



Agenda

Oxford City Council

Court House

TUESDAY, AUGUST 18, 2009

EXECUTIVE SESSION

None

1. Roll Call. Prudence Z. Dana, Mayor; Ken Bogard, Vice-Mayor; Doug Ross; Kate Currie; Alysia Fischer; Richard Keebler; Greig Rutherford

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

REGULAR MEETING

7:30 P.M.

PLEDGE OF ALLEGIANCE

2. Approval of Agenda.

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

3. Public Participation.

A. 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 August 4, 2009 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

- B. Report regarding the August 5, 2009 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)



HAPC Report

- C. Report regarding the August 11, 2009 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)



Planning Commission Report

- D. A Resolution authorizing the City Manager to enter into a contract with Arcadis engineering for the design of improvements to the Water Treatment Plant's chlorine feed system at a cost not to exceed \$37,500.00. (Mike Dreisbach, Service Director)



Staff Report/Resolution

- E. A Resolution authorizing the City Manager to enter into a contract with Arcadis Engineering for a Return Activated Sludge (RAS) and Biosolids Study for the Wastewater Treatment Plant at a cost of \$75,400.00 plus a 10% contingency fee in the amount of \$7,540.00 for a total cost not to exceed \$82,940.00. (Mike Dreisbach, Service Director)



Staff Report/Resolution

5. Resolutions

- A. Resolution making an appointment to the Butler County 9-1-1 Planning Committee. (Doug Elliott, City Manager).



Staff Report/Resolution

- B. A Resolution authorizing the City Manager to enter into an agreement to participate in the Butler County Sheriff's Drug Task Force. (Steve Schwein, Police Chief).



Staff Report/Resolution

6. Ordinances Ordinances are adopted using a two-step procedure. First reading introduces the Ordinance and provides an opportunity for public input on the subject as well as allowing Council to request more information as needed. Second reading is to provide Council with the opportunity to consider new information and to deliberate.

A. First Reading.

1. An Ordinance Repealing Oxford Code Of Ordinances Sections 503.02 and 503.98 And Adopting New Oxford Code Of Ordinances Sections 503.02 And 503.98; Titled 'Classification Of Civil Offenses' And 'Fines'. Steve Schwein, Police Chief)



Staff Report/Resolution

2. An Ordinance Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment For 154.487 Acres Of Land Located At 4135 Millville Oxford Road, Oxford, Ohio And Rezoning The Property From A-1 (County Zoning) To R1A (Single-Family Low Density Residential) Zoning District. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance

3. An Ordinance Approving A Conditional Use Permit To Permit A Public School In The R1A (Single-Family Low Density Residential) District Located At 4135 Millville Oxford Road With Conditions. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance/Supporting Documentation



Supporting Documents

B. Second Reading.

1. An Ordinance Accepting The Annexation Petition From The Board Of Education Of The Talawanda City School District For 154.487 Acres Of Land In The Township Of Oxford, Ohio And Accepting Said Territory To Be Annexed. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance/Supporting Documents

2. An Ordinance Approving The Final Subdivision Application For Reckford Woods Subdivision Phase One. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance/Supporting Documents

3. An Ordinance Repealing Current Section 351.04 'Parking Near Curbs; Handicapped Locations On Public And Private Lots And Garages' And Adopting New Section 351.04, Establishing Fine For Violation Of Subsection F(1) Of Section 351.04. (Steve Schwein, Police Chief) Council Agenda August 18, 1009 Page 4



Staff Report/Ordinance

4. An Ordinance Repealing Current Section 351.16 'Snow Routes' And Adopting New Section 351.16, Establishing Fine For Violation Of Subsection (C) Of Section 351.16. (Steve Schwein, Police Chief)



Staff Report/Ordinance

7. Announcements and Communications. The comments expressed by individual members of Council or City staff during the 'Announcements' 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.

B. Future Meetings (Note: Meetings will be held at the Court House unless otherwise indicated.)

A. Announcements.

1. Discussion - Deer Management Program - Doug Elliott.

2. Remarks from City Council and City staff.

WED - Aug 19 Board of Zoning Appeals Meeting 7:30 p.m.

FRI - Aug 21 Community Improvement Corporation Meeting 12:00 p.m. LCNB
2nd

TUES - Aug 25 City Council Work Session (CIP) 7:00 p.m.

WED - Aug 26 Environmental Commission Meeting 7:00 p.m. Municipal Building
2nd

TUES - Sept 1 City Council Meeting 7:30 p.m.

WED - Sept 2 Historic and Architectural Preservation Commission Meeting 7:30
p.m.

MON - Sept 7 Holiday - City Offices Closed

TUES - Sept 8 Planning Commission Work Session 6:00 p.m.

TUES - Sept 8 Planning Commission Meeting 7:30 p.m. Cancelled

THURS - Sept 10 Police Advisory Board Meeting 7:00 p.m. Senior Citizens Center

TUES - Sept 15 City Council Meeting 7:30 p.m.

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

THURS - Sept 17 Recreation Board Meeting 12:00 p.m. Senior Citizens Center

FRI - Sept 18 Community Improvement Corporation 12:00 p.m. LCNB 2nd Floor

TUES - Sept 22 Personnel Improvement Plan (PIP) Work Session 7:00 p.m.

8. Adjourn

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: August 18, 2008

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

August 10, 2009

Date Prepared

Agenda Title: A Resolution making appointments to the Butler County 9-1-1 Planning Committee.

Recommendation: Approve

Discussion:

It is necessary for each municipal legislative authority to select a chief executive of one municipal corporation in the county to serve as a voting member of the countywide 9-1-1 planning committee.

The proposed Resolution will allow the responsibility to be shared by the chief executive officers of the City of Oxford, the City of Middletown and the City of Fairfield.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

DB 8/14/09

RESOLUTION NO. _____

A RESOLUTION MAKING AN APPOINTMENT TO THE BUTLER COUNTY
9-1-1 PLANNING COMMITTEE.

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

SECTION 1: A 'Public Safety Answering Point' ('PSAP') means a facility to which 9-1-1 system calls for a specific territory are initially routed for response and where personnel respond to specific requests for emergency service by directly dispatching the appropriate emergency service provider relaying a message to the appropriate provider, or transferring the call to the appropriate provider.

SECTION 2: Ohio Revised Code Section 4931.42 provides for the creation of a countywide 9-1-1 planning committee and for the selection by a majority of the municipal legislative authorities in that county, of one chief executive from a municipal corporation in the county as a voting member of that county's 9-1-1 planning committee.

SECTION 3: Butler County has six (6) PSAPs, the Ohio General Assembly has seen fit to adopt Ohio Revised Code Section 4931.651 which states that on or after March 1, 2009 payment of wireless 9-1-1 expenses from a cellular telephone tax for the benefit of county PSAPs shall be limited to not more than five (5) PSAPs in the particular county 9-1-1 system.

SECTION 4: It is now appropriate for each municipal legislative authority to select a chief executive of one municipal corporation in the county to serve as a voting member of the countywide 9-1-1 planning committee.

SECTION 5: Pursuant to Ohio Revised Code Section 4931.42(A) Council does hereby select the Chief Executive Officer of the City of Oxford as its choice to be the member of the Butler County 9-1-1 Planning Committee selected by a majority of the municipal legislative authorities in the county for the period commencing August 1, 2009 and ending July 31, 2010.

SECTION 6: Pursuant to Ohio Revised Code Section 4931.42(A) Council does hereby select the Chief Executive Officer of the City of Middletown as its choice to be the member of the Butler County 9-1-1 Planning Committee selected by a majority of the municipal legislative authorities in the county for the period commencing August 1, 2010 and ending July 31, 2011.

SECTION 7: Pursuant to Ohio Revised Code Section 4931.42(A) Council does hereby select the Chief Executive Officer of the City of Fairfield as its choice to be the member of the Butler County 9-1-1 Planning Committee selected by a majority of the municipal legislative authorities in the county for the period commencing August 1, 2011 and ending July 31, 2012.

SECTION 8: Council hereby directs its Clerk to send a copy of this Resolution to Gary Sheets, Board Counsel, Butler County Commissioners, 315 High Street 6th Floor Hamilton, Ohio 45011 to verify the results of the selection process.

SECTION 9: The appointment provided in Sections 5 through 7 above shall continue for so long as all of the following facts remain true: (a) there continue to be a total of six (6) public safety answering points located in Butler County as defined in Ohio Revised Code Chapter 4931; (b) Ohio Revised Code Section 4931.651 (or its successor statute) continues to provide that the payment of costs specified in divisions (A) to (D) of the Ohio Revised Code Section 4931.651 (or its successor section) that are payable from a disbursement under Ohio Revised Code Section 4931.64 (or its successor section) shall be distributed to no more than five (5) public safety answering points of the particular 9-1-1 countywide system; (c) the City of Oxford remains a party to an agreement with other Butler County political subdivisions operating a public safety answering point on the subject of maintaining the Phase II countywide wireless 9-1-1 system including the City of Oxford's portion of the system and no breach of that agreement is declared by the City of Oxford or any other political subdivision operating a public safety answering point; (d) a majority of the legislative authorities of the cities and villages in Butler County not operating a public safety answering point do not vote to select a new representative.

Section 10: To the extent permitted by law, Council proposes the establishment of an intergovernmental agreement among the six (6) Public Safety Answering Point ('PSAPs') that would redistribute a portion of the amount received by the five (5) PSAPs who are eligible for distribution of funds by virtue of Ohio Revised Code Section 4931.64 (or its successor section) to the sixth PSAP.

SECTION 11: This resolution shall take effect at the earliest date allowed by law.

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott, Jr.

Police

Originating Department

Council Meeting Of: August 18, 2009

Account Code No. #: N/A

Steve Schwein

Prepared By

Budgeted Amount: N/A

August 7, 2009

Date Prepared

Agenda Title: A Resolution the City Manager to enter into an agreement to participate in the Butler County Sheriff's Drug Task Force.

Recommendation: Adopt the Ordinance.

Discussion: This Resolution authorizes the City Manager to enter into an agreement formalizing OPD's participation in the Butler County Sherriff's Drug Task Force. OPD has long been a participant in joint efforts to curb the possession, use and sales of illegal drugs. This agreement, similar to a mutual aid agreement, spells out the details of cooperation, liability, and when applicable, revenue sharing resulting from any forfeiture of property/and or money. The Law Director and City Manager have both reviewed and approved the agreement. There are no additional monies required of the City of Oxford or its police department as a result of our participation.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

SDS *8/7/09*

[Signature] *8/14/09*

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT TO PARTICIPATE IN THE BUTLER COUNTY SHERIFF'S DRUG TASK FORCE.

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

SECTION 1: The Sheriff Department of Butler County, Ohio wish to contract with the City of Oxford, Ohio; Fairfield Township, Ohio; West Chester Township, Ohio; City of Trenton, Ohio; and City of Monroe, Ohio for the provision of mutual assistance and interchange, and use of their police personnel and equipment to provide enhanced law enforcement capabilities to investigate and prosecute drug crimes occurring within each jurisdiction.

SECTION 2: Section 737.04 authorizes the City of Oxford, in order to obtain police protection or to obtain additional police protection, or to allow its police officers to work in multijurisdictional drug, gang, or career criminal task forces, to enter into contracts with one or more municipal corporations, townships, township police districts, or county sheriffs in this state, for services of police departments or the use of police equipment or for the interchange of services of police departments or police equipment within the several territories of the contracting subdivisions.

SECTION 3: The City Manager and Police Chief recommend the City enter into an agreement in substantially the same form as Exhibit 'A' attached hereto and incorporated herein to participate in the Butler County Sheriff's Drug Task Force to provide enhanced law enforcement capabilities to investigate and prosecute drug crimes occurring within Butler County, Ohio; the City of Oxford, Ohio; Fairfield Township, Ohio; West Chester Township, Ohio; City of Trenton, Ohio; and City of Monroe, Ohio.

SECTION 4: Council accepts the recommendation of the City Manager and Police Chief and hereby authorizes the City Manager to enter into an agreement in substantially the same form as Exhibit 'A' attached hereto and incorporated herein to participate in the Butler County Sheriff's Drug Task Force to provide enhanced law enforcement capabilities to investigate and prosecute drug crimes occurring within Butler County, Ohio; the City of Oxford, Ohio; Fairfield Township, Ohio; West Chester Township, Ohio; City of Trenton, Ohio; and City of Monroe, Ohio.

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

ADOPTED:
ATTEST:

MAYOR

CLERK OF OXFORD CITY COUNCIL
INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

**MEMORANDUM OF UNDERSTANDING
FOR REGIONAL DRUG TASK FORCE
Between the Sheriff of Butler County, Ohio and
Butler County, Ohio Townships and Municipalities**

WHEREAS, Sections 311.07(B), 505.43, 505.431 and 737.04 of the Ohio Revised Code specifically authorize Ohio townships and municipal corporations to enter into a contract with a county sheriff upon any terms that are agreed to by them, for services of police departments or use of police equipment, or the interchange of the service of police departments or use of police equipment of the contracting subdivisions, if the contract is first authorized by respective boards of township trustees and municipal legislative bodies; and

WHEREAS, the Sheriff of Butler County, Ohio, and _____ (“the Parties”) wish to contract with each other to provide for mutual assistance and interchange, and use of their police personnel and equipment to provide enhanced law enforcement capabilities to investigate and prosecute drug crimes occurring within and/or related to their individual and several jurisdictions.

