within 200 feet of the site.
- 4) Preliminary Plat.
- 5) Preliminary Building Elevations.
- 6) Planting Plan.
- 7) Legal Description of the entire parcel to be subdivided.

It is understood the invoice for application fee will be provided by City staff upon receipt of this application. An application for Preliminary Planned Development has been submitted for this project under a separate cover letter. Please place each of these items on the December 14th Planning Commission agenda. Should you have any questions, or need any additional information, please do not hesitate to contact us.

Sincerely,

A handwritten signature in cursive script that reads "John Bayer".

John A. Bayer, PE

Enclosures

Cc: Greg Hackett, ATA Beilharz Architects LLC
Janet Westrich, Episcopal Retirement Services
David Thompson, Model Group

November 1, 2021

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

Re: Western Knolls Property
Oxford Reily Road
Episcopal Retirement Services
Preliminary PUD Submittal

Dear Mr. Moore:

Enclosed please find the following items in support of Episcopal Retirement Services's (ERS) Application for Preliminary Planned Development approval for the above noted project located on Oxford Reily Road north and west of Melissa Drive:

- 1) It is understood the invoice for application fee will be provided by City staff upon receipt of this application
- 2) Digital copies of each of the following:
 - a. Executed Planned Development Application.
 - b. An affidavit from the City of Oxford granting Episcopal Retirement Services permission to submit an application for approval of a Preliminary Planned Development and Preliminary Subdivision.
 - c. List of property owners within 200 feet of the site.
 - d. Preliminary Planned Development Plan.
 - e. Preliminary Building Elevations.
 - f. Planting Plan.
 - g. Photos of the subject site and surrounding area.
 - h. Legal Description of the site.
 - i. Traffic Evaluation
 - j. Oxford Firetruck Vehicle Turning Exhibit
- 3) Applicant:

Episcopal Retirement Services
3870 Virginia Avenue
Cincinnati, Ohio 45227
513-979-2240

Owner:

*The City of Oxford
15 South College Avenue
Oxford, Ohio 45056
513-524-5200*

4) Design Professionals:

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

*Architect
ATA Beilharz Architects LLC
1063 Central Avenue
Cincinnati, Ohio 45202
513-241-4422*

5) Description of use and site:

- a. A legal description of the subject property is – part of lot 2102 as platted in the City of Oxford.
- b. The site is currently undeveloped.
- c. The site is currently zoned R1-B.
- d. A description of the proposed development

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

Western Knolls is a senior housing residential development consisting of 42 apartment units located on approximately 7 acres. The units will be comprised of 32 one-bedroom units and 10 two-bedroom units. These units will be designed, built, and operated as affordable rental housing for Oxford area seniors. All units will be one-story residential structures constructed as multi-unit buildings space throughout the development. Included with these units will be a community space which will provide services specifically tailored to the community residences.

- ii. A description of any nonresidential operations, including types of goods sold, services performed, and expected number of customer, clientele, delivery, and service vehicles.

Not applicable.

- iii. The hours of operation of any nonresidential use.

Not applicable.

- iv. A phased development schedule, if applicable, that indicates the location and timing of phases and demonstrates the each completed phase would form a reasonably independent unit if succeeding phases were abandoned.

Not applicable, this development is intended to develop as one single phase.

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

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

The proposed multi-family use is similar to much of the surrounding developed areas. The Cedar Creek condominiums located north of the site and Chestnut Hill condominiums located northeast of the site are similar in density and use to the proposed development. The remaining developed areas in the vicinity of the proposed development consist primarily of single family residential.

As part of the project, Melissa Drive (public) shall be extended across the site's northern boundary to provide dual accesses to the site and form a connection to Dana Drive to the west as shown by the 2020 Oxford Transportation Plan. In conjunction with this application, the applicant has requested funding from the City of Oxford for construction of the Melissa Drive extension and any other required infrastructure that would benefit more than this project. The sites internal sidewalks will connect to the sidewalk along the south side of Melissa Drive. A segment of the Oxford Area Trails System (OATS) is currently planned along Oxford Reily Road (S.R. 732) to be constructed by the City of Oxford. The sidewalks along the Melissa Drive are to connect to the OATS.

The site currently contains dense vegetation. In order to align with the City of Oxford Tree Preservation requirements, the site has been designed to condense development areas to the smallest footprint practical within the site. Additionally, due to the flat site topography and condensed site plan layout, tree clearing beyond the limits of exempted areas (within private accessways, within 5 feet of walkways and parking areas, stormwater retention and utility areas) is expected to be minor. The southern and western parts of the site are to remain unimpacted by the development and left in the natural state. Landscaping plantings have been provided throughout the site in accordance with the City of Oxford Tree Planting Requirements.

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

No structures currently exist on the site. With a combination of brick veneer and vinyl siding, the proposed structures are to be similar in exterior finishes and building materials to the nearby multi-family structures located in Cedar Creek condominiums and Chestnut Hill condominiums and similar in appearance to the surrounding single-family residences. All proposed structures are to be one-story.

- iii. If the proposed uses will involve any operations that create potential nuisances such as excessive noise, lighting, odor, fumes, vibrations or emissions.

Not applicable.

- iv. How any potential negative affects on adjacent land will be mitigated.

Western Knolls will have minimal impact on adjacent land. The site has been designed to provide natural open space to the west and south of proposed structures to provide a buffer to nearby residences. Landscape buffering has

also been provided along the project's eastern boundary, adjacent to expected future development. Street tree buffering has been provided along Melissa Drive to buffer future developments on the north side of Melissa Drive. Lastly, the site has been designed with interior circulation to mitigate possible negative impacts to adjacent land uses.

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

The Request for Proposal developed by the City of Oxford for sale of the Western Knolls property specifically noted the economic objective of "provide housing for people that cannot afford to live in Oxford currently". This developed has been designed to fill this need. Additionally, as noted above, the proposed structures are similar in character to surrounding residences.

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

The Housing Needs Assessment published by the Oxford Housing Advisory Committee in early 2021 details housing demand projections through 2025. Those projections state that "overall, there is a housing need for over 500 additional rental units in the city over the next five years. More than 60% of this need is for households earning at or below \$43,000... it appears that approximately one-quarter to one-third of the demand for new rental housing could be specifically targeted to meet the needs of area seniors". These needs are echoed by the mission of the Oxford Housing Advisory Committee which details affordable housing and senior housing as two keypoints in its mission. This development is aligned to both of these specific needs by providing attainable housing that is specifically designed for area seniors.

- h. How the proposed mix of dwelling types and/or commercial uses advances community goals of diversity, affordability and market changes.

The goal of this development is for ERS to provide affordable senior living with services not often found in communities for seniors with limited incomes. As noted above, this development aligns with and advances many goals stated by the Oxford Housing Advisory Committee.

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

Public water and sanitary sewer are available to the property and will be extended into the property as needed to provide service. Stormwater detention is to be provided in a proposed stormwater basin on the south side of the development.

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

A Traffic Analysis has been prepared for this project based upon requirements provided by the Oxford City Engineer. A copy of the analysis has been included with this application.

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

Easements are to be provided as needed for public utilities servicing the development. As the development is to remain privately owned, there is not a need for covenants and restrictions as typically required for a subdivision development.

In addition to the request for approval of the Preliminary Development Plan, Episcopal Retirement Services requests that the following waiver be granted:

- 1) Per Section 1149.03 (i) Multi-Family in District other than R-3 District requires 2.5 parking spaces per dwelling unit. The applicant requests a waiver from this requirement to allow 1.2 parking spaces per unit. With the experience of 27 affordable senior living communities in the region, this parking ratio is provided at other communities ERS operates and is sufficient for the households they serve. ERS completed parking counts on several of their communities in the region and found that typical utilization is less than one parking space per unit. Data from these parking counts is provided below for reference:

<u>Community</u>	<u>Parking Spaces Provided</u>	<u>Units</u>	<u>Parking Spaces per Unit</u>	<u>Typical Parking Utilization</u>
Knowlton Place	39	56	0.7	90%
Marlowe Court	50	53	0.9	60%
St. Paul Village	118	168	0.7	58%
Madison Villa	82	95	0.9	61%

An application for Preliminary Subdivision has been submitted for this project under a separate cover letter. Please place each of these items on the December 14th Planning Commission Meeting agenda. Should you have any questions, or need any additional information, please do not hesitate to contact us.

Sincerely,



John A. Bayer, PE

Enclosures

Cc: Greg Hackett, ATA Beilharz Architects LLC
Janet Westrich, Episcopal Retirement Services
David Thompson, Model Group

Date: November 24, 2021

Description: Part of Lot #2102
7.0003 Acres
City of Oxford

Location: City of Oxford
Butler, Ohio



Situated in the State of Ohio, Congress Lands West of the Miami River, Section 28, Town 5, Range 1, City of Oxford, Butler County and being 7.0003 Acres of land in part of Lot #2102 of the designated list of lots of said City of Oxford and being in part of the lands of the City of Oxford as recorded in Official Record 8067, Page 2189 of the Butler County, Ohio Recorder's Office and being further described as follows:

Beginning at the northeast corner of Lot #3155 of Western Knolls Subdivision, Section 7 as recorded in Plat Envelope 2942, Pages A-B of the Butler County, Ohio Recorder's Office and being the **True Point of Beginning**:

thence, leaving the northeast corner of said Lot #3155 and with the northerly boundary of said Western Knolls Subdivision, Section 7, North 50° 34' 50" West, 135.00 feet;

thence, leaving the northerly boundary of said Western Knolls Subdivision, Section 7 and with a new division line through said Part of Lot #2102 for the following twelve courses:

- 1) North 39° 25' 07" East, 15.95 feet;
- 2) with a curve to the right, having a central angle of 37° 59' 47", a radius of 370.00 feet, an arc length of 245.37 feet, and a chord bearing and distance of North 58° 25' 00" East, 240.90 feet;
- 3) North 77° 24' 53" East, 265.10 feet;
- 4) with a curve to the right, having a central angle of 14° 02' 19", a radius of 420.00 feet, an arc length of 102.91 feet, and a chord bearing and distance of North 84° 26' 03" East, 102.65 feet;
- 5) with a curve to the right, having a central angle of 03° 22' 18", a radius of 1470.00 feet, an arc length of 86.50 feet, and a chord bearing and distance of South 86° 51' 39" East, 86.49 feet;
- 6) with a curve to the right, having a central angle of 14° 06' 32", a radius of 820.00 feet, an arc length of 201.92 feet, and a chord bearing and distance of South 78° 07' 14" East, 201.41 feet;
- 7) with a curve to the right, having a central angle of 00° 25' 01", a radius of 980.00 feet, an arc length of 7.13 feet, and a chord bearing and distance of South 71° 16' 28" East, 7.13 feet;
- 8) with a curve to the right, having a central angle of 87° 14' 36", a radius of 18.00 feet, an arc length of 27.41 feet, and a chord bearing and distance of South 27° 51' 41" East, 24.84 feet;
- 9) South 15° 45' 37" West, 45.01 feet;
- 10) with a curve to the left, having a central angle of 13° 13' 26", a radius of 430.00 feet, an arc length of 99.24 feet, and a chord bearing and distance of South 09° 08' 54" West, 99.02 feet;
- 11) South 02° 32' 11" West, 226.20 feet;

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

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

<http://www.bayerbecker.com>

- 12) North $87^{\circ} 27' 49''$ West, 790.65 feet to the easterly boundary of said Western Knolls Subdivision, Section 7;

thence, leaving said new division line and with the easterly boundary of said Western Knolls Subdivision, Section 7 for the following two courses:

- 1) North $17^{\circ} 36' 09''$ East, 51.935 feet;
- 2) North $32^{\circ} 08' 48''$ East, 72.15 feet to the **True Point of Beginning**, containing 304,934 square feet or 7.0003 Acres of land, more or less.

PRELIMINARY SUBDIVISION
WESTERN KNOLLS
SECTION 28, TOWN 5, RANGE 1
CITY OF OXFORD
BUTLER COUNTY, OHIO

OWNER
THE CITY OF OXFORD
15 SOUTH COLLEGE AVENUE
OXFORD, OHIO 45056
513-524-5200

APPLICANT
EPISCOPAL RETIREMENT SERVICES
3870 VIRGINIA AVENUE
CINCINNATI, OHIO 45227
513-979-2240

ARCHITECT
ATA BELHARZ ARCHITECTS LLC
1061 CENTRAL AVENUE
CINCINNATI, OHIO 45202
513-241-4422

SURVEYOR, ENGINEER & LANDSCAPE ARCHITECT
BAYER BECKER
110 SOUTH COLLEGE AVENUE, SUITE 101
OXFORD, OHIO 45056
513-523-4270

PARCEL AREA SUMMARY:

TOTAL SITE AREA	47.43 ACRES
BROOKVILLE ROAD	
RIGHT-OF-WAY	0.92 ACRES
OXFORD RAILLY ROAD (CH 732)	
RIGHT-OF-WAY	1.82 ACRES
MELISSA DRIVE	
RIGHT-OF-WAY DEDICATION	1.94 ACRES
NO. OF PROPOSED LOTS	3
PLANNED DEVELOPMENT AREA	7.20 ACRES
PARCEL REMAINDER AREA	35.75 ACRES

- SITE ANALYSIS:**
- EXISTING ZONING: R1-B
 - THE SITE DOES NOT CONTAIN ANY EXISTING STRUCTURES.
 - ALL PROPOSED STRUCTURES ARE TO BE ONE-STORY.
 - THE SITE DOES NOT CONTAIN MAPPED FLOODPLAIN AND IS DENOTED AS ZONE X PER FEMA COMMUNITY PANELS 3867020120F.
 - PER THE NRCS WEB SOIL SURVEY, MUCH OF THE SITE CONTAINS SOILS DENOTED AS PRIME FARMLAND. HOWEVER, THE PROPOSED MULTI-FAMILY USE WILL BE COMPATIBLE TO THE ADJACENT USES.
 - THE PROJECT SITE IS NOT LOCATED WITHIN AREAS NOTED BY THE CITY OF OXFORD HISTORIC AND ARCHITECTURAL PRESERVATION COMMISSION.
 - THE SITE IS NOT LISTED ON THE NATIONAL REGISTER OF HISTORIC PLACES.
 - THE OHIO ENVIRONMENTAL RESOURCES AND GREENSPACE FEATURES MAPPING DOES NOT LIST ANY WETLANDS WITHIN THE SITE. TREE CANOPY COVER IS LISTED THROUGHOUT MUCH OF THE SITE.
 - THE SITE DOES NOT CONTAIN ANY SIZEABLE AREAS OF SLOPES GREATER THAN 10%.
 - PROPERTY CORNER COORDINATES PROVIDED FOR REFERENCE AND PLAN REVIEW PURPOSES ONLY.
 - EXISTING UTILITY INFORMATION SHOWN AS PER GIS INFORMATION PROVIDED BY THE CITY OF OXFORD.
 - 1 FOOT INTERVAL CONTOURS PROVIDED BY BUTLER COUNTY GIS, DATED 2017, AND BASED ON NAD83 (HARN) GEOGRAPHIC COORDINATE SYSTEM.



VICINITY MAP
NO SCALE

Revision Description

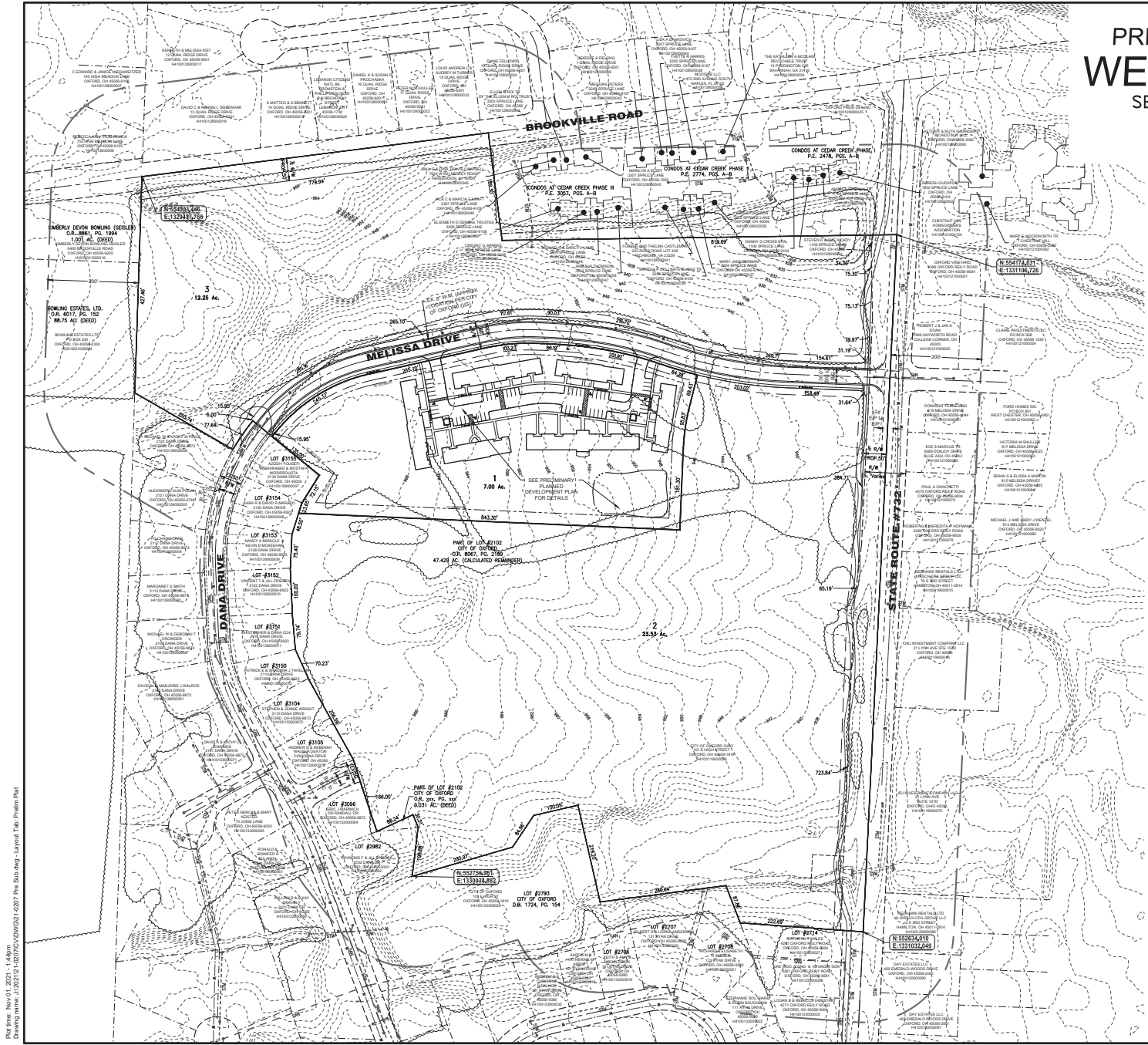
1	Initial
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EPISCOPAL RETIREMENT SERVICES
WESTERN KNOLLS
COMINGLED WITH WESTERN KNOLLS
SECTION 28, TOWN 5, RANGE 1
CITY OF OXFORD
BUTLER COUNTY, OHIO
PRELIMINARY PLAN

Drawing: 21-0207 PRE SUB
Drawn by: JMB
Checked by:
Issue Date: 10-21-21

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Mason, OH 45040 • 513.336.1660

1 of 1



Plot Date: Nov 01, 2021 - 1:45pm
Drawing Number: 21-0207 PRE SUB
Drawing Title: 21-0207 PRE SUB The Subdiv. Layout Tab, Prelim Plan

Base of Bearing:
State Plane NAD83 (2011)

100 150

SCALE: 1" = 100'

STATE OF OHIO
JOHN A. BAYER
86794
REGISTERED
PROFESSIONAL ENGINEER
11/29/2021

CITY OF OXFORD
BUTLER COUNTY, OHIO

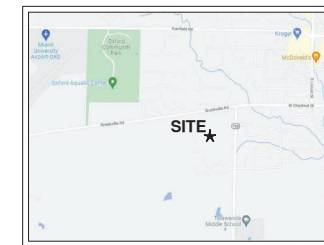
THE CITY OF OXFORD
15 SOUTH COLLEGE AVENUE
OXFORD, OHIO 45056
513-524-5200

EPISCOPAL RETIREMENT SERVICES
3870 VIRGINIA AVENUE
CINCINNATI, OHIO 45227
513-979-2240

ATA BEILHARZ ARCHITECTS LLC
1063 CENTRAL AVENUE
CINCINNATI, OHIO 45202
513-241-4422

BAYER BECKER
110 SOUTH COLLEGE AVENUE, SUITE 101
OXFORD, OHIO 45056
513-523-4270

TOTAL SITE AREA	47.43	ACRES
BROOKVILLE ROAD		
RIGHT-OF-WAY	0.92	ACRES
OXFORD REILLY ROAD (OH 732)		
RIGHT-OF-WAY	1.82	ACRES
MELISSA DRIVE & DANA DRIVE		
RIGHT-OF-WAY DEDICATION	1.94	ACRES
NO. OF PROPOSED LOTS	3	
PLANNED DEVELOPMENT AREA	7.00	ACRES
PARCEL REMAINDER AREA	35.75	ACRES

[illegible]

WESTERN KNOLLS
CONGRESS LANDS WEST OF THE MIAMI RIVER
SECTION 28, TOWN 5, RANGE 1
CITY OF OXFORD
BUTLER COUNTY, OHIO

PRELIMINARY PLAT

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becker**
www.bayerbecker.com
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Mason, OH 45040 • 513.336.6600

21-0207 PRE SUB
JAB
10-21-2



VICINITY MAP
NO SCALE

PRELIMINARY PLANNED DEVELOPMENT WESTERN KNOLLS

SECTION 28, TOWN 5, RANGE 1
CITY OF OXFORD
BUTLER COUNTY, OHIO

OWNER

THE CITY OF OXFORD
15 SOUTH COLLEGE AVENUE
OXFORD, OHIO 43056
513-224-6200

APPLICANT

EPISCOPAL RETIREMENT SERVICES
3870 VIRGINIA AVENUE
CINCINNATI, OHIO 45227
513-879-2240

ARCHITECT

ATA BELHAZ ARCHITECTS LLC
1083 CENTRAL AVENUE
CINCINNATI, OHIO 45202
513-241-4422

SURVEYOR, ENGINEER & LANDSCAPE ARCHITECT

BAYER BECKER
110 SOUTH COLLEGE AVENUE, SUITE 101
OXFORD, OHIO 43056
513-623-4270

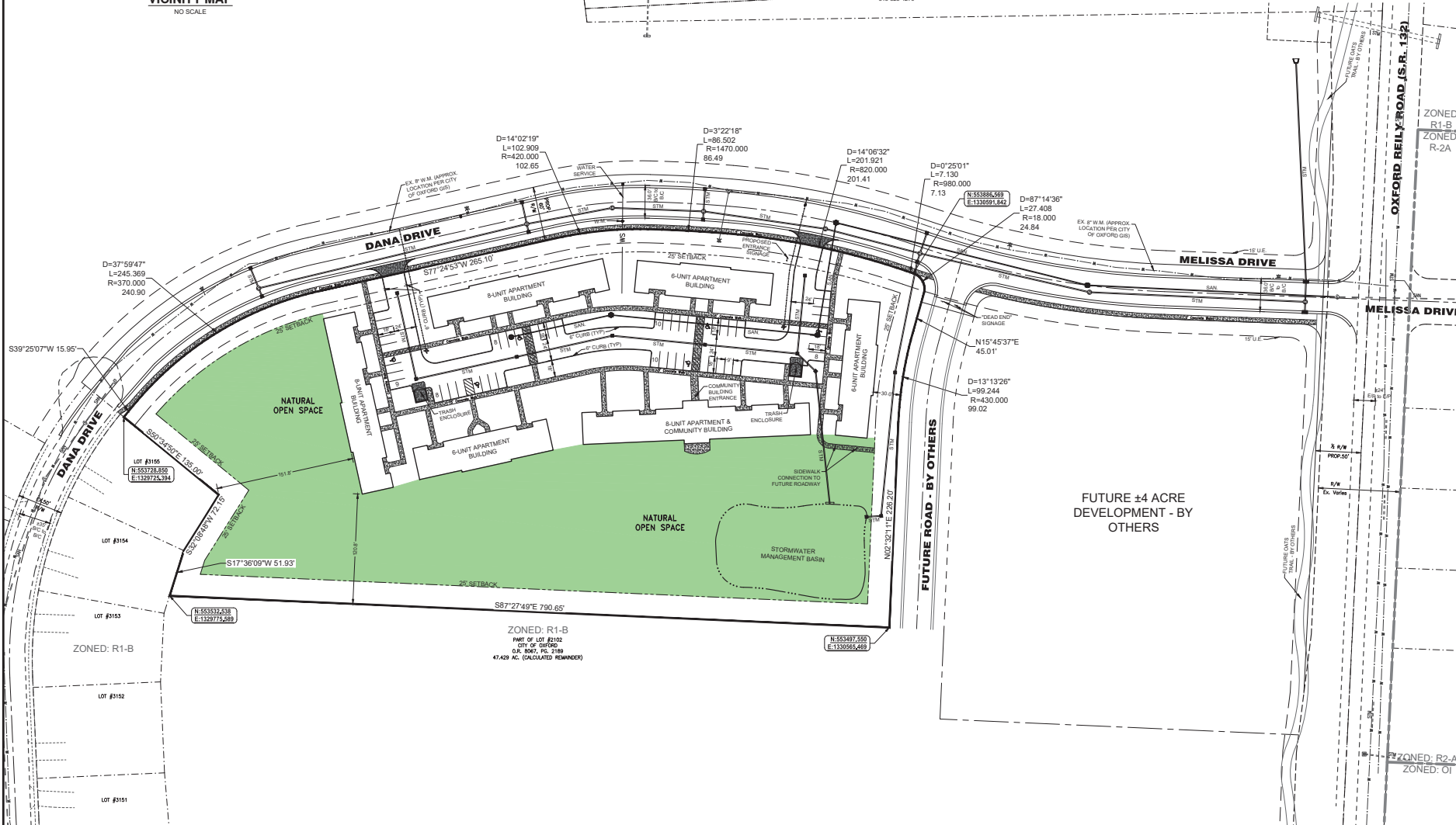
PROJECT SUMMARY:

EXISTING ZONING: R-1B
PROPOSED ZONING: R1-B RESIDENTIAL
PLANNED UNIT DEVELOPMENT
PLANNED DEVELOPMENT AREA 7.00 ACRES (42%)
OPEN SPACE 2.95 ACRES (26%)
LOT COVERAGE 1.80
PARKING SPACES PROVIDED 53
ACCESSIBLE SPACES REQUIRED 4
ACCESSIBLE SPACES PROVIDED 6

OPEN SPACE

NOTES:

- ELECTRIC TO BE PROVIDED BY DUKE ENERGY.
- GAS TO BE PROVIDED BY GLENWOOD ENERGY.
- SANITARY SEWER, STORM SEWER AND WATER MAIN SHALL BE CONNECTED TO EXISTING CITY OF OXFORD SYSTEMS AND CONSTRUCTED PER CITY OF OXFORD STANDARDS AND SPECIFICATIONS.
- 1-FOOT INTERVAL CONTOURS PROVIDED BY BUTLER COUNTY GIS, DATED 2017, AND BASED ON NAD83 (HARN) GEOGRAPHIC COORDINATE SYSTEM.
- STREET LIGHTING TO BE PROVIDED ALONG MELISSA DRIVE.
- MAIL SERVICE TO BE DELIVERED TO AND DISTRIBUTED FROM THE COMMUNITY BUILDING. SEE PLAN FOR LOCATION.
- ALL DIMENSIONS ARE TO EDGE OF PAVEMENT UNLESS OTHERWISE NOTED.
- ALL PROPOSED STRUCTURES ARE TO BE ONE-STORY.
- PROPERTY CORNER COORDINATES PROVIDED FOR REFERENCE AND PLAN REVIEW PURPOSES ONLY.



