



Agenda

Oxford City Council

Court House

TUESDAY, MARCH 16, 2021

EXECUTIVE SESSION

None.

This meeting is being conducted in accordance with H.B. 404 and the guidelines set forth by the Ohio Dept. of Health

Roll Call. Mike Smith, Mayor, William Snavelly, Vice-Mayor, David Prytherch
Jason Bracken, Chantel Raghu, Edna Southard.

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

REGULAR MEETING

7:00 P.M.

PLEDGE OF ALLEGIANCE

2. Approval of Agenda.

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

3. Public Participation.

A. Proclamation – “Education & Sharing Day Oxford”



Proclamation

B. Public Comments.

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

4. Consent Agenda.

A. Minutes of the March 2, 2021 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

B. Report regarding the March 3, 2021 Environmental Commission Meeting. (Mike Dreisbach, Service Director)



Report

C. A Resolution declaring certain property in the Fire Department's possession as surplus and not needed for any municipal purpose and authorizing its advertisement and sale to the highest bidder by internet auction. (John Detherage, Fire Chief)



Staff Report/Resolution

5. Resolutions.

RESOLUTION
HISTORIC MARKER

A Resolution authorizing the placement of a Historic Marker in the Uptown Park area sponsored by Miami University as part of their Truth and Reconciliation Project. (Sam Perry, Community Development Director)



Staff Report/Resolution

RESOLUTION
ANNEXATION

A Resolution adopting a statement indicating the services the City of Oxford, Ohio will

provide to the territory proposed to be annexed to the City of Oxford, Ohio pursuant to a petition filed with the Board of County Commissioners of Butler County, Ohio, as provided by Ohio Revised Code Section 709.023(C). (Doug Elliott, City Manager)



Staff Report/Resolution

RESOLUTION
ANNEXATION

A Resolution regarding zoning buffers in a proposed annexation of property containing 22.014 acres from Oxford Township, Butler County, Ohio to the City of Oxford, Butler County, Ohio pursuant to the requirements of Section 709.023(C) of the Ohio Revised Code. (Doug Elliott, City Manager)



Staff Report/Resolution

6. Ordinances.

- A. First Reading ? None.
- B. Second Reading.

ORDINANCE
PRELIMINARY PLANNED DEVELOPMENT

An Ordinance Accepting The Recommendation Of The Planning Commission And Approving The Preliminary Planned Development Application For Heron Pond located along Kehr Road In The City Of Oxford With Conditions. (Sam Perry, Community Development Director)



Staff Report/Ordinance



Supporting Documents

Announcements & Communications.

1. Remarks from City Council and City staff. The comments expressed by individual members of Council or City staff during this portion of a City Council meeting do not necessarily reflect the views of the City of Oxford, The Oxford City Council, or the City staff.
2. Future Meetings. (Virtual)

WED – Mar 17 Board of Zoning Appeals Meeting Cancelled

THUR- Mar 18 Climate Action Steering Committee Meeting 9:00 a.m.

THUR- Mar 18 Recreation Board Meeting 11:30 a.m.

FRI - Mar 26 Student Community Relations Commission Meeting 3:00 p.m.

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

FRI- Apr 9 Student Community Relations Commission Meeting 3:00 p.m.

MON-Apr 12 Oxford Parking & Transportation Advisory Board Meeting 9:30 a.m.

TUES- Apr 13 Public Arts Commission of Oxford Meeting 4:30 p.m.

TUES- Apr 13 Planning Commission Meeting 7:00 p.m.

WED-Apr 14 Historic and Architectural Preservation Commission Meeting 6:15 p.m.

THUR-Apr 15 Climate Action Steering Committee Meeting 9:00 a.m.

THUR-Apr 15 Recreation Board Meeting 11:30 a.m.

MON-Apr 19 Housing Advisory Commission Meeting 1:30 p.m.

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

WED- Apr 21 Board of Zoning Appeals Meeting 6:30 p.m.

FRI- Apr 23 Student Community Relations Commission Meeting 3:00 p.m.

ADJOURN

Office of the Mayor

Proclamation

Whereas: excellence in education is vital to the success of our city; and in Oxford we seek to instill each child and adolescent with a good education; and

WHEREAS, by preparing our students for the responsibilities and opportunities of the future, education develops the intellect through lessons on literacy, math and science; and

WHEREAS, the Rebbe, Rabbi Menachem Schneerson, dedicated his life to the betterment of mankind and tirelessly advocated for a better education for all Americans; and

WHEREAS, the Rebbe taught that education should not be limited to the acquisition of knowledge and preparation for a career, but also on character building, with emphasis on the universal moral and ethical values that are the basis of any peaceful civilized society; and

WHEREAS, the United States Congress has established "Education & Sharing Day USA" as an annual national day to commemorate the Rebbe's achievement's; and the lessons and the vision he set forth are relevant to us all today.

NOW, THEREFORE, I, Michael Smith, Mayor of the City of Oxford, Ohio, do hereby proclaim Wednesday, March 24, 2021 as,

"EDUCATION & SHARING DAY OXFORD"

and call upon educators, volunteers and citizens, to reach out to young people and work to create a better, brighter, and more hopeful future for all.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 16th day of March, 2021.


MICHAEL SMITH, MAYOR



A virtual meeting of the Oxford City Council was called to order by Mayor Mike Smith on Tuesday, March 2, 2021 at 7:30 p.m.

Roll Call. Mike Smith, Mayor, William Snively, Vice-Mayor, David Prytherch Jason Bracken, Glenn Ellerbe, Edna Southard. Chantel Raghu was excused.

Staff members participating were: Doug Elliott, City Manager, Jessica Greene, Assistant City Manager, Mike Dreisbach, Service Director, Joe Newlin, Finance Director, John Jones, Police Chief, John Detherage, Fire Chief, Sam Perry, Community Development Director, Casey Wooddell, Parks and Recreation Director, Chris Conard, Law Director and Mary Ann Eaton, Clerk of Council.

Approval of Agenda.

Mr. Snively moved to approve the agenda. Ms. Southard seconded. The motion passed by the following roll call:

AYE: Mr. Ellerbe, Mr. Prytherch, Mr. Snively, Ms. Southard, Mr. Bracken, Mayor Smith (6)

NAY: None (0)

ABS: None (0)

Public Participation.

Proclamation – “March for Meals Month”

Mayor Smith read the Proclamation and thanked everyone who assists with the Meals on Wheels program in Oxford.

Appointment – Butler County Board of Health.

Mayor Smith advised the City received a request from the Butler County Board of Health and asked for a motion to appoint Dr. Molly Emmert to the Butler County Board of Health for a three-year term ending March 1, 2024.

Mr. Prytherch made the motion. Ms. Southard seconded. The motion passed by the following roll call:

AYE: Mr. Prytherch, Mr. Snively, Ms. Southard, Mr. Bracken, Mr. Ellerbe, Mayor Smith (6)

NAY: None (0)

ABS: None (0)

Public Comments.

Ms. Amy Shaiman, 11 Heather Ridge Court, noted she was glad to see continued development and consideration of making Merry Day Park something that is positive for the community in many ways both in terms of the environmental that Mr. Olson presented as well as some of the other well being efforts that she knows are going on.

Ms. Shaiman referred to new developments in the community and inquired how many of the planned housing units are committed by the developer to be built at an affordable housing rate. Ms. Shaiman encouraged Council to pursue affordable homes for middle-income families.

The following e-comment was received prior to the meeting:

Comments submitted on Wednesday, February 17, 2021 - 9:22am:

- **Name:** Martha Sapiro
- **Address:** 401 JACOB DR
- **Email Address:** martha.sapiro@gmail.com
- **Meeting Date:** Tue, 03/02/2021
- **Agenda Item:** The CROWN Act
- **Comments:**

I believe that Oxford should look into passing The CROWN Act to fight discrimination against Black women's hair. The CROWN Act, which stands for "Creating a Respectful and Open World for Natural Hair," is a law that prohibits race-based hair discrimination, which is the denial of employment and educational opportunities because of hair texture or protective hairstyles including braids, locs, twists or bantu knots. <https://www.thecrownact.com/>

Consent Agenda.

Minutes of the February 16, 2021 City Council Work Session. (Mary Ann Eaton, Clerk of Council)

Minutes of the February 16, 2021 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

Report regarding the February 9, Planning Commission Meeting. (Sam Perry, Community Development Director)

Report regarding the February 17, 2021 Board of Zoning Appeals Meeting. (Sam Perry, Community Development Director)

Report regarding the February 18, 2021 Recreation Board Meeting. (Casey Wooddell, Parks and Recreation Director)

Mr. Snavelly moved to approve the consent agenda. Ms. Southard seconded. The motion passed by the following roll call:

AYE: Mr. Snavelly, Ms. Southard, Mr. Bracken, Mr. Ellerbe, Mr. Prytherch, Mayor Smith (6)

NAY: None (0)

ABS: None (0)

Resolutions.

RESOLUTION **AMTRAK EXPANSION**

A Resolution No. 7264 supporting Amtrak's proposed expansion of passenger rail services in Ohio and for congressional actions needed to authorize and appropriate related funds.
(David Prytherch, City Councilor)

Mr. Prytherch advised it was a pivotal time for Amtrak and for Oxford's place on Amtrak noting the City has worked for a number of years to establish a place on the line, which was a slow process. Mr. Prytherch advised to get from Cincinnati to Chicago by rail is a competitive option that has economic and sustainability benefits. Mr. Prytherch noted for a town that is never going to be on an interstate limited access highway this was Oxford's best chance to be connected to one of the major transportation links and corridors of the future in the Midwest. Mr. Prytherch advised Oxford needs to continue to lobby for an Amtrak stop noting Cincinnati, Hamilton and other communities across the Midwest were also lobbying for a stop in their community.

Ms. Greene advised staff has been in communication with Mr. Derrick James of Amtrak noting he has asked the City for this support and thanked Mr. Prytherch for drafting the proposed Resolution. Ms. Greene advised the Community Improvement Corporation is also sending a letter of support which will go to legislators and to Amtrak. Ms. Greene noted Mr. Dreisbach is actively working with a vendor for an Amtrak platform design. Ms. Greene advised Seth Copenbaker is coordinating a meeting with the Talawanda School District, Miami University, the Butler County Regional Transit Authority and Oxford Township so everyone can be on the same page on the vision for that area.

There were no comments from the public.

Mr. Snavelly advised he was very much in favor of this project noting he felt Mr. Prytherch captured it well in the Resolution. Mr. Snavelly noted this idea has been talked about since the 1970's when he first arrived in Oxford. Mr. Snavelly advised now is the moment and Council needs to make it happen.

Ms. Southard advised she was also very much in favor of this noting the City already agreed to commit funds to the project and equal funds are to be matched by the university. Ms. Southard noted everyone has long seen a need for Oxford to be more connected to surrounding regions and advised this was essential for the environment and for economic development.

Mr. Prytherch moved to adopt Resolution No. 7264. Ms. Southard seconded. The Resolution was adopted by the following roll call:

AYE: Ms. Southard, Mr. Bracken, Mr. Ellerbe, Mr. Prytherch, Mr. Snavely, Mayor Smith (6)

NAY: None (0)

ABS: None (0)

RESOLUTION
PATRIOT ENGINEERING

A Resolution No. 7265 repealing Resolution No. 7244 adopted December 1, 2020 and adopting a new Resolution authorizing the City Manager to enter into a contract with Patriot Engineering & Environmental, Inc. for the removal of three (3) underground fuel storage tanks and associated contaminated soil located on City owned property under the sidewalk at 110 E. High Street at a cost not to exceed \$35,230.36. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised Council previously approved a contract with an amount not to exceed \$33,600 for Patriot Engineering noting the work was complete although the extent of contamination was slightly larger than expected based on the boring reports. Mr. Dreisbach noted an additional \$1,630.36 was needed and staff was asking Council to amend the amount not to exceed so the amount can be paid to close out the contract.

There were no comments from the public or from Council.

Mr. Snavely moved to adopt Resolution No. 7265. Mr. Prytherch seconded. The Resolution was adopted by the following roll call:

AYE: Mr. Bracken, Mr. Ellerbe, Mr. Prytherch, Mr. Snavely, Ms. Southard, Mayor Smith (6)

NAY: None (0)

ABS None (0)

RESOLUTION
PASSPORT LABS, INC.

A Resolution No. 7266 authorizing the City Manager to enter into a new agreement with Passport Labs, Inc. for the annual software subscription for the City's parking management platforms at a cost not to exceed \$40,914.46 for the first year with an increase of 5% each year thereafter. (John Jones, Police Chief)

Chief Jones advised the proposed Resolution will allow the City to enter into a new three year agreement as the old agreement has expired. Chief Jones noted Passport provides the software and backend platform OPD uses for parking enforcement. Chief Jones advised this was a budgeted cost in OPD's annual operating budget.

There were no comments from the public.

Mr. Snavely asked Chief Jones to explain why this service was \$40,000 per year. Chief Jones advised the software operates all of the finances related to parking and the tracking of parking tickets. Chief Jones noted staff added the integration with OPD's License Plate Reader system and was looking at integrating it with some of the smart meter projects coming up. Chief Jones advised the agreement includes the annual BMV lookup fee and noted this system also generates all of the letters for overdue parking tickets.

Ms. Southard inquired if this was the only and the best software available which Chief Jones addressed and advised he felt it was the best product for Oxford.

Ms. Southard moved to adopt Resolution No. 7266. Mr. Prytherch seconded. The Resolution was adopted by the following roll call:

AYE: Mr. Ellerbe, Mr. Prytherch, Mr. Snavelly Ms. Southard, Mr. Bracken, Mayor Smith (6)

NAY: None (0)

ABS: None (0)

Ordinances.

First Reading.

ORDINANCE **PRELIMINARY PLANNED DEVELOPMENT**

An Ordinance Accepting The Recommendation Of The Planning Commission And Approving The Preliminary Planned Development Application For Heron Pond located along Kehr Road In The City Of Oxford With Conditions. (Sam Perry, Community Development Director)

Mr. Ellerbe recused himself based on the proximity of his residence to the proposed development.

Mr. Perry advised the recommendation from the Planning Commission was for a Preliminary Planned Development located along Kehr Road consisting of 15 dwelling units on a 4.5 acre vacant tract of land. Mr. Perry noted there was a nationwide crisis on housing attainability and advised the majority of housing projects proposed in Oxford over the past decade have been college student focused. Mr. Perry noted the City's plans, codes and policies have limited ability to influence the consumer that the housing is designed for, the location of it or major changes on the way the site is designed. Mr. Perry advised the City is generally responding to the private property owners plans. Mr. Perry noted the recommendations from the Planning Commission and staff are the result of working through imperfect codes and policies and collaboration in public hearings and in developer meetings to gain the best possible mutual outcome that also upholds the general health, safety and welfare of the community but does not unreasonably delay or restrict the rights of the owners. Mr. Perry provided slides of the proposed project noting it was a 4.5 acre tract of land in front of Cobblestone Church on Kehr Road. Mr. Perry advised a Final Planned Development application will come through the Planning Commission and Council noting the Preliminary process is to set the layout in a way that does not have the full construction detail but it defines the general layout, the number of units and the building size and shape. Mr. Perry described the proposed landscaping plan and noted there was discussion by the Planning Commission about how this project would incorporate sections of the OATS trail. Mr. Perry advised there was also discussion about how the Homeowners Associations would work with the existing Homeowners Association for the South Farm development. Mr. Perry noted the Planning Commission recommended approval of the Preliminary Planned Development application with 15 conditions/waivers as presented on pages 55-56 of Council's packet.

Ms. Etta Reed, Bayer Becker, provided a PowerPoint with Mr. Perry's assistance and presented an overview of the property, the proposed development, the proposed dwellings within it, and the requirements of Homeowners Association.