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

1. ***Definitions:*** The following terms shall have the following meaning for purposes of this Agreement:
 - a. ***Member*** shall mean a law enforcement officer or other employee of one of the parties who is assigned to and working for the Task Force to perform law enforcement duties or training under the control of the Task Force command structure. A *Full-Time Member* shall be a member who is assigned to the Task Force for an average of forty (40) hours per week on an annual basis. A *Part-Time Member* shall be a member who is assigned to the Task Force for an average of twenty (20) hours per week on an annual basis.
 - b. ***Officer*** shall mean a sworn law enforcement officer having jurisdiction within the geographic territory of any of the parties to this Agreement;
 - c. ***Sheriff*** shall mean the duly elected or appointed Sheriff of Butler County, Ohio, or his designee.
 - d. ***Task Force Commander*** shall mean the law enforcement officer, designated by the Butler County Sheriff, who has over-all command responsibility for the planning, training and day-to day operations of the Task Force.
2. **Assignment of Personnel:** Each participating agency shall assign one or more full-time or part-time members to the Task Force throughout the time that the agency participates as a party to this MOU. All members of the Task Force shall at all times remain employees of their respective law enforcement agencies, whether they are working under the direction of the Task Force Commander or their own employer agencies. Each law enforcement agency

may alter the dedicated Task Force assignment schedule of its employees as the needs of the agency and jurisdiction may require. The law enforcement agency may withdraw or re-assign any employees according to agency needs; provided, however, the agency shall coordinate any such changes in personnel with the Sheriff so as not to disrupt or interfere with Task Force activities.

2. **Use of Vehicles:** The Task Force members' general transportation expenses to and from work and training duties shall be provided by the members' employing law enforcement agencies or by the members themselves if the terms of their employment so dictate. Task Force members may be required to operate vehicles owned by Butler County while assigned to and performing duties for the Task Force. The employing law enforcement agencies shall provide insurance coverage for their employees who operate vehicles owned by Butler County.
3. **Facilities and Equipment:** Each party to this Agreement will supply its Task Force members with such police equipment and supplies as is customary for the law enforcement agency, ***provided, however,*** that such equipment and supplies may be utilized or replaced for Task Force duties at the discretion and order of the Task Force Commander. Equipment used in the Task Force remains the property of the agency providing the equipment. Any additional equipment and supplies used by the Task Force and its members in carrying out their training and duty assignments shall be Butler County property that is purchased by and shall remain under the exclusive control of the Butler County Sheriff and his designee(s). Butler County shall provide suitable space for housing the operations and equipment of the Task Force.
4. **Drug Purchase Funds:** Butler County shall provide all monies used by the Task Force for the purpose of buying drugs or other contraband in the course of enforcing the criminal laws of the State of Ohio and the United States of America.
5. **Command Structure:** The Task Force Commander may, whenever he/she deems it practical and beneficial to the operations of the Task Force, appoint qualified senior members from the participating law enforcement agencies to supervisory assignments in the over-all Task Force structure and for individual case assignments.
6. **Rules and Regulations:** As soon as is practicable after execution of this Agreement by the original participating agencies, the Sheriff shall promulgate and distribute to all agencies a set of rules and regulations governing the training and operations of the Task Force and its personnel.
7. **Powers of Officers:** No Oath of Office need be administered to assigned Task Force member officers by the authorities of the law enforcement agencies who are parties to this Agreement when the performance of the officers' duties within any of the parties' jurisdictions is pursuant to this Agreement. Such officers shall have the same powers of enforcement and arrest as if acting within their own jurisdictions.
8. **Consideration:** No charges shall be made to any party hereto for services rendered pursuant

to the terms of this Agreement, it being understood that the mutual promises contained herein serve as adequate consideration.

9. **Sale and Distribution of Seized Assets:** All assets which are seized and forfeited by law or court order as a result of the efforts of the Task Force shall be maintained for use by the Task Force or sold at the discretion of the Butler County Sheriff. After reimbursement for costs incurred in the seizure, storage, maintenance, security, forfeiture proceeding, sale of the property, and satisfaction of any restitution ordered to the victim of the offense or to satisfy any recovery ordered for the person harmed, the remaining net proceeds shall be distributed as follows: Twenty-five (25) percent to the law enforcement trust fund of the Prosecutor of the jurisdiction that prosecuted the case and the remaining seventy-five (75) percent distributed among the law enforcement trust funds supporting the law enforcement agencies with assigned personnel actively participating in the Task Force by virtue of this Agreement or other Agreements with the Sheriff at the time of seizure. Distribution of proceeds among the participating law enforcement agencies shall be apportioned according to the ratio that the average number of full-time equivalent personnel each agency has assigned to the Task Force bears to the total number of full-time equivalent personnel assigned to the Task Force by all participating agencies. For purposes of determining the distribution of proceeds, the purchase of Task Force supplies and equipment by the Sheriff shall be considered as constituting one full-time personnel equivalent. Each agency receiving distributions shall be solely responsible for the ultimate use of such funds after receipt.
10. **Disclaimer of Liability:** In no case shall any of the parties herein be liable for damages to any other party hereto as a result of lack of speed in supplying assigned personnel, for any inadequacy of equipment or negligent operation of equipment, or for any cause whatsoever growing out of the use of such law enforcement equipment and/or personnel. Each party shall assume the cost of damage or loss of equipment, apparatus or consumable materials and supplies that it may incur while its employees are assigned to Task Force duties or training pursuant to the terms of this Agreement.
11. **Privileges and Immunity:** The parties intend for all assigned law enforcement agencies and their officers to enjoy the fullest privileges and immunities available to officers of the requesting law enforcement agency pursuant to Chapter 2744 of the Ohio Revised Code.
12. **Duty to Defend:** Each party hereto agrees to be responsible for and shall defend against any liability, suits, losses, judgments, damages or other claims or demands of any nature whatsoever brought as a result of the alleged actions or omissions of its own law enforcement officers, employees or officials in the performance of this agreement.
13. **Compensation of Employees:** Each law enforcement agency shall continue to provide the same salaries, overtime pay, vacation, sick leave, insurance, workers compensation, retirement and other fringe benefits to its employees while they are assigned to the Task Force under this Agreement as those employees would receive while directly under the command of their employing law enforcement agency and shall remain subject to existing

and future collective bargaining agreements. The parties hereto intend that their employees, even while acting outside of the political subdivision or governmental unit in which they are employed may participate, if the rules of the Board of Trustees of the policemen's pension or indemnity fund provide therefor, in any pension or indemnity fund established by their employer to the same extent as while acting within the employing political subdivision or governmental unit.

14. **Reporting and Review Requirements:** The Sheriff shall prepare and distribute quarterly financial and statistical reports to all participating agencies. The agencies shall annually review the performance of the Task Force and the terms of this Agreement on or about the anniversary of the execution of this Agreement by the initial signatory agencies.
15. **Duration of Agreement:** This Agreement shall remain in effect indefinitely with respect to each party hereto. Any party may terminate its participation as a party to the Agreement upon the giving of thirty days written notice to the other parties.
16. **Non-exclusive Participation:** Participation in this Agreement shall not preclude or limit the continued or subsequent participation of any of the law enforcement agencies in other drug enforcement activities, agreements or task forces at the local, state and/or federal level.
17. **Effective Date:** This Agreement shall become operative as to the undersigned parties when executed by the last one of them. A copy of this Agreement shall be deposited with the Butler County Emergency Management Agency.
18. **Execution:** This Agreement may be executed in multiple counterparts and at different times.

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.

IN WITNESS WHEREOF, each of the parties hereto has caused the signature of its appropriate official(s) to be set hereto pursuant to the authority of its appropriate legislative authority.

BUTLER COUNTY SHERIFF:

Approved as to form only:

Richard K. Jones

Date

Assistant Prosecuting Attorney Date

CITY OF OXFORD, OHIO. By:

Douglas R. Elliott, Jr., City Manager Date
Pursuant to Resolution # _____

Authorized and Approved by:

Stephan D. Schwein, Chief of Police Date

Approved as to form only:

City of Oxford Law Director Date

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: August 18, 2009

Account Code #: 332.830.50901

Budgeted Amount: \$150,000

Service Department
Originating Department

Michael Dreisbach, Service Director
Prepared By

August 6, 2009
Date Prepared

Agenda Title: Design Contract for Wastewater Treatment Plant RAS (return activated sludge) System and Biosolids Study

Recommendation: Approve

Discussion: The 2009 Capital Improvement (CIP) Budget includes \$150,000 for design and process control work at the City's wastewater treatment plant. This work was initially targeted for additional phosphorus removal from the waste stream prior to effluent discharge into Four Mile Creek. However, the Ohio Environmental Protection Agency (OEPA) has not directed the City to move forward with that work (this will now be on the 2012 CIP request). The 2010 Capital Improvement Budget was to include a line item for a Return Activated Sludge (RAS) and Biosolids Management Study with a proposed amount of \$80,000. As the OEPA is not requiring additional phosphorus removal at this time, Staff is recommending the City now move forward with the RAS study utilizing the existing appropriation.

The City has an existing professional service contract with Arcadis for engineering services. Arcadis has not only performed an update of the Master Plan for the Plant, but has also designed and inspected several major improvements at the Plant. The City has been very pleased with Arcadis' work, including the recent construction of a disc aeration system resulting in significant electricity cost savings. The Plant's budget for electricity in 2008 was \$324,800 and our projected expense for 2009 is \$225,000.

The proposed RAS study will evaluate current solids handling equipment and processes including the anaerobic digesters and methane gas storage system, gas mixing and safety equipment, sludge heating and transferring equipment, filter presses, polymer feeds, and the non-potable water system. Based on this study, recommendations will be made for future CIP recommendations and the priority ranking given to all improvements. This work is critical because of the possible multi-million dollar investment required by our existing anaerobic digesters that are reaching the end of their useful lives. Possible alternative technologies will be evaluated and ranked, along with estimates of probable costs for improvements.

It is Staff's recommendation that the City Council authorize the City Manager to enter into a Contract with Arcadis for an RAS and biosolids study at a cost of \$75,400. Staff is requesting a ten percent contingency in the amount of \$7,540; therefore the contract cost shall not exceed **\$82,940**.

Approved By:

Department Head:

City Manager:

Initial Date
MBD 8/7/09

[Signature] 8/12/09

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ARCADIS ENGINEERING FOR A RETURN ACTIVATED SLUDGE (RAS) AND BIOSOLIDS STUDY FOR THE WASTEWATER TREATMENT PLANT AT A COST OF \$75,400.00, PLUS A 10% CONTINGENCY FEE IN THE AMOUNT OF \$7,540.00, FOR A TOTAL COST NOT TO EXCEED \$82,940.00.

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

SECTION 1: The City Manager and the Service Director recommend Council authorize the City Manager to enter into a contract with Arcadis Engineering for a Return Activated Sludge (RAS) and Biosolids Study for the Wastewater Treatment Plant at a cost of \$75,400.00, plus a 10% contingency fee in the amount of \$7,540.00, for a total cost not to exceed \$82,940.00.

SECTION 2: Council accepts the recommendation of the City Manager and the Service Director for a Return Activated Sludge (RAS) and Biosolids Study, and hereby authorizes the City Manager to enter into a contract with Arcadis Engineering for a Return Activated Sludge (RAS) and Biosolids Study for the Wastewater Treatment Plant at a cost of \$75,400.00, plus a 10% contingency fee in the amount of \$7,540.00, for a total cost not to exceed \$82,940.00.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW(STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: August 18, 2009

Account Code #: 322.810.50803

Budgeted Amount: \$20,000

Service Department

Originating Department

Michael Dreisbach, Service Director

Prepared By

August 6, 2009

Date Prepared

Agenda Title: Design Contract for Water Treatment Plant Chlorine Feed System Improvements

Recommendation: Approve

Discussion:

The 2009 Capital Improvement Budget includes \$20,000 for the design of improvements to the Plant's chlorine feed system. Currently the Plant utilizes chlorine gas for disinfection of the water produced by the City. This chlorine gas is transported to the Plant in one ton cylinders and then connected to a chemical feed system at the Plant. These containers are extraordinarily dangerous to handle, and should there be an unexpected release, are very dangerous to life both inside and outside the Plant. Because of this inherent danger, and because the Federal government will likely place limits on the transportation and storage of these containers, Staff has been planning for the conversion of disinfecting agent from gaseous chlorine to a much safer liquid sodium hypochlorite (similar to swimming pool disinfecting agent). This liquid is much safer to transport, store, and utilize for the disinfection of the City's water supply.

The City has an existing professional service contract with Arcadis for engineering services. The City requested a proposal from Arcadis to review the City's existing chlorine chemical storage and feed systems and facilities; conduct a preliminary evaluation of the parameters necessary to change to a liquid feed system; design of all necessary processes, equipment, and appurtenances to support the change in feed material; and the development of all drawings and specifications necessary for bidding and constructing the improvement. Arcadis has proposed a fee of \$37,500 (a not to exceed amount) to complete all of the specified work.

The Capital Improvement budget has already appropriated \$20,000 for this design project. The balance necessary for this contract, \$17,500, will be transferred from the Bonham Road water main construction project that currently has a \$30,000 surplus. It is Staff's recommendation that the City Council authorize the City Manager to enter into a Contract with Arcadis for chlorine feed system improvements for an amount not to exceed \$37,500.