State of Ohio
Scale: 1" = 50'

STATE OF OHIO
JOHN A. BAYER
66794
PROFESSIONAL ENGINEER
11/29/2021

Revision	Description	Date	Drawn	Check
1	REVISIONS FOR PRELIMINARY	11/29/21	JAB	

EPISCOPAL RETIREMENT SERVICES
WESTERN KNOLLS
CONGREGATION
SECTION 28, TOWN 5, RANGE 1
CITY OF OXFORD
BUTLER COUNTY, OHIO

PRELIMINARY PLANNED DEVELOPMENT

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21-0207 PRE PLD
Drawn By: JAB
Checked By: EMR
Issue Date: 11-01-21
Sheet: 1 of 1

PLANT SCHEDULE						
DECIDUOUS TREES		QTY	BOTANICAL NAME	COMMON NAME	TYPE	MIN. SIZE
ACE MDO	9	4	<i>Acacia baobab</i> 'Green Mountain' TM	Green Mountain Sugar Maple	8.6"	2'0" CAL
ACE AUJ	15	6	<i>Carpinus betulus</i> 'Autumn Gold' TM	Autumn Gold Manchurian Tree	8.6"	2'0" CAL
GLE SH2	6	6	<i>Gleditsia inacornatus</i> 'Shademaster' TM	Shademaster Locust	8.6"	2'0" CAL
PLA BLO	11	11	<i>Platanus x acerifolia</i> 'Bloodgood'	Bloodgood London Plane Tree	8.6"	2'0" CAL
TLT STE	13	13	<i>Tilia tomentosa</i> 'Sterling'	Sterling Silver Linden	8.6"	2'0" CAL
SLER PRO	10	10	<i>Ulmus americana</i> 'Proctor'	Proctor American Elm	8.6"	2'0" CAL
EVERGREEN TREES		QTY	BOTANICAL NAME	COMMON NAME	TYPE	MIN. SIZE
PIR NGU	5	5	<i>Pinus rigida</i>	Austrian Black Pine	8.6"	0" Ht.
PAW PAS	5	5	<i>Pinus strobus</i> 'Vastagata'	Vastagata White Pine	8.6"	0" Ht.
THU PFB	22	22	<i>Thuja plicata</i> '4EVER TM'	Forever Gold Western Red Cedar	8.6"	0" Ht.
THU GA	15	15	<i>Thuja plicata</i> 'Green Giant'	Green Giant Western Red Cedar	8.6"	0" Ht.
ORNAMENTAL TREES		QTY	BOTANICAL NAME	COMMON NAME	TYPE	MIN. SIZE
COR CHE	7	7	<i>Comus florida</i> 'Cherokee Brave'	Cherokee Brave Dogwood	8.6"	1.5' CAL
DECIDUOUS SHRUBS		QTY	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT
HYD RDR	8	8	<i>Hydrangea quercifolia</i> 'Ruby Slippers'	Ruby Slippers Hydrangea	5 gal	24" Ht.
ILE VER	3	3	<i>Ilex verticillata</i> 'Jim Dandy'	Jim Dandy Wintergreen	8.6"	30" Ht.
ILE RED	8	8	<i>Ilex verticillata</i> 'Red Sprite'	Red Sprite Wintergreen	3 gal	24" Ht.
PNT CUS	8	8	<i>Physocarpus opulifolius</i> 'Dense Yellow'	Dense Yellow Ninebark	3 gal	24" Ht.
RHO ELI	8	8	<i>Rhododendron azalea</i> 'Ella Fjell'	Azalea	3 gal	24" Ht.
EVERGREEN SHRUBS		QTY	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT
CHO PTA	8	8	<i>Choisya pauciflora</i> 'Golden Mop'	Golden Mop Thrieleafed False Cyprip	8.6"	30" Ht.
JUN FOR	15	15	<i>Juniperus chinensis</i> 'Sea Green'	Sea Green Juniper	8.6"	30" Ht.
TAX DEN	22	22	<i>Taxus x media</i> 'Densaform'	Dense Yew	8.6"	30" Ht.

OXFORD ZONING NOTES:

SECTION 1148.03 STREET TREE REQUIREMENTS

TREES SHALL BE PLANTED IN THE TREE LAWN OR OTHER APPROPRIATE AREAS IN THE STREET RIGHTS-OF-WAY AS REQUIRED IN CHAPTER 935.

CHAPTER 935.06 SPACING

- MIN SPACING: SMALL TREES: 30FT, MEDIUM TREES: 40FT, LARGE TREES: 50FT
 - ALL NEWLY PLANTED STREET TREES SHALL BE PLANTED EQUAL DISTANCE BETWEEN THE SIDEWALK AND THE CURB OR THE PROPERTY LINE AND THE CURB
- (18) LARGE STREET TREES ADDED ALONG MELISSA DRIVE**

SECTION 1149 PARKING & SITE ACCESS:

- (4) PARKING LOT DESIGN
(B) ANY PARKING SPACE ORIENTED TO HAVE HEADLIGHTS SHINE INTO A RESIDENTIAL STRUCTURE SHALL HAVE A FENCE, WALL, OR SOLID HEDGE OF NO LESS THAN 4' IN HEIGHT.
4' SHRUB SCREEN ADDED BETWEEN RESIDENTIAL UNITS & PARKING LOT

(6) LANDSCAPING

- TREES: ALL PARKING AREAS SHALL HAVE (1) TREE EVERY 5 PARKING SPACES LANDSCAPED
53 PARKING SPACES / 5 = 11 PARKING LOT TREES REQ. & PROVIDED

SECTION 1145.12 PLANNED DEVELOPMENT DESIGN

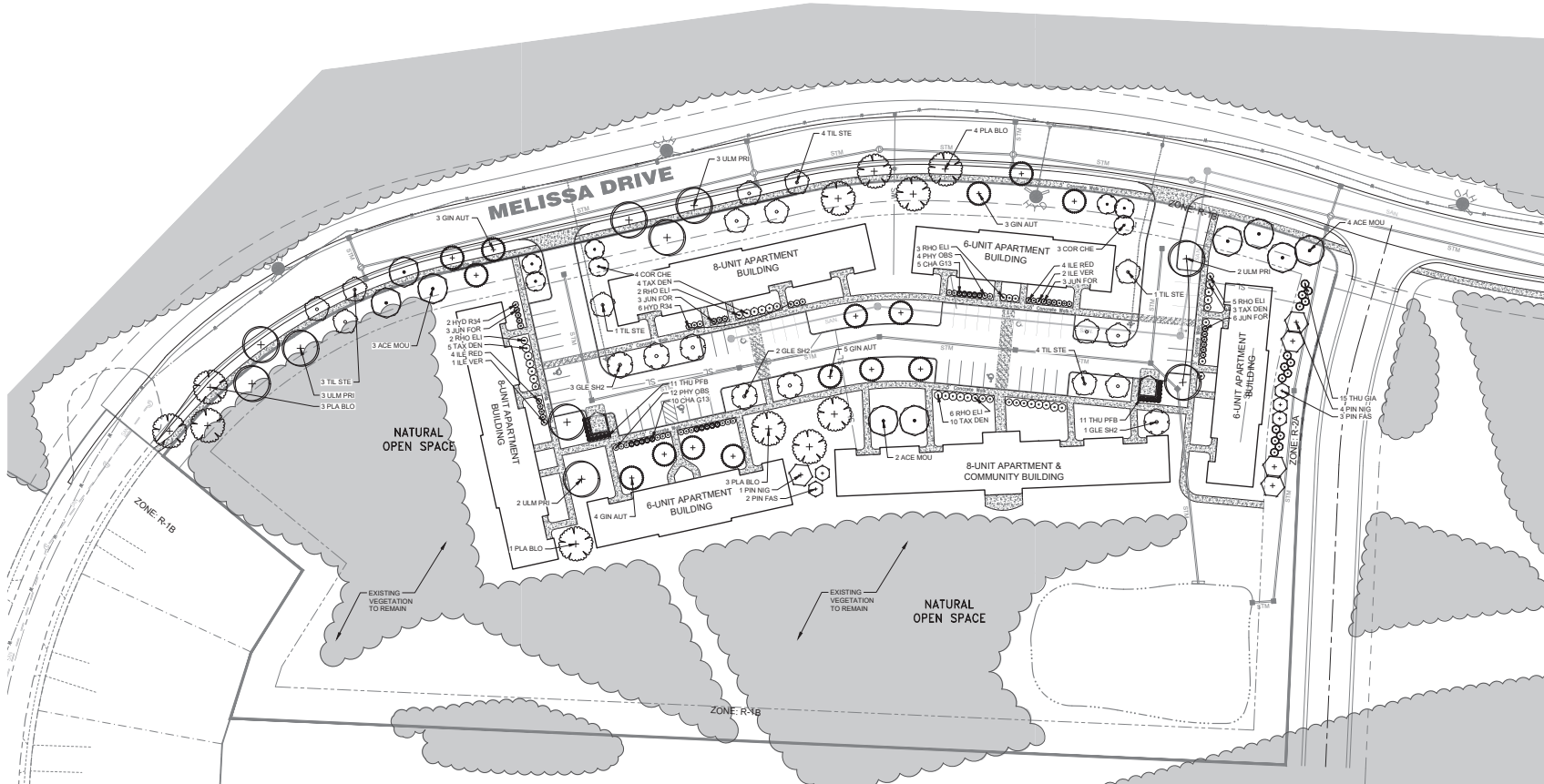
- H. LANDSCAPING & SCREENING
- (2) THE REQUIRED PERIMETER SETBACK AREA SHALL BE RETAINED IN NATURAL WOODS OR SUITABLY LANDSCAPED WITH GRASS, GROUND COVER, SHRUBS, TREES, OR EARTHEN MOUND.
- NORTH: STREET TREES + FRONT YARD LANDSCAPING
 - EAST: LANDSCAPE BUFFER ADDED
 - SOUTH: EXISTING NATURAL WOODS RETAINED
 - WEST: EXISTING NATURAL WOODS RETAINED

SECTION 1148.04 TREE PLANTING REQUIREMENTS:

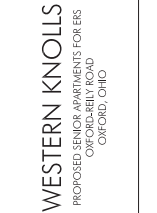
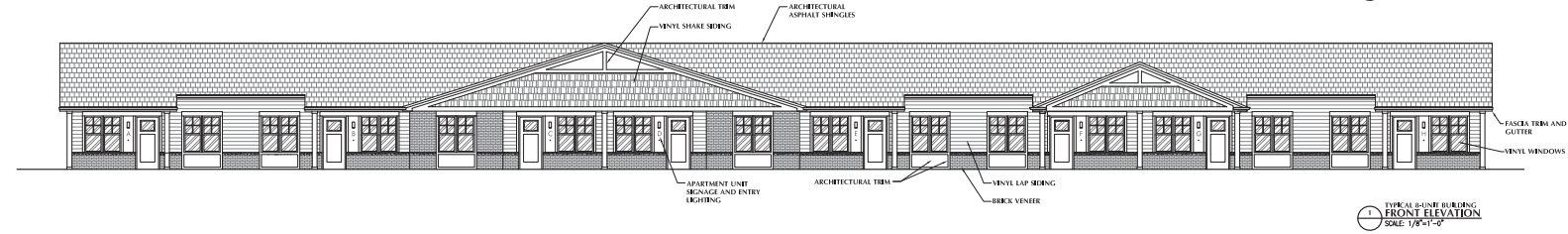
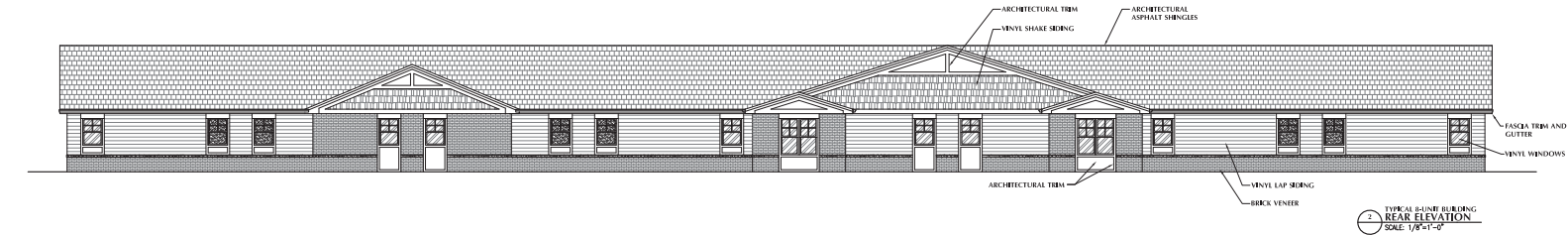
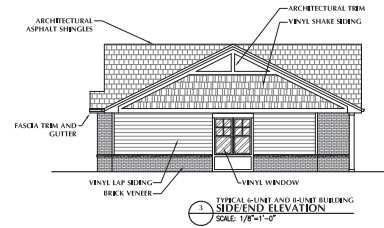
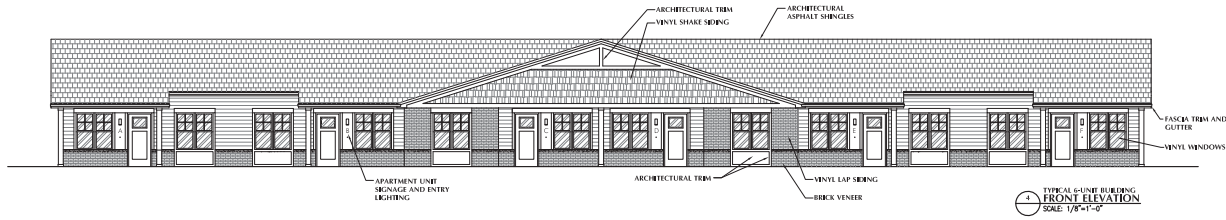
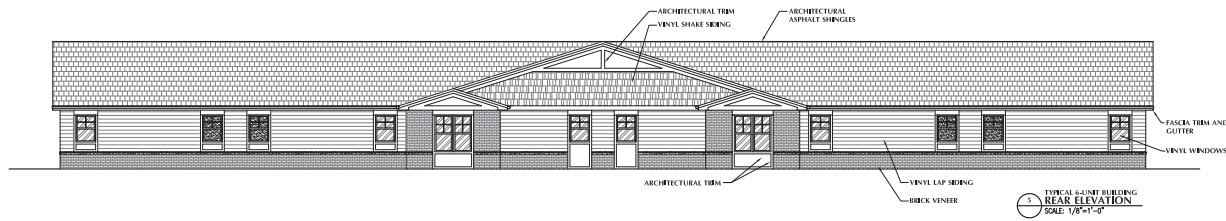
C. RESIDENTIAL MULTI-FAMILY STANDARDS

- (1) OVERALL SITE TREES:** (1) TREE FOR EVERY (10) LF OF LOT FRONTAGE ON PUBLIC STREET R.O.W.
- 1003L/F (MELISSA DR.) 10 x 100 SITE TREES REQ. & PROVIDED**
- (2) FRONT YARD TREES:** (1) TREE EVERY (25) LF OF LOT FRONTAGE ON A PUBLIC STREET R.O.W. REQUIRED IN FRONT YARD AREA (*TREES COUNT TOWARDS OVERALL SITE TREES)
- 1003L/F/25 = 40 FRONT YARD TREES REQ. & PROVIDED ALONG MELISSA DRIVE.**
- (3) PARKING AREA TREES:** SECTION 1149.05(e)(6) HAS PARKING LOT REQUIREMENTS (*TREES COUNT TOWARDS OVERALL SITE TREES, BUT NOT FRONT YARD TREES)
- SEE SECTION 1149(6) FOR PARKING AREA TREE REQ.**

EACH EXISTING TREE MEETING THE STANDARDS FOR MINIMUM CALIPER AND PLACEMENT THAT IS PRESERVED MAY BE COUNTED AS ONE (1) REQUIRED TREE, AND EACH EXISTING TREE THAT IS TEN (10) INCHES OR GREATER IN DIAMETER MAY BE COUNTED AS TWO (2) REQUIRED TREES.



CONSENT OF THE CONTRACTOR NOT NECESSARY FOR THE PREPARED EXTERIOR ELEVATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE EXTERIOR ELEVATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE EXTERIOR ELEVATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE EXTERIOR ELEVATIONS.



CERTIFICATION

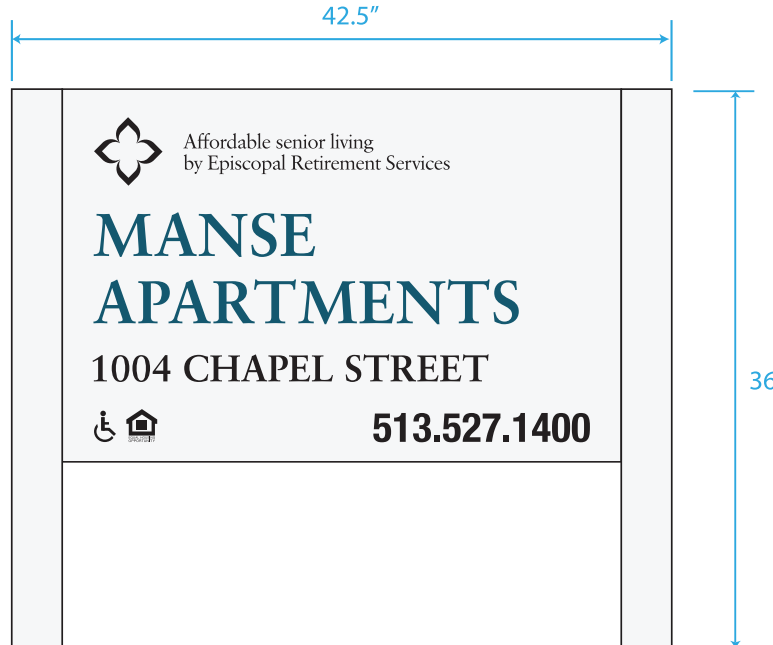
ISSUE DATE	
1	10.21.2021
2	11.01.2021

PROJECT NO: 20017
DRAWN: CHECKED:

PROPOSED EXTERIOR ELEVATIONS



Front View



Back View



394 Wards Corner Road
Suite 100
Cincinnati, OH 45240
www.asisignage.com

This drawing is property of ASI. All Rights for its use and reproduction are reserved by ASI.

Project: ERS Manse Apartments

Address: 1004 Chapel Street

City, State: Cincinnati, OH 45206

Sales: Kim Moscarino

Project Manager: Heather Knox

Client Contact: Doug Feldkamp

Revision Number: 0

Revision Date: 0

Description:

Post & Panel Sign
@ 36"(h) x 42-1/2"(w) x 3.25"(t) to include the following:
Double-sided, non-illuminated, aluminum post & panel sign
Panel @ 24" (h) x 36" (w) x .090" (t)
Square aluminum mounting posts @ 3.25" x 72" long, flat caps, 3' above grade, 3' below grade
Cut vinyl copy / graphics
Background Color: Cool Grey 1
Copy color: (Oracal #751-608 Petrol) and Black

Scale: 1/8" = 1'

Designer: Sam Moscarino

Date: February 18, 2021

Sheet: 1 of 1

WOMEN OWNED



November 1, 2021

Mr. Scott Otto, P.E.
City Engineer
City of Oxford
15 S. College Ave
Oxford, Ohio 45056

**Re: Episcopal Retirement Services Development
Western Knolls Property
Traffic Evaluation**

Dear Mr. Otto,

Bayer Becker has prepared the following Traffic Evaluation for the proposed Episcopal Retirement Services development to be located west of Oxford Reily Road (SR 732) on the south side of extended Melissa Drive in the Western Knolls Property, in the City of Oxford, Butler County, Ohio.

Proposed Development

The proposed Episcopal Retirement Services development will consist of 42 apartments for Oxford area seniors. Direct access for the development is proposed via 2 driveways off the extension of Melissa Drive.

A concept plan is provided by attachment.

Area Conditions

In the vicinity of the site, Oxford Reily Road (SR 732) is a north-south, two-lane roadway with a posted speed limit of 35 mph. According to the City of Oxford Thoroughfare Plan, dated May 19, 2020, Oxford Reily Road (SR 732) is classified as a minor arterial.

West Chestnut Street, changes to Brookville Road west of Oxford Reily Road (SR 732), is an east-west, two-lane roadway with a posted speed limit of 35 mph. Per the Oxford Thoroughfare Plan, West Chestnut Street is classified as a minor arterial and Brookville Road a major collector.

Melissa Drive will be a 2 lane roadway extended from Oxford Reily Road (SR 732) to the end of Dana Drive, with a posted speed limit of 25 mph. Per the City of Oxford Thoroughfare Plan, it is classified as a minor collector.

To determine the existing traffic volumes at the intersections of Oxford Reily Road (SR 732) and Melissa Drive and Oxford Reily Road (SR 732) and West Chestnut Street/Brookville Road, Bayer Becker conducted peak hour turning movement traffic counts at both intersections on Tuesday, October 26th, 2021, from 7:00 AM to 9:00 AM and from 4:00 PM to 6:00 PM.

The complete traffic count information is provided by attachment. The 2021 AM and PM peak hour existing traffic volumes are presented in Figure 1.

Projected Traffic

Trip generation for the proposed Episcopal Retirement Services development was estimated using the data and methodology presented in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 11th Edition*. Site trips generated during the weekday AM and PM peak hours are presented in the following table.

Table 1
Trip Generation – Episcopal Retirement Services Development

Land Use	ITE Code	Size	Units	AM Peak Hour			PM Peak Hour		
				Enter	Exit	Total	Enter	Exit	Total
Senior Adult Housing - Multifamily	252	42	Dwellings	3	6	9	6	5	11

Trip generation rate information is attached for reference.

Peak hour site trips generated by the proposed development were distributed at the intersections of Oxford Reily Road (SR 732) and Melissa Drive, and Oxford Reily Road (SR 732) and West Chestnut Street/Brookville Road based upon existing traffic distribution, as presented in Figure 1.

Site trips generated by the proposed development are presented in Figure 2.

As previously mentioned, Melissa Drive will extend from Oxford Reily Road (SR 732) to Dana Drive. It is anticipated with this extension, that approximately 25 homes located on Dana Drive and Josie Lane will utilize this new connection to Oxford Reily Road (SR 732), instead of the existing Dana Drive intersection. In order to account for this traffic, trips to be generated by these 25 homes were determined using ITE Trip Generation information.

Table 2
Trip Generation – Existing Homes on Dana Drive & Josie Lane

Land Use	ITE Code	Size	Units	AM Peak Hour			PM Peak Hour		
				Enter	Exit	Total	Enter	Exit	Total
Single Family Residential	210	25	Dwellings	5	16	21	17	10	27

Trips generated by the existing 25 homes on Dana Drive and Josie Lane were distributed at the intersections of Oxford Reily Road (SR 732) with Melissa Drive and West Chestnut Street/Brookville Road, based upon the existing distribution of traffic in the area, see Figure 3.

Total Traffic

The 2022 Build traffic volumes were obtained by adding the proposed site traffic volumes and the Dana Drive/Josie Lane volumes to the corresponding existing traffic volumes.

The 2022 Build traffic volumes are presented in Figures 4, respectively.

Turn Lane Warrant Analysis

The need for turn lanes on all approaches of the intersections of Oxford Reily Road (SR 732) at Melissa Drive and Oxford Reily Road (SR 732) at Brookville Road/West Chestnut Street were determined using turn lane warrants from the Ohio Department of Transportation (ODOT) *Location and Design Manual, Volume 1*, Sections 401.2.2, 401.6.1, and 401.6.3 and Figures 401-5a and 401-6a.

Based on the analysis, the following turn lane is warranted for 2021 Existing Conditions:

- Westbound left turn on West Chestnut Street at Oxford Reily Road (SR 732).

No additional turn lanes are warranted for 2022 Build Conditions (including site development traffic).

The turn lane warrant analysis is provided in the Attachments.

The ODOT *Location and Design Manual, Volume 1* Figures 401-9 and 401-10, were used to calculate the storage length for the warranted turn lane.

Based on calculations, the following turn lane storage length is recommended for 2021 Existing Conditions:

- 225' westbound left turn on West Chestnut Street at Oxford Reily Road (SR 732)

The storage length includes a 50' diverging taper. Storage length calculations are provided in the Attachments.

Capacity and Level of Service

Level of Service (LOS), as defined in the *Highway Capacity Manual, 6th Edition (HCM 2016)*, is “a quality measure describing operational conditions within a traffic stream, generally in terms of such service measures as speed and travel time, freedom to maneuver, traffic interruptions, and comfort and convenience.” LOS is a function of the control delay per vehicle, and it is the standard used to evaluate traffic flow at an intersection.

According to ODOT's *State Highway Access Management Manual*, every movement should operate at LOS of E or better, with the overall intersection at a LOS D or better.

The criteria used by *HCM* are provided in Table 3 below.

Table 3
Level of Service Criteria for Unsignalized Intersections

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

Capacity analysis of the intersections of Oxford Reily Road (SR 732) and Melissa Drive, and Oxford Reily Road (SR 732) and Brookville Road/West Chestnut Street was performed for both the 2021 Existing and 2022 Build Conditions, both with and without the warranted westbound left turn lane on West Chestnut Street at Oxford Reily Road (SR 732).

Intersection levels of service for the unsignalized intersections are presented in Table 4. For complete capacity analysis, see Attachments.

Table 4
Levels of Service (Delay, Seconds)

		2021 Existing Conditions				2022 Proposed Conditions			
		Existing Geometry		Proposed Geometry		Existing Geometry		Proposed Geometry	
		AM Peak	PM Peak	AM Peak	PM Peak	AM Peak	PM Peak	AM Peak	PM Peak
Oxford Reily Rd. (SR 732) & Brookville Rd./West Chestnut St. (Unsignalized)									
	EB	A (9.7)	A (9.3)	A (10.0)	A (9.4)	A (9.7)	A (9.3)	B (10.0)	A (9.4)
WB	Left/Thru	B (10.3)	C (16.8)	-	-	B (10.4)	C (17.0)	-	-
	Left	-	-	B (11.1)	B (13.0)	-	-	B (11.2)	B (13.1)
	Thru	-	-	A (8.6)	B (10.6)	-	-	A (8.6)	B (10.6)
	NB	A (10.0)	B (11.0)	B (10.1)	B (10.7)	B (10.1)	B (11.1)	B (10.2)	B (10.8)
	Overall	B (10.0)	B (13.9)	B (10.2)	B (11.2)	B (10.1)	B (14.1)	B (10.3)	B (11.3)
Oxford Reily Rd. & Melissa Dr. (Unsignalized)									
	EB	-	-	-	-	B (11.9)	B (12.7)	B (11.9)	B (12.7)
	WB	B (11.3)	B (10.7)	B (11.3)	B (10.7)	B (11.9)	B (10.9)	B (11.9)	B (10.9)
	NB	-	-	-	-	A (7.6)	A (7.8)	A (7.6)	A (7.8)
	SB	A (7.9)	A (7.8)	A (7.9)	A (7.8)	A (7.9)	A (7.8)	A (7.9)	A (7.8)

Based on the capacity analysis completed for the intersections of Oxford Reily Road (SR 732) and Melissa Drive and Oxford Reily Road (SR 732) and Brookville Road/West Chestnut Street, the LOS for each movement is acceptable, in both the AM and PM Peak Hours for 2021 Existing and 2022 Build Conditions with and without the proposed left turn lane on West Chestnut Street at Oxford Reily Road (SR 732).

Findings and Recommendations

Based on the traffic analysis contained herein, the following roadway improvement is recommended to accommodate 2021 Existing Conditions:

- Construct a 225' westbound left turn lane on West Chestnut Street at Oxford Reily Road (SR 732).

The storage length includes a 50' diverging taper.

All improvements shall be constructed in accordance with City of Oxford requirements.

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

Sincerely,



Etta Reed, P.E.

Attachments



Butler Soil and Water Conservation District

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

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

December 8th, 2021

Subject: Episcopa1 Retirement Services Natural Resource Review

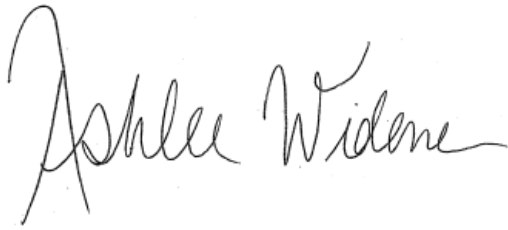
Dear Mr. Moore,

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

- The receiving watershed through this area is approximately 2 acres with an average slope of 4% (see attached map). This area is set within the Four Mile Creek HUC 11 Watershed and the Acton Lake Dam-Four Mile Creek HUC 12 Watershed.
- The soils found within this area are Russell-Miamian silt loams (RvB2), Xenia silt loams (XeA), and Miamian-Russell silt loams (MsC2). Russell-Miamian silt loams and Xenia silt loams are historically prime farmland soils, and Miamian-Russell silt loams are historically farmland of local importance soils. According to the USDA Web Soil Survey, Xenia silt loams and Miamian-Russell silt loams are present and are very limited to dwellings with or without basements due to saturation zone, shrink-swell potential components, and potential for ponding. This means the developer will have to take special precautions to prevent these soil features from negatively impacting the infrastructure. There is a high water table where the Xenia silt loams and the Miamian-Russell silt loams are located, which may negatively impact construction, especially of basements.
- A note is to be placed on the Final Plat: "High water tables are apparent in this area. If basements are constructed, it is the responsibility of the builder to take special precautions to ensure the basement stays dry."
- The tree and shrub list planting appear to all be native.