Ms. Reed advised the developer intended to request approval of a Neighborhood Conservation Overlay District for the development once it is platted. Ms. Reed discussed the waivers to zoning code requirements with regard to setbacks as presented on page 56 of Council's packet. Ms. Reed noted she and the developer agreed with all 15 conditions with the exception of condition 3 "Sidewalks shall be provided along or near the private street, as well as along the Kehr Road site frontage, forming a loop for pedestrians". Ms. Reed provided a slide showing the pedestrian connectivity that has been committed or constructed to date and advised a sidewalk will be constructed along one side of Heron Way from Cobblestone Drive to Roberts Drive. Ms. Reed noted approximately 440 feet of the OATS trail along the north side of Roberts drive will connect to the west into the OATS trail that South Farm Section IV is constructing. Ms. Reed advised there was existing sidewalk on the southside of Roberts Drive and noted the OATS trail is proposed to be constructed on the east side of Kehr Road which will provide great connectivity for residents to walk along the north side of Roberts Drive and cross safely at an intersection to the east side of Kehr Road and head north on the OATS trail into town. Ms. Reed advised she and the developer would like to have the additional walk along the west side of Kehr Road eliminated. Ms. Reed noted currently there was no sidewalk anywhere along Kehr Road and advised it was not a safe place to walk. Ms. Reed noted the fence along the Kehr Road frontage has already been hit by an errant vehicle and advised she felt the conflict between pedestrians and vehicles is highly likely along this segment of Kehr Road. Ms. Reed noted right-of-way was being dedicated and 440 feet of the OATS trail was being constructed already as well as the walk along Heron Way. Ms. Reed advised the project was contributing significantly to the pedestrian connectivity within the region. Ms. Reed noted she would appreciate Council's approval at the next meeting of the Heron Pond Preliminary Planned Development application.

Mr. Mike Rudolph, 200 Morgan Circle, advised he serves as the President of the South Farm Homeowners Association. Mr. Rudolph noted he would speak in favor of the Heron Pond project and advised his subdivision was excited to see two major residential developments possibly underway at their location after almost no movement on such projects in close to twenty years. Mr. Rudolph noted as with the South Farm Section IV project which Council approved over a year ago he was working with the new developer for Heron Pond on a number of issues to help make the whole experience at South Farm a wonderful one for the residents and the owners as well as offer a very attractive residential opportunity for the Oxford community. Mr. Rudolph asked for Council's approval of the project with one exception. Mr. Rudolph referred to Condition 3 noting it requires the applicant to provide sidewalks along the new private street as well as along the Kehr Road site frontage. Mr. Rudolph advised the Homeowners Association was highly in favor of sidewalks within the development that would provide pedestrian connectivity to the current South Farm subdivision on Morgan Circle as well as to the South Farm Section IV subdivision. Mr. Rudolph noted they opposed the sidewalk along the site frontage of Kehr Road and advised this issue was clearly troubling for the Planning Commission at their last meeting and led to a lengthy debate amongst the members. Mr. Rudolph noted the Homeowners Association Board decided to join the developer in opposing this condition for approval. Mr. Rudolph read some of the comments Planning Commissioners made during their debate and asked the following: how will you achieve any better north south access on a road that is dangerous, curvy and narrow, a road that has no likelihood of improvement in the foreseeable future. Mr. Rudolph noted putting an undue cost on the developer would make the subdivision potentially less appealing, as this sidewalk would add many more dollars per unit to the cost of the development. Mr. Rudolph advised Council would take the opportunity to have the developer pay for something that will ultimately be torn out.

Mr. Rudolph noted the current South Farm entrance that is the gateway to the two new subdivisions is beautiful because of its continuous uninterrupted green space on the north and south side of the entrance. Mr. Rudolph advised the Homeowners Association Board feels the Planning Commission's requirement for the developer to put a 5-foot sidewalk within Heron Pond provides all of the north south pedestrian access necessary noting with no future improvements to Kehr Road South Farm residents are the only pedestrians who care. Mr. Rudolph noted in the Homeowner Association Board's opinion this sidewalk makes no sense and advised if there was any justifiable hope that Kehr Road would be improved and allow for access into Oxford by sidewalk they would be in favor of it. Mr. Rudolph asked Council to remove the condition of the sidewalk along the Kehr Road site frontage and approve the rest of the proposal.

Mr. Snavely referred to the zoning code and advised sidewalks should be on both sides of the street in a subdivision noting he was willing to give up the sidewalk on Kehr Road if sidewalks were installed on both sides of the street within the development. Mr. Snavely advised he would likely not vote in favor of the proposed Ordinance unless sidewalks are constructed on both sides of the street.

Mr. Prytherch noted in general he felt the development fulfilled the purpose of the zoning code. Mr. Prytherch advised Planned Developments are not cookie cutter they are meant to be a sensitive layout in response to the site conditions, the pond and existing trees to get more efficiency out of the site. Mr. Prytherch applauded the developer for the commitment to pursue a neighborhood conservation overlay district. Mr. Prytherch noted the sidewalk issue was complicated and advised a standard of a Planned Development is that it should be equal to or better than what a standard subdivision would produce. Mr. Prytherch advised he did not think it was an undue ask to ask for a sidewalk along Kehr Road because the developer would have had to put one on the second side of the street within the development. Mr. Prytherch noted the Planning Commission was fine with having a sidewalk on one side of the street within the development because it is a low volume street. Mr. Prytherch advised in the future Council needs to think about how to make Kehr Road a complete street. Mr. Prytherch noted the City does not get there by missing the opportunity to have the developer make the expenditure that Council asks of them. Mr. Prytherch advised he supported the proposed development with the conditions recommended by the Planning Commission.

Ms. Southard noted Ms. Reed mentioned that a sidewalk on Kehr Road would lead nowhere and inquired if that was true. Ms. Southard advised among the concerns raised was having enough space for emergency vehicles and inquired if that had been resolved. Ms. Southard inquired if the catch basin issue was resolved. Mr. Perry advised the nature of a Preliminary Planned Development was that there are going to be some issues that are not resolved. Mr. Perry noted the design of the roadway is not what staff would like to see but staff will ask the developer to demonstrate that it can be maintained properly. Mr. Perry noted drains to the center of the roadway are not preferred and staff recommends against it although staff understands there is a certain price point the developer is trying to achieve. Mr. Perry advised a compromise could be for money to be set aside for the Kehr Road sidewalk or perhaps it could be delayed to the second reading or the Final Planned Development application.

Mr. Prytherch noted every new development will have sidewalks to nowhere although development over time incrementally builds a network.

Mayor Smith noted he was in favor of a sidewalk on Kehr Road and advised if the City were to extend at city expense the sidewalk on the other side of the Cobblestone church drive a little ways it would align with the entrance to Gardenia Drive and that subdivision.

Ms. Reed advised there was adequate space for emergency vehicles and noted trees will be setback as the City Engineer has asked to accommodate a canopy so emergency apparatuses can drive through. Ms. Reed noted sidewalks along both sides of Heron Way will play into the design of the development. Ms. Reed advised there was space on the eastside of Heron Way for sidewalk although it would be very tight on the westside of Heron Way. Ms. Reed strongly encouraged Council not to require sidewalk on both sides of Heron Way as well as along Kehr Road. Ms. Reed advised the OATS trail will eventually accommodate future pedestrian traffic to the north.

Mr. Snavelly noted if the development is so tight that there is not space for sidewalks on both sides of Heron Way then maybe it is not a good development. Mr. Snavelly advised he did not have a strong position on the Kehr Road sidewalk although he would be willing to sacrifice it for sidewalks on both sides of Heron Way. Mr. Snavelly noted the developer may be trying to force too much onto a small piece of property.

Second Reading.

ORDINANCE
PRELIMINARY PLANNED DEVELOPMENT

An Ordinance No. 3613 Accepting The Recommendation Of The Planning Commission And Approving The Preliminary Planned Development Application For Lake Forest Phase One (US 27 & Lake Forest Drive With Conditions. (Sam Perry, Community Development Director) (Tabled)

Mr. Snavelly recused himself as he has a contractual obligation with the agent for the proposed development.

Mr. Ellerbe moved to remove the proposed Ordinance from the table. Ms. Southard seconded. The motion passed by the following roll call:

AYE: Mr. Prytherch, Ms. Southard, Mr. Bracken, Mr. Ellerbe, Mayor Smith (5)

NAY: None (0)

ABS: None (0)

Mr. Perry shared his screen and noted Scott Webb and Etta Reed were in attendance on behalf of the developer. Mr. Perry advised this application was tabled at the last meeting following Council's discussion and questions regarding the traffic study done for the Lake Forest Drive intersection. Mr. Perry provided slides of the proposed development showing the layout of the 36 condominium units as a Planned Development. Mr. Perry discussed the reworded conditions for approval as presented on pages 117-118 of Council's packet. Mr. Perry advised since the first reading of the proposed Ordinance staff and the developers had discussions and negotiated some details, which are included in Council's packet.

Mr. Scott Webb, complemented the City Manager and staff for organizing a productive Zoom meeting to review concerns Council had regarding the proposed development and key points of the traffic study. Mr. Webb noted where the proposed cul de sac was located there was ample room for vehicle stacking at the intersection of Lake Forest Drive and U.S. 27. Mr. Webb addressed the easement for a pedestrian way near Magnolia Drive. Mr. Webb noted the developer would rather construct the sidewalks along U.S. 27 now, as it would never be less expensive to do so as opposed to putting money in escrow for them. Mr. Webb advised if Council were to consider Ms. Reed's points that maybe it is not a great idea to put this in place right now noting the City Manager projected potential improvements within a few years on U.S. 27. Mr. Webb noted his clients would be willing to put that in escrow instead of building the sidewalk but they would like a commitment from the City that it would happen within two years. Mr. Webb referred to the traffic study and noted Ms. Reed's memo pointed out that the original traffic study was sending all traffic out Lake Forest Drive although there is a significantly improved intersection now at Southpointe Parkway. Mr. Webb noted potential additional density would actually have two ways out of the development with signals, widened roads and turn lanes. Mr. Webb advised he and Ms. Reed felt the numbers were adequate to handle the proposed development.

Ms. Amy Shaiman, 11 Heather Ridge Court, inquired who the primary customer would be for the proposed development and what the price points were for the units. Mr. Webb advised the units would be 1,200-1,800 square feet similar to the project Council just considered noting they were condominiums for sale and as such the number of rentals would be limited. Mr. Webb noted the condominiums were designed for people who would appreciate the ability to travel, empty nesters or young faculty as all maintenance and exterior areas will be taken care of. Mr. Webb advised the price point is yet to be determined noting a lot of it depends on the different amenities now that they are comfortable knowing they will not have to reduce the number of units or move a cul de sac or provide a traffic signal. Mr. Webb advised the developer is attempting to attract a first time homebuyer or an empty nester.

Ms. Southard referred to condition number 11 "The HOA agreement shall be reviewed by City staff and the City Law Director" and inquired if that was how to ensure the development will be for the audience the developer has identified as opposed to student occupied housing. Mr. Webb advised everyone who purchases a home will be required to be a member of the HOA noting the HOA has the ability to limit the number of rentals in a development as a whole. Mr. Webb advised lenders do not like to see developments with a lot of rentals noting they are intended to be owner occupied. Mr. Webb noted some of the examples he has seen limit the number of available rentals to 10-15% at any one time.

Mr. Prytherch thanked staff and the applicant for taking another look at the traffic study noting although it is an engineering model the assumptions that go into it determine the output. Mr. Prytherch noted the assumptions were conservative in terms of the total build out. Mr. Prytherch advised it was important that the question of who actually is living in this development is answered because it is not just a housing question it is also a traffic impact question. Mr. Prytherch inquired if Mr. Perry was confident that the queuing was sufficient in terms of conflicts with the cul de sac street. Ms. Reed advised 50 feet of que length was needed and advised there was more than enough space to accommodate that. Mr. Prytherch noted it has been represented in the materials that this would be like Vereker Farms, single-family homes not four unrelated people with four different cars parked in the driveway. Mr. Prytherch advised with R2 zoning there could be a development full of 4 unrelated persons in a single residence unless it is limited somehow.

Mr. Prytherch noted he felt there were two mechanisms to address that, the HOA or a petition for a Neighborhood Conservation Overlay District. Mr. Prytherch inquired if the developer was willing to commit to a condition to establish a Neighborhood Conservation Overlay District. Mr. Webb advised the plans being marketed are traditional home plans with a master bedroom and master bath, a guest bedroom and perhaps a study. Mr. Webb noted they are not four bedroom four bath they are traditional homes with two car garages. Mr. Webb advised from a design standpoint they do not lend themselves to having four people live there. Mr. Webb noted he felt the developer could achieve the goal of limiting the rentals using the Homeowners Agreement as the vehicle as opposed to the overlay. Mr. Webb advised an overlay district petition was generated through homeowners themselves and he and the developer did not believe it was the right vehicle to achieve the goal.

Mr. Bracken inquired if it accurate to say that prices are usually set based on market conditions. Mr. Webb advised he felt that was generally true of economics noting there is an obvious intent for a return on an investment. Mr. Webb advised because these are not rental properties the developer makes his money one time not as a rental for generations. Mr. Webb noted it was the cost of construction plus a fair and reasonable profit divided by the number of units.

Mayor Smith advised he was in favor of having the sidewalk constructed along U.S. 27 as Council is making a commitment to connectivity. Mayor Smith noted he was also comfortable with working with the developer on the HOA with respect to rentals. Mayor Smith advised he did not like the idea of using the overlay district to stop student rentals as a tool of Council noting it was designed for neighborhoods to protect themselves. Mayor Smith advised when the neighborhood is done the residents can petition for it if they feel they need it.

Mr. Prytherch proposed a minor amendment to the conditions noting the deterrent stage in a Planned Development application is the Preliminary. Mr. Prytherch advised Council judges the Final Planned Development application against the Preliminary application. Mr. Prytherch referred to condition number 2 on page 117 of Council's packet and proposed the following addition "to ensure that residential development conforms to the uses and intensity described in the application and supporting traffic study documentation as traditional occupancy, single family the developer agrees to pursue HOA restrictions or neighborhood conservation or similar measure." Mr. Prytherch noted he was asking the developer to ensure this will be something other than high occupancy student housing.

Mr. Prytherch moved to amend condition 2 as stated above. Mr. Bracken seconded. The motion passed by the following roll call:

AYE: Ms. Southard, Mr. Bracken, Mr. Ellerbe, Mr. Prytherch, Mayor Smith (5)

NAY: None (0)

ABS: None (0)

Mr. Perry suggested a minor amendment to condition 5 as presented on page 117 of Council's packet by adding "or financial security provided" after sidewalk shall be constructed.

Mr. Prytherch moved to amend condition 5 as stated above by Mr. Perry. Ms. Southard seconded. The motion passed by the following roll call:

AYE: Mr. Bracken, Mr. Ellerbe, Mr. Prytherch, Ms. Southard, Mayor Smith (5)

NAY: None (0)

ABS: None (0)

Mr. Prytherch moved to adopt Ordinance No. 3613. Ms. Southard seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Ellerbe, Mr. Prytherch, Ms. Southard, Mr. Bracken, Mayor Smith (5)

NAY: None (0)

ABS: None (0)

ORDINANCE

SUPPLEMENTAL BUDGET

An Ordinance No. 3614 Amending Ordinance No. 3600. Supplemental Budget Ordinance Number 2 To Make Supplemental Appropriations For Fiscal Year 2021. (Joe Newlin, Finance Director)

Mr. Newlin addressed his staff report as presented on pages 145-147 of Council's packet and offered to answer any questions.

There were no comments or questions from the public or from Council.

Mr. Snavely moved to adopt Ordinance No. 3614. Ms. Southard seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Snavely, Ms. Southard, Mr. Bracken, Mr. Ellerbe, Mr. Prytherch, Mayor Smith (6)

NAY: None (0)

ABS: None (0)

Announcements & Communications.

Mr. Elliott provided a Covid-19 update for the 45056 zip code and for Butler County.

Mr. Elliott referred to the City's Police Services survey and encouraged members of the public to respond to the survey prior to the closing date of March 10, 2021. Mr. Elliott noted once the survey is closed a report will be provided to Council and to the Police Community Relations and Review Commission.

Chief Jones referred to "Green Beer Day" and noted March 25 is a Miami University wellness day and OPD believed that is when many of the students will partake in something like Green Beer Day such as being shuttled out of town to visit other bars. Chief Jones advised OPD is working with MUPD and the the Ohio State Highway Patrol to address the issue.

Ms. Greene advised staff has been working with the Butler County General Health District to arrange for Covid-19 vaccines for those who are low income or do not have access to a computer. Ms. Greene noted a hotline has been established and the City was working with the Butler County Regional Transit Authority to transport people to the Butler County Fairgrounds and back to Oxford twice per week to obtain their vaccine. Ms. Greene advised additional logistics were being worked out and she felt a volunteer to ride on the bus would be helpful to make sure everyone gets where they need to go.

Ms. Greene referred to the City's Wi-Fi project and advised she would have news to share about it soon.

Mr. Ellerbe referred to the project that abuts Kehr Road and noted he would like to see the sidewalk constructed as he has seen plenty of people walking along Kehr Road which is a struggle.