Approved By:

Department Head:

Initial Date

MBD \ 8/7/09

City Manager:

MBD \ 8/14/09

RESOLUTION NO. _____

A RESOLUTION BY THE OXFORD CITY COUNCIL AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ARCADIS ENGINEERING FOR THE DESIGN OF IMPROVEMENTS TO THE WATER TREATMENT PLANT'S CHLORINE FEED SYSTEM AT A COST NOT TO EXCEED \$37,500.00.

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

SECTION I: The 2009 Capital Improvement Budget includes \$20,000.00 for the design of improvements to the Water Treatment Plant's chlorine feed system, which is used to disinfect water produced by the City.

SECTION II: The City has an existing professional services contact with Arcadis Engineering for engineering services.

SECTION III: The City requested a proposal from Arcadis (i) to review the City's existing chlorine chemical storage and feed systems and facilities; (ii) to conduct a preliminary evaluation of the parameters necessary to change to a liquid feed system; (iii) to design all necessary processes, equipment, and appurtenances to support the change in feed material; and (iv) to develop all drawings and specifications necessary for bidding and constructing the improvement.

SECTION IV: Arcadis Engineering has proposed a fee of \$37,500.00 to complete each of the four items set forth in Section III of this Resolution.

SECTION V: The City Manager and Service Director recommend City Council authorize the City Manager to enter into a contract with Arcadis Engineering for the design of improvements to the Water Treatment Plant's chlorine feed system at a cost not to exceed \$37,500.00. Said amounts shall be paid out of the following funds:

- \$20,000.00 from the 2009 Capital Improvement Budget; and
- \$17,500.00 from the fund for the Bonham Road water main construction project, which currently has a surplus of \$30,000.00.

SECTION VI: Council accepts the recommendation of the City Manager and Service Director for the design of improvements to the Water Treatment Plant's chlorine feed system at a cost not to exceed \$37,500.00.

SECTION VII: Council authorizes the City Manager to enter into a contract with Arcadis Engineering for the design of improvements to the Water Treatment Plant's chlorine feed system at a cost not to exceed \$37,500.00. Said funds shall be paid out of the money appropriated for this project as part of the 2009 General Improvement Budget and the surplus from the Bonham Road water main construction project fund.

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

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: August 18, 2009

Kathryn A. Dale
Prepared By

Account Code No. #:

Budgeted Amount:

August 12, 2009
Date Prepared

Agenda Title:	Planning Commission Meeting Report – August 11, 2009
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Recommendation:	N/A
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DISCUSSION:

Prior to the regularly scheduled meeting, a Work Session was held to discuss GB regulations for the Locust Street area and to review concerns of the Subdivision Regulations. The discussion of both items will continue at another Work Session scheduled on September 8, 2009.

Reports from Commissions, Boards, Committees & Staff:

Ms. Kay invited everyone to the HAC/HAPC Open House scheduled for September 22, 2009 at the Oxford Community Arts Center.

Public Hearing:

PC-10-2009 FINAL SUBDIVISION – South Campus Avenue, Campus Commons, Phase 1, 7 lots, 5.434 acres, proposed residential subdivision R2MS (Single and Two Family Residential) Paul Baer Family Trust, Robert Broestl, P.E. Architect, Applicant

The Applicant was seeking approval of the Final Subdivision Plat to subdivide Phase I of the Campus Commons Subdivision. Phase I, according to the application, consists of 5.434 acres and 7 two-family lots. The Applicant proposes to construct the Poplar Street improvement from Central Avenue to the new Rose Avenue extension. Two drainage basins are shown in Phase I; however, just one will be constructed during this Phase. The Homeowners Association documents indicate that these will be maintained by the Association and access easements are provided. The sanitary sewer running through the Campus Courts apartment complex parking lot will be capped and rerouted into the new 18" main to be installed in the Rose Avenue extension. The sanitary line in Poplar Street will also be upgraded from a 12" to an 18" main.

The Commission asked questions regarding the HOA sign requirements and the Ohio EPA comments on sanitary sewer. Victor Popescu, City Engineer, was present and stated that the Applicant had made the necessary revisions regarding the sanitary and did not expect any more concerns to be raised by the EPA.

A member of the public raised issues that the street standards were not met, nor the requirement that stated new subdivision blocks can be no deeper than 300 feet. Staff clarified that the Commission discussed these issues during the Preliminary and that there was a provision under Section 1101.08 that allowed for variations and exceptions if deemed necessary.

The Planning Commission determined that the Final for Phase 1 substantially represented what was approved in the Preliminary and voted 5-0-0 to recommend **APPROVAL** to City Council with the following conditions:

1. That, final Ohio EPA approval is received regarding the sanitary sewer, and
2. That, the Homeowners Association documents are reviewed and approved by the Law Director prior to final recording.

PC-13-2009 ZONING MAP AMENDMENT – Talawanda High School, 4135 Millville-Oxford Road from A-1 (Township Zoning) to R1-A (Single-Family Low Density Residential), SHP Leading Design, Architects, Applicant.

The Applicant seeks a zoning map amendment for an area of approximately 154 acres of agricultural land from a County

agricultural zone (A-1) to R-1A Single Family Low Density Residential District. City Council adopted Resolution # 4455 on May 5, 2009 accepting the annexed petition for the subject property annexed into the City limits. The City and the school administration have been working collaboratively to ensure the new school facilities would be in the City.

There were no public comments or further deliberation. The Planning Commission determined that the Decision Standards for a zone map amendment were satisfied and voted 5-0-0 to recommend **APPROVAL** to City Council.

PC-12-2009 *CONDITIONAL USE* – Talawanda High School, 4135 Millville-Oxford Road, SHP Leading Design, Architect, Applicant

The Applicant was seeking a Conditional Use permit to build a new high school. A Conceptual Review was presented to the Planning Commission at the July 14, 2009 meeting. At the conclusion of the Conceptual Review, the Planning Commission requested the Applicant incorporate the comments onto the revised site plan. Those comments included roadway accessibility to all buildings (for firefighting purposes) and realistic right-of-way dedications for future roadway extension to the west of the railroad tracks. Engineering also provided comments regarding the water supply and maintenance of the boulevard.

The Applicant showed where they are proposing access drives to the ball fields for emergency squad access as well as a drive around to the back of the building for fire truck purposes. The Applicant explained that these options were all discussed with the Fire Chief and were found acceptable to him for his needs. The Applicant provided review of how they would modify the reserved right-of-way for the future roadway extension to curve more instead of having two 90-degree turns and how their entrance would be modified should that roadway ever be constructed. The Applicant also stated that barriers were required along the railroad track and that the school would do, all they could discourage students from walking along the tracks.

There were no public comments and the Planning Commission determined that all of the Decision Standards for a Conditional Use were satisfied and voted 5-0-0 to recommend **APPROVAL** to City Council with the following conditions

1. That, the future roadway and the extension of University Park Boulevard shall not be perpendicular, but a smooth curve. The right-of-way width of the future roadway and the extension of University Park Boulevard shall be the same as depicted on the drawing, dated August 11, 2009.
2. That, all concerns identified by the Engineering Office and the Fire Department must be addressed and satisfactory to both agencies prior to the commencement of any site improvements.

New Business:

Mr. Brewer shared that there were no items for the September agenda and that the Planning Commission would hold a Work Session instead starting at 6:00p.m.

The next regular meeting is scheduled for October 13, 2009.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

JHC 8/12/09

12/8/09

A Regular meeting of the Oxford City Council was called to order by Mayor Prue Dana on Tuesday, August 4, 2009 at 7:30 p.m. Those members present were Ken Bogard, Richard Keebler, Alysia Fischer, Kate Currie and Doug Ross. Greig Rutherford was excused.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. Steve Schwein, Police Chief; Mr. Bob Holzworth, Police Lieutenant; Mr Joe Newlin, Finance Director; Mr. Jung-Han Chen, Community Development Director; Mr. John Detherage, Fire Chief; Mr. Alan Kyger, Economic Development Director; Mr. Steve McHugh, Law Director and Ms. Mary Ann Eaton, Clerk of Council.

ADJOURN TO EXECUTIVE SESSION

Ms. Currie moved to adjourn to Executive Session at 7:15 p.m. in accordance with Ohio Revised Code Section 121.22 (G) for the purpose of discussing (1) Appointments to Boards and Commissions. Mr. Keebler seconded. The motion passed by the following roll call:

AYE: Mr. Bogard, Mr. Keebler, Ms. Currie, Ms. Fischer, Ms. Dana (5)

NAY: None (0)

ABS: None (0)

RETURN FROM EXECUTIVE SESSION

Ms. Fischer moved to return from Executive Session at 7:28 p.m. Ms. Currie seconded. The motion passed by the following roll call:

AYE: Mr. Keebler, Ms. Currie, Mr. Bogard, Ms. Fischer, Ms. Dana (5)

NAY: None (0)

ABS: None (0)

PLEDGE OF ALLEGIANCE

Mayor Dana called for the Pledge of Allegiance.

APPROVAL OF AGENDA

Ms. Fischer moved to approve the agenda. Mr. Keebler seconded the motion passed 6-0-0.

PUBLIC PARTICIPATION

SWEARING-IN **CHRISTOPHER OSBORNE**

Chief Schwein advised he was proud to have Chris Osborne sworn in as Oxford's 28th Police Officer filling a position vacated by the retirement of John Buchholz. Chief Schwein noted Chris had been a faithful employee in the communications center for a number of years and had waited very patiently for this promotional opportunity.

Mr. McHugh performed the swearing-in.

Mr. Osborne introduced members of his family who were in attendance,

Mayor Dana and members of Council and staff congratulated Mr. Osborne on his promotion to Police Officer.

PRESENTATION **OXFORD COLLEGE CORNER CLINIC**

Ms. Lisa Gadaleta, thanked Council for their past and future support of the Oxford College Corner Clinic. Ms. Gadaleta distributed the 2008 Annual Report and read the mission statement. Ms. Gadaleta advised the clinic in Oxford was located at 5151 Morning Sun Road and was open the first Wednesday of every month from 6-8 p.m. and the clinic in College Corner was located at the First United Presbyterian Church and was open the third Wednesday of every month from 6-8 p.m. Ms. Gadaleta noted 16 patients were seen per clinic or 32 patients per month. Ms. Gadaleta discussed the Clinic's funding sources and expenses.

Mayor Dana asked Ms. Gadaleta to keep Council informed of how the Clinic was doing and noted the clinic was a very important asset to the community.

APPOINTMENTS TO BOARDS **AND COMMISSIONS**

Mr. Keebler moved to appoint Jack Mann to the McCullough-Hyde Memorial Hospital Board of Trustees for a 5 year term expiring July 1, 2014 and to reappoint Prue Dana, John Sherron, Jack Southard, Perry Gordon, Holli Morrish, David Prytherch and JoNell Rowan to the Oxford Parking and Alternative Transportation Advisory Board for one year terms and to appoint Brendan Davis for a one year term. Ms. Fischer seconded. The motion passed 6-0-0.

PUBLIC COMMENTS

Ms. Bobbe Burke, 722 David Drive, addressed Council with regard to the up-coming 'WalkABOUTs' which was the annual visit from City and Miami staff and Council members to students moving back into Oxford. Ms. Burke discussed the various informational pamphlets and flyers that would be distributed to the students this year.

Ms. Fischer noted she was excited to see that the color coded Off-Campus District Map which listed student senator information was included in the packet and thanked Matt Ciccone for this effort.

Mr. Keebler noted the packet contained a lot of good information.

CONSENT AGENDA

Mr. Bogard requested removal of item A. Minutes.

REPORTS

Report regarding the July 14, 2009 Planning Commission Meeting. (Jung-Han Chen Community Development Director)

Report regarding the July 20, 2009 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the July 22, 2009 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

RESOLUTIONS

RESOLUTION **AGREEMENT WITH** **TRUDO/ALBERT FIRE EQUIPMENT**

A Resolution No. 4469 authorizing the City Manager and Fire Chief to enter into an agreement with Trudo/Albert Fire Equipment L.L.C. for the purchase of three (3) thermal imaging cameras with truck mounts and chargers at a cost not to exceed \$25,000.00 utilizing funds in the amount of \$15,000.00 awarded from the 2008 Assistance to Firefighters Grant and \$10,000.00 from budgeted Capital Improvement ('CIP) funds. (John Detherage, Fire Chief)

RESOLUTION **DONATE PROPERTY**

A Resolution No. 4470 OF Council authorizing the donation of certain property in the City's possession to local not-for-profit agencies. (Mary Ann Eaton, Clerk of Council)

RESOLUTION
AGREEMENT WITH
REI CONSTRUCTION

A Resolution No. 4471 authorizing the City Manager to enter into an agreement with REI Construction for the replacement of an existing 10 inch water main crossing Four Mile Creek at Bonham Road at a cost of \$63,927.50 plus a ten percent contingency fee in the amount of \$6,392.75 for a total cost not to exceed \$70,320.25. (Mike Dreisbach, Service Director)

Ms. Fischer moved to approve the consent agenda. Mr. Bogard seconded. The motion passed 6-0-0.

MINUTES

Minutes of the July 21, 2009 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

Mr. Bogard noted a correction to page 2 of the minutes.

Mr. Bogard moved to approve the minutes as corrected. Mr. Keebler seconded. The motion passed 6-0-0.