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

Sincerely,

A handwritten signature in black ink that reads "Ashlee Widener". The signature is written in a cursive style with a large initial 'A' and a long, sweeping underline.

Ashlee N. Widener
Water Resource Specialist,
Butler Soil and Water Conservation District



**MEETING MINUTES
PLANNING COMMISSION
TUESDAY, December 14, 2021
7:00 P.M.**

I. Call to Order

Those members present: David Prytherch, Steve Dana, Shana Rosenberg, Jason Bracken, Richard Keebler, Carla Blackmar, and Corey Watt

Those members excused: None

Staff members present: Sam Perry, Zachary Moore, Chris Conard, and Eunike Miller

Staff members excused: None

II. Approval of Agenda

Mr. Watt suggested to add a first agenda item under New Business, Extension of Existing Board Leadership and Appointments until the January meeting.

Mr. Watt entertained a motion to approve the agenda as amended. Mr. Keebler made a motion to approve the agenda. Mr. Dana seconded the motion. All were in favor.

III. Approval of Minutes of October 12, 2021

Mr. Dana made a motion to approve the minutes as written. Ms. Rosenberg seconded the motion. Mr. Prytherch abstained from voting since he was not part of the Commission at that time. The motion was approved 6-0-1 (1 abstained).

IV. Public Comments Related to Items Not on the Agenda

There were no comments from the public.

V. Reports from Commissions, Boards, Committees & Staff

Mr. Dana quoted one of the Community Improvement Corporation's (CIC) goal since it was pertinent to tonight's meeting: "To explore solutions, to increase the inventory of housing affordable to the workforce for rental and home ownership."

Mr. Keebler had nothing new to report.

Ms. Rosenberg stated at the Housing Advisory Commission meeting the current goals were the theme of the discussion. Ms. Rosenberg added they had a report on the positive effects of the City's cold shelter program. Ms. Rosenberg said that the HAC Board is working on ways to deal with housing in the future.

Mr. Bracken reported that the Environmental Commission is looking into ways to make a more pollinator friendly landscape.

Mr. Prytherch reported at the OPTAB meeting there were discussions about potential adjustments to the Comprehensive Plan. Mr. Prytherch added the discussion revealed that the Thoroughfare Plan is a little outdated, and the Transportation Plan needs to be updated.

Ms. Blackmar seconded Mr. Prytherch's report.

Mr. Watt stated that the HAPC met last week and there were discussions with the owner of 110 E. High about its future. Mr. Watt reported that the Smith Library is helping HAPC with preservation of non-architectural historic items. The Design Guidelines were also discussed, added Mr. Watt.

Mr. Perry reported that there is going to be a presentation on the BCRTA project, long range transportation plan, at the City Council's meeting.

Mr. Moore did not have anything new to report.

VI. New Business

Extension of the Board Leadership and Appointments until the January meeting

Mr. Dana made a motion to approve the extension. Ms. Blackmar seconded the motion. All were in favor.

PC-2021-31, 6610 Brookville Road, PRELIMINARY SUBDIVISION, Owl's Landing, 86 single-family lots, Todd Homes LLC, Applicant

PC-2021-32, 6610 Brookville Road, PRELIMINARY PLANNED DEVELOPMENT, Owl's Landing, 86 single-family lots, Todd Homes LLC, Applicant

Mr. Dana made a motion to enter into public hearing. Mr. Prytherch seconded the motion. All were in favor.

Mr. Moore started his presentation by briefly explaining that the cases will be considered together. Mr. Moore next provided quick details about the cases: (1) the applicant, (2) the engineer, (3) site area, (4) zoning, (5) proposal.

Mr. Moore highlighted the 2020 Housing Needs Assessment and pointed out that there is a moderate need for houses priced below \$260,000, and there is a high need for houses priced at \$260,000 and up. Mr. Moore added there is no estimated prices for the houses yet but most likely they will fall into the \$260,000 and up category, thus chipping away a little from the need in this category.

Mr. Moore next displayed the Site Location and explained that the site consists of 3 parcels, and it is located south of the Community Park, and west of the Muskopf Farm Subdivision. The zoning of the property is R-1B.

Mr. Moore displayed the Comprehensive Plan which identifies this site as a potential space for park expansion to provide a variety of activities for recreation. The land has been annexed by the City and rezoned for the Owl's Landing Project stated Mr. Moore. However, this proposed project would provide access to the park and to the future OATS trail, Mr. Moore highlighted.

Mr. Moore mentioned and displayed the Thoroughfare Plan, which would join a major collector road to Kay Rench Drive to eventually connect to US 27. Mr. Moore emphasized that the route does not touch the boundary of the project site but the applicant expressed his compliance with the Thoroughfare Plan to provide the needed Right-of-Way.

Birds Eye View of the property was displayed along with an aerial view of the site which showed the existing structures, the farm house, the two barns, and the garage. Mr. Moore noted there are wooded areas and an existing pond on the site as well. Mr. Moore stated that the existing structures will be demolished.

Additional photos were then shown of the Community Park and of an existing natural trail.

Mr. Moore displayed the Concept Plan from April 2021 that was showing 92 dwelling units, 16 quad units and 76 single-family lots. Since then the plan has been gone through some changes. Mr. Moore highlighted some features of the Concept Plan: connection to OATS trail, one entrance from Brookville Road, central open space area, multi-use paths, and two basins.

The Original Submission Plan from September 2021 was shown. Mr. Moore explained that this plan shows only 89 units which meant there are no more quad-units, and also an additional entrance from Brookville Road. Some of the multi-use paths were eliminated and the central open space area as well, Mr. Moore pointed out. Mr. Moore also pointed out that there were two separate connections to the Park through the sidewalk system, having no direct connection to the OATS trail. Mr. Moore stated that Staff was not in favor of this proposal. Because of that, the applicant voluntarily postponed the hearing of the case to December so they could work on the revision.

Mr. Moore then displayed the current proposal which was submitted in November. The plan has 86 units, a central open space, and a multi-use path, connecting to the park and to the future OATS trail, which is running through the middle of the development.

Mr. Moore next discussed facts about the lot coverage. The density is 4.2 dwelling units per acre compared to Muskopf Farm, which is 3.53 dwelling units per acre. Mr. Moore noted that the district density in the R-1B Zoning is 5.81 dwelling units per acre. Mr. Moore mentioned that Todd Homes would be the developer and the builder of the homes. Each home would have a two-car garage. After explaining the lot coverage calculation, Mr. Moore summarized that the overall coverage is 50.9%.

The Multi-Use Path within the Development was displayed, and Mr. Moore described its route through the development.

Mr. Moore continued his presentation by discussing details about the OATS trail pertained to this development. First, the existing Right-of-Way was shown (18 feet). Mr. Moore added that the applicant will dedicate an additional 22 feet wide trail easement for the future trail which would gently curve between the future right-of-way and the trail easement area.

Mr. Moore also talked about the path extension to the Community Park. Mr. Moore explained that the path is on the City's land, so the City could take responsibility for the construction and connection. Mr. Moore added that the developer volunteered to share the cost with the City.

Mr. Moore showed a slide that depicted the Division of Ownership – individual owners (private lots) vs. HOA.

Mr. Moore discussed the open space calculation. Mr. Moore stated the Code minimum is 20%. The applicant does not meet with this minimum, they are down to 14.2%, Mr. Moore explained. Mr. Moore further explained there are open spaces but those cannot be counted per Code because it has to be at least 50 x 50 feet, and cannot include the 25-foot perimeter setback area. Therefore, the applicant is asking for a waiver to reduce the requirement from 20% to 14%. Mr. Moore mentioned that the plans submitted in September had less open space, around 10% total. Because the current plans shows increase, Staff supports the waiver request.

The Landscape Buffer Plan was displayed next. Mr. Moore said the applicant proposes installing mounding on both sides of the future OATS trail. Mr. Moore added there is a recommended condition that would require additional landscaping to provide more screening along Brookville Road. Mr. Moore said there is a subdivision Code requirement but it is not specific. Therefore, the Planning Commission could decide what is appropriate.

Mr. Moore briefly discussed the southeast corner of the site. Most of the vegetation is in this part of the site. Mr. Moore also explained there are six lots that fall into the existing tree line. Per the Tree Preservation Ordinance a tree survey is required for major subdivisions. The Code specifies certain areas that are exempt from surveying. Mr. Moore added the features of the planned development such as streets, lots, over top one significant patch of the wooded area in the southeast corner making most part of this area exempt from surveying. Mr. Moore noted that the cost of performing a tree survey for the few remaining non-exempt areas outweighs the benefits.

Mr. Moore stated that Staff recommends approval of the Owl's Landing project with conditions. Mr. Moore then briefly discussed the conditions (to read the conditions, please refer to the Staff Recommendation in the meeting packet).

Mr. Moore concluded his presentation with displaying the Decision Criteria.

Questions from the Commission

Mr. Keebler had a question about waiver #6, reducing the minimum front yard setback. Mr. Keebler wanted to know whether this is behind the sidewalk. Mr. Moore answered yes.

Mr. Prytherch wanted to clarify why there was no waiver for the boundaries.

Mr. Watt noted that waivers #7 and #8 seem to contradict each other, asking for the reduction of minimum open space required but asking minimum lot coverage increase at the same time. Mr. Watt inquired how this is compared to other developments in the City. Mr. Moore said this request would be the greatest variation from the coverage standards that he has reviewed. Mr. Moore added the way the Planned Development Code reads is that the coverage would follow the underlying zoning district, and at no time for residential portion exceed 40%. Mr. Moore reminded the Commission that the overall lot coverage is around 45%, which means 5% over the usual cap. Mr. Moore did not believe there is another Planned Development that exceeds 40%.

Mr. Watt also wanted to know whether there is a need for two basins. Mr. Moore referred to the applicant to address this question.

Mr. Bracken wondered if the residents on Autumn Drive want more screening between their backyards and the planned units' backyard. Mr. Moore stated this could be accommodated as a condition.

Mr. Dana wanted some clarification on the buffer on Brookville Road. Mr. Moore referred to condition #1 that would allow staff to determine what an appropriate package of different screening elements is.

Mr. Bayer began his presentation with describing the existing site conditions: (1) 22 acres, (2) annexed into Oxford in 2021, (3) existing buildings, (4) part of the property was farmed, (5) gently sloping from west to east. Mr. Bayer then addressed Mr. Watt's earlier question about the basins. Mr. Bayer explained that the site drains in two directions as it approaches Autumn Drive, to north and to south. To preserve the drainage sheds in the directions these are heading, the two basins try to emulate the flow as it leaves the site, Mr. Bayer explained.

Mr. Bayer next briefly discussed the surrounding communities. Mr. Bayer continued with the discussion of the proposed development (1) 86 single-family lots, (2) private streets, (3) two retention ponds, (4) HOA, (5) passive and active open spaces, (6) trail connection to the park and to OATS trail, (7) two entrances from Brookville Road, (8) five feet wide sidewalks.

Mr. Bayer provided the landscape plan along with photos of trees they intend to plant. A few architectural examples were shown as well.

Questions from the Commission

Mr. Bracken had the same question. He was wondering if the residents on Autumn Drive want more screening between the two neighborhoods, the developer would agree to provide more. Mr. Bracken also inquired whether the existing tree line would be kept. Mr. Hall came up to join the discussion. Mr. Hall stated there is a 25-75 feet natural buffer, from north to south direction, which will remain untouched. Mr. Bracken wanted to know whether the developer would add more trees to the existing tree line if it is required. Mr. Hall said it could be discussed.

Mr. Prytherch inquired what the price point is going to be. Mr. Hall said it would be around 250,000-300,000.

Mr. Watt inquired what happened to the quad units. Mr. Hall said it was a good idea in the beginning but as the plans went ahead it did not seem to be a good fit for the property. Mr. Watt recalled there was a discussion about housing for retirees or single professionals with low maintenance area which would have been accomplished by the quad units. Mr. Watt wanted to know if this concept got carried over after the quad units were taken out of the plan. Mr. Todd said it is all single-family but with the trail, the connectivity, and the loop a one-unit environment is created.

Comments from the public

Perry Gordon, 92 Autumn Drive

Mr. Gordon wanted some clarification whether the barbwire fencing and the existing vegetation would be removed. Mr. Gordon said the answer he received was that only the dangerous fencing would be removed but no major trees would be taken out. Mr. Gordon's other concern was "flood mitigation", the water issue especially during spring that comes from that area. Mr. Gordon inquired whether the basins would take care of this issue.

Egon O Kraan, 84 Autumn Drive

Mr. Kraan welcomed the idea of more screening between the two properties. Mr. Kraan stated that the water pressure is not the best, and wanted to know how it is going to be affected by adding more water activity. Mr. Kraan also stated that it was first introduced to them as a senior, age restricted community. Mr. Kraan was concerned about the traffic because of the number of the potential residents with the now only single-family homes, and with the planned trail. Mr. Kraan mentioned one of his elderly neighbors is concerned about the construction dust.

Mr. Dana made a motion to close public hearing. Mr. Keebler seconded the motion. All were in favor.

The Commission's discussion

Mr. Watt emphasized that the discussion is for both Owl's Landing cases but the vote will be separate.

Mr. Keebler stated he did not remember that this project would be for senior citizens. Mr. Keebler believed that the first proposal was for empty nesters. Mr. Keebler thought that the density is well within standards. Mr. Keebler mentioned that most of the natural vegetation will be left between the site and Autumn Drive.

Mr. Keebler pointed out that the other side of Autumn Drive does not have buffer, and there are two different zoning districts. Mr. Keebler was in favor of taking the quad units out of the design. Mr. Keebler suggested to add another condition, #10 that the HOA need to be approved by the City's Law Director.

Mr. Dana thought that the project approaches affordable housing. Mr. Dana stated that the developer skillfully used infrastructure and density to create a good product.

Ms. Rosenberger quoted a comment from the Economic Development Department, "The description of the homes, HOA, etc. will likely lead to price points above what could be considered affordable housing. While this development represents opportunity and filling a housing need for the City, development of affordable housing in Oxford still remains a top priority." Ms. Rosenberg emphasized that affordable housing is a top priority, and she is agreed on this with Mr. Keebler and Mr. Dana. Ms. Rosenberg was disappointed that the quad homes are not in the plan anymore. Ms. Rosenberg thought that the City needs more diverse neighborhoods including different types of houses within neighborhoods. Mr. Bracken agreed with Ms. Rosenberg.

Ms. Blackmar had a question on waiver #4. Ms. Blackmar inquired when the process will happen to ensure that the public has the easement access. Mr. Perry answered it would happen in the final stage, before the final plans recorded. Ms. Blackmar welcomed the idea of the public being able to access the park through the development. Ms. Blackmar however, was concerned whether there is anything to prevent the public access since the development will be privately owned. Mr. Perry added if ensuring accessibility for the public becomes necessary to be a condition, it could be done at the final stage either at the Planning Commission meeting or at the City Council's meeting. Ms. Blackmar inquired about the water pressure concerns mentioned in the public comments. Mr. Perry had no knowledge about a water pressure study being conducted.

Mr. Perry then addressed some of the questions from the public. On the storm water question, Mr. Perry stated the requirement for the construction of underground utilities to include aggregate is another storage capacity for water. Mr. Perry addressed the dust issues and said it is not uncommon for contractors to use water trucks to reduce dust. Mr. Perry had a suggestion on landscape and buffering related to condition #1: to add the wording "eastern property line" after "Brookville Road".

Mr. Prytherch had some questions on the scope of the landscape plan. Mr. Prytherch stated there is no detailed landscape plan shown. Mr. Prytherch also wanted to know where the landscape plan falls in the process. Mr. Perry answered that it is not that detailed when it comes to a subdivision.

Mr. Watt clarified when it comes to Preliminary Subdivision and Preliminary Planned Development it is just a general discussion and approval for the project to move on to the next stage. Mr. Watt added there will be more discussions on things such as plants, spacing, building materials, and colors etc.

Mr. Prytherch made the comment that this project matches highly with the goals set forth in the Comprehensive Plan, for example connectivity. Mr. Prytherch added that the landscape part is essential to him, and he would like to make sure the most could be done with the open space. Therefore, Mr. Prytherch would like to see a detailed landscape plan.

Mr. Keebler agreed with Mr. Perry's suggestion on adding to condition #1.

Mr. Watt had an observation on the mounding at the main entrance. Mr. Watt emphasized that it is important if the Commission approves something that is presented it will comply with traffic laws and does not create an obstruction. Mr. Perry stated there are discussions with the applicant about not installing the mounding at all.

Mr. Watt briefly summarized the discussions:

- Add #10 condition that the HOA documents has to be approved by the Law Director
- Add #11: water pressure study needs to be performed
- Add to #1 “eastern property line”, “more detailed landscaping plan further explored between the City and the applicant” after the word Brookville Road. Mr. Prytherch wanted to capture that the landscaping plan would include all the open spaces.

Mr. Watt also expressed his concerns about the coverage. Mr. Watt agreed with Mr. Bracken on providing more trees as screening since a bulk of them will be lost.

Ms. Blackmar mentioned that the Brookville Road and 732 intersection is very busy. Ms. Blackmar wanted to know if this intersection will be signalized. Mr. Perry said there are no plans for that. Ms. Blackmar expressed her concerns about increased traffic with the middle school being located close by. Mr. Keebler drew attention to the traffic study included in the packet, which did not require any improvements other than a left turning lane.

Mr. Perry mentioned that the Commission could adopt the staff findings in the motion.

Mr. Bracken wanted to make sure that the drainage issue was addressed. Mr. Perry said the City will not allow a project to move on without the rate of runoff being the same or less than the pre-development conditions.

Mr. Prytherch inquired whether the easement for the trail should be a condition. Mr. Keebler thought it is covered under condition #4. Mr. Moore pointed out that this condition could be strengthened to refer to the multi-use path as well.

Mr. Watt invited Mr. Hall and Mr. Bayer back up to ask if they are amenable to include the multi-path, the connector to the OATS trail, in condition #4. Mr. Hall stated they have no problem helping with the easement. Mr. Perry suggested to add the word “trails” after “public access” under condition #4.

Mr. Watt entertained a motion to approve PC-2021-31 and PC-2021-32 with the conditions based on Staff’s Decision Criteria as presented, #1-14, as well as the Staff recommendations as presented with the amendments of

#1 to include “the eastern property line, and detailed landscape plan for all open/common space”

#4 to include “trails”

#10 the HOA documentation has to be approved by the Law Director

#11 a water pressure study to be performed and approved by City staff

Mr. Keebler made a motion to approve PC-2021-31 and PC-2021-32 with the above mentioned amendments. Mr. Dana seconded the motion.

Roll call was taken.

AYE: Ms. Blackmar, Mr. Prytherch, Mr. Bracken, Mr. Dana, Mr. Keebler, Ms. Rosenberg, Mr. Watt (7)

NAY: None (0)

ABS: None (0)

Motion is PASSED.

PC-2021-34, 4381 Oxford Reily Road, PRELIMINARY SUBDIVISION, subdivide 47-acre parcel into three (3) parcels, including seven (7) acre parcel for residential development, **ERS, Applicant/Agent**

PC-2021-35, 4381 Oxford Reily Road, PRELIMINARY PLANNED DEVELOPMENT, Western Knolls, 42 new apartments for senior housing, **ERS, Applicant/Agent**

Mr. Keebler made a motion to enter into public hearing. Mr. Bracken seconded the motion. All were in favor.

Mr. Moore started his presentation by giving a few details of the case: (1) Applicant, (2) Engineer, (3) overall and project site areas, (4) current zoning – R-1B, (5) proposal.

Mr. Moore displayed a table of Renter Housing Gap Estimates based on the 2020 Housing Needs Assessment and identified the rent range \$0-999 as a critical need. Mr. Moore stated that the Applicant shared the anticipated rent ranges, 60% AMI or lower.

Mr. Moore displayed the Site Location and described the surrounding land uses. After that, the Zoning Map was displayed.

Mr. Moore next shared the Comprehensive Plan where the site is identified as a Traditional Neighborhood Development. Mr. Moore mentioned there were design plans for this location in 2019. Mr. Moore emphasized that even though the project may not fully embrace the classification on the future land use map, it does meet with a number of goals: (1) expanding housing options, (2) supporting new developments for senior housing, (3) affordable housing.

The Thoroughfare Plan was shared next, showing a minor collector route going through the site connecting Oxford Reily Road to the existing Dana Drive, and possibility to connect to Brookville Road in the future. Mr. Moore added that the Thoroughfare Plan and the Subdivision Regulations contradict each other when it comes to right-of-way in a minor collector section; The Thoroughfare Plan calls for 80 feet while the Subdivision Regulations says 58 feet. Mr. Moore mentioned that the pavement width is 35 feet on Dana Drive, and it seems the proposal is to extend with the same width into the new right-of-way section. Dana Drive has 50 feet wide right-of-way.

Mr. Moore displayed the Birds Eye view along with site photos and explained that the site currently has a lot of vegetation. Mr. Moore pointed out that the majority of vegetation at the NW corner of the site would be preserved.

Mr. Moore displayed the Preliminary Plan from 1988 in reference to the undeveloped site. The plan had 162 lots, and 16 additional lots south of Brookville Road with 3 cul-de-sacs. Mr. Moore explained that the proposed 16 lots never came to fruition, and the Cedar Creek Condominium complex occupies part of this land. Mr. Moore further explained that 27 other lots were planned besides the 64 platted lots but it never came to pass. So altogether 98 of planned lots were never platted. Mr. Moore added that this new preliminary subdivision would replace the previous plan.

Mr. Moore shared the Proposed Preliminary Subdivision showing the three parcels. The development site is parcel #2, 7 acres. Mr. Moore noted if there was an additional development in the future it would be on parcel #3. Parcel #1 has lots of vegetation.

Mr. Moore displayed the Original Submission then the Current Submission which shows the future road on the east side of the site. Mr. Moore explained that on this future road the right-of-way would be dedicated, and the developer is asked to build a stub intersection. Mr. Moore added that this future road could provide access to the 4-acre parcel.

Mr. Moore touched on the street names next. Mr. Moore explained that it would be reasonable to call the section between Oxford Reily Road and the planned stub intersection Melissa Drive, and the road past the intersection would be Dana Drive. This way there would be just one Dana Drive connecting to Oxford Reily Road, Mr. Moore added.

Mr. Moore next displayed the dedicated public right-of-way, then the proposed public street and sidewalk, and the site boundary. Mr. Moore mentioned the developer is asking for some financial assistance from the City.

Mr. Moore continued the presentation with the discussion of the site coverage. Mr. Moore explained that the proposed coverage is 1.74 acres which amounts to 25% total coverage of the site. A total of six buildings would share this coverage: three 6-unit buildings, two 8-unit buildings, and one 8-unit building with a community center.

Mr. Moore then talked about the open space which has a storm water management basin at the SE corner. The calculable open space is 2.95 acres which amounts to 42% of the site, Mr. Moore noted.

Mr. Moore discussed the proposed Landscaping Plan. The proposal is 103 trees on site. Mr. Moore added there are 92 trees required per the Tree Ordinance.

Mr. Moore displayed the next slide which showed the areas that are exempt from tree survey. Mr. Moore further explained since the majority of the site is exempt from the survey, and the applicant is replanting 103 trees meanwhile tries to leave as much trees undisturbed as possible, Staff recommends a waiver from the tree survey.

Mr. Moore stated that Staff recommends approval of the project with conditions. Mr. Moore then briefly discussed the conditions (to read the conditions, please refer to the Staff Recommendation in the meeting packet).

Questions from the Commission

Mr. Prytherch inquired why the street classified a Collector Street. Mr. Prytherch also wanted to know whether we anticipate development to the northern side of the street. Mr. Moore thought a potential reason could be that the functional classification map does not offer a local street option, just the four listed classes.

Mr. Keebler was wondering about the buffer between the back of the units and the road, and why this topic was not mentioned. Mr. Moore said there is a better clarity what is going to be developed because it is a single site as opposed to a regular subdivision with private ownership. Mr. Moore also confirmed that the back of the buildings have no doors, only windows.

Mr. Watt expressed his concerns about switching street names in the middle of the road. Mr. Watt thought it would be especially difficult in an emergency. Mr. Watt understood the reason behind not having two Dana Drive but it could be differentiated by just adding N (north) and S (south) to the street name. Mr. Watt used Autumn Drive and Hester Road as an example since both of them loop around. Mr. Watt would like to see the whole road named Dana. Mr. Moore stated an agreement can be reached on this and the police and fire chiefs can provide comments on it too. Mr. Moore added that the street naming is not a condition, it is a recommendation for discussion.

Mr. Bracken inquired whether the 4-acre land to the east will be developed. Mr. Bracken would love to see it preserved. Mr. Moore stated there are no development plans yet, but there are two potential proposals.

Mr. Watt wanted to know whether the buildings are far enough on the “future road by others” to allow for the sidewalk. Mr. Moore said the drawing shows 30 feet setback. Mr. Watt asked whether it should be a

condition that the sidewalk has to be built along with that future road. Mr. Moore pointed out it would be the responsibility of the owner of the 4-acre land to build the sidewalk since it would be on a new right-of-way; the property owned by ERS will just provide the easement for the sidewalk.

Mr. Bayer started his presentation by introducing the project as Oxford Court Village and the project team. Mr. Bayer next provided a brief overview of ERS and its mission.

Next, the project timeline was shown. A few highlights were:

- 11/01/21 – application submitted
- 12/14/21 – Planning Commission meeting
- 1/4 & 18/22 – two readings at the City Council
- 5/18/22 – OHFA award announcements
- 6/1/23 – start construction
- 12/1/24 – complete construction
- 3/1/25 – lease up complete

Mr. Bayer discussed the existing site conditions. The presentation then continued with the overview of the planned development, the landscape plan, and the architecture. Mr. Bayer provided a few details of the proposed buildings:

- 42 cottage style apartments
- 32 1-bedroom and 10 2-bedroom units
- 6 & 8 unit single-story buildings
- Brick veneer, vinyl siding, and leed certified buildings

Mr. Bayer mentioned some of the helpful features such as walk-in showers, can be accommodate wheel chair accessibility, non-slip flooring. Mr. Bayer informed the Commission that the current plan is to have 5 ADA accessible units, however units could be converted to be ADA accessible. Mr. Bayer highlighted that the amenities include a community room, an exercise room, on-site property management and laundry, and an outdoor gathering space. Among the provided services are educational and social events, service coordination, healthcare and well-being programs, and chaplaincy, Mr. Bayer added.

Mr. Bayer concluded his presentation by discussing the three requested waivers: tree survey requirement, parking, and bicycle parking.

Questions from the Commission

Mr. Dana inquired when all the units will be ADA compliant. Ms. Westrich from ERS said 5 units will be ADA accessible and the rest will be can customized to the resident's needs.

Mr. Prytherch inquired who would pay for the street. Mr. Perry stated there has been a request for assistance because of the affordability, and it would be a discussion at the City Council meeting.

Mr. Watt inquired whether there will be a bicycle parking for the visitors. Ms. Westrich said they would be open to consider the matter.

Ms. Blackmar made the comment that for her it seems the design is very focused on indoor spaces, and no outdoor amenities such as back patios. Ms. Blackmar inquired whether this was from experience. Ms. Westrich said it is both experience and cost driven. Ms. Blackmar wanted to know if funding will later be available the designer would be willing to add some outdoor amenities, or the design flexible enough for it. Ms. Rademacher from the Model Group highlighted there will be an outdoor gathering space at the rear of building that has the community center. Ms. Blackmar also inquired if the density was higher they would do elevator. Ms. Westrich stated they have buildings with elevators at other sites.

Mr. Bracken wondered whether the utilities are included in the rental cost. Ms. Rademacher said the residents would only pay for electric.