Ms. Southard advised she felt the Butler County Board of Health's drive through vaccination program is very easy to do noting many people from Oxford have used it. Ms. Southard noted everyone should be reassured that they are doing a great job of making sure the program is safe and easy to do. Ms. Southard encouraged everyone to continue wearing their masks and to continue being careful because the virus is still out there.

Ms. Southard encouraged everyone to enjoy the good weather and to use the OATS trail noting it was a great addition to the community.

Mr. Bracken encouraged everyone to stay vigilant and reiterated that the virus is still out there. Mr. Bracken noted the faster we can draw down the numbers the lower the chance is that we have to start over because of an escape variant. Mr. Bracken encouraged everyone to get vaccinated when it is their turn.

Mr. Bracken asked Mr. Elliott to keep reporting the number of Covid-19 related deaths in the 45056 zip code. Mr. Elliott advised there were 13 deaths in the 45056 zip code and 427 in Butler County.

Mr. Prytherch expressed his gratitude to the Community Development staff and all City staffers noting there were a number of new developments in progress. Mr. Prytherch noted he felt it was wonderful to have people wanting to build residential non-student housing in Oxford. Mr. Prytherch advised he felt staff has worked hard noting they were very good and detail oriented. Mr. Prytherch noted Council wants the development and wants the housing and advised these decisions are embedded in concrete. Mr. Prytherch advised he felt it was worth taking the time to get it right noting how the street is aligned and whether there is a sidewalk or not can be a decision that lasts for decades or longer and can be hard to undo.

Mayor Smith thanked the Police Division noting they were very busy last weekend with the warm weather. Mayor Smith noted there were many concerned citizens who made a lot of phone calls and advised OPD was very much on top of the situation and were doing a great job.

Mayor Smith reminded the student population that the City's mask Ordinance and gathering Ordinance were still in effect noting if OPD sees a problem they will address it.

Mayor Smith advised if Oxford's numbers continue to trend down and vaccines continue to trend up Council meetings may return to Council Chambers possibly in April.

ADJOURN

call:

AYE: Ms. Southard, Mr. Bracken, Mr. Ellerbe, Mr. Prytherch, Mr. Snavely, Mayor Smith (6)

NAY: None (0)

ABS: None (0)



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	Service Department
PREPARED BY:	David Treleaven, Environmental Specialist
DATE PREPARED:	March 4, 2021
COUNCIL MEETING DATE:	March 16, 2021
AGENDA TITLE:	March 3, 2021 Environmental Commission (Virtual) Meeting Summary
BUDGETED AMOUNT:	N/A
ACCOUNT CODE:	N/A
RECOMMENDATION:	Approve
CITY MANAGER/DEPT HEAD APPROVAL:	<i>DRE 3/11/21 WED 3/10/21</i>

This meeting was conducted virtually utilizing Zoom in accordance with Ohio House Bill 404 and the guidelines set forth by the Ohio Department of Health.

Environmental Commission members in attendance for the Wednesday, March 3, 2021 virtual meeting were: Chair, Mr. Jon Ralinovsky; Vice-Chair and City Council Representative, Ms. Chantel Raghu; Planning Commission Representative, Mr. Jason Bracken, Mr. Andor Kiss, Mr. Steven Elliott, and Mr. Justin Fain. A quorum was present.

Mr. Fain moved for approval of the minutes from the February 3, 2021 Commission meeting; Mr. Kiss seconded. The minutes were unanimously approved as presented.

Discussion:

Mr. Bracken stated that with the two proposed residential developments along Lake Forest Drive, the submitted plans reportedly indicate that there is to be removal of forested areas. The trees are being removed partially to make room for retention basins for storm water management. Mr. Bracken expressed his concerns and inquired if there was a mechanism to encourage developers to use other best management practice (BMP) structures and features for storm water control other than retention or detention basins. Staff informed the Commissioners that the Environmental Commission had previously prepared a document describing structural and non-structural BMPs. The prepared document presented information contained in the Ohio Department of Natural Resources "Rainwater and Land



The City of Oxford
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Oxford, OH 45056

Development: Ohio's Standards for Stormwater Management, Land Development and Urban Stream Protection." In 2017, the Commission had completed their document and it was subsequently included as Chapter 4 in Oxford's Stormwater Management Design Manual. Staff was requested to provide a copy of the BMP document to the Commissioners for their review and future discussion on potential methods to encourage other storm water BMPs rather than solely detention/retention basins.

Ms. Raghu informed the Commission that 22 homes and business in Oxford had contacted PRO Lighting and Solar LLC (PRO Lighting) for a cost estimate to install roof-mounted solar panels. Ms. Raghu stated that six properties had signed contracts for the work to be done.

Staff updated Commissioners on developments with the Miami University Institute for the Environment and Sustainability graduate student team undertaking a Professional Service Project (PSP) regarding Oxford's greenhouse gas (GHG) inventory, using 2019 as a base year. There had been a meeting on February 23rd to resolve several conflicting pieces of information with Oxford's local government operations (LGO). Oxford was requested to recalculate the solid waste GHG numbers for 2018 to solely reflect the LGO's contribution (the previous LGO GHG inventory done with 2018's values had the entire community's solid waste GHG numbers included). For the community-scale GHG inventory, it was concluded to utilize available information based upon the 45056 zip code whenever possible. The next GHG inventory PSP status meeting is scheduled for the morning of March 10, 2021.

Staff updated the Commission on the monthly emission monitoring event for February of the landfill's 23 passive gas vents. The monitoring event for February yielded the lowest estimated carbon dioxide equivalent (CO₂e) monthly value to date for the entire landfill at approximately 92 metric tonnes (MT). January's monitoring values were the highest observed to date at approximately 292 MT. These fluctuations in the CO₂e values suggest that the landfill emissions are not particularly steady over time, and that continued monitoring will likely be necessary to determine an accurate estimate of the landfill's CO₂e per month. With the current data, the annual CO₂e emissions are estimated to be 2,077 MT CO₂e. This estimated annual emission volume is less than the USEPA's model estimate of approximately 4,700 MT CO₂e.

Mr. Bracken stated that he had received a response from the USEPA regarding combustion products that would be expected from flaring landfill emissions. The USEPA indicated that they were willing to assist Mr. Bracken in examination of potential flaring at the landfill, assuming the methane concentration from vents is sufficient to maintain combustion.



The City of Oxford
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Oxford, OH 45056

Staff provided a summary of the on-going residential food scraps drop-off program. Since the program started in April 2019 and through the end of February 22nd (99 weeks), approximately 69,450 pounds (34.7 tons) of food scraps have been collected for composting. This is approximately 700 pounds per week on average, with the program's expense coming to \$0.32 per pound. For 2021, a total of just under 5,800 pounds has been collected, with a weekly average of approximately 825 pounds, and a program's expense of \$0.28 per pound.

Ms. Raghu informed the Commission that she had spoken with GoZERO (the company collecting and transporting the food scraps to the compost facility) about curbside collections throughout the community. GoZERO stated there would need to be at least 100 households participating, and the expense would be \$25 per month per household. Ms. Raghu indicated that she has found someone local who would be interested in performing the curbside food scrap collections for a subscription fee of under \$10 per month per household, using GoZERO's containers and having GoZERO transport the food scraps along with Oxford's drop-off volumes. GoZERO reportedly is alright with this set-up and has offered to assist the individual as best they can. There would be additional expenses from GoZERO, as there would be additional food scrap containers. The current fee Oxford is paying for the containers' collection and servicing is \$38 per container per week. It was suggested that the additional expenses from GoZERO would need to be worked into the monthly subscription fee, with the local individual providing Oxford with the monies to cover the increase in GoZERO's monthly invoice to Oxford. The Commissioners voiced their support of the idea in general. Ms. Raghu was asked to continue her investigation into the potential expansion of the food scraps to compost program. An estimate on the increase in the volume of weekly food scraps will need to be determined.

Staff updated the Commission on Oxford's efforts for a part-time Climate Sustainability Coordinator. On February 16th, three candidates were interviewed by Ms. Jessica Greene, Mr. Jon Ralinovsky, Ms. Suzanne Zazycki, and Staff. One candidate stood out, with experience is preparing GHG inventories for the City of Dayton and solar panel array projects on undeveloped, city-owned lands in Dayton. However, the candidate had subsequently accepted a position elsewhere, and was no longer available for Oxford's position.

Staff was requested to investigate how this year's Earth Day observance ("EarthFest") is going to be conducted virtually, as restriction associated with COVID-19 are likely to still be in effect on Saturday, April 24, 2021.

Commissioners concluded discussions at 7:50 p.m. The next regularly scheduled monthly Commission meeting is to be a virtual meeting starting at 7:00 p.m. on April 7, 2021.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott, Jr.

Fire

Originating Department

Council Meeting Of: March 16, 2021

John Detherage

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

February 26, 2021

Date Prepared

Agenda Title: A Resolution authorizing the on-line auction sale of miscellaneous equipment that is surplus to the Fire Department

Recommendation: Adopt the Resolution.

Discussion: This resolution is for disposal of the items listed on the next page that are surplus to the operation of the fire department. The auction will be conducted on GovDeals.com.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

JD \ 02-26-2021

DRE \ *3-11-21*

RESOLUTION NO.

A RESOLUTION DECLARING CERTAIN PROPERTY IN THE FIRE DEPARTMENT'S POSSESSION AS SURPLUS AND NOT NEEDED FOR ANY MUNICIPAL PURPOSE AND AUTHORIZING ITS ADVERTISEMENT AND SALE TO THE HIGHEST BIDDER BY INTERNET AUCTION.

WHEREAS, the City Manager and the Fire Chief recommend certain property in the Fire Department's possession be sold to the highest bidder by internet auction.

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

SECTION 1: The items set forth in Exhibit 'A' attached hereto and incorporated herein, are hereby declared surplus for City purposes and not needed for any municipal purpose, and the same may be sold by internet auction.

SECTION 2: Council hereby authorizes the sale of said items to the highest bidder by internet auction with the proceeds thereof deposited into the Fire/EMS Fund.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MICHAEL SMITH

PREPARED BY: LAW (STAFF)

EXHIBIT "A"

[illegible]



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	Community Development
PREPARED BY:	Sam Perry
DATE PREPARED:	March 8, 2021
COUNCIL MEETING DATE:	March 16, 2021
AGENDA TITLE:	Recommendation from Historic & Architectural Preservation Commission - Truth & Reconciliation Project – Lynching History Marker
CITY MANAGER/DEPT HEAD APPROVAL: <i>DRE 3-11-21</i>	

BACKGROUND

In Spring 2019, The Miami University Graduate School and Department of Family Science and Social Work began offering a one credit hour class titled “The Truth and Reconciliation Project.” The class linked Oxford/Miami with the Equal Justice Initiative (EJI) located in Montgomery, Alabama.

Citing EJI’s Lynching in America report, there were 4,084 lynchings between 1880 and 1940. So far, one Ohio lynching has been marked by EJI in Athens. In Oxford, the lynching death of Simeon Garnett occurred in 1877. The lynching death of Henry Corbin occurred in 1892.

Dr. Anthony James and Dr. Valerie Robinson of Miami University have requested that the City of Oxford allow the installation of an EJI marker on Uptown Park property. The Historic & Architectural Preservation Commission (HAPC) voted on December 9, 2020 to recommend to City Council that a marker be permitted by the City. City staff received the EJI-approved marker text in late February.

Due to underground utilities surrounding the pavilion at the East Park, it is unknown at this time, if the marker can be installed on Uptown Park property. It may need to be on either sidewalk of East Park Place.

The original design of the Martin Luther King Jr. Park (West of Main St) included space for a historical timeline “pinwheel” with ground-mounted medallions for notable events. These medallions were never installed due to lack of clarity from the City regarding which events would be included.

Dr. James and Dr. Robinson plan to have the marker unveiled for the National Civil Rights Conference on June 20-22, 2021. There is a 10-week lead time for casting, not including installation.

RECOMMENDATION

Based on scheduling constraints and unknowns of underground utilities, the Service Director, Community Development Director and City Manager recommend that City Council authorize a location in the pavilion landscaping of the East Park. Ultimately, the location may have to shift off City property, but in the nearby vicinity. This advance approval would allow for either option to proceed without returning to City Council for approval.

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE PLACEMENT OF A HISTORIC MARKER IN THE UPTOWN PARK AREA SPONSORED BY MIAMI UNIVERSITY AS PART OF THEIR "THE TRUTH AND RECONCILIATION PROJECT".

WHEREAS, in the spring of 2019, the Miami University Graduate School and Department of Family Science and Social Work began offering a class titled "The Truth and Reconciliation Project". The class joins the national Equal Justice Initiative with Oxford and the State of Ohio; and

WHEREAS, fifteen reported lynchings took place in Ohio, two of which occurred in Oxford in the late 1800s; and

WHEREAS, officials from Miami University have requested that the City of Oxford provide a prominent public location as well as install a historic marker as a way to further the process of healing and justice, and to engage in the reconciliation of past injustices; and

WHEREAS, the City Manager and the Community Development Director recommend City Council authorize the placement of a historic marker in the Uptown Park area sponsored by Miami University as part of their "The Truth and Reconciliation Project".

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

SECTION 1: Council accepts the recommendation of the City Manager and the Community Development Director and hereby authorizes the placement of a historic marker in the Uptown Park area sponsored by Miami University as part of their "The Truth and Reconciliation Project".

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: EDNA SOUTHARD

PREPARED BY: LAW (STAFF)

HISTORICAL MARKER PROJECT OVERVIEW

"THE PUBLIC NARRATIVE A NATION CREATES ABOUT WHAT IS IMPORTANT IS REFLECTED IN MEMORIALS AND MONUMENTS. WHO IS HONORED, WHAT IS REMEMBERED, WHAT IS MEMORIALIZED TELL A STORY ABOUT A SOCIETY THAT CAN'T BE REFLECTED IN OTHER WAYS." - BRYAN STEVENSON, EJI DIRECTOR

The **Equal Justice Initiative** (EJI) is dedicated to supporting communities across our nation in confronting historical trauma and advancing truth-telling at the local level. Historical markers are a compelling tool that can help create a permanent record of racial terror violence and expose an entire community to our shared history of racial injustice.

Through EJI's **Community Remembrance Project**, EJI sponsors historical marker projects, with each marker valued at about \$3000 each including fabrication and shipment. EJI works with local Community Remembrance Coalitions made up of diverse members of their community to facilitate these projects. In addition to the historical marker, EJI provides additional resources and support throughout the project, including, but not limited to, at least \$5000 in scholarships to local public high school students through a Racial Justice Essay Contest and the provision of EJI materials, reports, and staff support.

Please refer to the basic FAQ and additional resources included to learn more about EJI sponsored historical markers and their installation in the community.

BASIC HISTORICAL MARKER DESIGN & LOGISTICAL FAQ

HOW BIG ARE EJI HISTORICAL MARKERS?

EJI sponsored marker panels are rectangular in shape, about 42 inches wide by 38.5 inches high. The polls (or mounting posts) are non-break-away 7-foot tall octagonal aluminum posts. The marker, including its 7 ft post, weighs about 100 lbs.

WHAT ARE THE HISTORICAL MARKER DESIGN FEATURES?

EJI markers generally use a blue plate color; gold lettering; and the Community Remembrance Project emblem at the top of the marker, customized for each community's state and county.

WHAT IS THE FOCUS OF THE TEXT ON THE HISTORICAL MARKER?

EJI markers consist of two sides of text that have different but connected narrative emphases:

Side One details the narrative of the victim(s) being memorialized.

Side Two provides contextual information about the trauma and legacy of racial terror lynching in America.

The narrative content of each marker is based on documented research that EJI and Community Remembrance coalition partners have contributed. Each marker attempts to convey the individual stories of the victim(s), while providing broader historical context that helps audiences understand the scope and legacy of harm created by racial terror lynchings targeting African Americans. This historical context and specificity around language is further explained in EJI's ***Lynching in America*** report, available at <https://lynchinginamerica.eji.org/report/>

HOW LONG DOES IT TAKE FOR THE MARKER TO BE FABRICATED AND SHIPPED? HOW MUCH TIME IS NEEDED FOR INSTALLATION?

Marker fabrication and shipment generally takes **between eight to ten weeks total**. EJI advises installing historical markers at least three days before a scheduled unveiling event and dedication ceremony, to ensure that the marker has time to set. Local weather conditions should be considered and discussed with local installers in advance.