RESOLUTIONS

RESOLUTION
GRANT APPLICATION

A Resolution No. 4472 of Council supporting the submission of a grant application to the Ohio Arts Council in an amount not to exceed \$1,909.80 by the Bicentennial Event Planning Committee to purchase a piece of art to celebrate the Bicentennial of the platting of the City of Oxford with a 50% local match. (Kate Currie, Council member)

Ms. Currie advised the Bicentennial Event Planning Committee felt it would be appropriate and nice to commemorate the City's Bicentennial with the installation of a permanent sculpture at the Oxford Community Park. Ms. Currie noted the committee chose local artist Jim McWilliams to create the sculpture. Ms. Currie advised this project would qualify for a grant from the Ohio Arts Council to cover 50% of the cost and noted the committee was asking for Council's approval to apply for the grant and for the City to pay for the local match. Ms. Currie noted the specific location in the park would be determined by the artist and Ms. Brahier, Parks and Recreation Director.

Mr. Ross inquired what the taxpayers would be contributing to this project and Ms. Currie advised \$1,909.80.

Ms. Currie moved to adopt Resolution No. 4472. Ms. Fischer seconded. The Resolution was adopted by the following roll call:

AYE: Mr. Keebler, Mr. Ross, Ms. Currie, Mr. Bogard, Ms. Fischer, Ms. Dana (6)

NAY: None (0)

ABS: None (0)

RESOLUTION
MUNICIPAL PARKING

A Resolution No. 4473 authorizing the City Manager to convert the upper metered deck (30 spaces) of the Municipal parking garage located at the intersection of Main Street and Walnut Street to leased parking. (Steve Schwein, Police Chief)

Mayor Dana advised the proposed Resolution would assist in providing parking to students who would soon be moving to the Uptown area.

Lieutenant Holzworth discussed the staff report as presented on page 29 of the agenda noting the proposed Resolution was fully supported by the Police Department and Parking Board. Lt. Holzworth noted the proposed Resolution would provide 30 parking spaces for those who were vying for parking spaces on the street and was an important piece in solving parking issues.

Mr. Keebler noted the parking garage was underutilized and this proposal made sense.

Ms. Fischer noted there was a waiting list for leased parking spaces and inquired what determined who would be granted the spaces and Lt. Holzworth advised they were granted in the order they were received. Ms. Fischer inquired how much the spaces cost per month and Lt. Holzworth advised \$55.00.

Mr. Bogard requested that proper signage was installed so the public could readily know where they could park and Lt. Holzworth addressed the issue.

Mr. Keebler moved to adopt Resolution No. 4473. Ms. Fischer seconded. The Resolution was adopted by the following roll call:

AYE: Mr. Bogard, Ms. Currie, Ms. Fischer, Mr. Keebler, Ms. Dana (5)

NAY: Mr. Ross (1)

ABS: None (0)

RESOLUTION
PARTICIPATION
AGREEMENT

A Resolution No. 4474 authorizing the City Manager to enter into a participation agreement with the Board of County Commissioners of Butler County, Ohio on behalf of the City of Oxford, Ohio which would allow the City of Oxford to utilize the Butler County 800 megahertz public safety communications system. (Steve Schwein, Police Chief)

Chief Schwein advised this project was a long time in the making and Matt Franke was in attendance to answer any questions.

Mr. Franke advised the City of Oxford applied for five 800 radio frequencies in the 1990's and installed the current 800 radio system several years ago in conjunction with the county using grant funding. Mr. Franke noted that was the first step of the project to create a countywide public safety communication system which was ready to be deployed. Mr. Franke advised there were two documents and two Resolutions before Council this evening which involved the Participation Agreement and the Spectrum Sharing Agreement. Mr. Franke advised the Participation Agreement was the same for every governing body that would utilize the countywide system and the Spectrum Sharing Agreement was unique to Oxford and West Chester and involved the utilization of the frequencies currently licensed to Oxford and West Chester. Mr. Franke advised the ongoing cost to participate in the countywide system would not exceed what Oxford was currently paying and the benefit was having wider coverage as well as \$700,000 in new equipment. Mr. Franke advised Oxford had been commended by other agencies for its contributions to the countywide system.

Mr. Bogard inquired who would pay for upgrades ten years from now and Mr. Franke advised annual software upgrades would be purchased and the hardware was brand new. Mr. Franke noted he did not foresee the need for hardware upgrades for 8-10 years and the funding would have to come from another source. Mr. Bogard inquired if Butler County was the only county in southwest Ohio with a countywide system and Mr. Franke advised the only other similar system in Ohio was in Lucas County in Toledo.

Mr. Keebler advised he felt it was important that Council adopt the proposed Resolutions. Mr. Keebler stated it was important to note that even though Oxford had the radio frequencies they did not have the money to install the system. Mr. Keebler advised the funding came from a Homeland Security grant championed by Butler County.

Mr. Franke advised the grant funding provided the capital start up cost for the new system. Mr. Franke noted the City's contributions were the engineering and management of the project originally and the ongoing management and maintenance of the current system which was utilized by other agencies in addition to Oxford over the last 5-6 years.

Mayor Dana thanked Mr. Franke for providing the background on this important project for the good of the entire county.

Mr. Bogard moved to adopt Resolution No. 4474. Ms. Currie seconded. The Resolution was adopted by the following roll call:

AYE: Mr. Keebler, Mr. Ross, Mr. Bogard, Ms. Currie, Ms. Fischer, Ms. Dana (6)

NAY: None (0)

ABS: None (0)

RESOLUTION
SPECTRUM SHARING
AGREEMENT

A Resolution No. 4475 authorizing the City Manager to enter into a Spectrum Sharing Agreement on behalf of the City of Oxford, Ohio with the Board of County Commissioners of Butler County, Ohio, the Butler County Sheriff, and the Board of West Chester Township, Ohio Trustees. (Steve Schwein, Police Chief)

Chief Schwein advised the proposed agreement would allow the county to use the City's 800 radio frequencies. Chief Schwein noted even though this was a county project Matt Franke was instrumental in bringing millions of dollars to the City. Chief Schwein advised Mr. Franke's insight to purchase the 800 frequencies in the 1990s put Oxford in a position to be on par with West Chester. Chief Schwein commended Mr. Elliott for bringing himself up to speed on a project that began many years before he became City Manager.

Mr. Bogard moved to adopt Resolution No. 4475. Ms. Currie seconded. The Resolution was adopted by the following roll call:

AYE: Mr. Bogard, Ms. Currie, Ms. Fischer, Mr. Keebler, Mr. Ross, Ms. Dana (6)

NAY: None (0)

ABS: None (0)

ORDINANCES
FIRST READING

ORDINANCE
ANNEXATION

An Ordinance Accepting The Annexation Petition From The Board Of Education Of The Talawanda City School District For 154.487 Acres Of Land In The Township Of Oxford, Ohio And Accepting Said Territory To Be Annexed. (Jung-Han Chen, Community Development Director)

Mr. Chen discussed the staff report as presented on page 38 of the agenda noting this was the final step of the annexation process which required Council to formally accept the petitioned territory into the City. Mr. Chen noted members of the Talawanda School District and School Board were in attendance to answer any questions.

Dr. Phil Cagwin, Superintendent, Talawanda School District, officially thanked Mayor Dana and Council for endorsing the bond issue last November for the construction of the new high school. Dr. Cagwin thanked Council for their ongoing support and work with the Board of Education noting it was a positive partnership in something that would be a significant improvement to the quality of life in Oxford and the community. Dr. Cagwin asked for Council's assistance in finalizing the annexation so construction of the high school could begin.

Ms. Fischer and Ms. Currie noted they were excited that the project was moving forward.

Mr. Bogard thanked Mr. Elliott for fast tracking the annexation process.

ORDINANCE
FINAL SUBDIVISION
APPLICATION

An Ordinance Approving The Final Subdivision Application For Reckford Woods Subdivision Phase One. (Jung-Han Chen, Community Development Director)

Mr. Chen discussed the staff report as presented on page 51 of the agenda noting the applicant was present to answer any technical questions or concerns.

Mr. Ben Hurst, Bayer & Becker Inc., representing Tri-State Habitat for Humanity and Reckford Woods, advised Bayer & Becker had worked with Scott Webb, Architect from the preliminary process to the design phase of the project. Mr. Hurst noted Bayer & Becker tried to address all of the concerns raised by the Community Development Department and the Planning Commission. Mr. Hurst advised one outstanding issue was a concern that the soil might be contaminated and advised additional investigation of the soil sampling was underway and should be complete by the end of the week. Mr. Hurst noted the other outstanding issue was the recording of the documents related to the subdivision which would be recorded at the appropriate time.

Mr. Ross requested Mr. Hurst to speak to the soil sampling. Mr. Hurst advised there were approximately 20 abandoned vehicles on the property and a concerned citizen felt there may be contamination from the fuel and oil from those vehicles. Mr. Hurst noted further analysis of the soil was necessary to prove there were no contaminants and if there were contaminants the appropriate measures would be taken to clean it up. Mr. Ross inquired what measures would be taken with regard to excess water on the property. Mr. Hurst advised there were two proposed detention basins planned, one for Phase I and one for Phase II.

Ms. Fischer noted concern that the soil report was not complete and suggested the continuation of this First Reading.

Ms. Fischer noted all existing structures on property slated for Phase I and Phase II needed to be removed before any construction began.

Mr. Keebler advised he did not want to continue the First Reading although the soil report was needed prior to the Second Reading. Mr. Keebler noted if the report raised an issue with contamination the Second Reading of the proposed Ordinance could be tabled at that time.

Ms. Currie noted she agreed with Mr. Keebler.

Mr. Ross advised he had walked the property and was not concerned with contamination. Mr. Ross noted if Council delayed every project where an old tractor, car or truck had been parked they would never approve anything.

Mr. McHugh inquired if he and Council would see the Home Owners Association Declarations prior to the Second Reading.

Mr. Jim Lipnickey, Habitat for Humanity, advised the Declarations related to the Home Owners Association were in process but would not be complete before the Second Reading.

ORDINANCE
NEW SECTION 351.04

An Ordinance Repealing Current Section 351.04 'Parking Near Curbs; Handicapped Locations On Public And Private Lots And Garages' And Adopting New Section 351.04, Establishing Fine For Violation Of Subsection F(1) Of Section 351.04. (Steve Schwein, Police Chief)

Lt. Holzworth addressed the staff report as presented on page 77 of the agenda and advised the proposed Ordinance would substantially change the fine for this violation to be in line with Miami University and the Ohio Revised Code.

Ms. Fischer clarified that the proposed fine increase was for illegally parking in a handicapped space.

Mr. Ross inquired what the current and proposed fine was and Lt. Holzworth advised the fine was currently \$25.00 and the proposed fine would be \$250.00.

Mr. Bogard inquired how many violations occurred annually. Lt. Holzworth advised between 90 and 100 which wasn't a problem in terms of the number of citations but it was a problem when a special needs person could not park where they needed to park.

Mr. Ross noted Council may want to look at changing other fines and fees to what Miami University charged and Mayor Dana advised the Parking Board was looking into that issue.

ORDINANCE
NEW SECTION 351.16

An Ordinance Repealing Current Section 351.16 'Snow Routes' And Adopting New Section 351.16, Establishing Fine For Violation Of Subsection (C) Of Section 351.16. (Steve Schwein, Police Chief)

Lt. Holzworth addressed the staff report as presented on page 82 of the agenda noting this was also a fine change request which was discussed extensively by the OPATAB (Oxford Parking and Transportation Advisory Board) and endorsed by them. Lt. Holzworth noted his hope the change in the fine would be an incentive for people to move their vehicles from a snow route during a snow event. Lt. Holzworth discussed several new options to alert the public that a snow emergency was in effect.

Mr. Jim Hockaday, 308 E. Sycamore, noted Miami University had an emergency system which sent text messages to students and was widely used. Mr. Hockaday suggested the City could cross coordinate its snow emergency alert with this system.

Mr. Ross advised he could not vote in favor of the proposed Ordinance since the only way to know if a snow emergency was in effect was to call the Police Department.

Ms. Fischer inquired what the current fine was and Lt. Holzworth advised typically \$25.00 and the proposed fine would be \$100.00.

Mr. Keebler advised his feeling \$100.00 for the citation plus \$200.00 for towing and impounding was steep.

Ms. Fisher suggested a low tech solution to alert people of a snow emergency may be useful and noted Ms. Burke had suggested using a colored 'flag' method

Mr. Keebler noted his feeling certain people were not going to move their vehicle no matter what the cost was and at some point it became gouging.

ORDINANCES
SECOND READING

An Ordinance Amending Ordinance No. 3033. Supplemental Budget Ordinance Number 7 To Make Supplemental Appropriations For Fiscal Year 2009. (Joe Newlin, Finance Director)

Mr. Newlin discussed the staff report as presented on page 85 of the agenda.

Mr. Bogard moved to adopt Ordinance No. 3072. Ms. Fischer seconded. The Ordinance was adopted by the following roll call:

AYE: Ms. Currie, Ms. Fischer, Mr. Keebler, Mr. Bogard, Ms. Dana (5)

NAY: Mr. Ross (1)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott thanked Council for adopting the Resolutions regarding the Participation Agreement and Spectrum Sharing Agreement for the Countywide Public Safety Communications System noting the goal was to have it in place when the Miami University students returned to Oxford.

Mr. Elliott advised he provided Council with a summary of staff comments regarding Parking Proposals and noted Council could accept or reject some or all of the proposals, ask staff and the Planning Commission to proceed with developing implementation recommendations for all or some of the proposals or refer the proposals to the OPATAB for further study and send recommendations back to Council.