Comments from the public

Alex Moreno, 291 Ryan Drive

Mr. Moreno was concerned about light pollution, and wondered what type of lighting will be used. Mr. Moreno wanted to know whether it is necessary to connect the road to Dana Drive or it could be just a bike path. Mr. Moreno's last concern was the water pressure.

Greg Wilhelm, 50 Josie Lane

Mr. Wilhelm was also concerned about the water pressure as well as connecting Dana Drive to the planned road. Mr. Wilhelm added there are lot of kids in the neighborhood and he believes that by connecting the roads, the traffic will increase. Mr. Wilhelm also wanted to know how the project would affect the value of his property, and whether there is any data on this.

Jenny Wright, 2110 Dana Drive

Ms. Wright wondered whether BCRTA will service the development or whether there are any plans for that. Ms. Wright was concerned about the traffic on Oxford Reily Road since there is a hill where Melissa Drive connects to this state road.

William Levenderis, 6066 Contreras Road

Mr. Levenderis stated he did research on ERS and believes that their plan will be an asset to the community. Mr. Levenderis is in favor of this project.

Mr. Dana made a motion to close public hearing. Ms. Blackmar seconded the motion. All were in favor.

Ms. Rosenberg wondered if there is going to be any type of signal at the new intersection. Mr. Perry stated it is something that the City can decide.

Mr. Dana welcomed the project because it is a very good beginning towards affordable housing. Mr. Bracken and Mr. Keebler agreed with Mr. Dana.

Mr. Keebler brought up that it has always been the plan for Dana Drive to go through, trees were cut down a while ago for it. Mr. Keebler added that people who live there would use the road. Mr. Keebler believed that quality projects like this would not affect the nearby properties, especially if there is a nice buffer, and the people will be good neighbors.

Mr. Bracken thought that having Dana Drive go through will decrease traffic because people living at the end does not have to drive through the entire neighborhood.

Ms. Rosenberg agreed with everyone and she was in favor of this project.

Ms. Blackmar would like to see higher density although she understood the reason why it cannot happen right now. Ms. Blackmar suggested to employ the latest technology in lighting.

Mr. Watt was wondering if there was a codified ordinance on lighting. Mr. Perry said it has not been yet however, there is a no-glare requirement past the property line, and a shield requirement on the fixtures.

Mr. Prytherch believed the project can serve an important need, and it is within the Code. Mr. Prytherch would like to see the most being done to the open space with the funds that are available. Mr. Prytherch did not believe that the street has to be a 35 feet collector street because it is expensive, uses up more open space, and could be a safety hazard for the neighbors because of potential speeding. Mr. Prytherch agreed with the

alignment of the streets but a street study is needed. Mr. Dana agreed with Mr. Prytherch to put the street study as a condition.

Mr. Dana stated that we need a master plan to what happen to the 47 acres. Mr. Prytherch agreed with Mr. Dana.

Mr. Perry had a suggestion on what could be a condition in regards to the street width: "Evidence that a complete Streets Policy analysis has been performed before the final plans recorded." Mr. Perry added that this would allow the City Engineer to respond to the concerns, and the opportunity to evaluate what other connectivity improvements can be made. Mr. Watt felt comfortable with Mr. Perry's statement and wording.

Mr. Watt reviewed the amendments to the waivers:

#9 the number of bicycle racks would be determined between the applicant and the City Staff

#10 the property owner shall be responsible for constructing sidewalk on the west side of the future north-south roadway at the time it is built.

#11 evidence that a complete Streets Policy analysis has been performed before the final plans recorded

Mr. Watt entertained a motion to accept the Decision Criteria as laid out by Staff beginning on page 97, 14 conditions along with the Staff recommendation as amended to include #9, #10, and #11.

Ms. Rosenberg made a motion to approve PC-2021-34 and PC-2021-35 with the above mentioned amendments. Mr. Keebler seconded the motion.

Roll call was taken.

AYE: Ms. Blackmar, Mr. Prytherch, Mr. Bracken, Mr. Dana, Mr. Keebler, Ms. Rosenberg. Mr. Watt (7)

NAY: None (0)

ABS: None (0)

Motion PASSED.

VIII. Adjournment

Mr. Dana made a motion to adjourn the meeting. Mr. Bracken seconded the motion. All were in favor. The meeting adjourned at 10:27 pm.

Case No:
PC-2021-31 / PC-2021-32



Meeting Date:
December 14, 2021

STAFF REPORT

Community Development | Planning Commission

APPLICATION DETAILS

Applicant	Todd Homes LLC, c/o Todd Hall
Proposal	Single-family subdivision containing 86 lots/units
Location	6610 Brookville Rd – Parcel IDs: (1) H4100141000006; (2) H4100141000007 & (3) H4100141000008
Owners	Parcel (1) : Gregory B. & Rebecca A. Smith Parcels (2) & (3) : Rebecca A. Smith & Cassandra K. McCartney
Engineer	Bayer Becker, c/o John Bayer
Action Request	PC-2021-31 : Preliminary Subdivision PC-2021-32 : Preliminary Planned Development (PD)
Current Use	Agricultural / Undeveloped Land
Current Zoning	R-1B Single-Family Medium Density Residential District
Site Area	22 acres
Site Frontage	1,334 feet along Brookville Road
Surrounding Land Uses	Community Park to the north; agricultural/rural residential to the west and south; single-family residential neighborhood (Muskopf Farms) to the east
Staff Recommendation	Approval , subject to recommended conditions

PROPOSAL SUMMARY

The applicant is requesting approval of a Preliminary Subdivision and Preliminary Planned Development for a 22-acre site located at 6610 Brookville Road, just west of the Muskopf Farms subdivision (Autumn Drive) and south of the Oxford Community Park. The proposal is for 86 single-family lots, to be accessed by a network of privately maintained streets and sidewalks. Two street connections/entrances are planned along Brookville Road. Sidewalks are planned to connect to a future OATS trail segment (Phase 4) along Brookville Road, which predates the submission of this application and will be constructed by the City of Oxford using funding from the trail levy and federal grants. A Homeowners Association (HOA) is to be established which will own and be responsible for maintaining all common areas, including open space, stormwater retention basins, streets, and sidewalks. A multi-use path is also proposed through the center of the development,

serving as an amenity to connect the planned OATS trail with the existing trail system in the Community Park. The applicant has offered to help pay for constructing the segment of trail on the City's park property.

The Preliminary PD & Subdivision applications were originally submitted in September, intending for a first review by the Planning Commission at the November meeting. Engineering and Zoning reviews revealed a number of design-related comments and concerns, and as a result the applicant voluntarily agreed to postpone consideration of the application pending various changes to the plan. The plan now being brought before the Planning Commission in December reflects a variety of the requested design changes and improvements, and in staff's opinion represents a better overall plan than the original September version.

PUBLIC COMMENTS

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

DEPARTMENT COMMENTS

Below are comments from City departments. Please note that the comments below were delivered based on the original plan submitted by the applicant in September. Community Development staff has inserted notes in **bold** at the end of certain comments to indicate whether there has been an update to the situation since the original submission.

Department	Respondent	Response
Economic Development	Seth Copenbaker, Assistant to the City Manager	Returned with Comments
<i>The proposed development of 89 single-family homes helps fill a high need for housing in the Oxford area. The availability of this housing would encourage residency and growth of our population and available local labor force. [Inclusion of additional open space reduced the number of homes from 89 to 86.]</i> <i>Several factors could contribute to encourage residency; proposed HOA to maintain a unified and polished aesthetic for the community, proximity to planned OATS routes and the OCP.</i> <i>The description of the homes, HOA, etc. will likely lead to price points above what could be considered affordable housing. While this development represents opportunity and filling a housing need for the City, development of affordable housing in Oxford still remains a top priority.</i> <i>The Economic Development department views the proposed development as an asset to the community, and has no reservations at this time.</i>		
Engineering	Scott Otto, City Engineer	Returned with Comments
<i>Further review of detailed construction plans may require revisions to proposed water and sanitary sewer main locations.</i> <i>The proposed design of storm water draining to the middle of the roadway creates maintenance and longevity concerns. The centerline of the roadway typically has a pavement joint that allows water to infiltrate the asphalt, freeze/thaw and create potholes.</i> <i>Note #5 regarding sump drains will need to be reviewed along with detailed grading plans prior to construction plan approval. Sump lines collecting groundwater and downspout drains should not surface discharge and flow onto the sidewalk and roadway.</i> <i>The proposed typical section for the private streets does not include curb and gutter. Curb and gutter provides advantages to the roadway, including acting as a back support for the edge of the roadway and providing a demarcation between the street pavement and lawn area that prevents motorists from driving into the lawn. All recent roadway construction within Oxford, whether Public or Private has</i>		

<i>included curb and gutter. If the owner would request the streets to be public in the future, the streets constructed as currently designed would not meet City of Oxford design specifications for public streets. [Street curbs have since been added to the plan.]</i> <i>Please provide additional information regarding the traffic impact, including whether or not the trips generated from the development will result in roadway improvements along Brookville Rd. including the intersection of Brookville/Oxford-Reily Rd. [A traffic study was performed and submitted to the City. The study concluded no additional off-site roadway improvements were warranted by the development.]</i> <i>HOA declarations or covenants should include identification of the responsible party and funding, maintenance, and inspection plans for the roadway and storm water facilities within the development including the retention basins.</i> <i>A Public Improvement Bond will be required for infrastructure improvements.</i>		
Fire	John Detherage, Fire Chief	Returned without Comments
Parks & Recreation	Casey Wooddell, Parks Director	Returned with Comments
<i>Only one paved path connection from Owl's Landing to Oxford Community Park is preferred. This ensures less disruption of the natural areas and requires only one crossing of the drainage/creek area between the park and development. If the City is responsible for the cost of connecting the existing park path to the development, one path also reduces both construction and maintenance costs.</i> <i>Allowing a permanent section of the OATS trail to travel either the east or west border of the development would be preferred, rather than traveling the entire length of Brookville Road to the park entrance. For transportation purposes, this creates a much quicker connection to the existing park amenities, such as the aquatic center.</i> Comments following submission of revised plan in November: <i>The single paved trail connection between Oxford Community Park and this development is much appreciated compared to two connections. This will save both time and money, and help control traffic flow.</i>		
Police	John Jones, Police Chief	Returned without Comments

CASE HISTORY

A summary of relevant case history is provided below:

Case No.	Application	Decision
PC-2021-20	Zoning Map Amendment	Council approved 8/3/2021 by Ord No. 3628
The City of Oxford submitted a request to rezone the property to the R-1B zoning district, matching the classification of the adjacent Muskopf Farms subdivision to the east. The site was previously zoned A-1 Agricultural under the Butler County Rural Zoning Resolution (Oxford Township). The action to rezone the site with a City zoning classification dovetailed with the petition to annex the 22 acres into the City's corporate limits, after having been filed with the Butler County Commissioners in March 2021.		

None	Concept Plan Review	Planning Commission review at 4/13/21 meeting
The applicant had shared a Concept Plan with the City earlier this year, which was brought to the Planning Commission in April for feedback and comments. The Concept Plan at this time included 4 quad-unit buildings in addition to 76 single-family lots (92 total units). The Commission generally expressed support for the project, though desiring greater connectivity with the proposed pathways. The submitted Preliminary Plan now under consideration no longer includes the 4 quad-unit buildings, as the applicant now proposes an exclusively single-family development with 86 total lots.		

COMMENTARY

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

- Density:** The underlying R-1B zone has a minimum single-family lot size of 7,500 sq ft, which equates to a density of **5.81 du/ac** (43,560 sq ft ÷ 7,500 sq ft). Hypothetically speaking, if a by-right subdivision were pursued, approximately **108** single-family lots could be provided on the site assuming 15% of the overall area was devoted to infrastructure (internal streets & right-of-way). With **86** single-family lots proposed, the resulting gross density is **4.20 du/ac** (86 units ÷ 20.49 acres of land excluding future Brookville Road right-of-way), and therefore much lower than the maximum possible density per the underlying R-1B zone. This would be above the existing gross density of the adjoining Muskopf Farms subdivision which is at **3.53 du/ac** (49 units ÷ 13.87 acres).
- Dwellings:** The applicant has submitted a number of sample building elevations to illustrate the types of housing units envisioned for Owl's Landing, including both 1-story and 2-story designs that would of course vary in terms of cost. Exterior materials are likely to consist of vinyl lap and shake siding, as well as brick or stone veneer. All homes are planned to have 2-car garages with driveways accessing the streets. Todd Homes would be both the developer and builder for this project.
- Landscape Buffer:** The applicant proposes installing mounding along Brookville Road, on both sides of the planned OATS trail, to help provide a screening effect for the abutting private lots. The rear of these lots will likely be visible from both the trail and roadway, therefore vegetative screening in addition to mounding would also be beneficial and has been required and/or provided for other recent residential developments abutting major thoroughfares. **Section 1101.4(410)(B)** normally requires a 20-foot buffer along an arterial or collector street, and specifies such buffers *may consist of fencing, evergreens, rocks, boulders, mounds or combinations thereof (...)*. Staff believes the 20-foot dimensional requirement is met through the establishment of a 22-foot wide easement to support the OATS trail, which will flank the Brookville Road right-of-way. The planting of any trees or vegetation in this area should logically occur following trail construction by the City. Therefore, it may be advisable for the developer to contribute funds to the City which can be utilized when the time is right, as opposed to the developer being directly responsible for planting trees at the appropriate time.
- Landscaping and Tree Preservation:** The project is subject to the standards of Chapter 1148 Landscaping and Tree Preservation, which includes both tree planting and tree preservation requirements. It should be noted however that the Commission has the ability to waive or modify such standards, or impose more stringent requirements, inherent to a more discretionary review process involved with a Planned Development. Summaries by subject are provided below:
 - Tree Planting:** Per **Section 1148.04(b)** of the Oxford Zoning Code, a minimum of one front yard tree is required per single-family lot. The applicant acknowledges this will be done via a note provided on the Landscaping Plan. In addition to front yard trees, the applicant also plans to install 121 street trees along private streets as well as additional trees and shrubs

within the mid-block open space area. A variety of deciduous and evergreen shrubs would surround the gathering space area which would serve as a central landmark/node for the development along the multi-use path connector.

- **Tree Preservation:** Per *Section 1148.05(b)(2)* of the Oxford Zoning Code, a tree survey is normally required for major subdivisions. The Code specifies certain areas are to be exempted from surveying as well as replanting, including areas within fifteen (15) of new structures and within five (5) feet of driveway or walkway surfaces. Front and side yard areas on single-family lots are also exempt. The intent of these standards is to help preserve existing mature tree specimens or woods located on open space parcels or to the rear of private lots from being cleared or significantly impacted, by means of performing a tree survey to bring awareness to tree specimens or by executing a conservation easement or other similar restriction. With regard to the proposal at hand, the planning of development features (streets, lots, etc.) overtop the one significant patch of existing woods located in the southeast corner of the site has the effect of making much of the area exempt from surveying and replanting. Since one of the aims of this development is to keep housing affordable, staff believes the cost of performing surveying for few remaining ‘nonexempt’ areas outweighs the potential benefit.
- **Lighting:** Street light information is not currently shown. *Section 1101.4(406)(F)* requires lights to be installed within 50 feet of every intersection as well as along street corridors at intervals not exceeding 400 feet. Such details will need to be shown at the Final Planned Development stage.
- **Lot Coverage:** The underlying R-1B District normally specifies a maximum coverage per individual lot of 35 percent. Within the design standards for Planned Developments, *Section 1145.12(f)(2)* specifies that lot coverage is to be regulated according to the underlying zoning district, but caps the maximum coverage for any residential portion at 40 percent. The applicant has requested a waiver to this provision to allow for coverage greater than both the district max of 35 percent and Planned Development cap of 40 percent. On each individual lot, the applicant requests increasing the normal maximum coverage of 35 percent up to 65 percent. In a conventional subdivision with public streets, maximum lot coverages standards are only regulated on individual private lots, while covered surfaces in right-of-ways (streets, sidewalks, etc.) are not. The opposite is true for developments with private drives or streets. When accounting for the maximum possible amount of coverage on private lots (7.55 acres), plus known coverage not located in public right-of-way along Brookville Road including private streets, sidewalks, and pathways (2.88 acres), the resulting maximum amount of coverage on the site is **50.9%** (10.43 acres of possible coverage ÷ 20.49 acres of land outside right-of-way). For a more direct comparison to a conventional subdivision, by factoring out all covered surfaces in proposed Public Access & Utility Easements (the most direct equivalent to what would otherwise be public right-of-way), the resulting maximum coverage is **45.18%** (7.703 acres of possible coverage ÷ 17.05 acres of land outside right-of-way and easements). The table below compares R-1B district coverage standards per lot with those proposed for Owl’s Landing:

Standards by Individual Lot	R-1B District	Owl’s Landing
Lot Coverage	35% max	65% max
Building Coverage	25% max	55% max
Front Yard Coverage	25% max	45% max

- **Lot Setbacks:** In addition to varying lot coverage on individual lots, the applicant also proposes variation in applicable setback standards. *Section 1145.12(e)(2)* essentially allows for setback regulations to be varied from the normal district minimums, excepting front yard setbacks which

must adhere to the underlying zoning district. The applicant has requested a waiver to this provision to allow for a reduction in front yard setbacks, in addition to all other setbacks. The table below compares R-1B district setback standards to those proposed for Owl's Landing:

Standard	R-1B District	Owl's Landing
Front Yard Setback	30 ft min	20 ft min
Rear Yard Setback	35 ft min	15 ft min
Side Yard Setback	8 ft min	5 ft min

- Non-Vehicular Mobility:** The development provides sidewalks along both sides of all streets, as well as a 10-foot wide pathway linking the City's planned OATS trail (Phase 4) along the north side of Brookville Road to the Community Park. The applicant agreed to install this pathway on the development site, and provide additional green/open space, following discussions with City staff after the initial application submission in September. Staff believes the resulting design is far better in terms of connectivity, and in establishing an identity for the new neighborhood. The applicant has also offered to help share in the cost of extending the pathway off-site to link up to the existing trail system in the Community Park (see letter from Mr. Hall dated 10/19). City staff has since suggested the City may be able to fully fund this portion of the path, as well as maintain the segment running through Owl's Landing; if this ends up being the case, funds that would have been used to fulfill this pathway linkage could be diverted to other useful endeavors, such as the planting of trees in the buffer area along Brookville Road.
- Open Space:** Within the Planned Development design standards, *Section 1145.12(f)(1)* states a minimum of 20% open space must be provided, and all areas counted toward this percentage must measure at least 50 feet by 50 feet nor can it include a 25-foot perimeter setback. The applicant has requested a waiver to the 20% minimum. The latest plan provides 2.9 acres, or **14.2%** of calculable open space ($2.9 \div 20.49$ acres). It should be noted that because of the 50x50 limitation, many areas that will effectively be subdivided as open space do not count, inclusive of a 22-foot wide trail easement along Brookville Road allowing for the OATS trail to be built as presently designed.
- Signage:** No gateway-type signage details have been submitted at this time. *Section 1151.05(d)(2)* allows for 1 freestanding sign per street intersection at the boundaries of a subdivision, with a maximum sign face area of 48 square feet, maximum sign/structure height of 6 feet, maximum sign/structure width of 12 feet, and minimum setback from the right-of-way at least the height of the sign with indirect illumination only.
- Stormwater Management:** Two stormwater retention basins are planned, one in the northeast corner and one in the southeast corner. These locations are all but pre-determined due to the topography of the site sloping down from west to east. Storm sewers are planned in the middle of the private streets with centered catch basins; these will convey stormwater runoff to the two basins before being released at the pre-development rate. Water in the northeastern basin will be directed northward into a stream channel on the Community Park site, and water in the southeastern basin will discharge into the drainage ditch along the north side of Brookville Road.
- Streets & Traffic Circulation:** Various topics are discussed below.
 - Internal Street Details:** As opposed to following City specifications for local streets, the applicant proposes an alternative street section comprising a 44-foot wide public access and utility easement, within which 24 feet of street pavement would be provided exclusive of 6-inch curbing on either side. By comparison, a typical local street per the Subdivision Regulations comprises 50 feet of right-of-way and 30 feet of pavement measured back-of-

curb to back-of-curb. The City Engineer has expressed acceptance of the reduced street width. It is not expected that on-street parking would be allowed on the narrower streets.

- **Brookville Road:** Existing right-of-way along Brookville Road measures approximately 64 feet in width. The distance from centerline to the southern edge (front property line) of the subject property is 32 feet. The Oxford Thoroughfare Plan classifies Brookville Road as a Major Collector, requiring 100 feet of overall right-of-way width, with 50 feet on either side of the centerline. The applicant shows 18 feet of additional right-of-way being dedicated along Brookville Road in order to make up the difference for the standard 50 foot width from centerline. In addition to the 18 feet of new right-of-way, a trail easement roughly 22 feet wide is also shown. The City's OATS trail project has been designed with gentle curves, which would weave between the future right-of-way and the trail easement area. The pathway and sidewalks planned for the interior of the Owl's Landing would also eventually connect to this future trail. It is currently estimated that trail construction will be completed in 2023. The construction of pedestrian/bicycle infrastructure will need to be coordinated between the developer and the City as both projects progress.
- **Utilities:** Comments on individual utility services are provided below.
 - **Water & Wastewater:** The developer will tap into existing City utilities for sanitary sewer and water located in proximity to Autumn Drive and Brookville Road. The topography of the site should allow for sewers to gravity feed into the existing main without the need for a lift station.
 - **Garbage Collection:** Garbage collection is presumed to be handled by individual wheeler totes by unit left at the street curb, as is typical in single-family residential subdivisions.
 - **Mail Delivery:** The current USPS policy is for mail collection/delivery to be combined, serving cluster box units (CBUs) as opposed to individual mailboxes. The applicant proposes to locate 2 CBUs on the edge of the 'neighborhood park' open space, adjacent to a private street (Street B).

DECISION CRITERIA

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

1. **The proposed planned development is in fact permitted in the zoning districts in which it is proposed.**
The project will consist of single-family homes, which are permitted in the underlying R-1B zoning district. The number of single-family units planned (86) does not exceed the Planned Development density parameters.
2. **If the application is for the same site where a planned development application has been denied within one year, the plan is substantially different from the application so denied.**
Not applicable, since this is the first Planned Development proposal for this site.
3. **The uses and site plan will satisfy the general intent of the Zoning Code.**
The Zoning Code specifies that the R-1B District *is designed to provide and preserve single family residential development of a moderately low density character within and adjacent to areas of similar development*. The proposed development certainly complies with the general intent of the R-1B district from a land use and gross density standpoint. The Planned Development process allows for greater flexibility of Code standards, including those for minimum lot size, minimum lot width and

minimum setbacks, in exchange for the provision of open space and greater negotiation power between the City and the applicant.

4. **The uses and site plan will be compatible with the general intent of the Comprehensive Plan.**
Map 3.6 of the Comprehensive Plan actually identifies the subject site as a “Potential Park Expansion,” being that it is immediately south of the Community Park property. The description provided for this expansion area is as follows: *Expand the Community Park to serve a variety of active and passive recreational uses. New park development should be easily accessed by a variety of mobility options.* The consideration of this site for recreational use, as opposed to residential use, cannot be entertained since City Council has already approved the rezoning of the property to R-1B for residential use. However, it can be noted that the proposed development is helping to fulfill one of the stated goals for this site in providing mobility/accessibility to the Park. The developer has agreed to install a multi-use path between the OATS trail and the Park, which will effectively integrate with the Planned Development and serve as a vital connection point for nearby recreational amenities.
5. **The size and shape of the site are sufficient for the proposed planned development.**
Staff believes the size and shape of the site are sufficient for the proposed subdivision.
6. **The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.**
The applicant has chosen to allocate much of the open space area to the eastern side of the site, which will serve as a buffer between existing housing units in Muskopf Farms (Autumn Drive) and the new units in Owl’s Landing; the minimum buffer distance between rear lot lines at any one location measures approximately 90 feet. The retention basin in the southeast corner of the site will have the unfortunate effect of removing mature vegetation in this area, which currently backs up to 3 lots along Autumn Drive. The natural setting of the Community Park to the north is seen as a more permanent fixture on the landscape, and will serve as a nice backdrop for the development.
7. **The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.**
This criterion is generally not applicable to a residential proposal, as these external effects mostly pertain to activities or processes associated with commercial or industrial businesses. The applicant submitted a traffic study focusing on the anticipated traffic to be generated by the 86 planned units, which concluded no other off-site roadway improvements were warranted. The Traffic Study recommended a left turn lane improvement on W Chestnut Street at Oxford-Reily Road, though based on existing conditions not directly attributed to the proposed development.
8. **Accessory uses will be directly related to the operation of the principal uses and will not be operated independent of the principal uses.**
Open spaces are expected to be mostly passive, with some active features in the form of pathways and a gathering area, but no actual ‘structural’ accessory uses such as a community clubhouse or pool. Accessory uses on private lots, such as sheds, will otherwise need to apply for permits of their own and follow lot coverage provisions associated with the Planned Development approval as well as any other applicable Code standards not addressed by the approval.
9. **The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.**
Private streets and stormwater management features are to be constructed by the developer and maintained over time by an established HOA. The Fire and Police Chiefs did not express any comments or concerns on the proposal. Garbage collection is presumed to be handled lot by lot with individual wheeler totes, as is typical in other residential subdivisions.

10. **Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.**

The applicant is expected to cover the cost of all infrastructure attributed to the development, including streets, sidewalks, utility extensions, and stormwater runoff conveyance systems. Other development reviews in the recent past have required developers to constructing sidewalks along existing arterial or collector thoroughfares which border a project site. This case is unusual in that a public project is already in the works for the expansion of the OATS system (Phase 4); therefore, the developer in this case would be spared from this cost as this “east-west” trail effectively substitutes for a sidewalk. It should be noted the developer has agreed to construct a separate “north-south” multi-use path running through and integrating well with the Owl’s Landing development, and has also offered to share in the cost of linking said path with the existing trail system in the Community Park. The City will likely be responsible for at least some degree of public expenditures to ensure the separate trail linkage between OATS and the Community Park comes to fruition.
11. **The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.**

Staff believes the character of this new residential neighborhood will be harmonious with, and complementary to, its surroundings. The pattern of smaller sized lots will result in a neighborhood environment with a much denser appearance than most other recent suburban residential housing developments in Oxford, including those zoned R-1B. While the normal minimum lot area in R-1B is 7,500 square feet with at least 65 feet of lot width, the typical lot size in Owl’s Landing is proposed at 5,000 square feet with a lot width of 50 feet. As a result, Owl’s Landing would be approximately 19% denser than the adjoining Muskopf Farms subdivision. Though this development will be of a slightly different character and consist of a different product not found elsewhere in town, staff believes it will still embody a residential environment that is appropriate for this location.
12. **The site is designed so that on-site traffic and traffic accessing the site will not adversely impact the movement or safety of all modes of traffic on adjacent public streets.**

Two entrances are to be provided onto Brookville Road, to facilitate the movement of traffic going to and from the development. No turn lanes or other improvements are currently anticipated along the vehicular portion of Brookville Road, as it will remain a rural roadway not unlike the present character along the frontages of the Muskopf Farms and Longmeadow subdivisions. The applicant will dedicate additional 18 feet of right-of-way on the north side of Brookville Road, consistent with the Oxford Thoroughfare Plan.
13. **Proposed construction will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.**

The plan as designed would result in the loss of much of the mature vegetation currently situated in the southeast corner of the site, surrounding the existing farm house and outbuildings which are also planned to be demolished. However, the interest of preserving woods in this area must be weighed with other considerations including the provision of a second entrance into the development (thus improving emergency access), as well as allocating space for a stormwater management device in what is the lowest lying area of the site. Fortunately, a significant degree of mature woodland already exists north of the development site on the Community Park property, and thus is already protected in a defacto manner.
14. **Proposed construction will not result in the complete elimination of existing mature tree canopy. Effort shall be made to direct disturbance and construction around or away from**

existing mature tree canopy without completely taking away use of the site or connectivity to existing infrastructure.

Again, many of the existing mature trees in the southeast corner of the site will likely need to be cut down to make way for the proposed stormwater retention basin, streets, and houses. Very few areas would be left un-exempt from tree surveying based on the proposed layout, therefore staff is recommending a waiver of the tree surveying requirement.