SAMPLE MARKER TEXT FROM EJI HISTORICAL MARKER



LYNCHING OF LEVI HARRINGTON (SIDE 1)

Levi Harrington was a well-respected African American man who lived with his wife and five children near Kansas City. One of Mr. Harrington's former employers described him as a "faithful...honest man," who "was sober and industrious, saved his money, and cared for his family." On April 3, 1882, a police officer was fatally shot in Kansas City, and suspicion was immediately directed towards black residents. During this era, deep racial hostility burdened black people with presumptions of guilt, often resulting in accusations that were unfounded and unreliable. As Mr. Harrington made his way through Kansas City that day, he was stopped by police and arrested. Despite the lack of evidence to indicate his involvement in the shooting, an angry white mob quickly formed and grew to several hundred people intent on lynching Mr. Harrington. The mob forcefully seized Mr. Harrington from police custody and lynched him by hanging him from a beam on the Bluff Street Bridge and shooting him. Although newspapers reported that Mr. Harrington was innocent of the accusations against him, no one was held accountable for the lynching of Levi Harrington.

LYNCHING IN AMERICA (SIDE 2)

Thousands of black people were the victims of racial terror lynching in the United States between 1877 and 1950. The lynching of African Americans during this era was a form of racial terrorism intended to intimidate black people and enforce racial hierarchy and segregation. After the Civil War, violent resistance to equal rights for African Americans led to fatal violence against black women, men, and children accused of violating social customs, engaging in interracial relationships, or committing crimes, even when no evidence tied the accused to the alleged offenses. Many black people were pulled out of jails or given over to mobs by law enforcement officials who were legally required to protect them. Racial terror lynchings often included burnings and mutilation, sometimes in front of crowds numbering in the thousands. Many names of those whose lives were claimed by these acts of racially motivated violence were not recorded and will never be known, but at least 60 racial terror lynchings have been documented in Missouri.

SITE AUTHORIZATION DOCUMENTATION

Site authorization documentation refers to written permission granted by a site owner(s) or local approving body to install a EJI sponsored historical marker at the Community Remembrance Coalition's preferred site of interest.

Documentation that a Community Remembrance Coalition has permission to install the historical marker on their site of preference can either come as a formal, signed letter or as a direct email confirmation from the permission grantor. Site authorization documentation should be able to explain that:

- The document is serving as **official confirmation** that the site has been approved by the necessary approving body and/or site owner(s) to have the historical marker installed there.
- There is a **direct point of contact** to refer back to if any questions emerge in the future.
- The site is **officially recognized by specific location details** included, e.g. address, any other relevant description, and
- Any other important information for future reference should be noted, as well (e.g. maintenance requirements, etc.)

Both letters and email documentation should be understood as an official agreement for the site approval. Therefore, site owners or approving bodies should follow their normal processes for official documentation. Generally, EJI encourages pursuing a more formal documentation process, such as submitting a letter on official letterhead.

MARKER INSTALLATION INSTRUCTIONS

The single 7' post historical markers are manufactured to sit down on top of an octagonal extruded aluminum post that has been provided. The marker is secured to the post by eight (8) set screws that are provided with the marker.

The post is designed for 36" insertion in the ground. This leaves approximately 4' of post above ground.

Using a post hole digger, dig a hole 10"- 12" in diameter and 36" deep. Place the post in the hole with one of the flat faces on the post facing the direction that the marker is to face. Place the post in the hole then plumb and brace it.

Fill top of hole with concrete (sacrete works fine). You might cut the bottom out of a 5 gallon plastic bucket to use as a form. Slip the bucket down over the post so it is resting on the ground at the top of the hole. When you fill the top of the hole with concrete, bring the concrete up about 4 - 6" above the ground. When hardened, cut the plastic form away and you have a nice curb around the post which will deter mowers and trimmers from damaging the post.

Before trying to place the marker on the post, use an Allen wrench to back the set screws part way out of their holes. They have been screwed on for shipment and unless they are backed out part way the marker will not sit down on the post.

Place the marker on the post. Check it for alignment looking straight at the marker and then moving 90 degrees to view the edge of the marker. Secure the marker by tightening the set screws. Adjustments in alignment can be made using the set screws.

The marker can be made **theft proof** by drilling the flats off the set screws after the marker is secured to the post. Simply take a 1/4" drill bit and drill down into the center of the set-screws going only to the bottom of the hole this will prevent removal of the set screws. To remove the marker, the set screws will have to be drilled out.

Installation takes less than an hour; allow 24 hours before removing the bracing.

FURTHER INFORMATION

In 2008, EJI launched a public education project focused on telling the truth about America's racial history. Through research, writing, and community partnership, EJI works to document and memorialize the eras of enslavement, racial terror lynching, segregation, and mass incarceration. EJI's public education materials include reports, videos, interactive websites, and the annual A History of Racial Injustice calendar. Our Community Remembrance Project has helped communities across the nation reckon with tragic histories of racial violence and unresolved trauma through public memorials and local dialogue; and in April 2018, this work culminated in the opening of two important cultural spaces: the Legacy Museum: From Enslavement to Mass Incarceration and the National Memorial for Peace and Justice, both located in Montgomery, Alabama.

For more information about EJI's public education resources and Community Remembrance Project:

- **Visit** <https://www.eji.org>
 - For **EJI Reports**, visit <https://eji.org/reports/>
 - For **EJI Videos**, visit <https://eji.org/videos/>
- **Explore** EJI's **Community Remembrance Project**, including Soil Collection Community Projects and the Historical Marker Project, <https://eji.org/community-remembrance-project>
- **Learn** about the **Legacy Museum** and **National Memorial for Peace and Justice**, <https://museumandmemorial.eji.org/>
- **Read** the **Lynching in America** report, <https://lynchinginamerica.eji.org/report/>
- **Watch** EJI-HBO documentary, **True Justice**, <https://eji.org/projects/true-justice/>

LYNCHINGS IN OXFORD, OH (1421)

During the 19th century, white mobs in Oxford lynched at least two Black men after kidnapping them from the old Town Hall Jail that stood near this site. In September 1877, a white mob stormed the jail to lynch a Black man named Simon Garnett. Without serious investigation, Mr. Garnett had been presumed guilty of assaulting a white woman. A mob led by the woman's husband broke into the jail on September 2 and shot Mr. Garnett, who managed to survive. Upon learning that Mr. Garnett was alive, the mob attacked the jail again on September 3, shot Mr. Garnett at close range, and dragged him outside the jail, where he was left to die. On January 14, 1892, a white mob abducted Henry Corbin, a young Black man, from the jail to lynch him. Mr. Corbin's employer, a white woman, had been found dead in her home on January 5. A mob quickly formed when the woman's daughter accused Mr. Corbin of the killing. Mr. Corbin's family maintained that the accusation was false and that the daughter had implicated him to hide her own involvement in the crime. Mr. Corbin was captured after being wounded and was brought to the jail; but the mob seized Mr. Corbin from his cell, hanged him from a tree, and shot him over 400 times. Local officers failed to prevent either lynching, which terrorized Oxford's Black community. In the end, no mob participants were held accountable for the lynchings of Simon Garnett and Henry Corbin.

LYNCHING IN AMERICA (1423)

Between 1865 to 1950, thousands of African Americans were victims of mob violence and lynching across the United States. Following the Civil War, fierce resistance to equal rights for African Americans and an ideology of white supremacy led to fatal violence against Black women, men, and children. Lynching emerged as the most public and notorious form of racial terrorism, intended to intimidate Black people and reinforce racial hierarchy and segregation. Many African Americans were lynched for exercising economic freedoms, perceived violations of social customs, and accusations of crimes. White people's allegations against Black people were rarely subject to scrutiny and often sparked violent reprisal, even when there was no evidence tying the accused to any offense. Accusations against Black men by white women regularly aroused mob violence and lynching due to the pervasive false narrative labelling Black men as a danger to white womanhood. White mobs regularly displayed complete disregard for the legal system, seizing their victims from jails, prisons, courtrooms, or out of police hands without fear of legal repercussions for the lynchings that followed. Over 15 victims of racial terror lynching have been documented in Ohio, with at least 2

known to have taken place in Butler County. Acknowledging this painful history enables us to move beyond silence towards the power of truth and reconciliation.



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45215

STAFF REPORT

ORIGINATING DEPARTMENT:	City Manager
PREPARED BY:	Doug Elliott
DATE PREPARED:	March 9, 2021
COUNCIL MEETING DATE:	March 16, 2021
AGENDA TITLE:	Annexation Petition/Brookville Road
BUDGETED AMOUNT:	
ACCOUNT CODE:	
RECOMMENDATION:	Approve
CITY MANAGER/DEPT HEAD APPROVAL:	<i>DRE</i> 3-11-21

DISCUSSION:

An Expedited Type II Annexation Petition has been filed with the Butler County Commissioners. The petition is for 22.014 acres of land (3 parcels) off of Brookville Road bordering the Oxford Community Park and Autumn Drive. The City of Oxford requires that properties wishing to be served by the extension of municipal utilities must annex into the City. The City is required to adopt two resolutions. One is a statement of services to be provided. The other is a stipulation of buffer area requirements if city zoning/permitted uses are incompatible with current county/township zoning in the adjacent remaining township land.

RESOLUTION NO.

A RESOLUTION ADOPTING A STATEMENT INDICATING THE SERVICES THE CITY OF OXFORD, OHIO WILL PROVIDE TO THE TERRITORY PROPOSED TO BE ANNEXED TO THE CITY OF OXFORD, OHIO PURSUANT TO A PETITION FILED WITH THE BOARD OF COUNTY COMMISSIONERS OF BUTLER COUNTY, OHIO, AS PROVIDED BY OHIO REVISED CODE SECTION 709.023(C).

WHEREAS, a petition for annexation has been filed with the Board of County Commissioners of Butler County, Ohio of 22.014 acres of land in Oxford Township, Butler County, Ohio; and

WHEREAS, Oxford Codified Ordinance Section 921.39 E. states in part "The property or properties served by the extension of a municipal utility shall be required to annex into the City upon the official request of the City".

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

SECTION 1: Council, having received the notification of a petition for annexation from Gregory B. Smith, Rebecca A. Smith, and Cassandra K. McCartney for 22.014 acres of land in the Township of Oxford, Butler County, Ohio hereby accepts said petition.

SECTION 2: Council hereby adopts this resolution indicating what services the City will provide to the land to be annexed to the City in accordance with Ohio Revised Code Section 709.023(C).

SECTION 3: The City of Oxford, Ohio hereby states that it will provide, upon the finalization of the annexation, the following services to the Territory: law enforcement, recreation programming, maintenance of any and all public streets and alleyways, keeping the same open, in repair and free from nuisance, and professional planning staff; which said services shall be available immediately or as required thereafter upon finalization of the annexation. In addition, the facilitation of public utility services which include potable water, sanitary and storm sewerage, solid waste collection and disposal, street lighting and fire inspection, fire protection, paramedic and ambulance services, and any and all other services provided to or made available to the citizens of the City of Oxford, Ohio, as appropriate shall be available as the Territory is developed and such services become appropriate. Extension of all public utility services shall be subject to such regulations, conditions and fees as the City deems appropriate.

SECTION 4: The Clerk is hereby directed to forward a certified copy of this resolution to the Board of County Commissioners of Butler County, Ohio.

SECTION 5: This resolution shall take effect at the earliest date allowed by law

ADOPTED:

ATTEST:

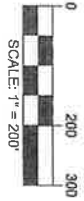
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MIKE SMITH

PREPARED BY: LAW (STAFF)



Basis of Bearing:
ASSUMED MERIDIAN



SURVEY REFERENCES:

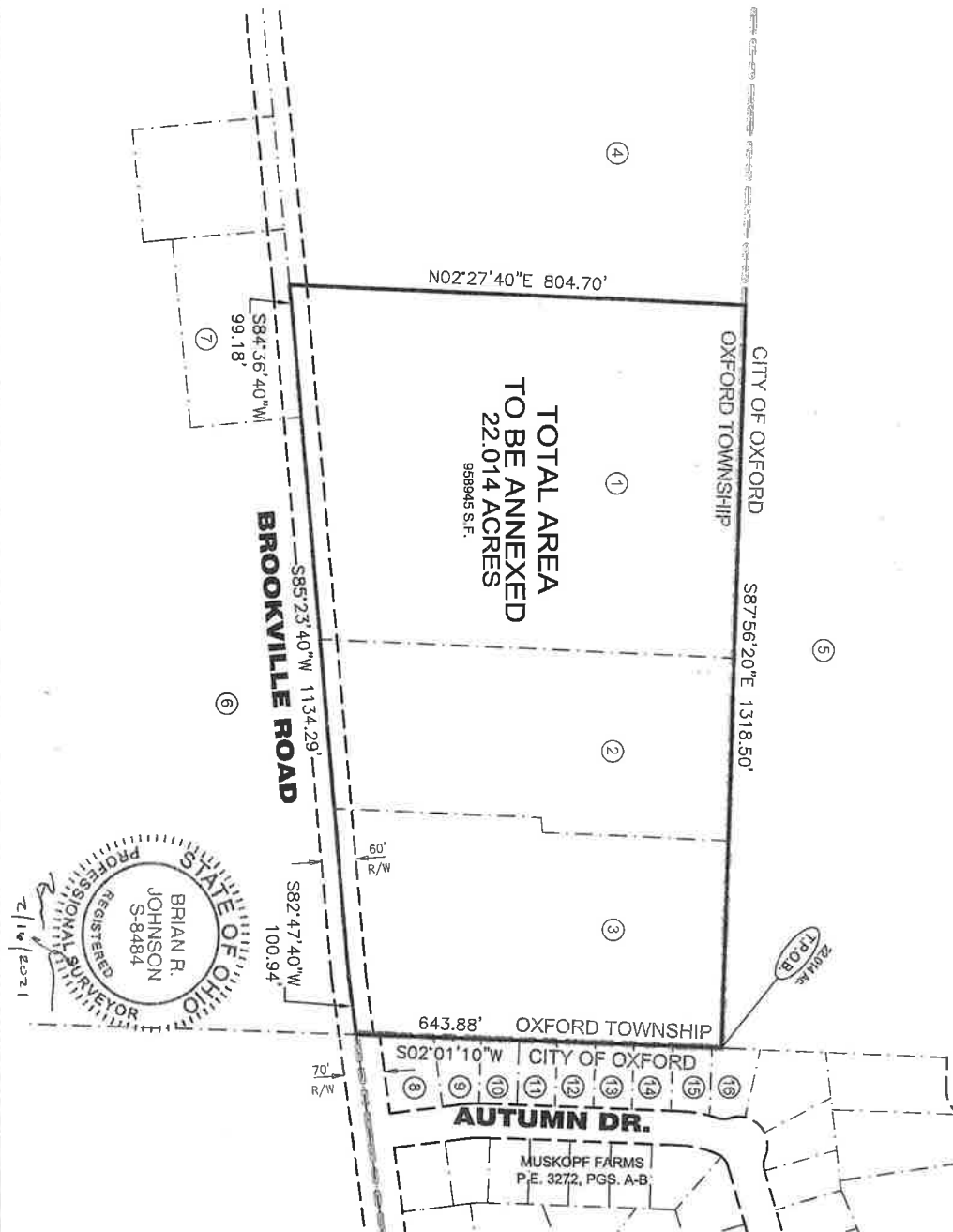
PLAT ENVELOPE 3272 PAGES A-B
SURVEY VOLUME 24, PAGE 147
SURVEY VOLUME 26, PAGE 229
SURVEY VOLUME 28, PAGE 219
SURVEY VOLUME 30, PAGE 115
SURVEY VOLUME 30, PAGE 116
SURVEY VOLUME 30, PAGE 117
SURVEY VOLUME 34, PAGE 181
SURVEY VOLUME 35, PAGE 112
SURVEY VOLUME 37, PAGE 23
SURVEY VOLUME 38, PAGE 170
SURVEY VOLUME 42, PAGE 42
SURVEY VOLUME 47, PAGE 187
SURVEY VOLUME 53, PAGE 34

① OWNERSHIP REFERENCE
INFORMATION (SEE SHEET 2)

THIS ANNEXATION PLAT IS BASED
UPON DEEDS OF RECORD AND
OTHER SOURCE DOCUMENTS.
THIS PLAT IS NOT THE RESULT
OF A FIELD BOUNDARY SURVEY.