Mr. Elliott noted he and staff members attended the first Stakeholder Information Meeting today regarding the BUT-Oxford Connector Project.

Mr. Elliott advised Des Fleurs Garden Club awarded a certificate to Eric Keebler, Manager of the Streets and Maintenance Division in recognition of beautifying Oxford especially with the hanging baskets. Mr. Elliott commended the division for their efforts.

Mr. Elliott noted he and Mr. Kyger met with the Chamber of Commerce to discuss various issues including the encouragement of economic growth in the City.

Mr. Elliott advised a meeting would take place on August 10th with the Township Trustees to discuss a new Fire/EMS contract.

Mr. Elliott noted a meeting took place recently with representatives from the Ohio Department of Natural Resources, staff, and Mr. Jeff McDonald regarding a deer management program. Mr. Elliott advised ODNR recommended that the City held an Open House to discuss wildlife management.

Ms. Eaton inquired if Council would give staff direction regarding Consent Agenda item F. (toy donation) and Mayor Dana advised Council would comment on the matter this evening.

Mayor Dana advised staff's comments regarding the parking proposals were very helpful and suggested that Council referred the proposals to the OPATAB for further study. Council members agreed with Mayor Dana.

Mayor Dana asked Ms. Eaton to report what she found out from cities in Ohio regarding agenda packets in an effort to reduce paper and copying costs.

Ms. Eaton advised she received approximately 50 responses from cities throughout the state and 97% of them posted the entire agenda packet on their website and provided the public with the 3-4 page agenda cover only. Ms. Eaton noted if members of the public requested additional information it was provided to them upon request and most cities charged a fee of .05 per page.

Mayor Dana encouraged the use of the above procedure noting the information would be provided on request but not printed in excess of what was needed. Mr. Bogard noted his support for the above procedure. Mr. Ross was not in favor of the above procedure. Mr. Keebler noted his support for the procedure and suggested a computer be made available at City Hall for citizens to view the agenda packet. Ms. Currie was in favor of the above procedure and noted she would rather not charge a fee for printed copies since there would already be a large cost savings. Ms. Fischer agreed with Ms. Currie.

Mayor Dana advised the Butler County Auditor would attend the Work Session on August 18, 2009 at 6:00 p.m. and the Capital Improvement Plan Work Session would take place on August 25, 2009 at 7:00 p.m.

Ms. Currie thanked the Parks and Recreation Department for providing the various summer programs noting they provided a wonderful service to the community.

Mr. Keebler advised he noticed thousands of plastic pellets in his neighborhood that were being used by children for various games and after research found they were not bio-degradable and he considered them to be an environmental nightmare. Mr. Keebler noted upon further research he found the company supplying the product offered a bio-degradable version of the product and asked the City Manager to look into ways to control the sale and use of the non bio-degradable product in the City of Oxford.

Ms. Fischer noted when the Deer Management Program was presented she would like to hear about options other than bow and arrow to control the deer herd.

Ms. Fischer suggested the stuffed animals (item F. on the Consent Agenda) could be donated to the not-for-profit agencies the City worked with or perhaps the ShareFest volunteers.

Mr. Bogard noted an article was published in the Hamilton Journal News that featured Oxford Police Officer Jon Varley and his wife Beth regarding gun safety and education for children.

Mr. Bogard advised he attended the Butler County Fair and the City of Oxford was well ahead of the City of Fairfield in recycling efforts.

Mr. Ross noted support for banning the non-biodegradable pellets that Mr. Keebler discussed. Mr. Ross suggested the stuffed animal donation could be given to the Police and Fire departments.

Mr. Ross noted there were now four people running for City Council.

Mayor Dana referred to information Council received regarding House Resolution 676 the US National Health Insurance Act and asked Council to respond to her with their opinion as to whether or not it was an issue they should approach.

ADJOURNMENT

Mr. Bogard moved to adjourn at 8:58 p.m. Ms. Currie seconded. The motion passed 6-0-0.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott, Jr.

Police

Originating Department

Council Meeting Of: August 4, 2009

Account Code No. #: N/A

Steve Schwein

Prepared By

Budgeted Amount: N/A

July 28, 2009

Date Prepared

Agenda Title: An Ordinance Repealing Current Section 351.16 "Snow Routes" and Adopting New Section 351.16, Establishing Fine for Violation of Subsection (C) of Section 351.16

Recommendation: Adopt the Ordinance.

Discussion: The present ordinance is modified to become the new ordinance by the simple striking of ~~in addition to the penalty provided for by Section 303.99~~ and adding be subject to a One Hundred and 00/100 Dollar (\$100.00) fine. Both OPATAB and the Police Division support this increase in fine. Despite efforts by Miami University and the Oxford Police Parking and Administrative Staff to educate the public regarding parking restrictions during snow emergencies, considerable numbers of vehicles continue to be cited and towed. As an example, the Snow Emergency of March 7-9, 2008 resulted in 42 vehicles towed. January 27-30, 2009 the Snow Emergency resulted in 35 vehicles being towed. Just a week later, February 3-5 another 11 vehicles had to be towed. The February 3-5 event would have resulted in many, many more vehicles towed had not we only had one wrecker company at our service.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

Discussion Only
DE 7.30.09

ORDINANCE NO. _____

AN ORDINANCE REPEALING CURRENT SECTION 351.16 "SNOW ROUTES" AND ADOPTING NEW SECTION 351.16, ESTABLISHING FINE FOR VIOLATION OF SUBSECTION (C) OF SECTION 351.16.

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

SECTION I: Section 351.16 of the Codified Ordinances of the City of Oxford regulates parking when accumulations of snow or ice are greater than or equal to three inches (3") deep or during any level of Snow Emergency.

SECTION II: City Council has determined that a provision should be added to Section 351.16(d) to discourage parking on streets designated as snow routes when there is three or more inches of snow or ice on the ground or during any level of Snow Emergency.

SECTION III: Current Section 351.16 of the Codified Ordinances of the City of Oxford, Ohio, is hereby repealed and new Section 351.16 is adopted to read as follows:

351.16 SNOW ROUTES.

(a) "Snow routes" are hereby defined as streets or portions of streets designated by official signs on one or both sides thereof, installed by order of the City Manager. The City Manager is authorized and directed to designate such streets as snow routes which, for the safety or convenience of the public and the accommodation of traffic, should be kept open and clear when snow accumulations are greater than or equal to three inches (3") or during any level of Snow Emergency.

(b) The City Manager, or designee, shall be responsible for ensuring that special signs are erected which:

(1) Indicate and identify the streets as snow routes;

(2) State that there is no parking when snow is greater than or equal to three inches (3") deep or during any level of Snow Emergency; and

(3) Indicate that the snow routes are tow-away zones.

(c) No vehicle may be parked on any snow route when snow and/or ice accumulations are greater than or equal to three inches (3") or during any level of snow emergency.

(d) Any person who violates the provisions of subsection (c) hereof shall be guilty of a minor misdemeanor and ~~in addition to the penalty provided for by Section 303.99 be~~ **subject to a One Hundred and 00/100 Dollar (\$100.00) fine.** An unattended vehicle parked in violation of subsection (c) hereof shall additionally be subject to the removal and impounding provisions of Section 303.08. (Ord. 3014. Passed 9-16-08.)

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

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott, Jr.

Police

Originating Department

Council Meeting Of: August 4, 2009

Account Code No. #: N/A

Steve Schwein

Prepared By

Budgeted Amount: N/A

July 28, 2009

Date Prepared

Agenda Title: An Ordinance Repealing Current Section 351.04 "Parking near Curb; Handicapped locations on public and private lots and garages." And adopting new section 351.04, establishing fine for violation of subsection F(1) of Section 351.04

Recommendation: Pass the Ordinance.

Discussion: This is essentially the present ordinance with the exception of the insertion of a penalty section specifying a \$250 fine in the new ordinance. The present ordinance and fine were adopted more than a quarter of a century ago and fines for general offenses in this section were set and remain at \$25. Both the Oxford Police Division and OPATAB support this change to significantly reduce abuse of privilege in these spaces by non-qualified individuals. The state statute that mirrors this ordinance (4511.69) specifies a minimum fine of \$250 and maximum fine of \$500.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

SDS 7/29/09

[Signature] 7/29/09

ORDINANCE NO. _____

AN ORDINANCE REPEALING CURRENT SECTION 351.04 "PARKING NEAR CURB; HANDICAPPED LOCATIONS ON PUBLIC AND PRIVATE LOTS AND GARAGES" AND ADOPTING NEW SECTION 351.04, ESTABLISHING FINE FOR VIOLATION OF SUBSECTION F(1) OF SECTION 351.04.

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

SECTION I: Section 351.04 of the Codified Ordinances of the City of Oxford regulates parking near curbs and in designated handicapped parking locations on public and private lots and garages within the City.

SECTION II: City Council has determined that a provision should be added to Section 351.04(f) to discourage non-handicapped individuals from parking illegally in handicapped parking spaces.

SECTION III: Current Section 351.04 of the Codified Ordinances of the City of Oxford, Ohio, is hereby repealed and new Section 351.04 is adopted to read as follows:

351.04 PARKING NEAR CURB; HANDICAPPED LOCATIONS ON PUBLIC AND PRIVATE LOTS AND GARAGES.

(a) Every vehicle stopped or parked upon a roadway where parallel parking is indicated and there is an adjacent curb shall be stopped or parked with the curb side wheels of the vehicle parallel with and not more than twelve inches from the curb, unless it is impossible to approach so close to the curb; in such case the stop shall be as close to the curb as possible and only for the time necessary to discharge and receive passengers or to load or unload merchandise.
(Ord. 1764. Passed 8-2-83.)

(b) This subsection does not apply to streets or parts thereof where angle parking is lawfully permitted. However, no angle parking shall be permitted on a State Route unless an unoccupied roadway width of not less than twenty-five feet is available for free-moving traffic.

(c) No vehicle shall be stopped or parked on a road or street with the vehicle facing in a direction other than the direction of travel on that side of the road or street.

(d) Notwithstanding any provision of this Code or any rule, air compressors, tractors, trucks and other equipment, while being used in the construction, reconstruction, installation, repair or removal of facilities near, on, over or under a street, may stop, stand or park where necessary in order to perform such work, provided a flagperson is on duty,

or warning signs or lights are displayed as may be prescribed by the Ohio Director of Transportation.

(e) Special parking locations and privileges for persons with disabilities that limit or impair the ability to walk, also known as handicapped parking spaces or disability parking spaces shall be provided and designated by the Municipality and all agencies and instrumentalities thereof at all offices and facilities, where parking is provided, whether owned, rented or leased, and at all publicly owned parking garages. The locations shall be designated through the posting of an elevated sign, whether permanently affixed or movable, imprinted with the international symbol of access and shall be reasonably close to exits, entrances, elevators and ramps. All elevated signs posted in accordance with this subsection and Ohio R.C. 3781.111 (C) shall be mounted on a fixed or movable post, and the distance from the ground to the top edge of the sign shall measure five feet. If a new sign or a replacement sign designating a special parking location is posted on or after October 14, 1999, there also shall be affixed upon the surface of that sign or affixed next to the designating sign a notice that states the fine applicable for the offense of parking a motor vehicle in the special designated parking location if the motor vehicle is not legally entitled to be parked in that location.

(f) (1) No person shall stop, stand or park any motor vehicle at special parking locations provided under subsection (e) hereof, or at special clearly marked parking locations provided in or on privately owned parking lots, parking garages, or other parking areas and designated in accordance with subsection (e) hereof, unless one of the following applies:

- A. The motor vehicle is being operated by or for the transport of a person with a disability that limits or impairs the ability to walk and is displaying a valid removable windshield placard or special license plates;
- B. The motor vehicle is being operated by or for the transport of a handicapped person and is displaying a parking card or special handicapped license plates.

(2) Any motor vehicle that is parked in a special marked parking location in violation of subsection (f)(1) of this section may be towed or otherwise removed from the parking location by the Police Department. A motor vehicle that is so towed or removed shall not be released to its owner until the owner presents proof of ownership of the motor vehicle and pays all towing and storage fees normally imposed by the Municipality for towing and storing motor vehicles. If the motor vehicle is a leased vehicle, it shall not be released to the lessee until the lessee presents proof that that person is the lessee of the motor vehicle and pays all towing and storage fees normally imposed by the Municipality for towing and storing motor vehicles.

(3) If a person is charged with a violation of subsection (f)(1) of this section, it is an affirmative defense to the charge that the person suffered an injury not more than seventy-two hours prior to the time the person was issued the ticket or citation and that,

because of the injury, the person meets at least one of the criteria contained in Ohio R.C. 4503.44(A)(1).

(4) Whoever violates subsection (f)(1) of this section shall be guilty of a parking violation subject to a fine of Two Hundred Fifty and 00/100 Dollars (\$250.00) for each offense.

(g) When a motor vehicle is being operated by or for the transport of a person with a disability that limits or impairs the ability to walk and is displaying a removable windshield placard or a temporary removable windshield placard or special license plates, or when a motor vehicle is being operated by or for the transport of a handicapped person and is displaying a parking card or special handicapped license plates, the motor vehicle is permitted to park for a period of two hours in excess of the legal parking period permitted by local authorities, except where local ordinances or police rules provide otherwise or where the vehicle is parked in such a manner as to be clearly a traffic hazard.