STAFF RECOMMENDATION

There are no decision criteria for a Preliminary Subdivision application, as the review is based on meeting the spirit of the design standards in **Section 1101.4** of the Subdivision Regulations. **Section 1101.4(400)** provides some general statements for the Commission to consider in reviewing a subdivision proposal (see Appendix B).

On the other hand, consideration of a Preliminary Planned Development must rely on decision criteria provided in **Section 1145.06(b)** as touched upon in the previous section.

In consideration of the relevant standards and criteria, staff recommends **approval** of both the Preliminary Subdivision and Preliminary Planned Development for Owl's Landing subject to the following conditions:

1. The provision of screening vegetation/landscaping along Brookville Road shall be further explored between the City and the applicant, and revisited at the Final Planned Development stage with a possible amendment to the Landscaping Plan or agreement to contribute funds for tree planting.
2. A note alerting builders to high water tables in the area shall be placed on the final record plat. The applicant is advised to complete soil compaction tests for Lots 44-45 before construction on these lots takes place.
3. A waiver to **Section 1101.4(404)(A)(6)** is hereby granted to allow for the two street entrances off Brookville Road as proposed, without requiring either to have a 25% wider opening.
4. A waiver to **Section 1101.4(404)(E)** is hereby granted to allow for primary access into the subdivision to be privately owned and maintained as opposed to being public, provided the proposed public access and utility easements allow for non-exclusive movement of the general public throughout the subdivision.
5. A waiver to **Section 1101.4(408)(A)** is hereby granted to allow for increased block length from 800 feet to 885 feet for Street A.
6. A waiver to **Section 1145.12(e)(2)** is hereby granted to reduce the minimum front yard setback from 30 feet to 20 feet.
7. A waiver to **Section 1145.12(f)(1)** is hereby granted to reduce the minimum open space required from 20% to 14.2%.
8. A waiver to **Section 1145.12(f)(2)** is hereby granted to increase the maximum lot coverage on individual residential lots from 35% to 65%.
9. A waiver to **Section 1148.05(b)(2)(A)** is hereby granted to relieve the developer from the Tree Survey requirement, on condition that the applicable Landscaping Plan is fulfilled and appropriate conservation restrictions are designated on the final record plat for open space areas on the northern and western perimeters of the site where existing natural vegetation is to remain.

SUBMITTED BY:



Zachary Moore, AICP
Planner

DATE: December 8, 2021

APPENDIX A

RELEVANT PROVISIONS FROM THE ZONING CODE

Within the Oxford Zoning Code, *Section 1143.02* provides the base zoning standards for the R-1B zoning district and *Chapter 1145* governs Planned Development applications.

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

- (a) Purpose.
This district is designed to provide and preserve single family residential development of a moderately low density character within and adjacent to areas of similar development.
- (b) Uses.
 - (1) Permitted uses.
 - A. Single-family dwellings.
 - B. Accessory buildings and uses incidental to the principal use as provided in Chapter 1141.
 - C. Day Care Home Type B family.
 - (2) Conditional uses.
The following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.
 - A. Community-Oriented Residential Social Service Facilities (CORSSF's).
 - B. Shared Housing for the elderly.
 - C. Government owned and/or operated parks and recreation facilities.
 - D. Bed & Breakfasts.
 - E. Open space recreation areas that are privately or publicly owned, such as golf courses, tennis courts, parks, forests, or wildlife preserves.
 - F. Day care facilities, including Child Day Care, Child Day Care Center, and Day Care Home Type A family.
 - G. Schools: primary, intermediate, and secondary, both public and private.
 - H. Places of worship.
- (c) Site Development Regulations. (Unless superseded by Conditional Use Requirements)
 - (1) Lot requirements.
 - A. Minimum lot area 7,500 sq. feet
 - B. Minimum lot width 65 feet
 - C. Minimum lot frontage 65 feet (not applicable to cul-de-sac lots)
 - (2) Yard requirements.
 - A. Minimum front yard depth 30 feet
 - B. Minimum rear yard depth 35 feet
 - C. Minimum side yard width 8 feet on each side
 - (3) Structural requirements.
 - A. Maximum building height 35 feet
 - (4) Lot coverage.
 - A. Lots with vehicular access from a public street
 - 1. Lot total – Maximum 35 percent
 - 2. All enclosed buildings – Maximum 25 percent of lot
 - 3. Front yard – Maximum 25 percent of front yard
 - B. Lots with vehicular access from a rear or side alley, and no access from a public street
 - 1. Lot total – Maximum 40 percent
 - 2. All enclosed buildings – Maximum 25 percent of lot
 - 3. Front yard – Maximum 15 percent of front yard

1145.06 Planning Commission and Council review.

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

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

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

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

(a) **Burden of Proof.**

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

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

(b) **General Decision Standards.**

All planned developments shall satisfy these general decision standards:

- (1) The proposed planned development is in fact permitted in the zoning districts in which it is proposed
- (2) If the application is for the same site where a planned development application has been denied within one year, the plan is substantially different from the application so denied.
- (3) The uses and site plan will satisfy the general intent of this Zoning Code.
- (4) The uses and site plan will be compatible with the general intent of the Comprehensive Plan.
- (5) The size and shape of the site are sufficient for the proposed planned development.
- (6) The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.
- (7) The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.
- (8) Accessory uses will be directly related to the operation of the principal uses and will not be operated independent of the principal uses.
- (9) The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services

privately.

- (10) Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
- (11) The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.
- (12) The site is designed so that on-site traffic and traffic accessing the site will not adversely impact the movement or safety of all modes of traffic on adjacent public streets.
- (13) Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
- (14) Proposed construction will not result in the complete elimination of existing mature tree canopy. Effort shall be made to direct disturbance and construction around or away from existing mature tree canopy without completely taking away use of the site or connectivity to existing infrastructure.

1145.07 Action by Planning Commission

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

1145.12 Design.

- (a) Arrangement.
The physical arrangement of a planned development is not subject to the specific dimensional regulations that apply in the underlying zoning district, except as specifically noted in this Chapter. Land uses may be distributed throughout the site and throughout individual buildings in whatever manner is best suited to a particular planned development. Structures, vehicle management areas, open spaces, landscaping, and other elements may be distributed throughout the site in whatever manner is best suited to a particular planned development and the surrounding area.
- (b) Land Area.
A planned development shall be a minimum of 1 (one) contiguous acre or more.
- (c) Land Use.
 - (1) The following land uses are permitted in proportion to those portions of a planned development that overlay an existing residential zoning district:
 - A. Any land use permitted in any residential zoning district in this Code, except Mobile Homes.
 - B. Institutional, public, and semi-public land uses that serve the planned development or the general public.

- C. Commercial land uses, if the total land area of the planned development is greater than 10 acres and if the commercial land use is intended to serve the planned development only. Such commercial land uses shall be limited as follows:
 - 1. No signs that are visible from outside of the development.
 - 2. No direct vehicular access to a public thoroughfare.
 - 3. No less than 95 percent of the total land area shall be devoted to residential land uses.
 - 4. No separate structure intended to be used, in whole or part, for commercial land uses shall be constructed prior to the construction of not less than 50 percent of the dwelling units.
 - (2) The following land uses are permitted in proportion to those portions of a planned development that overlay an existing commercial zoning district:
 - A. Any land use permitted in the underlying zoning district.
 - B. Any land use permitted in any residential zoning district in this Code, except Mobile Homes.
 - (3) The following land uses are permitted only in the portions of a planned development that overlay an existing industrial zoning district:
 - A. Any land use permitted in the underlying zoning district.
 - (4) The land uses permitted in a planned development may be distributed as follows:
 - A. If a single planned development overlays more than one zoning district, then the land uses permitted according to this Section may be distributed throughout the entire planned development site.
 - B. If a planned development includes land uses permitted only in an industrial zoning district, then those land uses may only be located in that portion of the planned development that overlays the industrially zoned land.
 - (d) Residential Density.
Residential density shall not exceed 110 percent of the density permitted in the underlying zoning district. Residential land uses in a planned development that overlays a commercial zoning district shall not exceed the density of the R1B Single-Family Medium-Density Residential Zoning District. Area devoted entirely to non-residential land uses, including buildings, vehicle management areas, and other associated land use elements shall be excluded from the area used to calculate residential density.
 - (e) Dimensional Regulations.
 - (1) Building Heights shall be limited as in the underlying zoning district, regardless of land use.
 - (2) Front setbacks shall be limited as in the underlying zoning district.
 - (3) All buildings and vehicle management areas shall be setback from the perimeter of a planned development no less than:
 - A. Residential zoning district - 25 feet.
 - B. Commercial zoning district - 25 feet.
 - C. Industrial zoning district - 50 feet.
 - (f) Open Space.
 - (1) No planned development shall have less than 20 percent open space, which includes any area not less than 50 by 50 feet, not including the required setbacks, and includes nothing other than natural area.
 - (2) Lot coverage shall be regulated according to the underlying zoning district, except that lot coverage for the residential portion of any planned development shall not exceed 40 percent.
 - (g) Sensitive Development Area.
 - A. A Sensitive Development Area is defined as any land(s) or soil(s) proposed to be developed that, if subjected to improper use or management, is otherwise determined to be incapable or unsuitable of urban use. Sensitive Development Areas can also be considered those lands that pose special hazards to development

or the environment, consisting of lands or soils of such sensitive character that they may require special use, design and engineering restrictions.

- B. For the Preliminary Planned Development, the applicant must create an inventory of sensitive environmental area identified in subsection (g)D.(1) to (8) from publicly available resources such as Butler County Soil and Conservation District, OKI, OEPA, ODNR, HAPC, FEMA, USFWS, OHPO and other public entities. This information shall be provided with the preliminary application. Design of the site shall be based on site information obtained from those public entities. An existing landscape plan shall be submitted with each application. The landscape plan shall identify existing trees, natural features and other landscaping elements.
- C. After the approval of the Preliminary Planned Development, the applicant must develop a detailed site analysis of sensitive environmental areas on the site, conducted by firm(s) specialized in the areas, at a minimum: Ecological Survey, and Environmental Site Assessment. Other documentation may be required based on the site and the discretion of the Planning Commission, including, but not limited to: Stream and Wetland Mitigation, Water Way Permits, Archaeological Inventory, Historic Architecture Inventory. The applicant must also provide reports of the analyses following current professional norms for the discipline. It will be the Planning Commission's role to review information submitted by the applicant on each discipline to make the recommendations to City Council.
- D. Design of the proposed Planned Development site shall be based on the site information obtained from those public entities. To the maximum extent practicable, development shall be located to preserve the natural features of the site, to avoid areas of environmental sensitivity, and to minimize negative impacts and alterations of natural features. The following specific areas shall be preserved as undeveloped open space, and in accordance with the U.S. and Ohio Constitutions and state or federal regulations:
 - (1) Unique and/or fragile areas, including wetlands, as may be defined in Section 404, Federal Clean Water Act, as amended; and in Ohio Environmental Protection Agency standards.
 - (2) Land in the floodway as identified and mapped using the Federal Emergency Management Agency's Flood Hazard Boundary Maps. Federal Emergency Management Agency in scientific and engineering reports entitled 'Flood Insurance Study for Butler County, Ohio and Incorporated Areas' effective 12/17/2010, with accompanying Flood Insurance Rate Maps for Butler County, Ohio and Incorporated Areas effective 12/17/2010 and any revisions thereto are hereby adopted by reference and declared to be part of this chapter.
 - a. 100 foot natural buffer shall be maintained adjacent to all permanent and natural surface waters, springs, and wetlands. Development of this area is regulated as follows:
 - 1. Natural vegetation shall be maintained.
 - 2. No structures shall be built or improvements made, except as follows:
 - (a). Walking paths, bicycling paths, and the like, including infrastructure necessary to facilitate their development are permitted anywhere within the buffer.
 - (b). Roads and associated infrastructure are permitted in the buffer to facilitate crossing such water elements.
 - (c). Any improvements approved in a final plan.
 - (d). Any public safety or public utility improvements not associated with the planned development, but deemed necessary by the Service Director, Police Chief or Fire Chief.

- (3) Steep slopes fifteen (15%) percent or more, unless appropriate engineering measures concerning slope stability, erosion, and resident safety are taken into account.
 - (4) Habitats of endangered wildlife, as identified on federal and state lists.
 - (5) Historically and culturally significant structures and sites, as listed on, but not limited to, the National Register of Historical Places or on the local inventory of historic places maintained by the City of Oxford's Historic Architectural Preservation Commission.
 - (6) Aquifers and tributary drainage systems.
 - (7) Tree growth areas or urban forested areas as defined in Chapter 935, of the Codified Ordinances of Oxford.
 - (8) Any area as identified on Map 3.3 of the Comprehensive Plan.
- E. The development shall be laid out to avoid adversely affecting groundwater and aquifer recharge; to reduce excavation and embankment; to avoid unnecessary impervious cover; to prevent flooding; to provide adequate access to lots and sites; and, to mitigate adverse effects of noise, odor, traffic, drainage, and utilities on neighboring properties. The placement of buildings shall take into consideration topography, building height, orientation and drainage. Storm water Best Management Practices in Low Impact Development Designs are desirable and encouraged. City guidelines for these practices and designs can be found in the City of Oxford Storm Water Management Design Manual
- F. If the Planning Commission, or its designated representative, may require the applicant to submit a statement in order to demonstrate that satisfactory efforts have been made to mitigate any special hazards posed to the site if these sensitive lands are subjected to improper use or management. The statement, if required, shall be submitted in one or more of the following forms:
 - (1) The statement shall describe in detail the extent of encroachment on any Sensitive Development Area, the extent and nature of the proposed alteration, the environmental impacts resulting from the proposed alteration, and the proposed methods of mitigation.
 - (2) A Geotechnical Report and/or a Wetlands Assessment/Delineation, prepared by a professional engineer, licensed in the State of Ohio, or by a specialist in Streams and Wetland. This report can be in lieu of a development narrative.
- (h) Landscaping and Screening.
 - (1) A planned development shall satisfy all landscaping elements required by other sections of this Code.
 - (2) The required perimeter setback area shall be retained in natural woods or suitably landscaped with grass, ground cover, shrubs, trees, or earthen mound.
 - (3) A planned development that overlays a commercial or industrial zoning district that is adjacent to a residential zoning district shall be screened from the residential zoning district by a dense evergreen hedge a minimum of 8 feet tall and 10 feet wide at planting and that will maintain at least 90 percent opacity over time.
- (i) Access and Mobility.
 - (1) At residential densities greater than would be permitted in the R-1A District, have direct and principal access from a collector or arterial road.
 - (2) Bicycle rack spaces shall be provided at all planned developments that overlay a commercial zoning district at a rate of 3 per acre.
 - (3) Adequate pedestrian connectivity shall be provided to and through a planned development.
- (j) Utilities and Infrastructure.
Electric and telephone facilities, street light wiring, and other wiring conduits and similar facilities shall be located underground.
- (k) Plan-Specific.
Any other design elements deemed necessary by Planning Commission and Council to ensure that a planned development satisfies the decision criteria of this Chapter.

APPENDIX B

RELEVANT PROVISIONS FROM THE SUBDIVISION REGULATIONS

Section 1101.4 of the Oxford Subdivision Regulations provides the design standards applicable to major subdivisions.

1101.4 – Design standards and construction standards.

400 – General Statement

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

401 – Suitability of Land

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

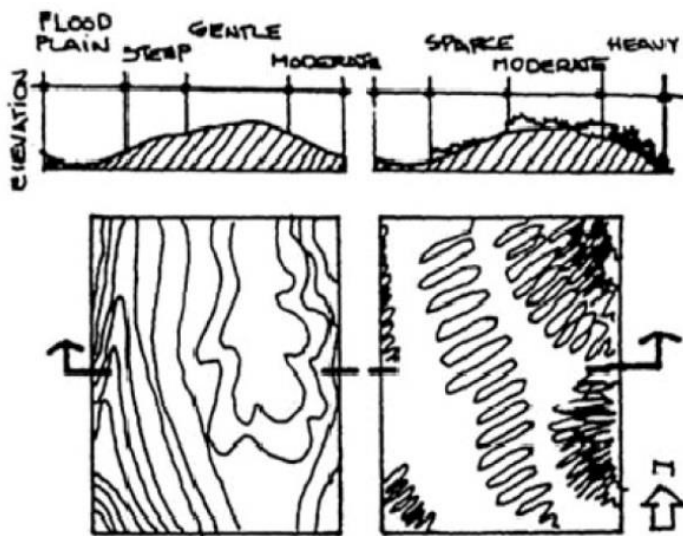
402 – Sensitive Development Areas

- (A) A Sensitive Development Area is defined as any land(s) or soil(s) proposed to be subdivided that, if subjected to improper use or management, is otherwise determined to be incapable or unsuitable of urban use. Sensitive Development Areas can also be considered those lands that pose special hazards to development or the environment, consisting of lands or soils of such sensitive character that they may require special use, design and engineering restrictions.
- (B) For the Preliminary Subdivision Plat, the applicant must create an inventory of sensitive areas identified in Section 402 (d) 1-8 from publicly available resources such as OEPA, ODNr, HAPC, FEMA, USFWS, OHPO, OKI, Butler County Soil and Water Conservation District, and other public entities. This information shall be provided with the preliminary

application. Design of the subdivision shall be based on a site analysis provided by the applicant.

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

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



403 – Typical Sections

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

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

404 – Streets

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

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

- (A) Relation to Adjoining Street System
 - (1) The arrangement of streets in new subdivisions shall make provisions for the continuation of the principal existing streets in adjoining areas, or their proper

projection where adjoining land is not subdivided, unless prevented by topography or other physical conditions, or unless, in the opinion of the Commission, such extension is not necessary or desirable for the coordination of the layout of the subdivision with the possible future development of adjacent tracts. The Planning Commission reserves the right to disapprove any street plan which does not represent good design or does not ensure continuity of the existing street system.

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

(B) Street Classifications

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

Street Classifications:

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

(C) Street Improvements

- (1) All public streets in residential subdivisions shall be the minimum width necessary to safely and adequately accommodate the vehicular traffic needs specific to the proposed subdivision, while balancing the needs of safe alternative modes of transportation. In all instances, street widths shall be measured from back-to-back of the installed curb. Minimum street width requirements are contained in Attachment H.
- (2) The City Engineer shall determine the need for a traffic impact study, based upon the level of impact of this development upon surrounding traffic flow and safety.
- (3) All street and public ways shall be constructed to their full specified width and to the appropriate grade and shall be surfaced in accordance with applicable standard specifications of the City. Such construction shall be subject to inspection by the City Engineer prior to release of the performance bond by Council. It is the duty of the subdivider to give proper notification to the City Engineer:
 - (a) Before the commencement of the work;
 - (b) Twenty-four hours prior to seeking an inspection; and
 - (c) At the end of the one-year maintenance improvements.
- (4) Proposed streets shall intersect one another and existing street(s) at right angles as topography and other limiting factors allow.
- (5) Street grade shall be designed to the Ohio Department of Transportation Highway Design Manual and acceptable to the City Engineer.
- (6) Where a tract of land is of such size, location or contour, preventing a lot arrangement directly related to a normal street design, there may be established

one or more, dead-end/stub streets or other arrangements, provided that proper access shall be given to all lots from a dedicated street.

- (7) A cul-de-sac, dead-end/stub street or loop street shall not exceed 500 feet in length unless otherwise approved by the Planning Commission due to topography or unusual circumstances. (See also Section 405(B)(4))
- (8) All subdivisions shall have at least two (2) entrances to an existing street system unless otherwise determined by the Planning Commission. The spacing of the entrances shall be separated and in accordance with traffic engineering standards.

(D) Street Connectivity

The purpose of this section is to support the creation of a highly connected transportation system within the City in order to enhance traffic circulation efficiency for drivers, pedestrians, and bicyclists; promote various modes of transportation; connect neighborhoods to each other and to local destinations such as schools and parks; reduce emergency response times; reduce vehicle miles of travel and travel time; increase effectiveness of municipal services delivery.

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

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

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



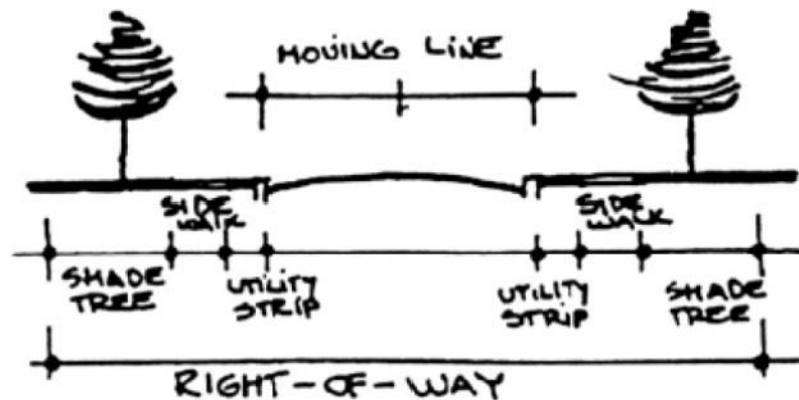
(E) Private Streets

- (1) No primary access into a subdivision shall be a private road.

- (2) Private streets shall conform to the minimum street standards, including construction materials, unless otherwise approved by the Planning Commission upon the City Engineer's recommendation.
 - (a) Sidewalks are required along a private street as required on public streets.
- (3) Any proposed private street shall serve a minimum of six (6) lots in order to be platted and recorded as a private street.
- (4) All lots utilizing a private street for access shall be provided with an access easement and maintenance agreement, to be noted on the Record Plat and to be outlined with the appropriate covenants and restrictions as to ensure that the private street is appropriately maintained. Such maintenance agreement shall be acceptable to the Planning Commission and Law Director.
- (5) The Planning Commission may require passing lanes, turnarounds, and overhead and width clearances as necessary to accommodate, public utility and fire and emergency vehicles.

(F) Rights-of-Way

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



- (1) The right-of-way width required shall reflect future development as indicated by the Thoroughfare Plan and the Typical Section Drawings in Attachment H herein.
- (2) When a road is not referenced in the City of Oxford Thoroughfare Plan, or the Typical Section Drawings in Attachment H, the right-of-way width shall be established per the recommendation of the City of Oxford Engineer, and shall be approved by the Planning Commission.
- (3) The right-of-way shall be measured from lot line to lot line and shall be sufficiently wide to contain the roadway, curbs, sidewalks, utilities, graded areas and shade trees.
- (4) The right-of-way of a new street that is a continuation of an existing street shall in no case be continued at a width less than that of the existing street unless otherwise approved by the City Engineer and Planning Commission.

(G) Street Signage

Street signs, regulation signage, and warning signs shall be erected by the subdivider before building permits for homes are obtained. The subdivider shall maintain such signage until such time when the City accepts the streets for public use. All regulatory and warning signs

shall meet the Ohio Manual of Uniform Traffic Control Devices. All signage shall be regulated by the City of Oxford Engineering Division.

(H) Parking

- (1) Off-street parking lots shall follow the Vehicle Management Chapter 1149 of the Zoning Code including landscaping, screening and lighting.

405 – Pedestrian/Multi-Use Paths

(A) Sidewalks

- (1) Concrete sidewalks, not less than five feet in width, shall be constructed along both sides of all streets, both private and public, and shall be in accordance with the City of Oxford's Curb, Gutter & Sidewalk Specifications Manual unless otherwise determined by the Planning Commission.
- (2) Sidewalks shall be required as a continuation of any existing sidewalk adjoining the lands to be subdivided.
- (3) It shall be the responsibility of the subdivider, prior to the release of the performance bond, to install any missing sidewalk segment on any undeveloped lots and in accordance with Section 106.

(B) Bike Paths/ Walking Trails

- (1) All bike paths or walking trails shall be elevated and/or distinguished from driving surfaces through the use of durable, low maintenance, hard surface materials such as asphalt, concrete, or other material approved by the City Engineer, to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.
- (2) Bike paths shall be installed in accordance with these regulations, the City of Oxford Comprehensive Plan, Thoroughfare Plan and Typical Section Drawings in Attachment H.
- (3) All proper easements, dedication and maintenance shall be recorded on the Record Plat.
- (4) Cul-de-sacs that exceed 300 feet in length shall provide a multi-use path and easement at the end of such cul-de-sac. The purpose of this is to provide connectivity to neighboring subdivisions as well as emergency access.

406 – Infrastructure

(A) Water Lines

An approved public water supply shall be provided for each lot within the subdivision areas and shall be in accordance with the City of Oxford Water and Sanitary Sewer Improvement Specifications Manual. Fire hydrants shall be installed in all subdivisions wherever required by the City Engineer and the Fire Chief in accordance with Ohio Fire Code and NFPA standards.

(B) Sanitary Sewers

The subdivider shall install sanitary sewer lines to serve each lot. All such sewer lines shall be constructed in accordance with regulations and requirements the City of Oxford Water and Sanitary Sewer Improvement Specifications Manual, the Sanitary Sewer Pump Station Requirements and under the inspection of the City Engineer.

(C) Storm Drainage

All necessary facilities, either underground pipe or drainage ditches, shall be installed to provide adequate disposal of surface water, groundwater and the waters of any natural watercourse and shall be in accordance with the City of Oxford Storm Water Management Design Manual.

(D) Detention/Retention

All necessary detention or retention facilities shall be installed in accordance with the City of Oxford Storm Water Management Design Manual.

(E) Utilities

Items of work which pertain to underground utilities, such as gas mains, electric lines and telephone cables, shall be constructed according to the standards and specifications of the utility company involved. Every effort shall be made to have all utilities provided underground.

(F) Street Lights

- (1) One street light shall be installed in conformance with the Ohio Department of Transportation specifications within 50 feet of every intersection created by the subdivision, at the end of a cul-de-sac or dead end/stub street, and at intervals not exceeding 400 feet. A street light shall have a fixture of at least 9,500 lumens. The City Engineer may vary from the spacing standards where the City Engineer determines that public safety or professional engineering design practice makes it necessary to vary the spacing standards.
 - (2) Streetlights shall be designed, with appropriate lamps and reflectors, to minimize light pollution.
 - (3) Light poles shall be consistent with the overall architectural theme and scale of the site.
 - (4) Streetlights along the sidewalks shall not exceed 16' in height in accordance with Chapter 1149 of the Planning and Zoning Code. Streetlights for the purpose of illuminating an intersection, parking facility or roadway for safety purposes shall not exceed 32' in height.
- (G) Sedimentation and Erosion Control
The subdivider shall comply with all requirements of Ohio's Standards for Stormwater Management Land Development and Urban Stream Protection, City of Oxford Storm Water Management Design Manual and subsequent amendments or revisions, as hereby incorporated into these regulations. In the development of a subdivision, the subdivider shall not cause or allow earth-disturbing activities that can pollute a public or private surface ditch, subsurface drainage, stream, river or lake. The subdivider shall also, to the greatest extent possible, take steps so that sediment will not be deposited onto an adjoining property or public right-of-way. Adequate control of soil erosion and sedimentation, through the use of best management practices with both temporary and permanent measures, shall be used during all phases of clearing, grading, and construction to conserve soil resources and to maintain existing water quality. The Engineering Division will continuously monitor site development and efforts of sedimentation and erosion control.

407 – Driveways

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

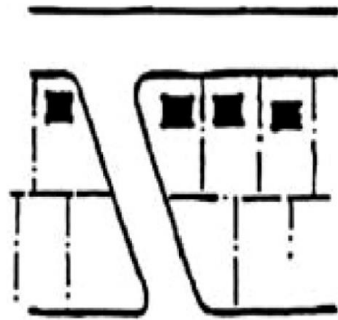
408 – Blocks

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

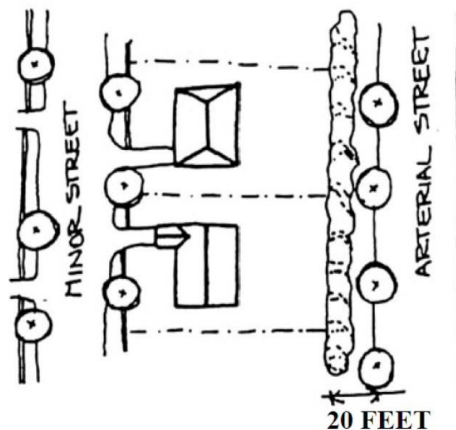
- (A) The maximum block length shall be 800 feet.
- (B) Where blocks are over 600 feet in length, a public walkway which traverses the block may be required to be dedicated and installed by the subdivider.
- (C) In platting residential lots, the depth of the block should not exceed 350 feet.
- (D) Blocks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

409 – Lots

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



- (B) All side lines of lots shall be at right angles to straight street lines and radial to curved street lines except where a variation to this rule will provide a better street and lot layout.
- (C) Through lots (extending from one parallel street to the other) are discouraged to avoid problems between adjoining owners, creating double frontage lots and to reduce the number of streets.
- (D) No lot shall have an area or width less than that required by applicable sections of the Zoning Code except those pursuant to the Open Space Residential Development Regulations.
- (E) Where corner lots back upon lots facing the side street, the corner lots shall have extra width sufficient to permit the establishment of front building lines on both the front and side of the lots adjoining the streets.
- (F) All utility easements on individual lots shall be in accordance with the Record Plat and Street Standards of Attachment H herein.
- (G) Each lot shall front (abut) on an approved street.
- (H) Lots may not be created in a new, proposed subdivision, by dividing land at the end of stub streets in adjacent, existing subdivision(s), such stub streets being intended to promote continuity of street systems in adjoining subdivisions, unless otherwise determined by the Planning Commission.