AREA SUMMARY (PER DEED)

PARCEL #H3610-031-000-012 - 11.000 ACRES (DEED)
PARCEL #H3610-031-000-021 - 5.103 ACRES (DEED)
PARCEL #H3610-031-000-020 - 5.911 ACRES (DEED)



22.014 ACRES

GREGORY B. AND REBECCA A. SMITH (11.000 ACRES) AND
REBECCA A. SMITH AND CASSANDRA K. MCCARTNEY (5.103 ACRES AND 5.911 ACRES)
PART OF LOT #5 OF THE MIAMI UNIVERSITY LANDS
SECTION 28, TOWN 5, RANGE 1 EAST
CONGRESS LANDS WEST OF THE MIAMI RIVER
OXFORD TOWNSHIP, BUTLER COUNTY, OHIO

ANNEXATION PLAT



110 S. College Avenue, Suite 101
Oxford, OH 45056 - 513.523.4270

Drawing:	20-0233 AX
SHEET	1/2
Drawn by:	DDS
Checked By:	BRJ
Issue Date:	02-16-21

OWNERSHIP INFORMATION

- ① PART OF LOT #5
GREGORY B. AND REBECCA A. SMITH
O.R. 8155, PG. 1895 (11.000 ACRES DEED)
PARCEL #H3610-031-000-012
- ② PART OF LOT #5
REBECCA A. SMITH AND CASSANDRA K. MCCARTNEY
O.R. 8325, PG. 282 (5.103 ACRES DEED)
PARCEL #H3610-031-000-021
- ③ PART OF LOT #5
REBECCA A. SMITH AND CASSANDRA K. MCCARTNEY
O.R. 8325, PG. 282 (5.911 ACRES DEED)
PARCEL #H3610-031-000-020
- ④ PART OF LOT #5
MICHAEL H. AND JEANNE M. GLASER
O.R. 8033, PG. 540 (11.000 ACRES DEED)
PARCEL #H3610-031-000-015
- ⑤ LOT #3436
CITY OF OXFORD
O.R. 6270, PAGE 477 (113.663 ACRES DEED)
PARCEL #H4000-141-000-001
- ⑥ PART OF LOT #5
BOWLING ESTATES, LTD.
O.R. 8017, PAGE 154 (78.327 ACRES DEED)
PARCEL #H3510-031-000-013
- ⑦ PART OF LOT #5
BOWLING ESTATES, LTD.
O.R. 8017, PAGE 148 (1.525 ACRES DEED)
PARCEL #H3510-031-000-017
- ⑧ LOT #3300
RICHARD C. AND JILL S. PAGE
O.R. 8610, PAGE 1182 (0.283 ACRES PLAT)
PARCEL #H4100-135-000-054
- ⑨ LOT #3301
KEVIN M. AND CHANDRA H. ACKLEY
O.R. 8002, PAGE 269 (0.202 ACRES PLAT)
PARCEL #H4100-135-000-055
- ⑩ LOT #3302
PERRY M. GORDON AND KATHERINE P. STOSS
O.R. 7341, PAGE 2141 (0.180 ACRES PLAT)
PARCEL #H4100-135-000-056
- ⑪ LOT #3303
SINA ESTEY AND MAHYA RAHIMIAN MASHADI
O.R. 9039, PAGE 577 (0.180 ACRES PLAT)
PARCEL #H4100-135-000-057
- ⑫ LOT #3304
EGON O. KRAN
O.R. 8224, PAGE 1469 (0.180 ACRES PLAT)
PARCEL #H4100-135-000-058
- ⑬ LOT #3305
JOHN MAINGI AND MARY C. HENRY
O.R. 7119, PAGE 1956 (0.180 ACRES PLAT)
PARCEL #H4100-135-000-059
- ⑭ LOT #3306
TARA LYNN AND RICHARD ALUN HOPPE
O.R. 9034, PAGE 1409 (0.180 ACRES PLAT)
PARCEL #H4100-135-000-060
- ⑮ LOT #3307
HUGH M. AND JENNIFER L. CRADDOCK
O.R. 9444, PAGE 1075 (0.182 ACRES PLAT)
PARCEL #H4100-135-000-061
- ⑯ LOT #3308
BEVERLY ABBSHIRE, TRUSTEE OF THE
BEVERLY ABBSHIRE TRUST
O.R. 8701, PAGE 182 (0.206 ACRES PLAT)
PARCEL #H4100-135-000-062

22.014 ACRES

GREGORY B. AND REBECCA A. SMITH (11.000 ACRES) AND
REBECCA A. SMITH AND CASSANDRA K. MCCARTNEY (5.103 ACRES AND 5.911 ACRES)
PART OF LOT #5 OF THE MIAMI UNIVERSITY LANDS
SECTION 28, TOWN 5, RANGE 1 EAST
CONGRESS LANDS WEST OF THE MIAMI RIVER
OXFORD TOWNSHIP, BUTLER COUNTY, OHIO

ANNEXATION PLAT



110 S. College Avenue, Suite 101
Oxford, OH 45056 - 513.523.4270

Drawing:	20-0233 AX
SHEET	2/2
Drawn by:	DDS
Checked By:	BRJ
Issue Date:	02-16-21



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45215

STAFF REPORT

ORIGINATING DEPARTMENT:	City Manager
PREPARED BY:	Doug Elliott
DATE PREPARED:	March 9, 2021
COUNCIL MEETING DATE:	March 16, 2021
AGENDA TITLE:	Annexation Petition/Brookville Road
BUDGETED AMOUNT:	
ACCOUNT CODE:	
RECOMMENDATION:	Approve
CITY MANAGER/DEPT HEAD APPROVAL:	<i>DRE 3-11-21</i>

DISCUSSION:

An Expedited Type II Annexation Petition has been filed with the Butler County Commissioners. The petition is for 22.014 acres of land (3 parcels) off of Brookville Road bordering the Oxford Community Park and Autumn Drive. The City of Oxford requires that properties wishing to be served by the extension of municipal utilities must annex into the City. The City is required to adopt two resolutions. One is a statement of services to be provided. The other is a stipulation of buffer area requirements if city zoning/permitted uses are incompatible with current county/township zoning in the adjacent remaining township land.

RESOLUTION NO.

A RESOLUTION REGARDING ZONING BUFFERS IN A PROPOSED ANNEXATION OF PROPERTY CONTAINING 22.014 ACRES FROM OXFORD TOWNSHIP, BUTLER COUNTY, OHIO TO THE CITY OF OXFORD, BUTLER COUNTY, OHIO PURSUANT TO THE REQUIREMENT OF SECTION 709.023(C) OF THE OHIO REVISED CODE.

WHEREAS, A petition for annexation has been filed with the Board of County Commissioners of Butler County, Ohio of 22.014 acres of land in Oxford Township, Butler County, Ohio.

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

SECTION 1: Council, having received the notification of a petition for annexation from Gregory B. Smith, Rebecca A. Smith, and Cassandra K. Smith for 22.014 acres of land in the Township of Oxford, Butler County, Ohio ("the Territory"), hereby accepts said petition.

SECTION 2: If the Territory becomes subject to zoning by the City and the City permits uses in the annexed territory that the City determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within the township from which the Territory was annexed, City Council will require, in the zoning ordinance permitting the incompatible uses, the Petitioner to provide a buffer separating the use of the Territory and the adjacent land remaining within the township.

SECTION 3: The Clerk is hereby directed to forward a certified copy of this resolution to the Board of County Commissioners of Butler County, Ohio.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MIKE SMITH

PREPARED BY: LAW (STAFF)



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	Community Development
PREPARED BY:	Zachary Moore
DATE PREPARED:	February 16, 2021
COUNCIL MEETING DATE:	March 2, 2021
AGENDA TITLE:	PC-2020-17, PRELIMINARY PLANNED DEVELOPMENT, 4147 Kehr Road, 4.49 acres, 15 single-family residential condominiums, HPCT Properties, Inc., Applicant/Agent
CITY MANAGER/DEPT HEAD APPROVAL:	<i>DRE 2-26-21</i>

Proposal Summary:

Developer Shane Coffman (HPCT Properties Inc.), utilizing the services of Bayer Becker under the care of Etta Reed, PE, is requesting a Preliminary Planned Development (PD) on a 4.5-acre site located along Kehr Road just north of Roberts Drive and the South Farm subdivision. The development site falls on two parcels, the large majority of which is currently owned by Cobblestone Community Church, with the remaining portion owned by the South Farm Owners Association. A new private street is planned to link the existing church driveway to the intersection of Roberts Drive and Morgan Circle, upon which 15 single-family residential condominiums are planned. The applicant expresses a desire to market to empty-nesters and others desiring a more maintenance-free lifestyle, and plans to establish a new Homeowners Association that will be responsible for maintaining common areas and also contributing funds to the existing South Farm Owners Association for continued maintenance of the retention pond.

Background:

The subject site has been involved in numerous past applications and approvals by the City of Oxford following annexation from Oxford Township in the early 1990s. A much larger development plan was originally approved in 1991 for a total of 186 single-family lots and 220 multi-family units on approximately 94 acres. The only portion of the original plan that ever came to fruition was South Farm Section I, consisting of 11 lots on Morgan Circle, which had been recorded in 1993. The site was later affected by site planning intertwined with development plans for the Cobblestone Church area. The most



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recent approval nearby was for South Farm Section IV which contains a total of 25 planned single-family lots, approved by City Council on May 5, 2020 and set to begin construction this Spring.

Discussion and Recommended Conditions:

The staff report for the February 9 Planning Commission meeting recommended approval of the application, subject to 16 conditions. The applicant initially agreed to all but 4 of the conditions, advising the Commission to strike the following: (1) a required pedestrian connection (sidewalks) along the private street as well as along Kehr Road; (2) the planting of street trees along Roberts Drive; (3) a requirement for a curb-and-gutter street profile as opposed to a lack of curbs and centered catch basins; and (4) a requirement to repair a section of the existing white three-board fence damaged by a recent traffic incident.

Following discussion and questions, Mr. Keebler made a motion to approve the application subject to the following changes to staff's conditions: (1) a five-foot wide sidewalk be provided along the internal private street but not along Kehr; (2) retaining staff's original street tree condition with additional language that the situation may be reevaluated at the Final Planned Development stage; (3) the alternative street profile would be accepted on condition that a suitable curb (e.g. a rollback) be provided with the applicant demonstrating to the City's satisfaction that adequate maintenance will be provided privately into the future; and (4) striking staff's condition on the fence repair; Ms. Rosenberg seconded. During discussion of the motion, Mr. Prytherch made a formal motion to amend the sidewalk condition to include *both* the private street and Kehr Road as originally composed by staff, seconded by Mr. Dana. The motion to amend was passed by a vote of 5-2-0.

The Planning Commission then voted 7-0-0 to recommend approval of the application subject to the following conditions per Mr. Keebler's original motion and Mr. Prytherch's amendment:

1. Appropriate lighting shall be provided along the proposed private street. Lighting details shall be reviewed and approved as part of the Final Planned Development.
2. Additional right-of-way shall be dedicated along Roberts Drive, on both the Church parcel and South Farm HOA parcel, to fully capture the OATS trail segment to be built. Additional right-of-way shall also be dedicated along Kehr Road consistent with the Oxford Thoroughfare Plan. A 10 foot wide public utility easement shall flank the outside of all public right-of-way on Kehr and Roberts.



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3. Sidewalks shall be provided along or near the private street, as well as along the Kehr Road site frontage, forming a loop for pedestrians.
4. Trees complying with the City's specs shall be planted in the tree lawn along Roberts Drive, on both the Church parcel and South Farm HOA parcel. This may be reevaluated at the Final Planned Development stage.
5. Pavement shall be widened at the intersection of Heron Way and the Cobblestone driveway in order to accommodate the turning radius of larger vehicles.
6. Access easements shall be dedicated for the Cobblestone driveway and for the segment of Heron Way located on the South Farm Owners Association parcel.
7. The proposed street profile, consisting of centered catch basins with storm sewers leading out to the quality basin and pond, is allowed on condition that a suitable curb (e.g. rollback) is provided and the applicant can demonstrate to City staff's satisfaction that provisions will be put in place to ensure adequate maintenance of these private improvements in the future.
8. Adequate vehicular and pedestrian accessibility shall be provided for any USPS cluster mailboxes installed for the subdivision, to the discretion of City staff.
9. All utilities, including but not limited to electric and telephone, shall be located underground.
10. Documentation related to stormwater management and private buffers/landscaping, including but not limited to easements, covenants and/or deed restrictions to ensure the funding of future maintenance/upkeep, shall be reviewed and approved by the Service Department and Law Director prior to being recorded on or with the Easement Plat. Enforcement of said easements, covenants or restrictions shall not be the responsibility of the City.
11. Building architecture shall generally conform to the bulk, scale and style depicted in the submitted sample house plans. Architectural aspects may be further considered and refined as part of the Final Planned Development, including a design for the proposed gazebo.
12. The Planning Commission may review utility details (such as those for electric, gas, mail delivery, garbage collection, etc.) as part of the Final Planned Development, including proposed accommodations, accessibility, screening, or other characteristics as may be applicable.

OHIO

The City of Oxford
(513) 524-5200
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Oxford, OH 45056

13. Financial security/bonding of improvements shall be determined during or after the Final Planned Development review. The Final Planned Development shall be reviewed and approved prior to approval of construction drawings, bonds, or the signing of an Easement Plat.
14. A waiver is hereby granted to Section 1145.12(e)(2) to reduce the required front yard setback from 30 feet to distances as shown on the submitted Preliminary Plan.
15. A waiver is hereby granted to Section 1145.12(e)(3) to allow for a reduction in the required 25-foot perimeter setback in the locations as shown on the submitted Preliminary Plan.

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE RECOMMENDATION OF THE PLANNING COMMISSION AND APPROVING THE PRELIMINARY PLANNED DEVELOPMENT APPLICATION FOR HERON POND LOCATED ALONG KEHR ROAD IN THE CITY OF OXFORD WITH CONDITIONS.

WHEREAS, Council hereby finds the Planning Commission held a public hearing on February 9, 2021 in accordance with Chapter 1145 of the Codified Ordinances of the City of Oxford, on the application of HPCT Properties, Inc. for a Preliminary Planned Development for Heron Pond located along Kehr Road consisting of 4.49 acres with 15 single-family residential condominiums; and

WHEREAS, the Planning Commission, after due deliberation found the application satisfied the basic code requirements in Chapter 1145 of the Codified Ordinances of the City of Oxford, and recommended approval of the Preliminary Planned Development application for Heron Pond located along Kehr Road in the City of Oxford with conditions.

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

SECTION 1: Council hereby accepts the recommendation of the Planning Commission and further approves the Preliminary Planned Development application for Heron Pond located along Kehr Road in the City of Oxford with the following conditions:

1. Appropriate lighting shall be provided along the proposed private street. Lighting details shall be reviewed and approved as part of the Final Planned Development.
2. Additional right-of-way shall be dedicated along Roberts Drive, on both the Church parcel and the South Farm HOA parcel, to fully capture the OATS trail segment to be built. Additional right-of-way shall also be dedicated along Kehr Road consistent with the Oxford Thoroughfare Plan. A ten-foot wide public utility easement shall flank the outside of all public right-of-way on Kehr Road and on Roberts Drive.
3. Sidewalks shall be provided along or near the private street, as well as along the Kehr Road site frontage, forming a loop for pedestrians.
4. Trees complying with the City's specifications shall be planted in the tree lawn along Roberts Drive, on both the Church parcel and the South Farm HOA parcel. This may be reevaluated at the Final Planned Development stage.
5. Pavement shall be widened at the intersection of Heron Way and the Cobblestone driveway in order to accommodate the turning radius of larger vehicles.
6. Access easements shall be dedicated for the Cobblestone driveway and for the segment of Heron Way located on the South Farm Owners Association parcel.
7. The proposed street profile, consisting of centered catch basins with storm sewers leading out to the quality basin and pond, shall be allowed on the condition that a suitable curb (e.g. rollback) is provided and the applicant can demonstrate to City staff's satisfaction that provisions will be put in place to ensure adequate maintenance of these private improvements in the future.
8. Adequate vehicular and pedestrian accessibility shall be provided for any USPS cluster mailboxes installed for the Planned Development, to the discretion of City staff.