(h) As used in this section:

(1) "Handicapped person" means any person who has lost the use of one or both legs, or one or both arms, who is blind, deaf or so severely handicapped as to be unable to move without the aid of crutches or a wheelchair, or whose mobility is restricted by a permanent cardiovascular, pulmonary or other handicapping condition.

(2) "Person with a disability that limits or impairs the ability to walk" has the same meaning as in Ohio R.C. 4503.44.

(3) "Special license plates" and "removable windshield placard" mean any license plates or removable windshield placard or temporary removable windshield placard issued under Ohio R.C. 4503.41 or 4503.44, and also mean any substantially similar license plates or removable windshield placard or temporary removable windshield placard issued by a state, district, country or sovereignty.
(ORC 4511.69)

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

MAYOR

ADOPTED: _____
ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development Department
Originating Department

Council Meeting Of: August 18, 2009

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

August 12, 2009

Date Prepared:

Agenda Title:	PC-12-2009 CONDITIONAL USE – Talawanda High School, 4135 Millville-Oxford Road, SHP Leading Design Architect, Applicant
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Recommendation:	Approve with Conditions
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Discussion:

The Planning Commission held a Public Hearing for this Conditional Use application to establish a public school in a R1A zoning district. The Applicant and School Administrators have been working with the City on this project for months in anticipation of building a new high school.

Approximately 154 acres of land was purchased by the Talawanda School District to build a quality educational facility and to implement their long-term facility master plan. The Planning Commission held a Concept Review at their July 14 meeting and provided comments to the Applicant regarding potential concerns based on the standards.

During the Public Hearing, the Applicant addressed those concerns raised by the Planning Commission and City agencies. The Planning Commission reviewed the Conditional Use Decision Standards and determined that the proposed Conditional Use met the standards subject to those conditions outlined in the staff report, except for a minor modification to replace the July 27, 2009 submitted Site Plan with the most current Site Plan dated August 11, 2009

The Planning Commission members deliberated staff recommendations and ultimately voted 5-0-0 to recommend **APPROVAL** to City Council with the following conditions:

1. That, the future roadway and the extension of University Park Boulevard shall not be perpendicular, but a smooth curve. The right-of-way width of the future roadway and the extension of University Park Boulevard shall be the same as depicted on the drawing, dated August 11, 2009.
2. All concerns identified by the Engineering Office and the Fire Department must be addressed and satisfactory to both agencies prior to the commencement of any site improvements.

Approved By:	Department Head:	Initial	Date
	City Attorney:	<i>JHC</i>	8/12/09
	City Manager:	<i>WMC</i>	8/14/09

ORDINANCE NO.

ORDINANCE APPROVING A CONDITIONAL USE PERMIT TO PERMIT A PUBLIC SCHOOL IN A R1A (SINGLE-FAMILY LOW DENSITY RESIDENTIAL) DISTRICT LOCATED AT 4135 MILLVILLE OXFORD ROAD WITH CONDITIONS.

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

SECTION 1: The Planning Commission met pursuant to Oxford Codified Ordinance Section 1147.02 on August 11, 2009 for the purpose of considering the request of SHP Leading Design, Architect, Applicant, for a conditional use permit to permit a public school in a R1A (Single-Family Low Density Residential) District located at 4135 Millville Oxford Road.

SECTION 2: The Planning Commission, after a public hearing and discussion, voted and approved a motion recommending approval of the conditional use application to permit a public school in a R1A (Single-Family Low Density Residential) District located at 4135 Millville Oxford Road with conditions.

SECTION 3: Council hereby accepts the action of the Planning Commission and accepts the recommendation report submitted by the Planning Commission and incorporates the same herein and further grants the conditional use permit application to permit a public school in a R1A (Single-Family Low Density Residential) District with the following conditions:

- a. The future roadway and the extension of University Park Boulevard shall not be perpendicular, but a smooth curve. The right-of-way width of the future roadway and the extension of University Park Boulevard shall be the same as depicted on the drawing dated August 11, 2009.
- b. All concerns identified by the City Engineer and the Fire Department shall be addressed and satisfactory prior to the commencement of any site improvements.

SECTION 5: This Ordinance shall take effect at the earliest time allowed by law.

ADOPTED:

MAYOR

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

Certification of Action Oxford Planning Commission Recommendation to City Council

<u>Report Date</u>	August 12, 2009
<u>Case Number</u>	PC-12-2008
<u>Applicant Information</u>	SHP Leading Design, Applicant/Architect Talawanda School District, Owner
<u>Requested Action</u>	Conditional Use Permit
<u>Summary of Request</u>	To permit a public school in a R1A (Single-Family Low Density Residential) District
<u>Public Hearing Information</u>	On July 14, 2009 a Concept Plan Review took place. On August 11, 2009 a Public Hearing took place at 101 East High Street. A Public Hearing notice was published in the Oxford Press on July 10, 2009. Courtesy notices were mailed to adjacent property owners on July 1, 2009.
<u>Commission Action</u>	The Planning Commission voted 5-0-0 recommending approval of the Conditional Use Permit with two conditions at the August 11, 2009 meeting.
<u>Commission Findings and Conclusions</u>	At the August Planning Commission meeting, review of issues that were raised earlier by City Staff and Planning Commission members at the Concept Review discussion took place. The Planning Commission was pleased that the concerns had been satisfied. Two conditions were identified with the approval of this Conditional Use..
<u>Exhibits Submitted to the Commission</u>	1. <u>Documents Received from the Applicant at the August 11, 2009 Planning Commission Meeting</u> a. Letter responding to Engineering Comments from Kleingers & Associates Dated 8/6/2009 b. Most Current Site Plan Submitted 8/11/2009 2. <u>Conditional Use Application</u> a. Letter of Agency b. Conditional Use Permit Application Dated 6/26/09 c. Description of Use and Site/Narrative Statement d. Lot Coverage Information Prepared by Applicant e. Legal Description f. Aerial Photograph g. Location Plan Dated 7/27/2009 h. Lighting Plan Dated 6/23/2009 i. Tree Planting Plan Dated 6/29/2009 j. Exterior Elevations Dated 6/26/2009 k. Proposed Signs Dated 6/23/2009 l. Artist Renderings 3. <u>Comments Received From Staff As a Result of Their Review of the Conditional Use Application</u> a. Staff Report Dated 7/30/2009

- b. Inter-Office Review Transmittal Sheets Dated 7/1/2009 and 7/27/2009
 - c. Property Owner Notification
 - d. Lot and Building Coverages Prepared by City Staff
- 4. Comments Received from Staff as a Result of the Conceptual Review Which Took Place at the Planning Commission Meeting Held on July 14, 2009
 - a. Conceptual Review Staff Report Dated 6/26/2009
 - b. Inter-office Review Transmittal Sheets
- 5. The Applicant's Response to Feedback Received from City Staff as a Result of the Conceptual Review Which Took Place at the Planning Commission Meeting Held on July 14, 2009
 - a. Applicant Letter Responding to Staff Comments Dated 7/27/2009
 - b. Lighting Schematics Received from Applicant
 - c. Aerial Photographs of Connector Road Variations Submitted by Applicant

CASE #PC-12-2009
CONDITIONAL USE APPLICATION

**In addition to the Conditional Use Application, attached are
the following:**

- **Documents received from the Applicant at the August 11, 2009 Planning Commission meeting**
- **Comments received from staff as a result of their review of the application**
- **Comments received from staff after having reviewed the Concept Plan**
- **The Applicant's response to feedback from Staff regarding the Concept Plan**

CASE #PC-12-2009

**Documents received from the Applicant at the August 11, 2009
Planning Commission meeting which addressed concerns
noted at the Concept Plan Review held on July 14, 2009
CONDITIONAL USE APPLICATION**



provided by applicant
for PC-12-2009 @
8/11/09 mtg

Building Better
Communities

AUGUST 6, 2009

City of Oxford
101 E. High Street
Oxford, OH 45056

Attn: Mr. Victor Popescu

Re: New Talawanda High School

Mr. Popescu:

This letter is in reference to the City's review comments dated July 16th, 2009. It is important to note, per my voicemail message to your office on Wednesday, August 5th, that some changes have been made to the plans since your last review. Although we have made changes the design intent has remained the same and none of the changes made affect the City's previous comments. The changes made primarily affected the drainage plan; additional storm and drainage swales were added to prevent water from sheeting across walks and/or roadways which may have caused future pavement failure and/or unsafe icy conditions. We would be happy to accommodate the City needs, in anyway, to help understand what changes were made since the last submittal. (i.e. plans set...etc...) See our responses below.

Plan Sheet C100

- The standard asphalt pavement detail has been modified to require no time limit for tack coat.
- It is our understanding that the roadway on the school property will be private and maintained by the school district. In such a case, the Ohio School's Facility Commission requires that the school use 4,500 PSI Concrete. Please let us know if we have misunderstood the roadway agreement between the School District and the City and we will adjust the plans accordingly.
- The heavy asphalt pavement detail has been modified to require no time limit for tack coat.
- The curb ramp detail now refers to "mat" in lieu of "truncated domes".
- The proper fine amount has been updated per the City's fee schedule on the accessible parking sign detail.
- General Note #25 has been updated to require the contractor to follow the City of Oxford specifications for backfill and standard drawing #11 has been added to our plans.
- Again it is our understanding that the walks within the school property will be private and maintained by the school district. If our understanding is correct we request that the 5" sidewalk thickness remain and not be reduced to 4". It is a standard design parameter for the walks to be 5" thick on school projects.

Cincinnati, OH

Columbus, OH

Dayton, OH

www.kleingers.com

6305 Centre Park Drive
West Chester, Ohio 45069

(513) 779-7851
FAX (513) 779-7852

Plan Sheet C112

- Additional contact names have been added to sheet C100 and the existing contacts names from sheet C112 have also been added to sheet C100. We were unable to modify sheet C112 because our firm did not perform the survey for the site. Legally we are not permitted to modify someone else's survey.

Plan Sheet C132 & C133

- At this time there are no plans to provide the any future concessions stands with water and sanitary sewer. Should things change in the future the school understands that the further south they build the less likely gravity sewer will be achievable and they may have to pump the sanitary. There are also no plans to provide irrigation on this site.

Plan Sheet C140

- ISO Requirements – There has been an ongoing discussion with city engineers that there is an insurance requirement for a larger on-site water line per the city's insurance carrier. The following is per our Plumbing Engineer, Keith Schloemer: **"I received a call back from Steve Stross with ISO just now, and he was perplexed with the issue that I posed to him. He did not want to say that there are no ISO requirements, but rather that he is not aware of any requirements that he would require if he were to review the project. He indicated that the only time he is aware of additional requirements for fire flows is for sites where the building is not fully protected with sprinklers. I'll try to contact someone else at ISO to see if they can provide any additional information, but at this time it does not appear that we need to design for any additional insurance mandated sprinkler or fire flow requirements. This may ultimately determine if the City should be responsible to pay for the difference in cost for larger (12") water line as opposed to the 8" line that would technically be required to protect the building/site."** Per the School Treasurer: **"I spoke to our insurance carrier this morning and they are NOT concerned about the size of the line. Our carrier (Ohio School Plan) does not currently use ISO standards for premium purposes."**
- Per the plumbing designer, the 4" domestic water service is adequate for the school needs.
- A note has been added to all affected sheets stating that "Construction of the sanitary sewer below minimum grade will not be accepted by the City of Oxford".
- The domestic meter size required will be 3" meter per the Plumbing Engineer.

Plan Sheet C141

- A note has been added to all affected sheets stating that "Construction of the sanitary sewer below minimum grade will not be accepted by the City of Oxford".
- A water valve has been added to the water line at the school property line, where the two designs meet.

Plan Sheet C142

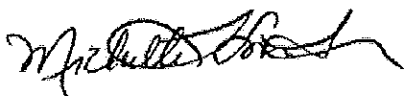
- The geothermal wells are buried and allow for the play fields to be located above them. It is also acceptable to have pavement located over them, however we try to avoid this incase something should need to be dug up and repaired in the future. The geothermal wells are 4' below grade. If you would like more information about the geothermal wells design we can have the Engineer Kevin Goetz contact you.

Plan Sheet C151

- Because the Bio Retention / Detention Pond will not contain standing water the school will not be providing fencing around it. The bio retention area is simply an underdrain system with gravel and amended soils intended to infiltrate the rainwater before entering the detention basin.

Thank you so much for the quick turn around time on the review comments. If you feel any item has not be adequately addressed please do not hesitate to contact us.