- (I) Twenty (20') feet minimum, of additional lot depth or a buffer strip, in accordance with the landscape standards of Chapter 1149 of the Zoning Code, Chapter 935 of the Codified Ordinance and Section 410 below, may be required where a residential lot in a subdivision backs up to a railroad right-of-way, a high pressure gasoline or natural gas line, open drainage ditch, an arterial street or highway, an industrial area or other existing land use which may have a detrimental effect on the residential use of the property.

- (J) Lands abutting State or Federal highways, collector streets, or arterials should be platted with the view of making the lots, if for residential use, desirable for such use by cushioning the impact of heavy traffic on such trafficways; and with the view also to minimizing interference with traffic on such trafficways as well as the accident hazard.
- (K) Panhandle or flag lots are specifically prohibited.
- (L) All lot numbers shall be assigned by the Butler County Auditor's office and addresses will be provided by the City of Oxford Community Development Department.

410 – Landscape Plan

- (A) A landscape plan shall be submitted with each plat application for proposed developments in accordance with Chapter 1149 of the Zoning Code and Chapter 935 of the City of Oxford Codified Ordinance, unless an exception is granted by the Planning Commission pursuant to these Regulations.
 - (1) The landscape plan shall identify existing and proposed trees, shrubs, and ground covers; natural features such as rock outcroppings; and other landscaping elements.
 - (2) Where existing plants are to be retained, the applicant shall include in the plans proposed methods of protecting them during construction such as but not limited to the Tree Protection Detail.
 - (3) The landscape plan shall demonstrate compliance with the requirements of Chapter 1148.
- (B) Buffering

Buffering is the provision of an area between different land uses that attempts to minimize negative environmental impacts from one to the other. Buffers shall provide a year-round visual screen in order to minimize adverse impacts. They may consist of fencing, evergreens, berms, rocks, boulders, mounds, or combinations thereof to achieve the same objectives. Multi-use paths are permitted in the buffer area. Every subdivider shall provide sufficient buffering or additional lot depth when topographical or other barriers do not provide reasonable screening and when the Planning Commission determines that there is a need to shield;

 - (1) Neighboring properties from any adverse external effects of a development; or
 - (2) The development from negative impacts of adjacent uses such as streets or railroads.
 - (3) Requirements
 - (a) Plant materials shall be sufficiently large and planted in such a fashion that a year-round screen at least eight (8) feet in height shall be produced within three (3) growing seasons.
 - (b) All plantings shall be installed according to accepted horticultural standards.
 - (c) A five (5') foot minimum buffer width from parking lots, garbage collection, utility areas, and loading and unloading areas shall be provided.
 - (d) Twenty (20') foot width minimum from all other land uses.
 - (i) When adjoining undeveloped, vacant or agricultural land, such buffer width may be reduced to ten (10') feet.

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

411 – Maintenance of Improvements

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

412 – Deed Restrictions and Covenants

Deed restrictions or covenants running with the land may be included to provide for the creation of a Home Owner's Association, Condominium Association, or Board of Trustees in which individual

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



PC-2021-31 PC-2021-32

Surrounding Property Owners Notifications Map

Legend

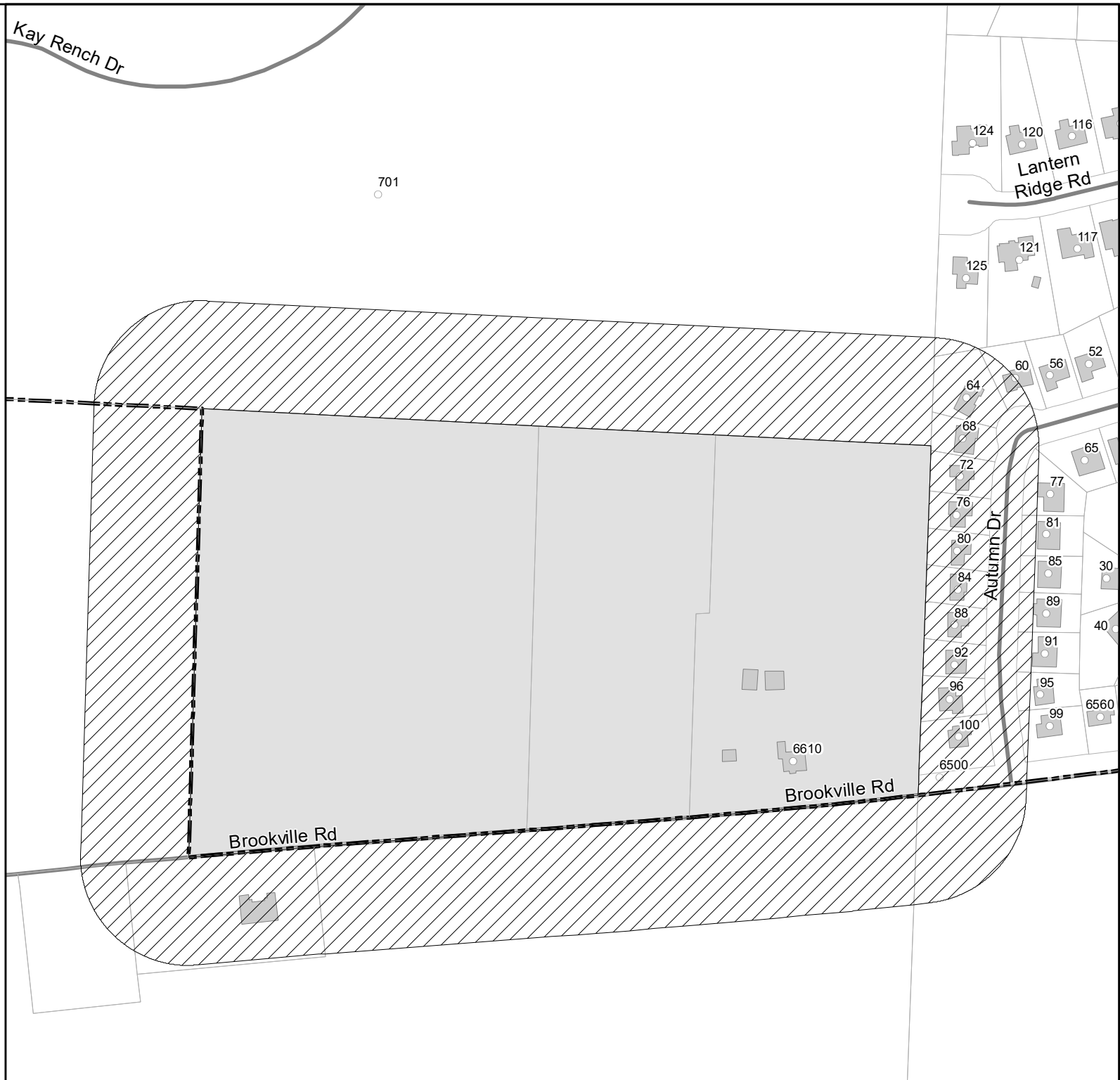
-  Subject Area
-  200 Ft. Buffer
-  Oxford Corp. Limit
-  Address Point
-  16.5' Vacated ROW
-  Building Footprint



1 inch = 250 feet

Prepared on Friday, October 08, 2021

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





Memo
Service Department
Engineering Division
513/524-5208

TO: Community Development Department

FROM: Scott Otto, P.E.
City Engineer

RE: Application #PPC-2021-32
6610 Brookville Road Owl's Landing – Preliminary Planned Development

DATE: October 21, 2021

The Engineering Division offers the following comments:

- Further review of detailed construction plans may require revisions to proposed water and sanitary sewer main locations.
- The proposed design of storm water draining to the middle of the roadway creates maintenance and longevity concerns. The centerline of the roadway typically has a pavement joint that allows water to infiltrate the asphalt, freeze/thaw and create potholes.
- Note #5 regarding sump drains will need to be reviewed along with detailed grading plans prior to construction plan approval. Sump lines collecting groundwater and downspout drains should not surface discharge and flow onto the sidewalk and roadway.
- The proposed typical section for the private streets does not include curb and gutter. Curb and gutter provides advantages to the roadway, including acting as a back support for the edge of the roadway and providing a demarcation between the street pavement and lawn area that prevents motorists from driving into the lawn. All recent roadway construction within Oxford, whether Public or Private has included curb and gutter. If the owner would request the streets to be public in the future, the streets constructed as currently designed would not meet City of Oxford design specifications for public streets.
- Please provide additional information regarding the traffic impact, including whether or not the trips generated from the development will result in roadway improvements along Brookville Rd. including the intersection of Brookville/Oxford-Reily Rd.
- HOA declarations or covenants should include identification of the responsible party and funding, maintenance, and inspection plans for the roadway and storm water facilities within the development including the retention basins.
- A Public Improvement Bond will be required for infrastructure improvements.



Butler Soil and Water Conservation District

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

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

October 18, 2021

Subject: Owl's Landing Natural Resource Review

Dear Mr. Moore,

This letter and attachments provide our review of natural resources of the Owl's Landing Preliminary Plat submission to the City of Oxford. The Butler Soil & Water Conservation District (SWCD) checklist established with the City of Oxford was reviewed and the following are items to note.

- The soils found within the area are Fincastle silt loam (FcA), Russell-Miamian silt loam (RvB2), and Xenia silt loam (XeB) which are historically prime farmland soils. According to the USDA Web Soil Survey, Fincastle and Xenia silt loam soils are present and are very limited to dwellings with or without basements due to their depth to saturation zone, shrink-swell components, and potential for ponding. This means that the developer will have to take special precautions to prevent these soil features from negatively impacting the infrastructure. There is a high water table where the Fincastle silt loam soils are located, which may negatively impact construction, especially of basements.
- A note is to be placed on the Final Plat: **"High water tables are apparent in this area. If basements are constructed, it is the responsibility of the builder to take special precautions to ensure the basement stays dry."**
- Since there is farmland, there also may be drainage tile located in the field. It is strongly encouraged that if any tile is found, that it all be removed during construction in order to prevent sink holes or blow outs from forming in the future.
- According to the preliminary plat, the pond at the Northeast area of the property will be filled in and become the location of lots 41 & 42. Compaction tests will need to be conducted on those lots (41 & 42) before construction takes place.
- The tree list for planting includes some non-native species: the Hardy Rubber Tree (*Eucommia ulmoides*) and the Green Vase Sawleaf Zelkova (*Zelkova serrate*). The Zelkova is highly susceptible to ice damage. While both species are acceptable, planting natives is encouraged.

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'K. Crout', is positioned above the printed name.

Kelly Crout
District Director
Butler Soil and Water Conservation District

**Internal Use Only:**

Case No. _____

Date Filed _____

Preliminary Subdivision Application

Applicant Information

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

Name *

Todd Homes LLC

Mailing Address *

7791 Joan Drive

City, State & Zip Code *

West Chester, OH 45069

Telephone Number(s) *

513-887-1111

Email Address

toddhall@toddhomesllc.com

Engineer/Surveyor Information

Name *

Bayer Becker

Mailing Address *

110 South College Avenue

City, State & Zip Code *

Oxford, Ohio 45056

Telephone Number(s) *

513-336-660

Email Address

johnbayer@bayerbecker.com

Location and Lot Information

Location of Property *

North of Brookville Road, West of Autumn Drive

Legal Description *

Lots 4074, 4075 & 4076

Zoning District *

R-1B

Proposed Lots *

90

Total Area *

22.014

Acres

Requirements and Documentation

Plat

Twenty (20) copies of the plat on bond. Drawing size must be at least 17x22" and should never exceed 24x36." The plat must be prepared in accordance with Chapter 1101, Subdivision Regulations and Chapters 1121-1137, Zoning Code of the City of Oxford¹. Scale should not exceed 1" = 100.' Plats containing less than three lots are exempted from the provisions of this section. The preliminary plat shall show:

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

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

Surrounding Property Owners

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

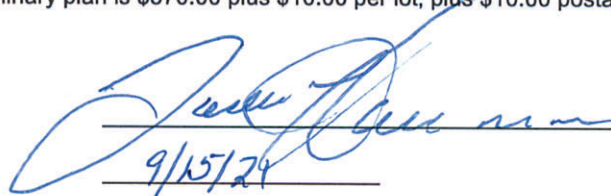
Fees & Receipt

The required fee for preliminary plan is \$570.00 plus \$10.00 per lot, plus \$10.00 postage charge.

Sign and Date

Applicant Signature *

Date *



9/15/21

Submit Application, Plans and Documentation, and Fees

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

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

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

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

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

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

**Internal Use Only:**

Case No. _____

Date Filed _____

Planned Development Application

Application Type

Choose One



Preliminary



Final



Preliminary & Final

Applicant Information

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

Name * Todd Homes LLC

Mailing Address * 7791 Joan Drive

City, State & Zip Code * West Chester, OH 45069

Telephone Number * 513-887-1111 Email Address toddhall@toddhomesllc.com

Owner Information

Name * Rebecca & Gregory Smith Cassandra McCartney

Mailing Address * 682 Golfview Drive 2603 Oxford Trenton Road

City, State & Zip Code * Chillicothe, Ohio 45601 Oxford, Ohio 45056

Telephone Number * _____ Email Address _____

Engineer/Surveyor Information

Name * Bayer Becker

Mailing Address * 110 South College Avenue

City, State & Zip Code * Oxford, Ohio 45056

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

Location and Lot Information

Name of Subdivision * Owl's Landing

Location of Property * North of Brookville Road, West of Autumn Drive

Legal Description * Lots 4074, 4075 & 4076

Zoning District * R-1B Total Area * 22.014 Acres

Submission Requirements and Documentation

The application requirements (Section 1145.05¹) for a preliminary and final planned development are different. The final planned development application requires a greater degree of accuracy and completeness than does the preliminary planned development application. This section describes the application content requirements for each step of the process.

Thirteen (13) complete sets of all information shall be submitted with each preliminary and final application. If any information is submitted in color or on non-standard paper, more copies may be required. The Zoning Administrator may modify this requirement based upon

the type of materials included. **The applicant shall contact the Zoning Administrator prior to submitting an application to discuss the submission requirement.**

(a) Preliminary Plan.

- (1) Application fee.
- (2) The name, mailing address, and telephone number of the applicant and all property owners.
- (3) If the applicant is not the owner, or if there are multiple owners within the proposed area, a statement from all owners that the applicant is entitled to apply on their behalf, and that they agree to be legally bound to any decision reached according to this Chapter.
- (4) The name, mailing address, and telephone number of any planner, engineer, surveyor, or other design professional who assisted with preparation of the plans.
- (5) Description of use and site. A written, detailed description shall include the following information. A separate response is required for each subsection.
 - A. A legal description of the site, including all separate lots.
 - B. A description of the existing uses of the site.
 - C. The zoning districts in which the site is located.
 - D. A description of the proposed planned development.
 1. The number of housing units by size and type proposed within each phase.
 2. A description of any nonresidential operations, including type of goods sold, services performed, and expected number of customer, clientele, delivery, and service vehicles.
 3. The hours of operation of any nonresidential use.
 4. A phased development schedule, if applicable, that indicates the location and timing of phases and demonstrates that each completed phase would form a reasonably independent unit if succeeding phases were abandoned.
 - E. A narrative statement that evaluates the compatibility of the proposed planned development with the general vicinity and adjacent properties.
 1. How the proposed uses are similar to or different from existing area uses and if there will be any interaction between the proposed site and adjacent sites.
 2. How any existing structures, proposed structures, and the site design relate to adjacent structures and sites.
 3. If the proposed uses will involve any operations that create potential nuisances such as excessive noise, lighting, odor, fumes, vibration, or emissions.
 4. How any potential negative effects on adjacent land will be mitigated.
 - F. A statement about why the location proposed is appropriate for the planned development.
 - G. A statement of the necessity or desirability of the proposed planned development to the neighborhood or community.
 - H. How the proposed mix of dwelling types and/or commercial uses advances community goals of diversity, affordability and market changes (e.g. adaptability of flats versus townhomes)
 - I. Proposals for the provision of public utilities and services, if insufficient or not available for the planned development, or for the provision of suitable private utilities and services.
 - J. A general analysis of expected traffic impact, including vehicular and pedestrian safety, resulting from the proposed development.
 - K. The substance of proposed covenants, easements, and other restrictions on the land and structures.
 - L. A list of the names and mailing addresses of all landowners within 200 feet of the site.
 - M. Such other information regarding the proposed uses, site design, or surrounding area as may be pertinent to the application or required by Planning Commission or Council.
- (6) Site plan. A scaled site plan shall include the following information in detail. The required information may be submitted on multiple site plans if inclusion of all information on a single plan makes it illegible or difficult to understand.
 - A. North arrow.
 - B. Scale.
 - C. Vicinity map.
 - D. All existing and proposed lot lines within the site.
 - E. Dimensions of all lots and of the entire site and any adjacent rights-of-way.
 - F. The location and intended purpose of all open spaces
 - G. Approximate location, height, dimensions, and use of all proposed and existing structures.
 - H. Approximate location and number of different uses (i.e. dwelling types and/or commercial uses).
 - I. Approximate location and design of all proposed vehicle and pedestrian routes and nonresidential vehicle management areas.
 - J. Approximate location and size of all existing and proposed utilities that will serve the planned development.
 - K. Approximate location, size, and type of all proposed signs.
 - L. Approximate location, height, and type of all proposed screening and landscaping.

- M. Distances to residential zoning districts if within 1,000 feet.
 - N. The use of land and location of structures on adjacent property and across adjacent rights-of-way.
 - O. The location of any nearby schools and commercial facilities.
 - P. Other information as required by the Planning Commission or Council.
- (7) Landscape plan.
- A. The plan shall demonstrate compliance with the requirements of Chapter 1148.
- (8) Elevations. Elevations of proposed structures or typical elevations if structures are not yet designed.
- (9) Other. Photographs of the existing site and its surroundings.
- (10) Digital Submittal. Adobe PDF version of all information submitted to also be submitted on a current digital format.
- (b) Final Plan.
- (1) The same items and information as required for the preliminary plan, except that the approximations shall be refined to specific locations, dimensions, and descriptions.
 - (2) A detailed traffic impact analysis, including all modes of transportation, prepared by a qualified professional engineer
 - (3) Any additional description or information requested by the Planning Commission or Council during the preliminary plan approval process.
 - (4) Detailed agreements, contracts, deed restrictions, and sureties that will be used to guarantee performance of the development during and after construction.

Surrounding Property Owners

On a separate sheet, provide the parcel numbers, names, and mailing addresses of all property owners within 200 feet of all boundaries of the property in question. The Butler County Auditor Real Estate Search² is helpful when searching for the mailing address of adjoining property owners. It allows you to search by owner, address, or parcel number.

Decision Process

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

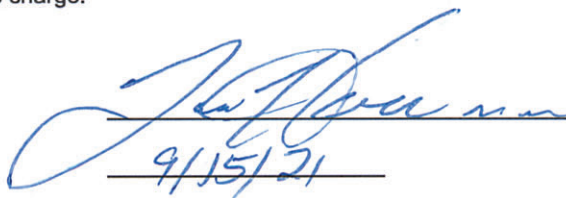
Fees & Receipt

The fees for a Preliminary, Final, or combined Preliminary and Final Planned Development application are \$570.00 plus \$100.00 per acre, plus \$10.00 postage charge.

Sign and Date

Applicant Signature *

Date *



9/15/21

Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

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

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

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

September 27, 2021

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

Re: Parcel H3610-031-000-020
Parcel H3610-031-000-021

Dear Mr. Moore,

Please be advised that Todd Homes LLC has our permission to submit applications for the approval of a Preliminary Planned Development and a Preliminary Subdivision on Parcels H3600-031-000-021 and H3610-031-000-020 located north of Brookville Road, west of Autumn Drive and east of Kay Rench Drive in the City of Oxford, Ohio.

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

Sincerely,

Rebecca A Smith

dotloop verified
09/19/21 1:14 PM EDT
5R2Q-AYAB-D7WJ-V04Y

Cassie McCartney

dotloop verified
09/19/21 5:24 PM EDT
8K2M-XKXC-MUQY-A3YU

Rebecca A. Smith and Cassandra K. McCartney

Todd Hall mm

dotloop verified
09/15/21 2:42 PM EDT
VX1R-UBYW-MV9Y-3MNO

Buyer Signature

September 27, 2021

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

Re: Parcel H3610-031-000-012

Dear Mr. Moore,

Please be advised that Todd Homes LLC has our permission to submit applications for the approval of a Preliminary Planned Development and a Preliminary Subdivision on Parcel H3600-031-000-012 located north of Brookville Road, west of Autumn Drive and east of Kay Ranch Drive in the City of Oxford, Ohio.

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

Sincerely,

<i>Greg Smith</i>	dotloop verified 09/19/21 10:31 AM PDT GSQZ-ENSJ-CEDN-VZNX
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<i>Rebecca A Smith</i>	dotloop verified 09/19/21 1:14 PM EDT JWOO-CHU6-T5OL-PERL
------------------------	---

Gregory B. & Rebecca A. Smith

<i>Todd Hall mm</i>	dotloop verified 09/15/21 2:42 PM EDT RMNW-NMQI-TRWS-ISSV
---------------------	---

Buyer Signature

September 27, 2021

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

Re: 6610 Brookville Road
Owl's Landing
Preliminary PUD Submittal

Dear Mr. Moore:

Enclosed please find the following items in support of Todd Homes LLC's Application for Preliminary Planned Development approval for Owl's Landing to be located on Brookville Road west of Autumn Drive:

- 1) It is understood the invoice for application fee will be provided by City staff upon receipt of this application
- 2) Digital copies of each of the following:
 - a. Executed Planned Development Application.
 - b. An Affidavit from Rebecca A. Smith and Cassandra K. McCarney granting Todd Homes LLC permission to submit applications for the approval of a Preliminary Planned Development and Preliminary Subdivision.
 - c. An Affidavit from Gregory B. & Rebecca A. Smith granting Todd Homes LLC permission to submit applications for the approval of a Preliminary Planned Development and Preliminary Subdivision.
 - d. List of property owners within 200 feet of the site.
 - e. Preliminary Planned Development Plan & Subdivision Plan.
 - f. Typical Building Elevations.
 - g. Planting Plan.
 - h. Photos of the subject site and surrounding area.
 - i. Example of proposed covenants and restrictions.
 - j. Example of Homeowners Association declaration.
 - k. Legal Description of the site.

3) Applicant:

*Todd Homes LLC
7791 Joan Drive
West Chester, Ohio 45069
513-887-1111*

Owners:

*Gregory B. & Rebecca A. Smith
682 Golfview Drive
Chillicothe, Ohio 45601*

*Cassandra McCartney
2603 Oxford Trenton Road
Oxford, Ohio 45056*

4) Design Professionals:

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

5) Description of use and site:

- a. A legal description of the subject property is - Entire Lots 4074, 4075 & 4076 as platted in the City of Oxford.
- b. The site currently contains 4 existing structures near the southeast corner. The remainder of the site contains vacant land which is primarily used for hay farming.
- c. The property is zoned R-1B Single Family Medium-Density Residential District.
- d. A description of the proposed planned development:

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

Owl's Landing is a single family residential development consisting of individual lots with private streets and surrounding land owned and maintained by the Homeowners Association (HOA).

The development shall consist of 89 single family lots located along 3 proposed private streets. Each lot shall have a front yard setback of 20 feet, a side yard setback of 5 feet and a rear yard setback of 15 feet.

Homes will be a mix of ranch and two-story single family homes. All homes will have attached 2-car garages.

A Homeowners Association (HOA) will be established for Owl's Landing. The HOA will be responsible for the maintenance of the private streets and maintenance of the open space including the proposed retention ponds.

- ii. A description of any nonresidential operations, including types of goods sold, services performed, and expected number of customer, clientele, delivery, and service vehicles.

Not applicable.

- iii. The hours of operation of any nonresidential use.

Not applicable.

- iv. A phased development schedule, if applicable, that indicates the location and timing of phases and demonstrates that each completed phase would form a reasonably independent unit if succeeding phases were abandoned.

Owl's Landing will likely be developed in two phases. Exact location and timing of phases has not been determined at this time but will be provided at the time of final planned development.

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

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

The proposed single family residential homes will be comparable in size and contain similar building materials as the existing single family homes located to the east on Autumn Drive.

A segment of the Oxford Area Trail System (OATS) will be constructed by the City along the properties southern boundary, between the development and Brookville Road. The development's internal sidewalks will provide multiple connections to the OATS, as well as 2 trail connections along the northern boundary to the Oxford Community Park.

During concept review of the project with City staff, concerns were raised about stormwater drainage from this site causing issues for homeowners along Autumn Drive. The location of stormwater retention basins has been chosen with the intention of reducing stormwater runoff to the Autumn Drive residences and reducing these issues.

Much of the existing property is currently farmed for hay. Areas which contain mature vegetation are located along the northern and eastern property lines within the provided buffer and are not expected to be impacted by development. The southeast corner of the property which contains mature vegetation is to be impacted by construction of the stormwater retention ponds in an effort to reduce existing drainage issues experienced by residents of Autumn Drive. Street trees are proposed in accordance with Chapter 1148 of the Oxford Zoning Code. As a result, it is the opinion of the applicant that the intent of the Landscaping and Tree Preservation requirements are met by this application.

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

All four existing structures on the site are to be demolished. Proposed structures will be comparable in size and will contain building materials similar to existing homes along Autumn Drive.

- iii. If the proposed uses will involve any operations that create potential nuisances such as excessive noise, lighting, odor, fumes, vibrations or emissions.

The proposed use, residential, will not involve any operations that create potential nuisances.

- iv. How any potential negative effects on adjacent land will be mitigated.

Owl's Landing will not have a negative effect on adjacent land. The properties to the east contain single family residences. The properties to the south and west contain vacant land. The property to the north contains the Oxford Aquatic Center and Oxford Community Park which will serve as amenities for the future residents of Owl's Landing. Proposed mounding along Brookeville Road will provide screening between Owl's Landing and the OATS.

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

The subject property is an ideal location for Owl's Landing for several reasons:

- 1) Pedestrian access to the Oxford Aquatic Center and Oxford Community Park will allow these nearby amenities to be accessible to residents of Owl's Landing.*
- 2) The developer has provided land for the City's OATS extension along the site frontage. The pedestrian circulation routes within Owl's Landing will provide pedestrian access from the OATS to the Oxford Aquatic Center and Oxford Community Park for residents of nearby neighborhoods.*
- 3) The wide frontage along Brookville Road provides for multiple accesses to the community for accessibility for residents and City emergency services.*
- 4) The property is zoned appropriately for residential development, R-1B single family medium density residential.*
- 5) The proposed density of the development is 4.28 units/acre, which is lower than the allowable density of the R-1B district, 5.81 units per acre.*
- 6) The infrastructure is currently in place to support a residential development of this nature.*
- 7) The development provides affordable housing which is in demand in Oxford.*

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

There is a shortage of attainable single family residential homes within the City of Oxford. Owl's Landing will fulfill this need. Additionally, Owl's Landing's location between the OATS, Autumn Drive and the Oxford Community Park will provide for a very walkable community with pedestrian access in all directions. Additionally, the location and design of Owl's Landing will improve the interconnectedness of pedestrian access for the nearby community by providing access between Autumn Drive, the OATS and the Oxford Community Park.

- h. How the proposed mix of dwelling types and/or commercial uses advances community goals of diversity, affordability and market changes.