9. All utilities, including but not limited to electric and telephone, shall be located underground.
10. Documentation related to storm water management and private buffers/landscaping, including but not limited to easements, covenants and/or deed restrictions to ensure the funding of future maintenance/upkeep, shall be reviewed and approved by the Service Department and the Law Director prior to being recorded on or with the Easement Plat. Enforcement of said easements, covenants or restrictions shall not be the responsibility of the City.
11. Building architecture shall generally conform to the bulk, scale and style depicted in the submitted sample house plans. Architectural aspects may be further considered and refined as part of the Final Development, including a design for the proposed gazebo.
12. The Planning Commission may review utility details (such as those for electric, gas, mail delivery, garbage collection etc.) as part of the Final Planned Development, including proposed accommodations, accessibility, screening, or other characteristics as may be applicable.
13. Financial security/bonding of improvements shall be determined during or after the Final Planned Development review. The Final Planned Development shall be reviewed and approved prior to approval of construction drawings, bonds, or the signing of an Easement Plat.
14. A waiver is hereby granted to Oxford Codified Ordinance Section 1145.12(e)(2) to reduce the required front yard setback from 30 feet to distances as shown on the submitted Preliminary Plan.
15. A wavier is hereby granted to Oxford Codified Ordinance Section 1145.12(e)(3) to allow for a reduction in the required 25-foot perimeter setback in the locations as shown on the submitted Preliminary Plan.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MICHAEL SMITH

PREPARED BY: LAW (STAFF)

STAFF REPORT

Community Development | Planning Commission

APPLICATION DETAILS

Applicant	HPCT Properties Inc.
Location	4147 Kehr Road
Owner	Cobblestone Community Church Inc. / South Farm Owners Assoc. Inc.
Action Request	Preliminary Planned Development (PD)
Current Use	Vacant Land
Current Zoning	R-1B Single-Family Medium Density Residential District
Lot Size	4.49 acres
Surrounding Land Uses	Single-Family Residential, Church, Agricultural
Staff Recommendation	Approval , subject to recommended conditions

PROPOSAL SUMMARY

Developer Shane Coffman (HPCT Properties Inc.), utilizing the services of Bayer Becker under the care of Etta Reed, PE, is requesting a Preliminary Planned Development (PD) on a 4.5-acre site located along Kehr Road just north of Roberts Drive and the South Farm subdivision. The property is currently owned by the Church, and contains an entrance drive along the north side stretching back to the existing church campus. The South Farm Owners Association owns the parcel immediately to the west, which contains a pond that is stocked with fish and available for current South Farm residents' enjoyment.

The developer proposes to construct 15 detached single-family condominium units along a new private street ("Heron Way") connecting the existing private Cobblestone driveway to the intersection of Roberts Drive and Morgan Circle, which are public streets. The development is to be named "Heron Pond" and have a separate Homeowners Association (HOA), which would be responsible for maintaining the private street, landscaping and open spaces, and providing other services such as snow removal. The applicant expresses a desire to market to empty-nesters and others desiring a more maintenance-free lifestyle. New residents would also become members of the existing South Farm Owners Association, which is currently responsible for maintaining the retention pond.

PUBLIC COMMENTS

Public notices were mailed to surrounding property owners and a sign was posted at the front of the property. The notice specifically addressed possible changes to the date, location and format of the meeting due to the COVID-19 pandemic, including the possibility of a video conference and/or teleconference format. Written letters of support were received from the South Farm Owners Association and Cobblestone Community Church. Staff also received one phone call from a resident of Silverleaf Meadows who was curious about the proposed development.

DEPARTMENT COMMENTS

Below are comments from City departments:

Department	Respondent	Response
Economic Development	Jessica Greene, Assistant City Manager Seth Copenbaker, Assistant to the City Manager	Returned with Comments
<i>We support this proposed project as it represents a goal by the City Council for affordable housing to attract residents to Oxford</i>		
<i>Relevant metrics taken from the Housing Study to support this opinion</i>		
• These units represent housing for a population that is expected to grow in Oxford over the next five years • 75 additional households in the 65-74 aged demographic and 88 additional households in the 75+ aged demographic • Moderate need in homes in the \$160K - \$260K price range		
Engineering	Scott Otto, City Engineer	Returned with Comments
• Further review of detailed construction plans may require revisions to proposed water and sanitary sewer main locations. • The right-of-way dedication along the north side of Roberts Drive should be extended to Kehr Rd. in order to include the proposed trail within the right-of-way. • The Autoturn drawing appears to show that a fire truck would not be able to stay on the roadway when entering the development. • The proposed design of storm water draining to the middle of the roadway has potential to cause freeze/thaw damage and standing water in the middle of the roadway. • Curbing around parking areas and roadways is recommended. • HOA declarations or covenants should include identification of the responsible party and funding, maintenance, and inspection plans for the storm water facilities within the development including the water quality basin. • A Public Improvement Bond will be required for infrastructure improvements. • Proposed trees should be planted at least 5 feet back from the roadway and kept pruned to provide a 15' clear space above the roadway. • On-street parking rules should be considered to allow for emergency services and solid waste collection.		
Fire	John Detherage, Fire Chief	Returned with Comments
<i>The autoturn document seems to show the path going off of the road at the north end of the street where it meets the church drive. Please adjust this area to ensure vehicles can remain on the pavement.</i>		

The landscape plan shows trees along the road with the canopies nearly meeting in the center of the roadway. This will need to be adjusted so that vehicles can drive down the street without damaging the trees and vehicles.

This plan appears to show that water will be directed to catch basins in the center of the street. This design causes issues in freezing weather both for fire operations should there be a fire and on EMS calls as it is hard to walk and maneuver a cot on ice that tends to build up with this arrangement.

Police

John Jones, Police Chief

Returned with
Comments

I would concur with the fire dept. comment regarding catch basins in the center of the street and oppose this.

SITE HISTORY

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

- **8 Aug 1991, Preliminary Subdivision & Preliminary PUD Approval:** City Council by Ord. No. 2181 approves a preliminary subdivision plan comprising 186 single-family lots and 220 multi-family units on 94.385 acres west of Kehr Road. The applicant for this submittal was COGO Co. A condominium owners association was to be established for the common areas within the development. The subject 4 ½ acres was part of the planned multi-family area.
- **17 March 1992, Final Plat & Final PUD for South Farm Section 1:** City Council by Ord. No. 2221 approves the first section of the approved development comprising a total of 11 lots on Morgan Circle. These 11 lots were the only ones ever fully realized as part of the larger 1991 plan. The final plat was recorded with the County Recorder on January 1, 1993. This plat included a large lot north of Roberts Drive, fronting on Kehr Road (Lot 2897).
- **2 November 1993, Lot Split:** A lot split of Lot 2897 is approved by the Oxford Planning Commission and recorded with the Butler County Recorder, effectively splitting Lot 2897 into two pieces, with a piece closest to the pond renamed Lot 3046. Another split had occurred to the west, creating Lot 3045. The newly created lots (3045 & 3046) were then combined to form Lot 3047 centered on the pond area.
- **22 June 2004, Lot Split and Consolidation:** New Lot 3556 (the present day boundaries of the subject property), totaling 4.572 acres, is approved by the Oxford Planning Commission and created by consolidating Part of Old Lot 2897 with portions of Old Lot 3047. Additionally, the lot containing the pond was re-shaped out of older lots and re-formed as Lot 3555. This Plat of Survey noted a 30-foot distance from centerline to the right-of-way edge along Kehr Road.
- **16 August 2005, Conditional Use for a Place of Worship:** City Council by Ord. No. 2858 approves a conditional use permit to allow for development of Cobblestone Community Church. The site plan approved at the time reserved 39 acres for the church site and pond, and 19 acres for a reduced number of single-family lots (11 developed lots on Morgan Circle, and 34 undeveloped lots of which 13 were already platted as part of South Farm Section 2). The ordinance also established phasing requirements, with the final phase of necessary construction permits submitted by 2014 and substantially operational within 2 years. Therefore, the conditional use approval is now considered expired.

- **8 May 2007, Conditional Use Minor Amendment:** Planning Commission approves a minor amendment to the Cobblestone Church Plan, to allow for a larger building and modified parking layout.

COMMENTARY

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

- **Density:** With 15 total units proposed, the resulting gross density is **3.34 du/ac** ($15 \div 4.49$ acres). The underlying R-1B zone has a minimum single-family lot size of 7,500 sq ft, which equates to **5.81 du/ac** ($43,560 \text{ sq ft} \div 7,500 \text{ sq ft}$). For Planned Developments, the density cannot exceed 110 percent of the underlying zone. *Section 1145.12(d)* specifies that *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*. Staff finds that approximately a quarter of an acre would be exclusively devoted to the existing driveway serving the Church (in the northwest corner of the parcel), thus slightly increasing the calculable density to **3.54 du/ac** ($15 \div 4.24$ acres). If a more conventional single-family subdivision were pursued, it is estimated the site could accommodate approximately **20** dwelling units, accounting for some area (15%) devoted to infrastructure/streets. With a total of 15 units, the applicant falls comfortably under their density restrictions.
- **Dwellings:** The applicant proposes building pads totaling 2,400 square feet in size, within which individual structures would be built. Each building pad is located at least 20 feet away from the street pavement, which more or less amounts to a front yard setback even though there will not be subdivided lots. A minimum spacing of 10 feet is also provided between building pads, to ensure adequate “side yard” distances between structures. Each dwelling unit would have an attached front-loaded 2-car garage and be linked to the private street via an 18-foot wide driveway. A minimum house size of 1,500 square feet is specified, and the predominant character anticipated is single-story, with the potential for a second story bonus room. The maximum building height in the underlying R-1B zone is 35 feet, which will likely be more than sufficient for the anticipated dwellings.
- **Landscaping/Screening:** The applicant has submitted a Landscape Plan showing existing tree specimens as well as variety of planned plantings. Arborvitae are planned atop existing mounds along the edges of the property to block view of future dwelling units from Kehr Road and Roberts Drive. Street trees are also shown lining the new private street. The Fire and Service Departments have both expressed concern over the positioning of these trees, highlighting the potential to impede travel of larger emergency vehicles. The City Engineer suggests spacing the trees at least 5 feet away from the pavement edge and pruning them over time to ensure 15 feet of clearance is maintained over the street. Community Development staff have discussed the issue with the applicant, and advised them to provide more details on the trees, perhaps switching to a species on the City’s Tree List that grows more vertically. A cluster of woods in the northwestern corner of the site will be partially removed to make way for two of the dwelling units (7 & 8).
- **Lighting:** Street lighting details are not yet provided at this stage. A residential subdivision would normally require a street light to be installed every 400 feet, as well as within 50 feet of every intersection and at the end of every dead-end or cul-de-sac. While this proposal isn’t technically a subdivision, the resulting development character is reminiscent of one, thus staff believes lighting should be provided along all streets and recommends a condition (#1) to this effect. Exact details may be reviewed as part of the Final Planned Development.
- **Lot Coverage:** The Planned Development Code mandates that lot coverage be regulated according to the underlying zoning district, though for any residential portion it shall not exceed **40%**. The

normal maximum lot coverage in the R-1B district is **35%**. Since this development will not be regulated as a subdivision (observing coverage on a per lot basis), the coverage must be found compliant upfront when reviewing the plan as a whole. Staff has verified the proposed plan's site coverage does not exceed 40%.

- **Natural Resources and Tree Preservation:** Most of the existing trees surveyed are planned to be preserved. Two Cottonwoods measuring 24-inches and 26-inches are to be removed to make way for one of the dwelling units (Unit 8). The applicant has provided sufficient detail to demonstrate compliance with the Tree Ordinance requirements.
- **Non-Vehicular Mobility:** The City is appreciative of the developer building a section of the planned Oxford Area Trails System (OATS) along the Roberts Drive frontage. Public right-of-way should be dedicated on both the Church parcel and South Farm HOA parcel to fully capture this new trail (see condition #2). On the other hand, the plan does not provide any pedestrian facilities internal to the site. *Section 1145.12(i)(3)* stipulates that *adequate pedestrian connectivity shall be provided to and through a planned development*. Staff recommends a 5-foot concrete sidewalk be provided at least on one side of the private street, as well as along Kehr Road, forming a loop. In speaking with area residents, it is apparent that many of them currently walk in the grass along Kehr and down the driveway back to Cobblestone Church, for exercise/recreation. Staff recommends adequate pedestrian systems be provided per recommended condition #3.
- **Open Space:** There is a 20% minimum open space requirement for Planned Developments per *Section 1145.12(f)(1)*, which normally cannot include any area less than 50 feet by 50 feet nor can it include the required 25-foot perimeter setback. A water quality basin is planned adjacent to the existing pond to meet OEPA requirements, and is counted toward the open space. Staff has verified the delineated open space area meets the 20% minimum, however some areas less than 50 feet in width are counted. Due to the abundance of green spaces already present adjacent to the site, staff believes it is reasonable to grant a waiver allowing for the open space to be accepted as proposed.
- **Signage:** No signage details have been submitted at this time. Such details may be reviewed as part of the Final Planned Development application. If no waiver requests are submitted, the Commission may choose to apply the standards of *Section 1151.05(d)(2)* which 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 right-of-way at least the height of the sign with indirect illumination only. An existing gateway sign for South Farm located at the northwest corner of Roberts and Kehr will likely need to be removed due to the construction of the new OATS bike path; it may make sense not to replace with a new "South Farm" sign, seeing as how this corner will now be branded separately as "Heron Pond."
- **Stormwater & Environmental Management:** The City contracts with Butler County Soil & Water Conservation District to perform environmental reviews of major development projects. Their agency comments are not regulatory in manner, but rather provide valuable feedback to City decision makers so that any environmental concerns are properly addressed. Comments provided by Water Resources Specialist Dr. Sean Hudson are summarized by topic below:
 - **High Water Table & Shrink-Swell Potential:** The Soil Survey for the area shows apparent high water tables on-site (where Units 1-7 are planned), as well as the potential for shrink-swell. Plat notes are recommended to make builders aware that foundations must be designed and constructed with these risks in mind.

- **Native Species for Street Trees:** Upon examination of the applicant's Landscape Plan, Butler S&W notes that only 3 of the deciduous species are native, and recommends inclusion of more North American native species to provide habitat for local wildlife. In response, species shown and listed on the Landscape Plan were verified to be in conformance with the City's Tree List, so staff does not believe species changes are necessary. However, staff does recommend a condition (#4) that trees meeting the City's specs be planted in the Roberts Drive tree lawn.
- **Streets & Traffic Circulation:** Various topics are discussed below:
 - **Cobblestone Driveway:** The front entrance to Cobblestone Community Church currently traverses the north end of subject property that is being sold and developed. To preserve this connection, an access easement is planned to be dedicated to ensure Church visitors, members and staff can continue to access the main parcel behind the pond. By the same token, Heron Pond residents should be able to use the Cobblestone driveway as a second means of egress in addition to the connection off Roberts.
 - **Internal Private Street:** The applicant currently proposes a private street without curbs measuring 25 feet wide. Catch basins are shown in the middle of this street at four different locations throughout the site. The Fire, Police and Service Departments are not in favor of these basins due to icing and standing water concerns. The City Engineer recommends curbing be installed around all parking areas and roadways; the applicant notes this is a way to decrease costs for the development, ensuring units are kept more affordable. An additional concern was found with the submitted AutoTurn analysis, whereby a fire truck may not be able to make the tight turn between Heron Way and the Cobblestone driveway; staff recommends the pavement be widened per condition #5. Access easements corresponding to the private street will need to be dedicated on both parcels, per condition #6.
 - **Kehr Road:** The character of the Kehr Road corridor is very much rural at this time, comprising a 20-foot wide double-yellow line road with drainage ditches on either side. The Thoroughfare Plan classifies Kehr as a Minor Collector, which calls for a typical right-of-way section measuring 80 feet wide in total, with 40 feet on either side of the centerline. Currently, 30 feet of right-of-way is dedicated west of the centerline with a 16-foot utility easement. Staff recommends an additional 10 feet be dedicated along with a 10 foot utility easement alongside the right-of-way, effectively capturing the City's existing sanitary main in this location (if not already), and adhering to Thoroughfare Plan specifications.
- **Utilities:** Comments on individual utility services are provided below.
 - **Sanitary Sewer:** Sanitary sewer is directly available to the subject site. A new 8-inch main is to be installed on site to flow northward and join up with an existing manhole west of Kehr Road.
 - **Water:** The City's water utility is also directly available. The applicant plans a new 8-inch public water main through the site, forming a loop between existing mains on Kehr and Roberts.
 - **Electric:** Information on electric utility connections is not shown at this time. The preference is for such utilities to be located underground. Screening of utility boxes and/or disturbance to environmental areas may be considered at the Final Planned Development stage, once engineering-level details are determined.