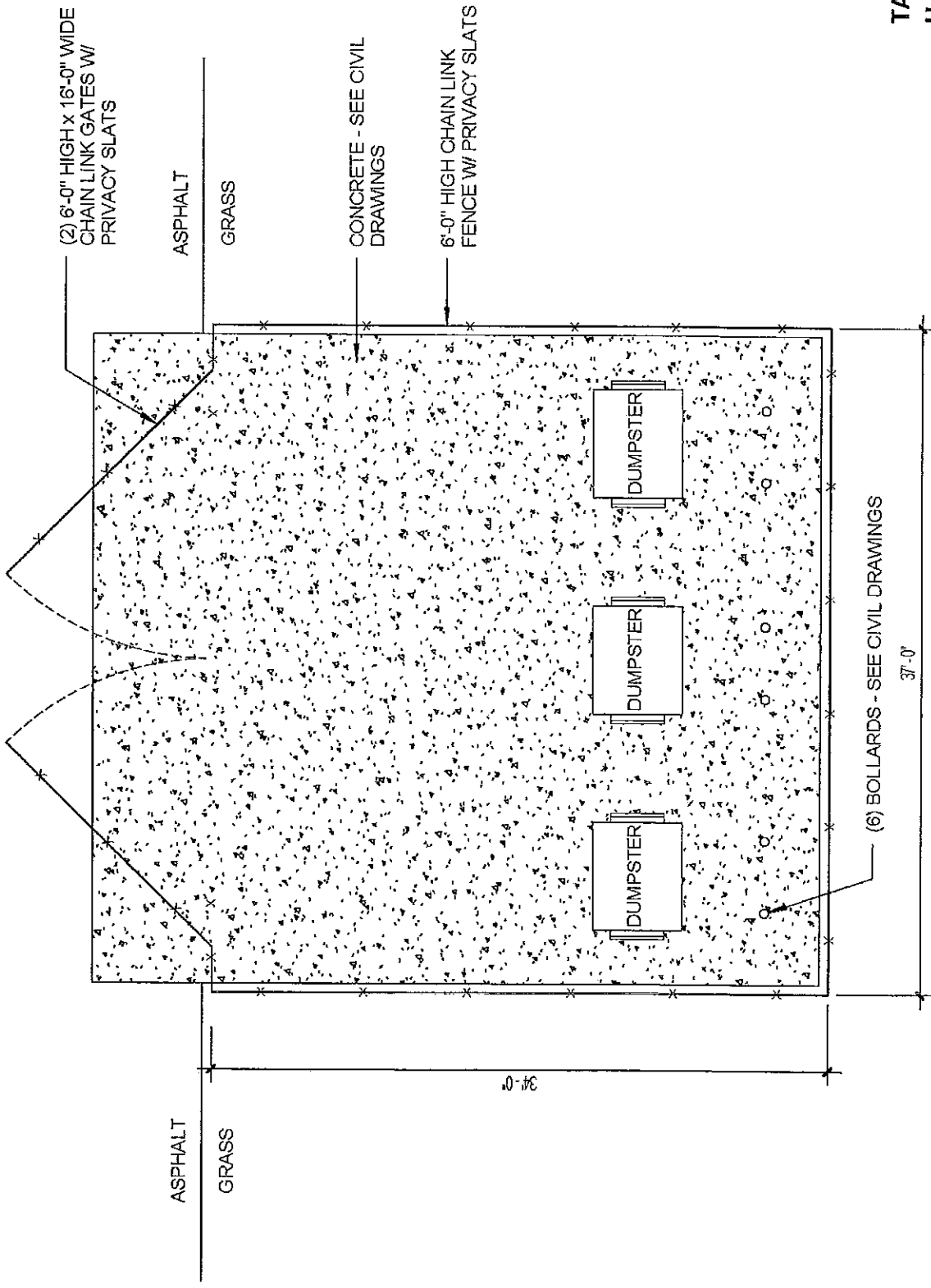
Sincerely,
KLEINGERS & ASSOCIATES INC.



Michelle L. Smith, LEED AP
Project Designer

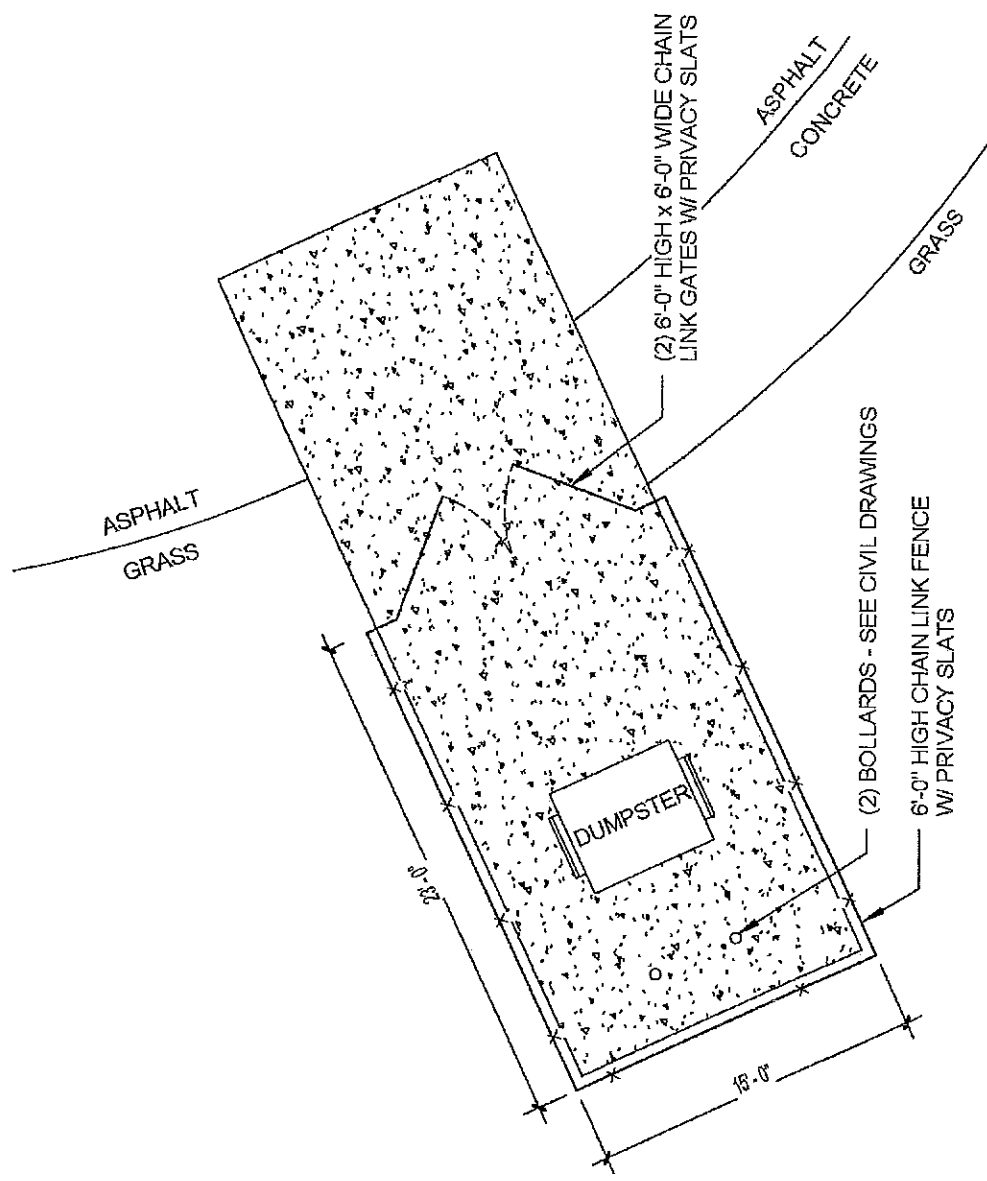
Enclosures

CC: File



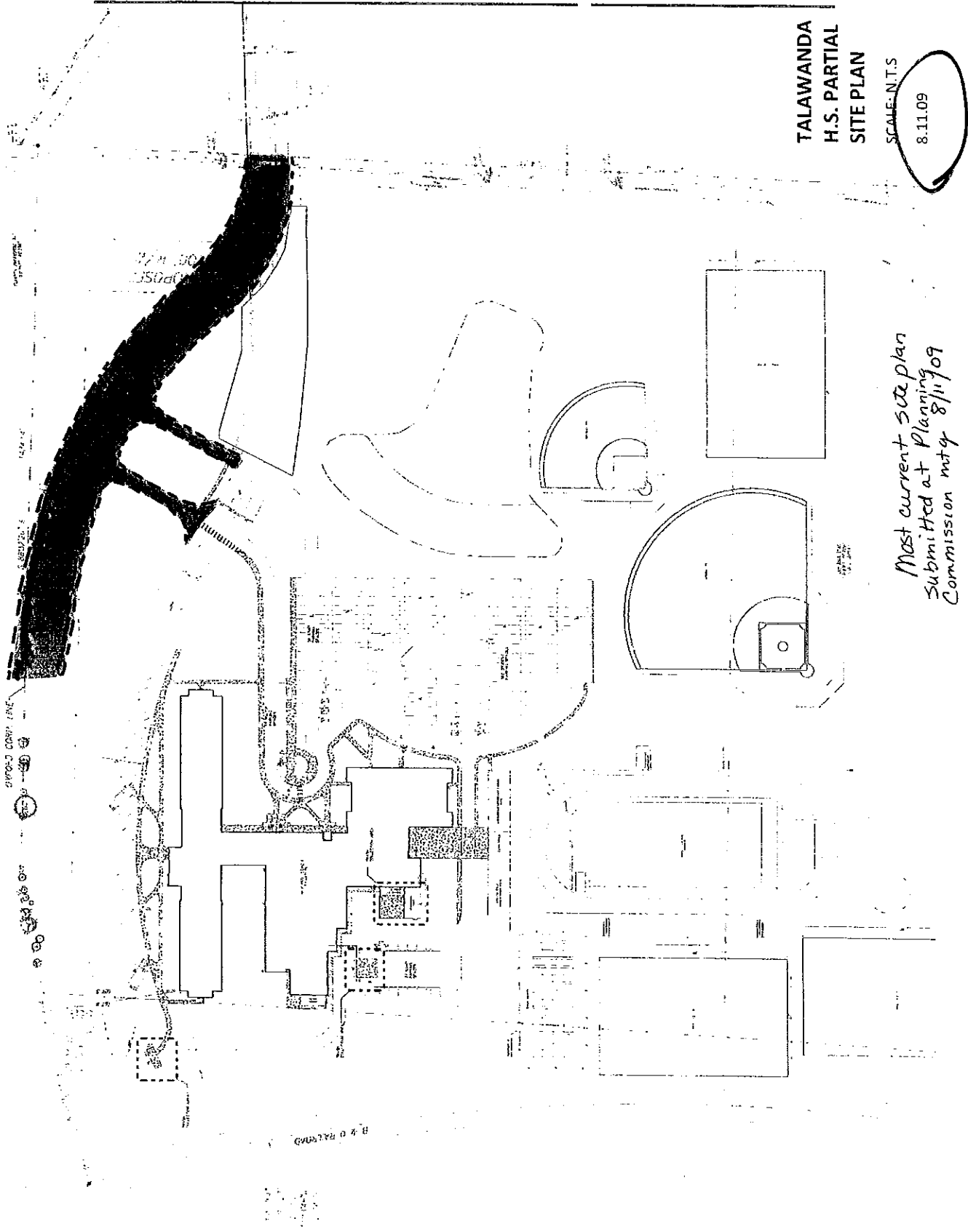
SOUTH DUMPSTER ENCLOSURE

TALAWANDA
H.S. PARTIAL
SITE PLAN
SCALE: N.T.S
8.11.09



NORTH DUMPSTER ENCLOSURE

TALAWANDA
H.S. PARTIAL
SITE PLAN
SCALE: N.T.S
8.11.09



TALAWANDA
H.S. PARTIAL
SITE PLAN

SCALE: N.T.S.
8.11.09

Most current site plan
Submitted at Planning
Commission mtg 8/11/09

CONDITIONAL USE APPLICATION

LETTER OF AGENCY

To Whom It May Concern:

Please be advised that SHP Leading Design has permission to represent our interest with the City of Oxford and act on our behalf for the Planning Commission and City Council hearings regarding Talawanda High School at our property located at 4135 Millville-Oxford Rd, Oxford, Ohio 45056.

Thank-you,



Owner/ Trustee:

Company Name & Address:

TALAWANDA SCHOOL DISTRICT

CFO/TREASURER

6/24/09
Date:

Case No.: PC-12-09
Date Filed: 6/26/09

Conditional Use Permit Application
City of Oxford, Ohio

REQUIRED INFORMATION (print clearly)

Name of Applicant: SHP LEADING DESIGN, CHARLIE JANNICHEN
(Attach a letter of agency if the applicant is not the property owner.)
Mailing Address: 4805 MONTGOMERY RD, SUITE 406
CINCINNATI, OH 45212
Telephone Number(s): 513-381-2112
Location of Property: 4135 MILLVILLE - OXFORD RD.
Legal Description: SEE ATTACHED
Zoning District:
Total Area: 154 (Acres) Square Feet (circle one)
Existing Use: FARM LAND
Proposed Use: R1-A

SUBMISSION REQUIREMENTS

The required fee of \$400.00, made payable to the City of Oxford, must accompany the application. The entire submission must be prepared in accordance with Chapter 1147, Conditional Uses, of the Zoning Code of the City of Oxford.

Attach thirteen (13) copies of a site plan indicating the following:

1. North arrow
2. Scale
3. Vicinity Map
4. All existing and proposed lot lines within the site
5. Dimensions of all lots and of the entire site and any adjacent rights-of-way
6. Location, height, and use of all proposed and existing structures
7. Location and design of all proposed vehicle management areas
8. Location, size, and type of all proposed signs
9. Location, height, and type of all proposed screening and landscaping
10. Distances to residential zoning districts if within 1,000 feet
11. The use of land and location of structures on adjacent property and across adjacent rights-of-way
12. Elevations of proposed structure, or typical elevations if structures are not yet designed, shall be required by the Zoning Administrator if the proposed location, height, or bulk of the structure is such that it may negatively affect an adjacent use
13. Photographs of the existing use and its surroundings.
14. Other information as required by the Planning Commission

Attach a statement describing how the proposed Conditional Use meets the following Decision Standards of the zoning district in which it is to be located:

- A. The proposed use is in fact a Conditional Use in the zoning district in which it is proposed.
- B. The use and site will satisfy the general intent of this Zoning Code.
- C. The use and site will be compatible with the general intent of the Comprehensive Plan.
- D. The size and shape of the site are sufficient for the proposed use.
- E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.