Owl's Landing will provide the City of Oxford with a housing stock that is in short supply. According to the Housing Needs Assessment published by the City of Oxford in 2020, there is a need for affordable homes in the City .

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

Public water and sanitary sewer are available to the property and will be extended into the property as needed to provide service. Stormwater retention is to be provided in proposed ponds at the northeast and southeast corners of the property. These separate locations have been selected to retain the two separate watersheds that make up the property. Additionally, the specific location of these ponds has been set in hopes of addressing offsite stormwater issues raised during concept review with City staff. These ponds will meet the requirements of the City of Oxford and the Ohio EPA National Pollutant Discharge Elimination System (NPDES) Permit.

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

The proposed 89 single family homes will generate 68 trips (17 entering and 51 exiting) in the AM Peak and 91 trips (57 entering and 34 exiting) in the PM Peak hour. Vehicular access to the development will be provided via 2 access points on Brookville Road, approximately 380 feet and 1,065 feet west of Autumn Drive.

Sidewalk will be constructed along both sides of the private streets. The sidewalk internal to the development will be connected to the OATS trail to be constructed along the north side of Brookville Road across the entire development's frontage by the City. As part of Owl's Landing, Todd Homes LLC will construct 2 multi-use trail connections from the internal sidewalk to the Oxford Community Park.

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

Enclosed please find a preliminary draft of Restrictions which will be incorporated into the HOA documents and recorded for Owl's Landing.

In addition to the request for approval of the Preliminary Development Plan, Todd Homes LLC requests that the following waivers be granted for Owl's Landing:

- 1) Per Section 1101.4-408 (A) *"The maximum block length shall be 800 feet."* The Street A block at the northeast corner of the property has a length of approximately 960 feet.
- 2) Per Section 1145.12(e)(2) *"Front setbacks shall be limited as in the underlying zoning district."* R-1B requires a minimum 30 feet front yard setback. Todd Homes LLC requests a waiver of this requirement and allow a 20 ft. front yard setback for the proposed homes to create a more intimate neighborhood feel for the development.
- 3) Per Section 1145.12(f)(1) *"No planned development shall have less than twenty percent (20%) open space."* The open space has been reduced to 16% for the proposed development to provide for the most economical development in order to promote affordable home prices.
- 4) Per Section 1145.12(f)(2) *"... lot coverage for the residential portion of any planned development shall not exceed 40%".* The lot coverage for the open space lot which contains open space areas and the private streets has a proposed lot coverage of 38%. However, the lot coverage for single family lots is proposed as 65% to allow for smaller lots which provide less maintenance area for residents.

Please place this item on the November 9th Planning Commission Meeting agenda. It is our intent to pursue a preliminary subdivision application concurrently with this application. Documentation in support of a preliminary subdivision application will be submitted separately.

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

Sincerely,

A handwritten signature in cursive script that reads 'John A. Bayer'.

John A. Bayer, PE

Enclosures

Cc: Todd Homes LLC, Todd Hall

October 19, 2021

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

Re: 6610 Brookville Road
Owl's Landing
Preliminary PUD Submittal

Dear Mr. Moore:

Following our October 14th meeting to discuss the Owl's Landing Preliminary PUD Submittal, it is understood that a trail connection between this development and the Oxford Community Park may be desired by the Oxford Planning Commission and City Council. Should this connection be warranted, Todd Homes welcomes discussions with the City regarding the opportunity for a cost sharing agreement for construction of this trail connection beyond the limits of the Owl's Landing Development.

Please include this letter with the application documents presented at the November 9th Planning Commission Meeting. Should you have any questions, or need any additional information, please do not hesitate to contact us.

Sincerely,



Todd Hall

Date: February 16, 2021
Description: 22.014 Acres
Annexation
Location: Oxford Township
Butler County, Ohio



Situated in the State of Ohio, Congress Lands West of the Miami River and being 22.014 acres of land in Part of Lot #5 located in Section 28, Town 5, Range 1 East, Oxford Township, Butler County, Ohio and being the lands of Gregory B. and Rebecca A. Smith (11.000 Acres) as recorded in Official Record 8155, Page 1895 and the lands of Rebecca A. Smith and Cassandra K. McCartney (5.103 Acres and 5.911 Acres) as recorded in Official Record 8325, Page 282 of the Butler County, Ohio Recorder's Office and being further described as follows;

Beginning at the southeast corner of Lot #3436 and being the lands of City of Oxford (113.663 Acres) as recorded in Official Record 6270, Page 477 of the Butler County, Ohio Recorder's Office and being the northeast corner of said lands of Rebecca A. Smith and Cassandra K. McCartney (5.911 Acres) and being on the westerly boundary of Muskopf Farms as recorded in Plat Envelope 3272, Pages A-B. of the Butler County, Ohio Recorder's Office and being the **True Point of Beginning**;

thence, leaving the southeast corner of said Lot #3436 and with the westerly boundary of said Muskopf Farms, South 02° 01' 10" West, 643.88 feet to the northerly boundary of the lands of Bowling Estates, Ltd. (78.327 Acres) as recorded in Official Record 6017, Page 154 of the Butler County, Ohio Recorder's Office;

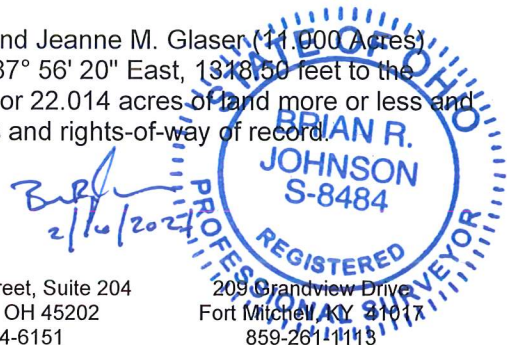
thence, leaving the westerly boundary of said Muskopf Farms and with the northerly boundary of said Bowling Estates, Ltd. (78.327 Acres), South 82° 47' 40" West, 100.94 feet;

thence, continuing with the northerly boundary extended of said lands of Bowling Estates, Ltd. and with the northerly boundary of Bowling Estates, Ltd. (1.525 Acres) as recorded in Official Record 6017, Page 148 of the Butler County, Ohio Recorder's Office, South 85° 23' 40" West, 1134.29 feet;

thence, continuing with the northerly boundary of said lands of Bowling Estates, Ltd. (1.525 Acres), South 84° 36' 40" West, 99.18 feet to the southeast corner of the lands of Michael H. and Jeanne M. Glaser (11.000 Acres) as recorded in Official Record 8033, Page 540 of the Butler County, Ohio Recorder's Office;

thence, leaving the northerly boundary of Bowling Estates, Ltd. (1.525 Acres) and with the easterly boundary of said lands of Michael H. and Jeanne M. Glaser (11.000 Acres), North 02° 27' 40" East, 804.70 feet to the southerly boundary of said Lot #3436;

thence, leaving the easterly boundary of said lands of Michael H. and Jeanne M. Glaser (11.000 Acres) and with the southerly boundary of said Lot #3436, South 87° 56' 20" East, 1318.50 feet to the **True Point of Beginning**, containing 958,945 square feet or 22.014 acres of land more or less and being subject to all easements, legal highways, restrictions and rights-of-way of record.



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

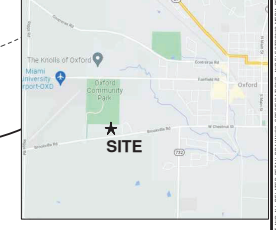
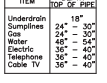
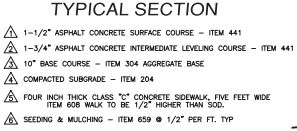
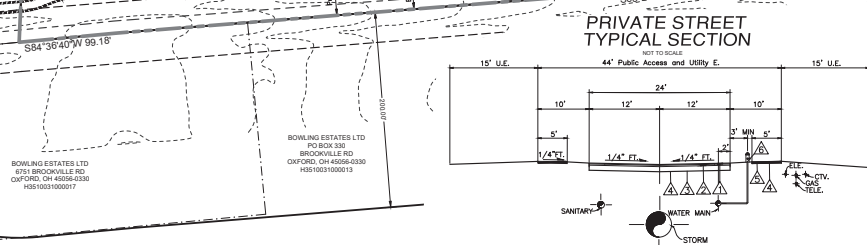
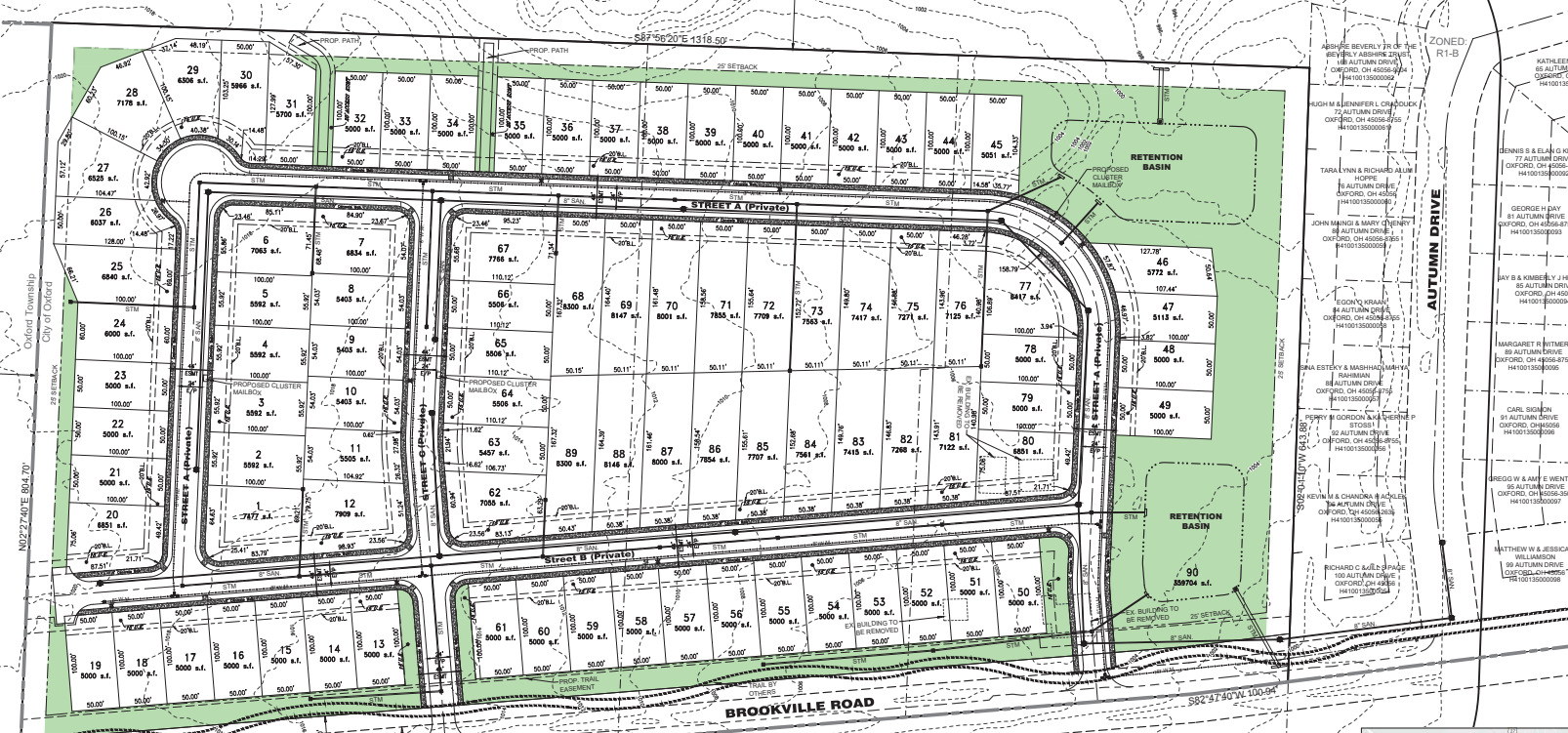
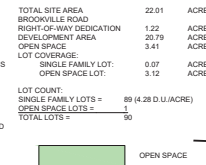
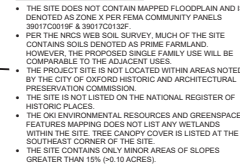
209 Grandview Drive
Fort Mitchell, KY 41017
859-261-1113

<http://www.bayerbecker.com>

OWNERS	APPLICANT
REBECCA & GREGORY SMITH 682 GOLFVIEW DRIVE CHILLICOTHE, OH 45601 CASSANDRA McCARTNEY 2603 OXFORD TRENTON ROAD OXFORD, OH 45056	TODD HOMES LLC 7791 JOAN DRIVE WEST CHESTER, OH 45069 513-887-1111
SITE ANALYSIS:	

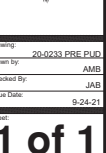
EXISTING ZONING: R-1B
PROPOSED ZONING: R1-B RESIDENTIAL
PLANNED UNIT DEVELOPMENT

1. ELECTRIC TO BE PROVIDED BY DUKE ENERGY.
2. GAS TO BE PROVIDED BY GLENWOOD ENERGY.
3. SANITARY SEWER, STORM SEWER AND WATER MAIN SHALL BE CONNECTED TO EXISTING CITY OF OXFORD SYSTEMS AND CONSTRUCTED PER CITY OF OXFORD STANDARDS AND SPECIFICATIONS.
4. 2-FOOT INTERVAL CONTOURS PROVIDED BY BUTLER COUNTY GIS, DATED 2017, AND BASED ON NAD83 (HARN) GEOGRAPHIC COORDINATE SYSTEM.
5. HOME SWAMP DRAINS TO BE SPLASH BLOCKED TO SITE STORM DRAINAGE SYSTEM.
6. STREET LIGHTING TO BE PROVIDED ALONG ALL STREETS.
7. ON STREET PARKING SHALL BE RESTRICTED TO ONE SIDE OF ALL STREETS



NOTES:

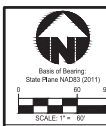
MATTHEW MONTGOMERY
PAULA ANNE GREEN
125 LANTERN RIDGE RD
OXFORD, OH 45056-9491
H4100140000005





PLANT SCHEDULE STREET TREES						
DECIDUOUS TREES	QTY	BOTANICAL NAME	COMMON NAME	TYPE	MIN. SIZE	
CAR AME	18	<i>Carpinus caroliniana</i>	American Hornbeam	5.5' B	2'0" Cal	
CAL SWM	22	<i>Celastrus scandens</i> Street Shade	Shrubby Clematis	5.5' B	2'0" Cal	
GAL DMZ	22	<i>Gleditsia inaequalis</i> 'Imperial' TM	Imperial Honey Locust	5.5' B	2'0" Cal	
NYS WL	20	<i>Nyssa sylvatica</i> 'Viridis'	Black Gum	5.5' B	2'0" Cal	
SAS ALB	20	<i>Sassafras albidum</i>	Sassafras	5.5' B	2'0" Cal	
TIL REM	22	<i>Tilia americana</i> x <i>euchlora</i> 'Redmond'	Redmond Linden	5.5' B	2'0" Cal	

NOTE: EACH LOT TO HAVE (1) FRONT YARD TREE WITH A MINIMUM 2" CALIPER. TREE SPECIES MUST APPEAR ON THE CITY'S TREE LIST OR DEEMED BY THE ZONING ADMINISTRATOR TO BE AN ACCEPTABLE SPECIES. TREE LOCATION & SPECIES MUST BE APPROVED BY THE PURCHASER OF THE PROPERTY AND MUNICIPAL ARBORIST.

[illegible]

**OWL'S LANDING
PLANNED DEVELOPMENT**
SECTION 28, TOWN 5, RANGE 1 EAST
CONGRESS LANDS WEST OF THE MIAMI RIVER
BUTLER COUNTY
OXFORD, OHIO

PRELIMINARY LANDSCAPE PLAN

**bayer
becker**
www.bayerbecker.com
110 S. College Avenue, Suite 101
Oxford, OH 45056 • 513.523.4270

Drawing:	20-0233 L
Drawn by:	LE
Checked By:	HMW
Issue Date:	9-27-202

L1.0

Example Building Elevations For Owls Landing









PROJECT: 1906001.XXX | DATED: 8/7/2021 | DESIGNER: MGA/ET/ANT
C:\Users\MGA\OneDrive - Ramboll\OneDrive - Ramboll\GIS Oxford Township OneDrive\Figure 2 - Site Plan.mxd



- ← (2) PHOTO LOCATION
- ▭ PROPERTY BOUNDARY



Notes
Photos 15 through 19 were taken on the interiors of structures and are not shown on the map.
Property boundary obtained from Butler County GIS.

SITE PLAN
PHASE I ENVIRONMENTAL SITE ASSESSMENT

Proposed Todd Homes Oxford Township Property
6610 Brookville Road, Oxford, Ohio

FIGURE 02

RAMBOLL AMERICAS
ENGINEERING SOLUTIONS, INC.
A RAMBOLL COMPANY





Proposed Todd Homes Oxford Township
6610 Brookville Road
Oxford, OH



2009

HIG Project # 2051504

Client Project # TBD

Approximate Scale 1: 6,000 (1"=500')

www.historicalinfo.com



PHOTO LOG

Appendix H

Client name	Site location	Project no.
Todd Homes LLC	Oxford Township Property, 6610 Brookville Road, Oxford Township, Ohio	1940101194

Photo no. 6/2/2021
1

Description

General view of the residence in the eastern portion of the subject property from Brookville Road facing north.



Client name	Site location	Project no.
Todd Homes LLC	Oxford Township Property, 6610 Brookville Road, Oxford Township, Ohio	1940101194

Photo no. 6/2/2021
2

Description

View of the main driveway entrance to the property from Brookville Road facing north.





Client name
Todd Homes LLC

Site location
**Oxford Township Property, 6610 Brookville
Road, Oxford Township, Ohio**

Project no.
1940101194

Photo no. 6/2/2021
3

Description

General view of the exterior of the residence in the eastern portion of the subject property; photo faces northeast.



Client name
Todd Homes LLC

Site location
**Oxford Township Property, 6610 Brookville
Road, Oxford Township, Ohio**

Project no.
1940101194

Photo no. 6/2/2021
4

Description

View of the garage located to the west of the residence in the eastern portion of the subject property; photo faces west.



Client name
Todd Homes LLC

Site location
**Oxford Township Property, 6610 Brookville
Road, Oxford Township, Ohio**

Project no.
1940101194

Photo no. 6/2/2021
5

Description

General view of the storage building located to the west of the barn in the eastern portion of the subject property; photo faces northwest.



Client name
Todd Homes LLC

Site location
**Oxford Township Property, 6610 Brookville
Road, Oxford Township, Ohio**

Project no.
1940101194

Photo no. 6/2/2021
6

Description

General view of the barn located to the north of the residence in the eastern portion of the subject property; photo faces northeast.





Client name
Todd Homes LLC

Site location
**Oxford Township Property, 6610 Brookville
Road, Oxford Township, Ohio**

Project no.
1940101194

Photo no. 6/2/2021
9

Description

General view of the central,
undeveloped portion of the subject
property facing west.



Client name
Todd Homes LLC

Site location
**Oxford Township Property, 6610 Brookville
Road, Oxford Township, Ohio**

Project no.
1940101194

Photo no. 6/2/2021
10

Description

View of the northern portion of the
property; photo faces north. Note
the pond in the background.



Client name	Site location	Project no.
Todd Homes LLC	Oxford Township Property, 6610 Brookville Road, Oxford Township, Ohio	1940101194

Photo no. 6/2/2021
11

Description

General view of the undeveloped former pasture area to the north of the storage building and barn; photo faces east.



Client name	Site location	Project no.
Todd Homes LLC	Oxford Township Property, 6610 Brookville Road, Oxford Township, Ohio	1940101194

Photo no. 6/2/2021
12

Description

View of the pole-mounted transformer that feeds electricity to the residence on the subject property. Transformer is offsite and along the south side of Brookville Road.





Client name Todd Homes LLC	Site location Oxford Township Property, 6610 Brookville Road, Oxford Township, Ohio	Project no. 1940101194
--------------------------------------	--	----------------------------------

Photo no. 6/2/2021
13

Description

General view of the central,
undeveloped portion of the subject
property facing northwest.



Client name Todd Homes LLC	Site location Oxford Township Property, 6610 Brookville Road, Oxford Township, Ohio	Project no. 1940101194
--------------------------------------	--	----------------------------------

Photo no. 6/2/2021
14

Description

General view of the western,
undeveloped portion of the subject
property from near the southwest
corner facing northeast.





Client name
Todd Homes LLC

Site location
**Oxford Township Property, 6610 Brookville
Road, Oxford Township, Ohio**

Project no.
1940101194

Photo no. 6/2/2021
21

Description

General view of the undeveloped agricultural field located adjacent to the south of the subject property across Brookville Road; photo faces south.



Client name
Todd Homes LLC

Site location
**Oxford Township Property, 6610 Brookville
Road, Oxford Township, Ohio**

Project no.
1940101194

Photo no. 6/2/2021
22

Description

View of the adjacent residential structure located to the west of the subject property; photo faces northwest.



November 12, 2021

Mr. Scott Otto, P.E.
City Engineer
City of Oxford
15 S. College Ave
Oxford, Ohio 45056

**Re: Owl's Landing
Traffic Evaluation**

Dear Mr. Otto,

Bayer Becker has prepared the following Traffic Evaluation for the proposed Owl's Landing development to be located on the north side of Brookville Road west of Autumn Drive, in the City of Oxford, Butler County, Ohio.

Proposed Development

The proposed Owl's Landing development will consist of 86 single family homes. Direct access for the development is proposed via 2 access point on Brookville Road, 377 feet and 1,011 feet west of Autumn Drive.

A concept plan is provided by attachment.

Area Conditions

In the vicinity of the site, Brookville Road is an east-west, two-lane roadway with a posted speed limit of 45 mph for the eastern portion of the site and 55 mph for the western portion. Per the Oxford Thoroughfare Plan, Brookville Road is classified as a major collector.

To determine the existing traffic volumes along Brookville Road, in front of the development, Bayer Becker conducted an AM and PM Peak Hour directional traffic count on Tuesday, October 26, 2021. Also on October 26, 2021, Bayer Becker conducted peak hour turning movement traffic counts at the intersection of Oxford Reily Road (SR 732) and West Chestnut Street/Brookville Road, from 7:00 AM to 9:00 AM and from 4:00 PM to 6:00 PM.

The complete traffic count information is provided by attachment. The 2021 AM and PM peak hour existing traffic volumes are presented in Figure 1.

Projected Traffic

Trip generation for the proposed Owl's Landing development was estimated using the data and methodology presented in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 11th Edition*. Site trips generated during the weekday AM and PM peak hours are presented in the following table.

Table 1
Trip Generation – Episcopal Retirement Services Development

Land Use	ITE Code	Size	Units	AM Peak Hour			PM Peak Hour		
				Enter	Exit	Total	Enter	Exit	Total
Single Family Detached Housing	210	86	Dwellings	17	48	65	54	32	86

Trip generation rate information is attached for reference.

Peak hour site trips generated by the proposed development were distributed at the site access drives and the intersection of Oxford Reily Road (SR 732) and West Chestnut Street/Brookville Road based upon the existing traffic distribution, as presented in Figure 2.

Site trips generated by the proposed development are presented in Figure 3.

No Build Traffic

Episcopal Retirement Services is proposing a 42 unit Senior Residential Development west of Oxford Reily Road (SR 732) on the south side of extended Melissa Drive. Trips to be generated by the proposed development have been distributed within the study area and are presented in Figure 4. The Existing Traffic in Figure 1 were added to the Figure 4 Episcopal Retirement Services Development Trips to determine the 2022 No Build Traffic, as presented in Figure 5.

Total Traffic

The 2022 Build traffic volumes were obtained by adding the proposed site traffic volumes to the 2022 No Build traffic volumes. The 2022 Build traffic volumes are presented in Figure 6.

Turn Lane Warrant Analysis

The need for turn lanes on all approaches of the intersections of the site drives with Brookville Road and the intersection of Oxford Reily Road (SR 732) at Brookville Road/West Chestnut Street were determined using turn lane warrants from the Ohio Department of Transportation (ODOT) *Location and Design Manual, Volume 1*, Sections 401.2.2, 401.6.1, and 401.6.3 and Figures 401-5a and 401-6a.

Based on the analysis, the following turn lane is warranted for 2021 Existing Conditions:

- Westbound left turn on West Chestnut Street at Oxford Reily Road (SR 732).

No additional turn lanes are warranted for 2022 Build Conditions (including site development traffic).

The turn lane warrant analysis is provided in the Attachments.

The ODOT *Location and Design Manual, Volume 1* Figures 401-9 and 401-10, were used to calculate the storage length for the warranted turn lane.

Based on calculations, the following turn lane storage length is recommended for 2021 Existing Conditions:

- 225' westbound left turn on West Chestnut Street at Oxford Reily Road (SR 732)

The storage length includes a 50' diverging taper. Storage length calculations are provided in the Attachments.

Capacity and Level of Service

Level of Service (LOS), as defined in the *Highway Capacity Manual, 6th Edition (HCM 2016)*, is “a quality measure describing operational conditions within a traffic stream, generally in terms of such service measures as speed and travel time, freedom to maneuver, traffic interruptions, and comfort and convenience.” LOS is a function of the control delay per vehicle, and it is the standard used to evaluate traffic flow at an intersection.

According to ODOT's *State Highway Access Management Manual*, every movement should operate at LOS of E or better, with the overall intersection at a LOS D or better.

The criteria used by *HCM* are provided in Table 3 below.

Table 2
Level of Service Criteria for Unsignalized Intersections

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

Capacity analysis of the intersections of the site drives with Brookville Road, and Oxford Reily Road (SR 732) and Brookville Road/West Chestnut Street was performed for the 2021 Existing, 2022 No Build and 2022 Build Conditions, with the warranted westbound left turn lane on West Chestnut Street at Oxford Reily Road (SR 732).

Intersection levels of service for the unsignalized intersections are presented in Table 3. For complete capacity analysis, see Attachments.

Table 3
Levels of Service (Delay, Seconds)

		Existing		2022 No Build		2022 Build	
		AM Peak	PM Peak	AM Peak	PM Peak	AM Peak	PM Peak
Oxford Reily Road (SR 732) and W. Chestnut St./Brookville Road (Unsignalized)							
EB		A (9.7)	A (9.3)	A (10.0)	A (9.4)	B (10.6)	A (9.6)
WB	Left/Thru	B (10.3)	C (16.8)	-	-	-	-
	Left	-	-	B (11.2)	B (13.1)	B (11.3)	B (13.3)
	Thru	-	-	A (8.6)	B (10.6)	A (8.7)	B (11.3)
NB		A (10.0)	B (11.0)	B (10.2)	B (10.8)	B (10.5)	B (11.2)
Overall		B (10.0)	B (13.9)	B (10.3)	B (11.3)	B (10.6)	B (11.6)

	Existing		2022 No Build		2022 Build	
	AM Peak	PM Peak	AM Peak	PM Peak	AM Peak	PM Peak
Brookville Road and Street A (Unsignalized)						
EB	-	-	-	-	A (7.3)	A (7.7)
WB	-	-	-	-	-	-
SB	-	-	-	-	A (9.4)	A (10.0)
Brookville Road and Street C (Unsignalized)						
EB	-	-	-	-	A (7.3)	A (7.7)
WB	-	-	-	-	-	-
SB	-	-	-	-	A (9.0)	A (9.5)

Based on the capacity analysis completed for the intersections of the site drives with Brookville Road, and Oxford Reily Road (SR 732) and Brookville Road/West Chestnut Street, the LOS for each movement is acceptable, in both the AM and PM Peak Hours for 2021 Existing, 2022 No Build and 2022 Build Conditions with the proposed left turn lane on West Chestnut Street at Oxford Reily Road (SR 732).

Findings and Recommendations

Based on the traffic analysis contained herein, the following roadway improvement is recommended to accommodate 2021 Existing Conditions (without the proposed Owl's Landing development):

- Construct a 225' westbound left turn lane on West Chestnut Street at Oxford Reily Road (SR 732).

The storage length includes a 50' diverging taper.

All improvements shall be constructed in accordance with City of Oxford requirements.

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

Sincerely,



Etta Reed, P.E.

Attachments

**Protective Covenants and Restrictions
For
Owls Landing**

1. Duration of Restrictions

- a. These covenants and restrictions are for the benefit of the lot owners and shall remain in full force and effect until January 1, 2040, at which time said covenants shall be automatically extended for successive periods of 10 years, unless the majority of the then lot owners in this subdivision vote to make any changes, amendments, additions or cancellations to any or all of these deed restrictions.