- **Garbage Collection:** Seeing as how this development is laid out like a subdivision, the assumption is that individual units will be serviced by curbside garbage pickup (cans). Parking should probably be prohibited on the private street to ensure there is adequate room for Rumpke's vehicles to service the units. In their preliminary development restrictions, the applicant seems to indicate that parking will be prohibited everywhere except within garages and in designated outdoor parking spaces.
- **Gas:** No information on gas line connections is shown at this time. Any such information may be considered as part of the Final Planned Development.
- **Mail Delivery:** The current USPS policy is for mail collection/delivery to be combined, serving cluster box units (CBUs) as opposed to individual mailboxes. A CBU is shown in close proximity to the intersection between Heron Way and the Cobblestone driveway. Staff is of the opinion this is not the safest location, and recommends it be moved a more central location within the site. The applicant has suggested relocating the CBU to the area just south of the northernmost parking bay.

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 under the straight zone. This proposal is technically multi-family residential, given that multiple principal buildings will be constructed on a single site, even though each building will have an appearance and function akin to a single-family unit. The proposed development satisfies this criterion, due to the planned density of 3.54 du/ac being lower than the 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 to the subject application, since this is the first detailed Planned Development proposed for this site. The prior application for multi-family residential circa-1991 has long since expired.
3. **The uses and site plan will satisfy the general intent of this Zoning Code.**
The purpose of the R-1B zoning district is to "provide and preserve single family residential development of a moderately low density character within and adjacent to areas of similar development." By providing a condominium housing development embodying the character of a single-family neighborhood, staff believes the general intent of the Zoning Code is satisfied.
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. Outside of content directly stated in the Comp Plan, TNDs typically follow the principles of New Urbanism, producing pedestrian-friendly and conservation-minded urban developments that include a mix of residential housing types and commercial uses. Some examples of TNDs in closest

proximity to Oxford are Norton Commons outside of Louisville KY, the Village of West Clay in Carmel IN, and the Union Village development currently underway in Warren County OH. These developments strongly emphasize quality streetscapes and green/open spaces, with building architecture reminiscent of a traditional American town. While all of these principles are good and can achieve wonderful settings, it is also recognized that not every site is well-positioned to fully embrace all TND traits, and can still be developed in a quality manner that serves the community's housing needs.

5. **The size and shape of the site are sufficient for the proposed planned development.**
Given the smaller site size (around 4 acres), staff believes the applicant's design is sensible to its surroundings and sufficient for the proposed number of units.
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 development proposed will be complementary to the existing South Farm neighborhood and other surrounding residential uses. The South Farm Owners Association and Cobblestone Community Church have both voiced their support.
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.
8. **Accessory uses will be directly related to the operation of the principal uses and will not be operated independent of the principal uses.**
The applicant indicates in their Preliminary Covenants and Restrictions that accessory structures will be prohibited. This development will essentially be limited to the principal buildings/dwellings themselves.
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.**
Concerns have been raised regarding the design of the private street and associated landscaping, as well as the location of the cluster mailbox unit. Staff believes these concerns can be adequately addressed through the recommended conditions.
10. **Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.**
The City's water and sewer services are readily available to the site, and the developer will be responsible for the cost of tapping in to these. The City Engineer has not asked for a Traffic Impact Study at this time, which can sometimes reveal whether additional off-site roadway improvements are necessary to provide enough capacity for expected peak traffic volumes.
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 conditioning building architecture to have a substantially similar appearance to the examples submitted. More precise architectural standards may be explored as part of the Final Planned Development. Staff believes the unit layout as designed will be harmonious with the general character of the surrounding area.

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.**
Staff believes the provision of a public sidewalk along Kehr Road will help to better separate the modes of traffic and reduce adverse impacts. The provision of a new OATS segment will also help separate vehicular and bicycle modes of travel. Staff believes the internal pedestrian connectivity can be improved from what is presently proposed.
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 mostly field, with a few scattered trees along the outside perimeter including some mature evergreens which are to be preserved as part of the project. Staff believes the project as designed is sensible to existing tree specimens, and will further enhance the area by including additional plantings along the perimeter as well as along the new private street.
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.**
A small portion of vegetation, which currently contains a lot of honeysuckle, is to be removed to make way for two dwelling units (7 & 8). Staff believes the subject application suitably fulfills the spirit of this criterion.

STAFF RECOMMENDATION

Based upon a review of the Decision Standards, staff recommends **approval** of the Preliminary Planned Development subject to the following conditions:

1. Appropriate lighting shall be provided along the proposed private street. Lighting details shall be reviewed and approved as part of the Final Planned Development.
2. Additional right-of-way shall be dedicated along Roberts Drive, on both the Church parcel and South Farm HOA parcel, to fully capture the OATS trail segment to be built. Additional right-of-way shall also be dedicated along Kehr Road consistent with the Oxford Thoroughfare Plan. A 10 foot wide public utility easement shall flank the outside of all public right-of-way on Kehr and Roberts.
3. Sidewalks shall be provided along or near the private street, as well as along the Kehr Road site frontage, forming a loop for pedestrians.
4. Trees complying with the City's specs shall be planted in the tree lawn along Roberts Drive, on both the Church parcel and South Farm HOA parcel.
5. Pavement shall be widened at the intersection of Heron Way and the Cobblestone driveway in order to accommodate the turning radius of larger vehicles.
6. Access easements shall be dedicated for the Cobblestone driveway and for the segment of Heron Way located on the South Farm Owners Association parcel.
7. Curbs and gutters shall be installed along the new private street, to replace the centered catch basins currently shown, unless an alternative is agreed to by City staff.
8. Adequate vehicular and pedestrian accessibility shall be provided for any USPS cluster mailboxes installed for the subdivision, to the discretion of City staff.

9. All utilities, including but not limited to electric and telephone, shall be located underground.
10. Documentation related to stormwater management and private buffers/landscaping, including but not limited to easements, covenants and/or deed restrictions to ensure the funding of future maintenance/upkeep, shall be reviewed and approved by the Service Department and Law Director prior to being recorded on or with the Easement Plat. Enforcement of said easements, covenants or restrictions shall not be the responsibility of the City.
11. Building architecture shall generally conform to the bulk, scale and style depicted in the submitted sample house plans. Architectural aspects may be further considered and refined as part of the Final Planned Development, including a design for the proposed gazebo.
12. The Planning Commission may review utility details (such as those for electric, gas, mail delivery, garbage collection, etc.) as part of the Final Planned Development, including proposed accommodations, accessibility, screening, or other characteristics as may be applicable.
13. Financial security/bonding of improvements shall be determined during or after the Final Planned Development review. The Final Planned Development shall be reviewed and approved prior to approval of construction drawings, bonds, or the signing of an Easement Plat.
14. Damage to the existing fence along Kehr shall be repaired prior to approval of the first Building Permit associated with the development.
15. A waiver is hereby granted to **Section 1145.12(e)(2)** to reduce the required front yard setback from 30 feet to distances as shown on the submitted Preliminary Plan.
16. A waiver is hereby granted to **Section 1145.12(e)(3)** to allow for a reduction in the required 25-foot perimeter setback in the locations as shown on the submitted Preliminary Plan.

SUBMITTED BY:



Zachary Moore, AICP
Planner

DATE: February 2, 2021

EXHIBIT A

RELEVANT ZONING CODE PROVISIONS

Within the Oxford Zoning Code, **Section 1143.04** provides the base zoning standards for the R-2A district and **Chapter 1145** governs Planned Development applications.

1143.04 – R-2A Single- and Two-Family Residential District.

- (a) Purpose.
This district is designed to provide and preserve neighborhoods of smaller single-family residences within and adjacent to areas of similar development. This district also provides for a limited number of two-family residences.
- (b) Uses.
- (1) Permitted uses.
- A. Single-family dwellings.
 - B. Two-family dwellings.
 - C. Accessory buildings and uses incidental to the principal use as provided in Chapter 1141.
 - D. 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 and Congregate Housing for the elderly.
 - C. Government owned and/or operated parks and recreation facilities.
 - D. Bed and breakfast homes.
 - E. Private and publicly owned commercial and noncommercial recreational areas, uses and facilities of an open space nature, such as golf courses, tennis courts, parks, forests, wildlife preserves, etc.
 - 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)
- | | <u>1-family</u> | <u>2-family</u> |
|---|-----------------|-----------------|
| (1) <u>Lot requirements.</u> | | |
| A. Minimum lot area | 6,000 sq. ft | 7,500 sq. ft. |
| B. Minimum lot width | 60 feet | 75 feet |
| (2) <u>Yard requirements.</u> | | |
| A. Minimum front yard depth | 30 feet | 30 feet |
| B. Minimum rear yard depth | 30 feet | 30 feet |
| C. Minimum side yard width | 7.5 feet | 7.5 feet |
| (3) <u>Structural requirements.</u> | | |
| A. Maximum building height | 35 feet | 35 feet |
| (4) <u>Lot coverage.</u> | | |
| A. Lots with vehicular access from a public street | | |
| 1. Lot total – 35 percent | | |
| 2. All enclosed buildings – 25 percent of lot | | |
| 3. Front yard – 25 percent of front yard | | |
| B. Lots with vehicular access from a rear or side alley, and no access from a public street | | |

1. Lot total – 40 percent
2. All enclosed buildings – 25 percent of lot
3. Front yard – 5 percent of front yard

1145.06 Planning Commission and Council review.

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

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

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

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

(a) **Burden of Proof.**

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

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

(b) **General Decision Standards.**

All planned developments shall satisfy these general decision standards:

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

- (9) The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.
- (10) Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
- (11) The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.
- (12) The site is designed so that on-site traffic and traffic accessing the site will not adversely impact the movement or safety of all modes of traffic on adjacent public streets.
- (13) Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
- (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.



Memo
Service Department
Engineering Division
513/524-5208

TO: Community Development Department

FROM: Scott Otto, P.E.
City Engineer

RE: Application #PPC-2020-17
4147 Kehr Rd. Heron Pond – Preliminary Planned Development

DATE: January 27, 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 right-of-way dedication along the north side of Roberts Drive should be extended to Kehr Rd. in order to include the proposed trail within the right-of-way.
- The Autoturn drawing appears to show that a fire truck would not be able to stay on the roadway when entering the development.
- The proposed design of storm water draining to the middle of the roadway has potential to cause freeze/thaw damage and standing water in the middle of the roadway.
- Curbing around parking areas and roadways is recommended.
- HOA declarations or covenants should include identification of the responsible party and funding, maintenance, and inspection plans for the storm water facilities within the development including the water quality basin.
- A Public Improvement Bond will be required for infrastructure improvements.
- Proposed trees should be planted at least 5 feet back from the roadway and kept pruned to provide a 15' clear space above the roadway.
- On-street parking rules should be considered to allow for emergency services and solid waste collection.



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

1/7/2021
15 South College Ave
Oxford, OH 45056

RE: Heron Pond and South Forest Edge Planned Development Applications

Dear Zachary Moore,

This letter is to provide you a summation of the Natural Resources Review conducted by Butler Soil and Water Conservation District for the planned development applications Heron Pond, located on Kehr Road, and South Forest Edge, located on Lake Forest Drive.

Heron Pond:

The NRCS Soil Survey rates soils in this area as having shrink swell potential and foundation slabs in this development may require additional engineering to resist damage. Additionally, there is a high water table in the area where units 1-7 are planned, thus we request a note to be added to the plat to the effect of:

Note: High water tables are apparent in this area. If basements are constructed, it is the responsibility of the builder to take special precaution to ensure the basements stay dry.

Although basements are not in the construction drawing, the preexisting hydrologic condition may cause issues to homeowners in the future and thus it should be recorded on the plat.

Finally, looking at the plant schedule, only 3 of the deciduous trees are native species, the developer should consider utilizing more North American native species to provide habitat for local wildlife.

South Forests Edge:

Soils in the area have shrink swell potential and high water tables, we request a note be made on the plat to the following affect:

Note: High water tables are apparent in this area. If basements are constructed, it is the responsibility of the builder to take special precaution to ensure the basements stay dry.

Lots 1 and 2 have sloped portions in the North end of the lots are on a slip prone soil, consider adding these areas as undisturbed open space, which will also act as a buffer for Lick's Run.

The proposed retention basin off Arbor's Edge Trail is located in an area with water erosion prone soils, this will need to be taken into account when a stormwater management plan is designed, as the retention basin may require lining.

As above, looking at the plant schedule, only 3 of the deciduous trees are native species, the developer should consider utilizing more North American native species to provide habitat for local wildlife.

Please do not hesitate to contact our office if you have any additional questions,

Sincerely

A handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Sean Hudson, PhD.
Water Resources Specialist
Butler SWCD



PC-2020-17 Surrounding Property Owners Notifications Map

Legend

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



1 inch = 150 feet

Prepared on Thursday, January 21, 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.





4191 Kehr Road
Oxford, OH 45056

January 25, 2021

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

Re: Heron Pond
4147 Kehr Road
Preliminary PUD Application

Dear Mr. Moore,

This letter serves to indicate our support of HPCT Properties Inc. request for Preliminary Development Plan approval of the Heron Pond development located at 4147 Kehr Road. We have reviewed the proposed development plan, landscape plan and home elevations. The Heron Pond development will enhance the entry to our facility, and provide a housing product which is in demand in the City of Oxford.

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

Sincerely,

A handwritten signature in cursive script, reading "Daryl Zimmer".

Daryl Zimmer, Trustee
Cobblestone Community Church Inc.

A handwritten signature in cursive script, reading "Ken Litteken".

Ken Litteken, Trustee

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

Re: Heron Pond
4147 Kehr Road
Preliminary PUD Application

Dear Mr. Moore,

This letter serves to indicate our support of HPCT Properties Inc. request for Preliminary Development Plan approval of the Heron Pond development located at 4147 Kehr Road. We have reviewed the proposed development plan, landscape plan and home elevations. The development will compliment the existing homes within the South Farm Development while providing a housing product which is in demand in the City of Oxford. We look forward to having their residents join our Association.

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

Sincerely,

A handwritten signature in cursive script that reads "William L. Olliver". The signature is written in dark ink and is positioned above the printed name of the signatory.

South Farm Owners Association, Inc.

**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 *

HPCT Properties Inc.

Mailing Address

5282 Booth Road

City, State & Zip Code

Liberty, IN 47353

Telephone Number

765-580-0378

Email Address

shanebcoffman@aol.com

Owner Information

Name *

Cobblestone Community Church Inc.

South Farm Owners Association Inc.

Mailing Address

4191 Kehr Road

221 Morgan Circle

City, State & Zip Code

Oxford, Ohio 45056

Oxford, Ohio 45056

Telephone Number

513-315-7008 Ken Litteken

Email Address

513-523-1309 Mike Rudolph

Engineer/Surveyor Information

Name *

Bayer Becker

Mailing Address

110 South College Avenue

City, State & Zip Code

Oxford, Ohio 45056

Telephone Number

513-523-4270

Email Address

EttaReed@bayerbecker.com

Location and Lot Information

Name of Subdivision *

Heron Pond

Location of Property

4147 Kehr Road - West side of Kehr Road north of Roberts Drive

Legal Description

H4100-00-137-000-039 and 040

Zoning District

R-1B

Total Area

4.49

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 \$400.00 plus \$100.00 per acre, plus \$10.00 postage charge.

Sign and Date

Applicant Signature *

Date


12-23-2021

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: [.org/](#)

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

Re: Parcel H4100-137-00-039
Cobblestone Community Church Inc.

Dear Mr. Moore,

Please be advised that HPCT Properties Inc. has our permission to submit applications for the approval of a Preliminary Planned Development on parcel H4100-137-000-039 located adjacent to Roberts Drive and Kehr Road.

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

Sincerely,

Kenneth W Littlejohn - Trustee

Cobblestone Community Church, Inc.

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

Re: Parcel H4100-137-00-040
South Farm Owners Association Inc.

Dear Mr. Moore,

Please be advised that HPCT Properties Inc. has our permission to submit applications for the approval of a Preliminary Planned Development on parcel H4100-137-000-040 located adjacent to Roberts Drive.

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

Sincerely,

William L. Ollier, President

South Farm Owners Association Inc.