2. Land Use

- a. All lots comprising the Property shall be used exclusively for single-family, private residence purposes, unless otherwise identified as public or private open space.
- b. All lot owners are required to start construction within three (3) years of the closing date of the initial purchase of the lot.
- c. All construction on any Lot must be completed within 12 months from commencement. The other owners of the development shall have the right, either individually or collectively, to remove from the Lot any building not completed within 18 months, provided the Owner of the Lot is not proceeding with any diligence to complete construction of same. The owner of the Lot, by acceptance of this deed, consents in advance to such removal and to pay on demand the costs thereof, which costs shall be deemed to be a lien on the Lot from the date such removal is commenced.
- d. No lot shall hereafter be subdivided into parcels for additional residential purposes.

3. Architectural Control

- a. No buildings, structures or other improvements of any kind shall be erected or placed on any lot of this subdivision without prior written approval by the Developer or the Association. All building plans, site plans, specifications showing the nature, kind, shape, color, height, materials, and location of the same must be submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Developer.
- b. No additional buildings, structures, or other improvements including driveway modifications of any kind shall be placed on any lot without the prior written approval from the Butler County Engineer's Department, City of Oxford, and Developer(or Board).
- c. The Developer or his assigns shall approve or disapprove design plans, etc. within (30) days of submission by builder. In the event the

Developer fails to approve or disapprove such design and location within (30) days after said plans and specifications have been submitted, the plans will be deemed in full compliance and approved.

- d. Developer, at its sole discretion, has the right to approve and disapprove any proposed builder for the construction of a single-family residence and/or accessory buildings. Builders must have prior experience, a reputation of quality workmanship and willingness to perform work according to deed restrictions of the proposed construction in order to be approved. Developer's approval shall be obtained prior to commencement of any construction on the lot. Owner shall have no claim against Developer for any failures of the Owner's builder. Approval of a builder on a different lot, previously, does not represent future approval of the same builder on another lot.
- e. Developer or his assigns shall not be liable to any owner or any other party for any loss, claim, or demand asserted on account of their management of these restrictions and the performance of their duties hereunder, or for any failure or defect in such administration.
- f. The Developer shall have the authority to grant reasonable variances from the design requirements. No variance shall materially adversely affect any other part of Owls Landing.

4. Dwelling Size

- a. The total floor area of a Dwelling constructed on any Lot shall not be less than 1,000 square feet of finished living area for a one-story home and not less than 1,000 square feet of finished living area for a two-story home. For purposes of computing such minimum square footage of the basement, garage, attic, porches and decks shall not be considered.
- b. All garages shall be attached to the Dwelling and have space for a minimum of two cars and not more than three cars. Front entry ingress and egress is required, unless otherwise approved by the Developer.

5. Dwelling Materials

- a. All foundation walls shall be constructed of poured concrete, or concrete block for slab foundations.
- b. Exterior siding shall be brick, stone, siding, or other natural materials approved by Developer. Pre-primed Cedar or Fiber Cement siding (such as Hardi-plank) will be permitted.
- c. All driveways shall be concrete and shall be completed within six (6) months after owner occupancy.

- d. Satellite receivers are prohibited in the front and side yards. Such devices may be installed in the rear yard or on the house if not visible from the street.
- e. No above ground propane tanks will be permitted on any lot.

6. Detached Buildings/Garages

- a. Not permitted.

7. Setback Lines

- a. All Dwellings on a Lot shall have a minimum building setback of twenty (20) feet back from the existing right-of-way and not closer than five (5) feet from any side property line. Variances of these setback requirements may be approved by the Developer. All setbacks must be in compliance with the City Of Oxford Zoning Department.

8. Easements

- a. The owners of all lots in the subdivision shall be required to maintain storm water drainage ways in accordance with the drainage easements so that the normal flow of water will have no interference. All lot owners shall indemnify and hold the Developer and his assigns harmless from any liability or damages as result of altering the existing drainage path on a side ditch maintenance, bale blocking, sedimentation problems, etc. Builders and owners are responsible to restore and seed the ditch areas disturbed due to the construction activity on their lot and may be billed by the Developer or his assigns for the cost of such restoration and /or seeding.

9. Temporary Structures

- a. No structure of temporary character, including trailer, tent, shack, garage, barn, or other outbuildings shall be used on any lot at any time as a residence, either temporary or permanently. Storage trailers or sheds are permitted by builders during construction periods.

10. Swimming Pools

- a. No above ground swimming pools shall be constructed on any lot.

11. Landscaping

- a. Landscaping requirements include a minimum of one (1) frontyard shade trees (1" or larger diameter) and a minimum of five (5) other trees or shrubs planted in the yard and have the foundation of the home facing the roadway landscaped.
- b. All sod, seed, straw, trees, and shrubs must be installed prior to closing out of construction loan, or adequate escrow to insure completion of landscaping and must be agreed upon by Builder and lending institution. All landscaping, including seeding must be completed to minimum requirements within six (6) months of occupancy.

12. Fences, Walls, and Hedges

- a. Walls or fences erected on any lot shall be ornamental in character and the plans shall be first approved by the Developer the City of Oxford as set forth here an above and shall not exceed (4) feet in height. The height limitation does apply to fences around swimming pools.
- b. Fences are permitted on the side and rear yards only. No chain link fences of any kind shall be permitted.

13. Signs

- a. No signs of any kind shall be displayed to the public view on any lot except one sign not more than twelve (12) square feet advertising the property for sale or rent, or signs used by the builder to advertise the property during the construction and sale period, which signs shall confirm to sizes allowed by the current zoning ordinances. This does not prohibit street signs and subdivision signs.
- b. No signs can remain in front of any newly constructed residence for more than sixty (60) days after an occupancy permit is issued for the residence and the residence is occupied.
- c. No additional signs of any kind shall be allowed on a building site, including but not limited to financing signs, subcontractor signs, supplier signs, etc. It is the responsibility of the Builder to inform all of the subcontractors and suppliers to refrain from erecting any of those signs.

14. Parking of Vehicles

- a. No worn out, discarded automobiles, machinery or vehicles, or parts thereof shall be stored on any Lot and no part shall be used for automobile junk piles or the storage of junk materials. Boats, trailers, recreational vehicles, jet skis, vans, vehicles to be restored or vehicles not used on a regular basis, or other similar items must be kept free from public view and must be parked within a garage or screened

parking area. Temporary storage of boats and trailers for no more than two (2) days while in the state of transfer, etc. shall be permitted

15. Garbage, Rubbish, Construction Waste

- a. No lot shall be used or maintained as a dumping ground for rubbish, trash, garbage, or other waste and the same shall not be kept, except in sanitary containers. All equipment for the storage or disposal of such materials shall be kept in a clean and sanitary condition.
- b. When the home is complete, all containers shall be removed from the public view within twenty-four (24) hours of being emptied by the waste contractor.
- c. Builders and owners of lots are responsible for cleaning and removal of mud or debris on the streets caused during construction and may be billed by Developer for the cost of such cleanup and/or removal.

16. Prohibited Activity

- d. No offensive odors or unsightly nuisances will be permitted on any lot in this subdivision which may be construed to be detrimental to the neighborhood.

17. Animals, Pets

- e. No animals or livestock of any kind shall be kept on any lot in the subdivision except dogs, cats, and other domestic household pets provided they are not kept, bred, boarded, or maintained for any commercial purpose.
- f. No more than five (5) household pets may be kept on any Lot. Owners shall take such measures as necessary to prevent their pets from straying onto other Owner's Lots.

18. Severability

- g. Invalidity of any (1) one or more of these covenants, conditions, restrictions or easements by court order shall not in any way affect any other provisions which shall remain in full force and effect.

19. Enforcement

- h. It shall be lawful for the Developer or any other person or persons owning any real property situated in Owls Landing to prosecute any proceedings at law or in equity against the person or persons violating any covenant or restriction herein contained and either to prevent him or them from so doing, or to recover damages or other dues from such violation. Invalidity of any one of these covenants, by judgments or court order, shall in no way affect any other provisions, which shall remain in full force and effect.
- i. The restrictions set forth herein may be amended by the recording of a written amendment agreed to by at least 75% of the then owners of the lots shown hereon and the Developer. The Developer has the

ability to amend these restrictions while in title of a minimum 50% of the lots.

20. Developer's Rights

- j. Developer reserves the right and power, and each Lot Owner by acceptance of a deed to a Lot is deemed to and does grant to Developer a power of attorney, which right and power is coupled with an interest and runs with a title to a Lot and is irrevocable during the Development period, to amend these Covenants and Restrictions and to execute any and all documents deemed necessary by Developer to conform to its present or future development plans, to correct typographical and drafting errors, to conform to the requirements of any lending institution, and to make any future requirements and covenants as to Owls Landing Subdivision, which the Developer believe to be in the best interest of the development as long as such amendment does not unduly restrict Owners' development or marketable rights.

Todd Homes, LLC has caused this instrument to be executed this _____ day of _____, 2021.

Developer:

Todd Homes, LLC By: _____

Its: _____

STATE OF OHIO
COUNTY OF BUTLER SS:

The foregoing instrument was acknowledged before me this _____ day of _____ 2021, by _____, managing member of Todd Homes, LLC, an Ohio limited liability company on behalf of the company.

Notary Public

Declaration of Homeowner's Association
For
Owls Landing

1. Organization

- a. The Association shall be an Ohio not-for-profit corporation, and shall be called "Owls Landing Owner's Association." The Association will operate as the homeowners' association that will provide maintenance, management and control of common areas and easement.
- b. The initial director of the Association shall be the Developer, until a time that the property is turned over to the Association. At any time before Developer has sold on hundred percent (100%) of the currently platted Lots, plus any additional Lots that may be platted and added to the current subdivision, if any, the Developer may turn over control of the Association to the then current owners of Lots. The Developer shall be required to turn over control of the Association within 180 days after Developer has sold all Lots on the Property if the Developer has not already turned over such control.
- c. The Developer shall be entitled to add additional platted Lots and adjacent land to the subdivisions and subject such additional Lots and adjacent land acquired by Developer to this Declaration, either by subsequent amendment to the Declaration. An amendment or Plat that expands the Property by adding Lots or land may be executed and filed by Developer at any time prior to turnover without consent of other persons who are Lot Owners at that time.

2. Membership

- a. Each Lot Owner, upon acquisition of title of a Lot, shall automatically become a Member of the Association. Membership shall terminate upon the sale or any other disposition by such Member of his Lot, at which time the new Owner automatically shall become a Member of the Association.

3. Administration

- a. The administration of the Association shall be in accordance with the provisions of the Organizational Documents that are established when the Association is formed. Until the Developer has sold all Lots on the Property and on any additional real property that is subjected to this Declaration, the Developer shall be empowered to appoint a majority of the members of the board of Trustees of the Association. Prior to turnover, the Developer may arrange for management of the Association on a contract not to exceed a term of one year.
- b. During the development period, the powers, rights, duties and functions of the Association shall be exercised by a Board of Trustees

selected by Developer. Developer reserves the right to relinquish such right to control at any time.

4. Assessment

- a. There is hereby established for the benefit of the Lot Owners of the Property an annual charge or assessment. The Annual Assessment shall be used exclusively to promote the recreational, health, safety, and welfare of the residents of the Property and the enforcement of the subdivision's Covenants and Restrictions. The assessments shall be assessable for future maintenance, upkeep, repair and replacement of such improvements to the extent the improvements are not accepted by public or governmental authorities.
- b. The assessments shall also include, without limitation, the expenses for maintenance of the front entrance landscaping and lighting, street scape landscaping maintenance, private road maintenance and repair, private storm system maintenance and repair, retention basin maintenance and repair, common space grass maintenance and repair, insurance premiums, operations costs, management of the Association, fees for legal and accounting services, mailing and postage.
- c. Each Lot Owner's share of the assessment shall be equal to the proportion of one to the total number of Lots then subject to this Declaration. Any lot owned by Developer without improvements thereon shall be pay ten (10%) of the share of the Assessment otherwise payable on account of such Lot. The initial amount of the individual lot assessment shall be Five Hundred Dollars (\$500) per year.
- d. The Developer or the Association shall budget for the current year's projected costs for landscaping, watering, maintenance, upkeep, including snow plowing, repair, cleaning, insurance, taxes, management fees, organizational costs, legal costs for the enforcement of liens and Protective Covenants and Restrictions and any other costs reasonably foreseeable and established by the Developer or the Association shall build up and maintain a reasonable contingency reserve and for the periodic maintenance, repair, and replacement of the Front Entrance.
- e. The annual Assessment shall determine the Association's budget and the amount of the Assessment for the immediately following year on or before January 15th and shall give written notice to all Lot Owners of the Assessment applicable to their Lot no later than February 15th. The failure of the association to meet the time deadlines imposed herein shall have no effect on the obligation of owners to pay their proportionate share of the Assessment when determine. If during the course of the year, the board determines that the amount of the Assessment is or will be inadequate to cover any and all such costs described below, the board may adjust the amount of the Assessment

by giving written notice to members not less than twenty (20) days before the effective date of the adjustment.

5. Lien for Assessment

- a. The Assessment shall be a lien on each Lot with priority over all other liens and encumbrances on any Lot or any part thereof, or interest arising after this Declaration is recorded, excepting real estate taxes and assessments, and liens of record in favor of any political subdivisions or governmental instruments of the State of Ohio, to the extent made superior by applicable law.
- b. Each Lot Owner, by acceptance of a deed or other instrument of conveyance for the Lot, shall be deemed to covenant to pay the payment of the Assessment to the Developer or to the Association after the turnover.
- c. If any installment of the Assessment on any Lot is not paid within the period established by the Association pursuant to the Declaration, the amount thereof together with any interest, costs, penalties and reasonable attorneys' fees shall constitute a lien on such Lot in favor of the Association.
- d. If the Association incurs any cost or expense for or on account of any item of maintenance, repair or other matter made necessary by wrongful or negligent act of omission of any Owner, such costs shall be borne by such Owner and not by the Association, and if paid by the Association, shall be reimbursed to the Association by such Owner as an Individual Lot Assessment.
- e. No owner may exempt himself from liability for his share of the assessment by abandonment of his Lot.

6. Records of the Association

- a. The Association shall keep full and correct accounting records. The Association shall make available to all Lot Owners and the holders of all first mortgages on Lots, current copies of the books, records and financial statements of the Association upon reasonable request. All funds collected by this Declaration shall be held and used solely for the benefit of the Association and all of the Lot Owners.

7. Insurance

- a. The Association shall obtain and maintain a comprehensive policy of liability insurance covering the Common Areas and Facilities insuring the Association, Trustees, and Owners and members in an amount of not less than five hundred thousand dollars (\$500,000), per occurrence for personal injury and/or property damage.
- b. In addition, the Association may obtain and maintain casualty insurance, Trustees' and Officers' liability insurance as the Board deems appropriate from time to time.

8. Meeting of the Association

- a. **Place of Meetings.** Meetings of the Association shall be held at a suitable place convenient to the Members as may be designated by the Board of Trustees in Butler County, Ohio or as convenient thereto as possible and practical.
- b. **Annual Meeting.** The first meeting of the Association shall be held by the Developer as soon as practicable after the incorporation of the Association. An annual meeting date shall be established by the Association upon turnover from the Developer.
- c. **Special Meetings.** The President may call special meetings. In addition, it shall be the duty of the President to call special meetings of the Association if so directed by resolution of a majority of a quorum of the Board of Trustees or a written petition signed by at least thirty-three (33%) percent of the total votes of the Association. The notice of special meetings shall state the date, time and place of such meeting and the purpose thereof. No business shall be transacted at special meetings except as stated in the notice.
- d. **Notice of Meetings.** It shall be the duty of the Secretary to mail or cause to be delivered to the stating the purpose of the special meetings, as well as the time and place where it is to be held. If an Owner wishes notice to be given at an address other than his or her Lot, he or she shall designate such address by written notice to the Secretary. The mailing or delivering of a notice of a meeting in the manner provided in this Section shall be considered service of notice. Notices shall be served not less than ten (10) nor more than sixty (60) days before a meeting.
- e. **Waiver of Notice.** Waiver of notice of a meeting of the Members shall be deemed the equivalent of proper notice. Any Member may, in writing, waive notice of any meeting of the Members, either before or after the holding of such meeting. Attendance of any Member at any meeting without protesting, prior to or at the commencement of the meeting, the lack of proper notice shall be deemed to be a waiver by him or her of such meeting.
- f. **Adjournment of Meetings.** If any meetings of the Association cannot be held because a quorum is not present, a majority of the Members who are present at such meeting, either in person or by proxy, may adjourn the meeting to a time not less than five (5) nor more than thirty (30) days from the time the original meeting was called. At such adjourned meeting at which a quorum is present, any business which might have been transacted at the meeting originally called be transacted. If a time and place of the adjourned meeting are not fixed by those in attendance at the original meeting, or if for any reason a new date is fixed from the adjourned meeting after adjournment, notice of the time and place of the adjourned meeting shall be given to Members in the manner prescribed for regular meetings. Those present at a duly called or held meeting at which a quorum is present may continue to do business until adjournment, notwithstanding the

withdrawal of enough Members to leave less than a quorum, provided that any action taken shall be approved by at least a majority of Members required to constitute a quorum.

- g. **Voting Rights.** Each Lot shall have one vote. If only one of several Owners for a Lot is present at a meeting of the Association, that Owner is entitled to cast the vote allocated to that Lot. If more than one of the Owners is present, the vote allocated to that Lot may be cast only in accordance with the agreement of a majority in interest of the Owners. There is a majority agreement if any one of the Owners cast a vote allocated to that Lot without protest being made promptly to the person presiding over the meeting by any of the other Owners of the Lot. The Association may adopt rules regarding deadlocks. No votes allocated to a Lot Owner by the Association may be cast. Voting at elections and votes on other matters may be conducted by mail.
- h. **Proxies.** A vote allocated to a Lot may be cast pursuant to a proxy duly executed by an Owner. If a Lot is owned by more than one person, each Owner of the Lot may vote or register protest to the casting of votes by the Owners of a Lot through a duly executed proxy. An Owner may revoke a proxy given pursuant to this section only by actual notice of revocation to the person presiding over a meeting of the Association. A proxy is void if it is not dated or purports to be revocable without notice. Except as hereinafter provided, a proxy shall terminate one year after its date, unless it specifies a shorter time. If a first mortgagee has been designated a proxy under the terms of a first mortgage covering a Lot, its presentation to the Board of a copy of the mortgage shall be notice of the proxy designation, and if the mortgage so states, of the irrevocability of that designation. Written notice to the Board or notice in a meeting of a revocation of a proxy designation shall not affect any vote or act previously taken. Each proxy shall automatically cease upon conveyance of the Lot.
- i. **Majority of Owners.** As used in this By-Laws, the term majority shall mean those votes, Owners, Members or other group as the context may indicate totaling more than fifty (50%) percent of the total number.
- j. **Quorum.** Except as otherwise provided in these By-Laws or in the Declaration, those Members present in person or by proxy shall constitute a quorum at all meetings of the Association. Any provision in the Declaration concerning quorums is specifically incorporated herein.
- k. **Conduct of Meetings.** The President shall preside over all meetings of the Association, and the Secretary shall keep the minutes of the meeting and record in the minute book all resolutions adopted, as well as a record of all transactions occurring thereat.
- l. **Action Without A Meeting.** Any action which may be authorized or taken at a meeting of the members, except the election of Board members, may be authorized or taken without a meeting with the

affirmative vote or approval, and in writing or writings signed by not less than a majority of the Members. Any such writing shall be entered into the minute book of the Association.

9. Board of Trustees

- a. **Governing Body.** Except as otherwise provided by law, the Articles of Incorporation, the Declaration or this Code of Regulations, all of the authority of the Association shall be exercised by or under the direction of the Board of Trustees.
- b. **Number and Qualification of Trustees.** The Board of Trustees in the Association shall consist of three (3) persons and shall be those named in the Articles of Incorporation or other such person or persons as may be substituted by the Declarant pursuant to Article XIII, Section 13.3 of the Declaration. Except those appointed by the Declarant, all Trustees must be Owners. The spouse of an Owner is qualified to act as a Trustee if both the Owner and the spouse occupy the Lot. No person and his or her spouse may serve on the Board at the same time.
- c. **Nomination of Trustees.** Except for Trustees selected by the Declarant, nomination of the Board of Trustees shall be made by a Nominating Committee. The Nominating Committee shall consist of a Chairman, who shall be a member of the Board, and two (2) or more Members of the Association. The Nominating Committee shall be appointed by the Board at each annual meeting of the Members to serve from the close of such annual meeting until the close of the next annual meeting. The Nominating Committee shall make as many nominations for election to the Board as it shall in its discretion determine but in no event less than the number of vacancies or terms to be filled. Nominations shall be permitted from the floor. All candidates shall have a reasonable opportunity to communicate their qualifications to the Members and to solicit votes.
- d. **Election of Trustees.** The trustees shall be elected at each annual meeting of the Members of the Association or at a special meeting called for the purpose of electing Trustees. At a meeting of members of the Association at which Trustees are to be elected, only persons nominated as candidates shall be eligible for elections as Trustees and the candidates receiving the greatest number of votes shall be elected. The Board may adopt rules regarding nominations and procedure for elections. Election to the Board shall be by secret written ballot and at such elections, the Members or their proxies may cast, in respect to each vacancy, such voting power as they are entitled to exercise under the provisions of the Declaration.
- e. **Term of Office; Resignations.** Except for those Trustees appointed by the Declarant, each Trustee shall hold office for a term of two (2) years and until his or her successor is elected, or until his or her earlier resignation, removal from office, or death. It is intended by

these Code of Regulations that the terms of the Trustees shall be staggered with one (1) Trustee being elected in odd numbered years and two (2) Trustees being elected in even numbered years. The initial terms of the Trustees elected by the Owners shall be adjusted to carry out this intent. Any Trustee may resign at any time by oral statement to that effect made at a meeting of the Board of Trustees or in writing to that effect delivered to the Secretary of the Association, such resignation to take effect immediately or at such other time as the Trustee may specify. In the event of death or resignation of a Trustee, his or her successor shall be selected by a majority of the remaining members of the Board and shall serve for the unexpired term of the predecessor.

- f. **Compensation.** Members of the Board of Trustees shall serve without compensation, except that they may be reimbursed for actual expenses incurred on behalf of the Association.
- g. **Organization Meetings.** The first meeting of the members of the Board of Trustees following each annual meeting of the Members shall be held within ten (10) days thereafter at such time and place as shall be fixed by the Board.
- h. **Regular Meetings.** Regular meetings of the Board of Trustees may be held at such time and place and shall be determine from time to time by a majority of the Trustees, but at least four (4) such meetings shall be held during each fiscal year with at least one (1) per quarter.
- i. **Special Meetings.** Special meetings of the Board of Trustees shall be held when called by written notice signed by the President or Secretary of the Association, or by any two (2) Trustees. The notice shall specify the time and place of the meeting and the nature of any special business to be considered.
- j. **Notice of Meetings; Waiver.** Notice of the time and place of each meeting of the Trustees, whether regular or special, shall be given to each Trustee by one of the following methods: (a) personal delivery; (b) written notice by first class mail, postage prepaid; (c) by telephone communication, either directly to the Trustee or to a person at the Trustee's home or place of business who would reasonably be expected to communicate such notice promptly to the Trustee; or (d) by telegram or cablegram, charges prepaid. All such notices shall be given or sent to the Trustee's address or telephone number as shown on the records of the Association. Notice sent by first class mail shall be deposited into a United States mailbox, at least four (4) days before the time set for the meeting. Notices given by personal delivery, telephone, telegraph or cablegram company at least seventy-two (72) hours before the time set for the meeting. Waiver of notice of meetings of the Trustees shall be deemed the equivalent of proper notice. Any Trustee may, in writing, waive notice of any meeting of the Board, either before or after the holding of such meeting. Such writing shall be entered into the minutes of the meeting. Attendance

of any Trustee at any meeting without protesting, prior to or at the commencement of the meeting, the lack of proper notice shall be deemed to be a waiver by him or her of notice of such meeting.

- k. **Quorum of the Board of Trustees.** At all meetings of the Board of Trustees, a majority of the Trustees shall constitute the decision of the Board. A meeting at which a quorum is initially present may continue to transact business, notwithstanding the withdrawal of the Trustees, if any action taken is approved by at least a majority of the required quorum for the meeting. Notice of adjournment of a meeting need not be given if the time and place to which it is adjourned are fixed and announced at such meeting. At such adjourned meeting at which a quorum is present, any business which might have been transacted at the meeting originally called may be transacted.
- l. **Conduct of Meetings.** The President shall preside over all meetings of the Board of Trustees, and the Secretary shall keep the minutes of the meeting and record in the minute book all resolution adopted, as well as a record of all transactions occurring thereat.
- m. **Open Meetings.** All meetings of the Board of Trustees shall be open to all Members of the Association, but Members other than the Trustees may not participate in any discussion or deliberation unless expressly so authorized by a majority of a quorum of the Board.
- n. **Executive Session.** The Board may, with approval of a majority of a quorum, adjourn a meeting and reconvene in executive session to discuss and vote upon personnel matters, litigation in which the Association is or may become involved, or orders of business of similar nature. The nature of any and all business to be considered in executive session shall first be announced in open session.
- o. **Action Without A Meeting.** Any action which may be authorized or taken at a meeting of the Board of Trustees may be authorized or taken without or taken without a meeting with the affirmative vote or approval, and in writing or writings signed by all the Trustees. Any such writing shall be entered into the minute book of the Association. An explanation of the action taken shall be posted at a prominent place or places within the Properties within three (3) days after written consents of all the Board members have been obtained.
- p. **Voting By Trustees.** A Trustee who is present at a meeting of the Board or any committee meeting when corporate action is taken shall be deemed to have assented to the action taken unless
 - a.) He or she objects at the beginning of the meeting (or promptly upon arrival) to holding it or transacting business at the meeting;
 - b.) His or her dissent or abstention from the action taken is entered in the minutes of the meeting;
 - c.) He or she delivers written notice of his or her dissent or abstention to the presiding officer of the meeting before its adjournment or to the Corporation immediately after

adjournment of the meeting. This right of dissent or abstention shall not be available to a Trustee who votes in favor of the action taken.

- q. **Officers.** The officers of the Association shall be a President, Secretary, and Treasurer. The Board of Trustees may elect such other officers, including one or more Assistant Secretaries and one or more Assistant Treasurers, as it shall deem desirable, such officers to have the authority and perform the duties prescribed from time to time by the Board. Any two or more offices may be held by the same person, excepting the offices of President and Secretary. The President and Treasurer shall be elected from among members of the Board of Trustees.

10. Easements

- a. The Association shall have a right of access and an easement to, over and through each Lot during reasonable hours and upon giving reasonable notice for ingress and egress and all other purposes which enable the Association to perform its obligations, right and duties with regard to maintenance, repair, removal, restoration, or servicing of any items in violation of the Protective Covenants and Restrictions.

11. Remedies for Breach of Protective Covenants and Restrictions

- a. Any breach of the Protective Covenants and Restrictions for Owls Landing, which are not corrected within seventy-two (72) hours of notification, shall be subjected to a Five Hundred Dollar (\$500.00) fine per occurrence, payable to the Association, which may be secured by liens placed on the lot according to this Declaration.

12. Maintenance

- a. The association shall make all repairs to all private roads and road signs in conformity with any requirements by City of Oxford.
- b. The Association shall be responsible for mowing and maintenance of all vacant areas in the development. The individual Lot Owners are responsible for mowing and maintenance to their Dwelling Unit and property all the way to the asphalt of the road.
- c. All lots are included in the HOA established for Owls Landing. The Association is responsible for maintaining storm drainage facilities including water quality basins located outside of the public right-of-way; street buffer landscaping; entryway monuments, signage and lighting; and for enforcing conservation area easement requirements.

Todd Homes, LLC has caused this instrument to be executed this _____ day of _____, 2021.

Developer:
Todd Homes LLC

By: _____
Its: _____

STATE OF OHIO
COUNTY OF BUTLER SS:

The foregoing instrument was acknowledged before me this _____ day of _____, 2021, by _____, managing member of Todd Homes, LLC, and Ohio limited liability company on behalf of the company.

Notary Public