December 28, 2020

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

Re: 4147 Kehr Road
Heron Pond
Preliminary PUD Submittal

Dear Mr. Moore:

Enclosed please find the following items in support of HPCT Properties Inc.'s Application for Preliminary Planned Development approval for Heron Pond to be located on the northwest corner of the intersection of Roberts Drive and Kehr Road:

- 1) A check in the amount of \$859.00 made payable to the City of Oxford for the application fee.
- 2) Two (2) copies of each of the following:
 - a. Executed Planned Development Application.
 - b. An Affidavit from Cobblestone Community Church Inc. granting HPCT Properties Inc. permission to submit applications for the approval of a Preliminary Planned Development.
 - c. An Affidavit from South Farm Owners Association Inc. granting HPCT Properties Inc. permission to submit applications for the approval of a Preliminary Planned Development.
 - d. List of property owners within 200 feet of the site.
 - e. Existing Conditions Plan.
 - f. Preliminary Development Plan.
 - g. Typical Building Floor Plans and Elevations.
 - h. Planting Plan, including Tree Survey.
 - i. Autoturn Exhibit.
 - j. Photos of the subject site and surrounding area.
 - k. Example of proposed covenants and restrictions.
 - l. Letter from HPCT Properties Inc. regarding intention to request a Neighborhood Conservation District Overlay.

Formal application, along with supporting documentation, has been made online.

- 3) Applicant:
HPCT Properties Inc.
5282 Booth Road
Liberty, IN 47353
765-580-0378

Owners:
Cobblestone Community Church Inc.
4191 Kehr Road
Oxford, Ohio 45056
513-315-7008

South Farm Owners Association Inc.
221 Morgan Circle
Oxford, Ohio 45056
513-523-1309

- 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 Lot 3556 as platted in the City of Oxford.
 - b. The property is currently vacant.
 - c. The property is zoned R-1B Single Family Medium-Density Residential District.
 - d. A description of the proposed planned development:
 - i. The number of housing units by size and type proposed within each phase.

Heron Pond is a single family residential condominium development wherein the homeowner purchases the home only and the surrounding land is owned and maintained by the Homeowners Association (HOA).

The development shall consist of 15 single family homes located along a private street. Each building pad shall consist of 2,400 SF and be located a minimum of 20 feet from the access drive and a minimum 10 feet from an adjacent building pad.

Ranch style homes consisting of a minimum 1,500 SF will be constructed within the development. Some of the home plans may provide the owner with an option to provide a second story bonus room. All homes will contain attached 2 car garages.

A separate Homeowners Association (HOA) will be established for Heron Pond. The HOA will be responsible for the maintenance of the private street, snow removal for all the residences, and maintenance of the open space and all the lawns and landscaping around the homes. Residents will also be a member of the current South Farm HOA, for the maintenance of the retention basin.
 - ii. A description of any nonresidential operations, including types of goods sold, services performed, and expected number of customer, clientele, delivery, and service vehicles.

Not applicable.
 - iii. The hours of operation of any nonresidential use.

Not applicable.
 - iv. A phased development schedule, if applicable, that indicates the location and timing of phases and demonstrates that each completed phase would form a reasonably independent unit if succeeding phases were abandoned.

Not applicable.

- e. A narrative statement that evaluates the compatibility of the proposed planned development with the general vicinity and adjacent properties.
- i. How the proposed uses are similar to or different from existing area uses and if there will be any interaction between the proposed site and adjacent sites.

The proposed single family residential homes will be comparable in size and contain similar building materials as the existing single family homes located to the south on Morgan Circle and proposed homes within the future South Farm Section Four.

As part of the development, a segment of the Oxford Area Trail System (OATS) will be constructed along the north side of Roberts Drive from Kehr Road west to the trail segment to be constructed with South Farm Section Four. This assumes that the South Farm Owners Association is in agreement that the trail can be constructed along their frontage.
 - ii. How any existing structures, proposed structures, and the site design relate to adjacent structures and sites.

The proposed homes to be constructed within Heron Pond will be comparable in size and contain similar building materials as the existing homes in South Farm Section One and the proposed homes to be constructed within the future South Farm Section Four.
 - 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.

Heron Pond will not have a negative effect on adjacent land. The properties to the south and north contain single family residences, the property to the west contains Cobblestone Community Church and the property to the east is vacant. HPCT Properties Inc. intends to supplement the existing mounding and tree buffer along the east and south property lines of the development to provide buffering for the proposed residents.
- f. A statement about why the location proposed is appropriate for the planned development.
- The subject property is an ideal location for Heron Pond for several reasons:*
- 1) *Per the Comprehensive Plan, South Farm, Section Two is located in an area designated for future neighborhood growth, Character Area – Neighborhood General 3.*
 - 2) *The property is zoned appropriately for residential development, R-1B single family medium density residential.*
 - 3) *The proposed density of the development is 3.34 units/acre is significantly lower than the allowable density of the R-1B district, 5.81 units per acre*
 - 4) *Heron Pond will contain a Neighborhood Conservation Overlay District.*
 - 5) *The infrastructure is currently in place to support a residential development of this nature.*
 - 6) *Provides a type of residential housing that is in demand in Oxford.*
 - 7) *The development will contain over 20% open space and maintain the existing vegetation along both the east and south property lines.*

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

There is a shortage of available single family residential homes within the City of Oxford for individuals to empty nesters. Heron Pond will fulfill this need. With the maintenance free exteriors, and ranch style homes this development will be attractive to empty nesters.

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

Heron Pond will provide the City of Oxford with a housing stock that is in short supply - maintenance free single family homes for empty nesters.

- 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 has been provided in the existing retention pond to the west. A water quality feature will be provided in the open space area to meet the requirements of 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 15 single family homes will generate 11 trips (3 entering and 8 exiting) in the AM Peak and 15 trips (9 entering and 6 exiting) in the PM Peak hour. Additionally, a portion of the OATS trail will be constructed along the north side of Roberts Drive from Kehr Road west to the trail segment to be constructed as part of South Farm Section Four.

Vehicular access to the single family homes will be provided via a private drive which connects the existing Cobblestone Church drive to the north, to Roberts Drive opposite Morgan Circle to the south. An access easement will be granted by HPCT Properties Inc. to the church in order to allow them to utilize their existing drive. Similarly, HPCT Properties Inc. will obtain an access easement from South Farms Owners Association for their access to Roberts Drive opposite Morgan Circle.

- 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 Heron Pond.

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

- 1) 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. HPCT Properties, Inc. requests a waiver of this requirement and allow a 20 ft. front yard setback for the proposed homes. The reduced setback allows for a more expansive open space adjacent to the retention pond and creates a more intimate neighborhood feel for the development.
- 2) Section 1145.12(e)(3)A requires a 25 ft. perimeter setback for all buildings and vehicle management areas within a Planned Development. HPCT Properties, Inc. requests a waiver to reduce this requirement for building pads 1 and 8, as well as along Roberts Drive. Building pads 1 and 8 are located immediately adjacent to the retention pond to the west. The existing retention

pond provides more than adequate buffer to the adjacent church. Along Roberts Drive, with the dedication of an additional 10 ft. of right of way to accommodate the OATS trail, HPCT requests that the buffer requirement be reduced to 15 ft.

Please place this item on the February 9th Planning Commission Meeting agenda.

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

Sincerely,

A handwritten signature in black ink that reads 'Etta M. Reed'.

Etta M. Reed, PE

Enclosures

Cc: HPCT Properties Inc., Shane Coffman

December 28, 2020

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

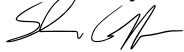
Re: 4147 Kehr Road
Heron Pond
Neighborhood Conservation Overlay District

Dear Mr. Moore,

Upon recordation of the Condo Plat for Heron Pond, HPCT Properties Inc. intends to request approval of a Neighborhood Conservation Overlay District to be placed on Heron Pond.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Shane Coffman', written over the word 'Sincerely,'.

Shane Coffman

HPCT Properties Inc.

**Heron Pond
Preliminary Development Restrictions
December 28, 2020**

- 1) City of Oxford Neighborhood Overlay District has been placed on the development, no more than 2 unrelated persons are permitted to live in the dwelling unit (owners/renters must be over 21 years of age).
- 2) Renters must have approval of the Homeowners Association Board prior to moving in.
- 3) Only 1 small household pet per dwelling unit.
- 4) Parking/storage on common areas including the dwelling unit's driveway of cars, trucks, recreational vehicles, boats or any other vehicle is strictly prohibited.
- 5) Overhead garage doors must be closed at all times when unattended.
- 6) All exterior unit paint colors are established by the Homeowners Association Board – any modifications are not permitted.
- 7) Unit owners are to maintain the limited common areas in a neat and orderly fashion at all times.
- 8) Trash containers must be stored within the unit garages except on collection day.
- 9) Planting trees/bushes in common areas is not permitted without Homeowners Association Board approval.
- 10) Fences may be added in the limited common area with Homeowners Association Board approval. Installation and maintenance is at the unit owner's expense.
- 11) When owner wants to make a request for repairs it should be submitted in writing to the Homeowners Association Board.
- 12) Accessory structures are prohibited.

Property Owners within 200 feet:

H4100132000014
COBBLESTONE COMMUNITY CHURCH INC
4191 KEHR RD
OXFORD OH 45056 9292

H4100137000040
SOUTH FARM OWNERS ASSOC INC
221 MORGAN CIR
OXFORD OH 45056 9404

H4100132000017
SOUTH FARM DEVELOPMENT LLC
3225 INDIAN CREEK RD
OXFORD OH 45056 9244

H4100117000043
WILLIAM D & MARY L WARREN
5855 K BELL ST
OXFORD OH 45056

H4100117000067
H4100117000066
MICHAEL S & SANDRA L CASON
4211 KEHR RD
OXFORD OH 45056 9293

H4000117000055
JIMMY R MARCUM
5845 K BELL ST
OXFORD OH 45056 9261

H4100117000054
JEFFREY THOMAS KRUTH
5839 K BELL ST
OXFORD OH 45056

H4100117000053
MARY N BURNS
1155 TOBE LEWIS RD
LYNX OH 45650

H4100117000052
ROBERT & FIONA CURRAN
5825 K BELL ST
OXFORD OH 45056 9261

H4000117000049
TIMARA WILBURN
4225 KEHR RD
OXFORD OH 45056 9293

H4100117000072
EDWARD J ARNONE
4215 KEHR RD
OXFORD OH 45056 9293

H4000116000054
DANIEL B AND NANCY L CURTISS
14 GARDENIA DR
OXFORD OH 45056

H4100116000032
DEBRA A RAMSEY
11 GARDENIA DR
OXFORD OH 45056 2583

H4100116000033
TROY AND DEBRA ALLBRIGHT
13 GARDENIA DR
OXFORD OH 45056 2583

H4000132000015
ABRAHAM A AND EULIN M KURANGA
5797 BOOTH RD
OXFORD OH 45056 9042

H4100137000001
DONALD W AND KIMBERLEE K SMITH
201 MORGAN CIR
OXFORD OH 45056

H4100137000002
JOSEPH & WILLIAM EVEN
205 MORGAN CIR
OXFORD OH 45056 9404

H4100137000010
JENNIFER BEARDSLEE
204 MORGAN CIR
OXFORD OH 45056 9403

H4100137000011
PATRICIA L & MICHAEL A RUDOLPH
200 MORGAN CIR
OXFORD OH 45056 9403

H4100137000049
JOHN BOYLE ETAL
3225 INDIAN CREEK RD
OXFORD OH 45056 9244



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

- THE TREE PLAN CONTAINS A LIST OF OFFICIAL STREET TREE SPECIES FOR THE CITY OF OXFORD
- PLANTED AT 2" DBH

• 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.

(b) (1) RESIDENTIAL SINGLE-, TWO- & THREE- FAMILY STANDARDS:

- ON SINGLE-FAMILY LOTS, A MINIMUM OF ONE (1) TREE FOR EACH UNIT SHALL BE PLANTED WITHIN THE CORRESPONDING REQUIRED FRONT YARD AREA.
- (d) EACH REQUIRED TREE SHALL BE INSTALLED AT A MINIMUM TWO (2) INCH CALIPER AND MUST BE A SPECIES THAT APPEARS ON THE CITY'S TREE LIST

(a) TREE REPLANTING

- (1) ALL EXISTING TREES TEN (10) INCHES DBH OR GREATER IN SIZE SHALL BE REPLACED AT A RATE OF 1" CALIPER FOR EVERY 2" CALIPER REMOVED, EXCEPT AS PROVIDED IN SUBSECTION (2) BELOW.

- (2) FOLLOWING TREES SHALL BE EXEMPTED FROM REQUIRED PLANTING:

- TREES WITHIN FUTURE PUBLIC RIGHTS-OF-WAY OR PRIVATE ACCESS WAYS
- TREES WITHIN THE BUILDING FOOTPRINT OF PROPOSED STRUCTURES OR WITHIN 15 FEET FROM THE PERIMETER OF SUCH STRUCTURES

- TREES THAT ARE DAMAGED, DISEASED, OVER-MATURE, INTERFERE WITH UTILITY LINES, OR ARE AN INAPPROPRIATE OR UNDESIRABLE SPECIES FOR THAT SPECIFIC LOCATION.

- TREES REMOVED FOR A STORMWATER RETENTION POND OR DETENTION

- TREES WITHIN FIVE (5) FEET OF A HARD-SURFACED PARKING AREAS, DRIVEWAYS OR WALKWAYS.
- TREES REMOVED FOR NECESSARY UTILITY INSTALLATIONS OR WITHIN UTILITY EASEMENTS

- FOR INDIVIDUAL SINGLE-FAMILY LOTS, ALL TREES WITHIN THE FRONT AND SIDE YARDS.

ALL EXISTING TREES TO BE REMOVED WILL BE EXEMPT FROM REPLACEMENT DUE TO BEING LOCATED WITHIN 15' OF PROPOSED BUILDINGS - 0 TREES NEEDED FOR REPLACEMENT

PLAN

PREVAILING WINDS

1 CENTRAL LEADER
2 1/2" RUBBER HOSE, REINFORCED, BLACK
3 TREE WRAP (STD. MANUFACTURER)
4 10 GAL. GALVANIZED, TWISTED DOUBLE STRAND GUY WIRE
5 20 GAL. GATOR BAG (SEE NOTES)
6 MULCH
7 ROOTBALL PIT
8 ROOTBALL
9 36" LONG #5 REBAR STAKE, DRIVE BELOW GRADE
10 EARTHEN SAUCER OF AMENDED TOPSOIL
11 TAMPED SETTING BED 8" MIN. DEPTH

CROSS SECTION

1 CENTRAL LEADER
2 1/2" RUBBER HOSE, REINFORCED, BLACK
3 TREE WRAP (STD. MANUFACTURER)
4 10 GAL. GALVANIZED, TWISTED DOUBLE STRAND GUY WIRE
5 20 GAL. GATOR BAG (SEE NOTES)
6 MULCH
7 ROOTBALL PIT
8 ROOTBALL
9 36" LONG #5 REBAR STAKE, DRIVE BELOW GRADE
10 EARTHEN SAUCER OF AMENDED TOPSOIL
11 TAMPED SETTING BED 8" MIN. DEPTH

FINISH GRADE

UNDISTURBED SOIL

NOTES:

1. ONLY TREES ON SLOPES 3:1 OR GREATER OR IN WINDY LOCATIONS SHALL BE CROWNED.
2. 1/2" CALIBER TREES REQUIRE A 4" CORRUGATED PVB TUBING DOUBLE WRAPPED IN FILTER FABRIC SOCK PIPE.
3. REMOVE BURLAP FROM TOP 2' OF ROOTBALL - TOP OF SOIL TO BE 1" ABOVE GRADE AFTER SETTLEMENT.
4. TREE PIT TO BE TWICE THE WIDTH OF THE ROOTBALL.
5. TOP AND SIDES OF TREE PIT TO 4" MIN. DEPTH.
6. SOIL TO BE AMENDED PER SOIL TESTING REPORT.
7. GATOR BAG TO BE INSTALLED & FILLED PER MANUFACTURER'S SPECIFICATIONS ON ALL TREES WHEN INSTALLED BETWEEN JUNE - AUG. SEE PLANTING & PREPARATION NOTES.
8. 1/4" CALIBER (1 BAG), 2" CALIBER (2 BAGS)

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View from the drive of Cobblestone Community Church facing South.



View from the drive of Cobblestone Community Church facing West.



View from the drive of Cobblestone Community Church facing East.



View from the drive of Cobblestone Community Church facing South.



View from the drive of Cobblestone Community Church facing South along Kehr Rd.



View from the drive of Cobblestone Community Church facing West.



View from the Kehr Road facing west.



View from the Southeast property corner facing North.



View from the Southeast property corner facing Northwest.



View from the center of Roberts Dr. facing west.



View from Roberts Dr. (South property line) facing North.



View from the intersection of Roberts Dr. and Morgan Ct. facing East.



View from Roberts Dr. (South property line) facing North.



View from Roberts Dr. (South property line) facing North along West property line.



View from Southwest property corner facing Northeast.



View from Southwest property corner facing Northwest.