- F. 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.
- G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.
- H. 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.
- I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
- J. 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.
- K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.
- L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
- M. All necessary permits and licenses for the Conditional Uses and its operation have been or can be obtained for the use at the proposed location.

On a separate sheet of paper, provide the names and addresses of all adjoining property owners within 200 feet of the site, including those across streets, roads, alleys and highways.

NOTE: The Butler County website (www.butlercountyohio.org/auditor) is very helpful when searching for the mailing address of adjoining property owners. Once the site is up, click on online searches, then click on real estate. It will allow you to search by owner, address or parcel number.

All materials must be delivered to the office of the Community Development Director, City of Oxford, 101 East High Street, Oxford, Ohio 45056. Any questions should be directed to the Community Development Department at (513) 524-5204. The issue will be placed on the next possible agenda.

NOTE: Incomplete applications will not be processed.

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

 Signature of Applicant	CHARLIE JAMINIEN Printed Name	Date: <u>6/24/09</u>
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FEE / RECEIPT

\$400 Fee Paid / Receipt Number: 14764

CODIFIED ORDINANCES OF OXFORD
PART ELEVEN – PLANNING AND ZONING CODE
1147.02 Conditional Use
Talawanda High School

Applicant:

SHP Leading Design
Charlie Jahnigen, AIA, LEED-AP
4805 Montgomery Road
Cincinnati, OH 45212
513.381.2112

A. Application Fee

B. Description of Use and Site

1. Contact Information:

Talawanda City Schools
Mike Davis CPA, Treasurer
131 W. Chestnut
Oxford, Ohio 45056
513.273.3333

2. Owner: *Board of Education of the Talawanda City School District*

3. Legal Description – *see attached*

4. Existing Use: *Farmland with (1) single family home*

5. Zoning District: *Residential R1-A*

6. Description of the proposed use: *The proposed educational use is for grades 9-12. Schools today are nearly used 24 hours per day. School hours will be 7:40 am – 3:20 pm. The facility will have sports fields and auditorium which will result in student activities after school.*

7. Narrative Statement that evaluates the compatibility of the proposed use with the general vicinity and adjacent properties: *The high school will serve the Oxford, Reily, Milford and Hanover Townships along with the City of Oxford. The location of the new high school is near the center of the geographic boundaries of the school district. The proposed structure will have similarities to adjacent residential homes with sloped roofs and red brick.*

The proposed facility will have sports field lighting. This spillage can be mitigated by preserving the current tree buffer at the property line.

The proposed facility will have 35+/- busses and 300 +/- cars on a daily basis. The bus traffic will occur on the north portion of the site. The car traffic will be spread

throughout the site. Islands with trees and bioretention have been located throughout parking lot to help breakup the parking lot.

8. **A statement about why the location proposed is more appropriate for the use than other locations:** *The proposed location is at the highest topographic point of the site to utilize gravity for the sewer system. Additionally, the location is far away from the eastern property line where residential development is likely to occur.*
 9. **A statement of the necessity or desirability of the proposed use to the neighborhood community:** *All local residents who send their children to local public high school will attend Talawanda.*
 10. **Detailed statement to address individual concerns:** *See 1147.03 (30) A below.*
 11. **List of names and mailing address of all land owners within 200 feet of the site:**
See attached list.  not included in packet. Available in office. See buffer drawing attached.
 12. **Such other information regarding the proposed use, site, or surrounding area as may be pertinent to the application or required by planning commission.**
See attached Land Use Plans.
 13. **How the use is similar to or different from existing area uses and if there will be an interaction between the proposed use and existing use.** *The current use is farm land. The new use will be educational. The owner will be leasing a portion of the undeveloped land to local farmers. Approximately 50 +/- acres will continue to be farmed.*
 14. **How any existing structures, proposed structures, and the site design relate to adjacent structures and sites.** *The proposed design will be typical to school planning and unique to the adjacent properties as they are multi-family, single family and agricultural.*
- C. **Site Plan** – *See attached Sheet C100 and C101. See attached E100 for lighting plan. Oxford zoning requires 16' poles. We are recommending 30' and 16' poles due to the savings in first cost and proximity of light spillage.*
- D. **Elevations** – *See attached Sheet A200*
- E. **Other** – *See attached aerial renderings of proposed facility*
-

1147.03 USE SPECIFIC REGULATIONS & POTENTIAL CONCERNS

(30) Schools

A. Potential Concerns

1. Parking lot size to permit future expansion

The parking lot is sized to handle 413 vehicles. The lot can be expanded to the south or east if deemed necessary in the future.

2. Bus and Van storage

The only potential storage may be a few vehicles for maintenance or band performances. These vehicles will be stored near those uses toward the west end of the building.

3. Access to streets that can handle traffic generated by the use

Talawanda Schools has performed a traffic impact study which has been submitted to the City of Oxford and the Ohio Department of Transportation. The study requires a south bound turn lane on 27 in which the city and district are working together to execute. A north bound turn lane is required and that is already in place. The study has included recommendations for providing sufficient capacity for vehicles exiting the site.

4. Design of vehicle management

The site designed so busses are to travel to the north, cars to the south. The south lot is separated to maintain distinct student and staff parking.

5. Location of outdoor facilities such as ball fields and band practice areas

All practice fields are to the south. The band may utilize the bus parking as a marching band practice location.

6. Proximity to incompatible uses (establishments serving alcohol)

The closest use is Chestnut Street.

B. Regulations

1. Parking spaces shall not be located in a yard adjacent to a residential zoning district

Parking will be located adjacent to residential zoning. This location is 1100' +/- from the property line.

2. Structure shall be setback a minimum of 30 feet from a residential zoning.

The building is 1350' +/- from the East property line and 1050' +/- from the North property line.

Photographs of the existing use and its surroundings.

See attached images.

Attach a statement describing how the proposed Conditional Use meets the following Decision Standards of the zoning district in which it is to be located.

- A. The proposed use is in fact a Conditional Use in the zoning district in which it is proposed.

YES

- B. The use and site will satisfy the general the general intent of this Zoning Code

YES

- C. The use and site will be compatible with the general intent of the Comprehensive Plan

YES. The Comprehensive Plan calls out for Economic Expansion and Neighborhood Development adjacent to the proposed site. Having a new high school will be attractive when looking to locate to Oxford.

- D. The size and share of the site are sufficient for the proposed use

YES, the site is 154 acres.

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

No hazardous use on site.

- F. 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.

No production producing the above effects will occur.

- G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.

YES

- H. 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.

YES

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

YES, the city is working with the city on roadway and water line extensions.

- J. 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.

YES – Refer to Aerial Renderings

- K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.

YES – Refer to 1147.03.A.3 Traffic

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

NO

- M. All necessary permits and licenses for the Conditional Uses and its operations have been or can be obtained for the use at the proposed location.

YES

Lot Coverage's:

(Prepared by SHP)

Total Site Area:	154 ac.
Total lot area of property to be utilized:	3,381,718 sf. This area is from the west property line to the east property line, and the north property line to a line drawn west to east from the southernmost edge of the south practice field
Front Yard Lot Area:	(Eastern Property line length x 30')= 54,900 sf. This area is along the east property line from the north property line to a line drawn west to east from the southernmost edge of the south practice field.
Proposed Building:	189,757 sq.ft.
Proposed Future Fieldhouse:	12,936 sf
Parking for cars:	77,886 sq.ft
Parking for buses:	29,284 sf
Sidewalks:	62,359 sf
Access drives:	247, 007 sf This area includes the main entry road from the east property line west, and all drives around the school.
Tennis Courts:	30,240 sf
Track/field (including stands):	192,824 sf This includes track and field (may or may not be turf but is still counted as hard surface), along with area adjacent to future fieldhouse.
Any concrete areas/concession areas:	Concession area is included in future fieldhouse square footage.
Baseball Diamond 1:	
Dugouts:	None.
Any concrete areas/concession areas:	None.
Baseball Diamond 2:	
Dugouts:	None.
Any concrete areas/concession areas:	None.
Existing Farm Buildings:	
House:	2,181 sf
Garage:	512 sf
Shed:	176 sf
Barn 1:	2,424 sf
Barn 2:	6,169 sf
Building 3:	154 sf
Silos:	376 sf total (2 silos)
Sidewalks:	342 sf
Deck/Porches:	100 sf
Existing Gravel Drive:	19,613 sf
Cell Tower Pad:	9,844 sf



318. S. College Avenue
Oxford, Ohio 45056
P 513.523.4270
F 513.523.3785
www.bayerbecker.com

March 26, 2009

DESCRIPTION:

Leo Erik, etal. Property
0.103 acres

LOCATION:

Part of Section 35
Oxford Township
Butler County, Ohio

Situated in Lot 3 Section 35, Town 5, Range 1, Oxford Township, Butler County, Ohio, being part of the lands of Leo Erik, etal., as recorded in deed book 6351 page 2292 of the Butler County Recorder's Office and being more particularly described as follows:

Commencing at a Stone found at the northeast corner of said Lot 3, Section 35;

Thence with the east line of said Lot 3 and with the east line of the lands of Clawson Properties, LLC. as recorded in deed book 7577 page 1342 of the Butler County Recorder's Office; S 02°18'18" W, for 422.75 feet to a 1/2" rebar found, said point being the **True Point of Beginning**;

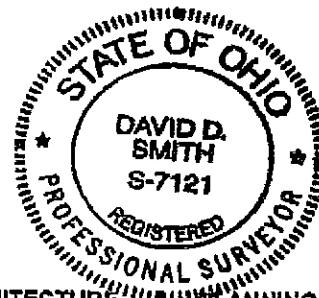
Thence with the west line of the lands of Arrowhead Crossing, Ltd., as recorded in deed book 6055 page 2096 of the Butler county Recorder's Office, S 02°17'31" W a distance of 184.97 feet to a 5/8" rebar set;

Thence with the north line of the lands of The Board of Education of the Talawanda School District as recorded in deed book 8096 page 1521 of the Butler County Recorder's Office; N 88°32'26" W, for 24.33 feet to a point, said point being at the base of a concrete post ;

Thence with the eastern line of said lands of Clawson Properties, LLC, N 02°19'13" E a distance of 185.06 feet to a 5/8" rebar set;

Thence with the southern line of said lands of Clawson Properties, LLC, S 88°19'17" E a distance of 24.24 feet to **True Point of Beginning** containing 0.103 acres of land more or less, being subject to all legal highways, easements, restrictions and agreements of record.

This description was prepared by David Douglas Smith, Register Ohio Surveyor # 7121. A plat of survey of this property has been recorded in volume 53 page 6 of the Butler County Engineers Record of Land Surveys.



CIVIL & TRANSPORTATION ENGINEERING

LANDSCAPE ARCHITECTURE PLANNING

SURVEYING

EXHIBIT "A"

SITUATE IN LOTS 1, 3, 4, 5 AND 6 IN SECTION 35, TOWN 5, RANGE 1, TOWNSHIP OF OXFORD, BUTLER COUNTY, OHIO BEING PART OF THE LANDS OF LEO ERIC, ET AL., AS RECORDED IN DEED BOOK 6351, PAGE 2292 OF THE BUTLER COUNTY RECORDER'S OFFICE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A RAILROAD SPIKE FOUND AT THE SOUTHEAST CORNER OF SAID SECTION 35;

THENCE WITH THE EAST LINE OF SAID SECTION AND WITH THE EAST LINE OF THE LANDS OF KENNETH SR. AND BEULAH BETZ AS RECORDED IN DEED BOOK 6083, PAGE 175 OF THE BUTLER COUNTY RECORDER'S OFFICE, N 2° 29' 39" E, FOR 1088.41 FEET TO A POINT;

THENCE CONTINUING WITH SAID EAST LINE OF THE LANDS OF KENNETH SR. AND BEULAH BETZ, N 2° 22' 56" E, FOR 623.72 FEET TO A WOODEN POST FOUND, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE WITH THE NORTH LINE OF SAID KENNETH SR. AND BEULAH BETZ, N 87° 42' 28" W, A DISTANCE OF 1780.30 FEET TO A WOODEN POST FOUND, SAID POST BEING ON THE WEST LINE OF SAID LOT 1;

THENCE WITH THE EAST LINE OF SAID LOT 4 AND WITH THE WEST LINE OF THE LANDS OF RICHARD S. COOMBS, TR., ETAL. AS RECORDED IN DEED BOOK 8042, PAGE 109 OF THE BUTLER COUNTY RECORDER'S OFFICE, N 01° 16' 37" E, A DISTANCE OF 146.08 FEET TO A 5/8" REBAR SET;

THENCE THROUGH SAID LOT 4 AND WITH THE NORTH LINE OF SAID LANDS OF RICHARD S. COOMBS TR. ET., N 87° 45' 09" W, A DISTANCE OF 2058.45 FEET TO A MAGNAIL FOUND, SAID POINT BEING ON THE CENTERLINE OF THE B&O RAILROAD;

THENCE WITH THE CENTERLINE OF SAID B&O RAILROAD, N 21° 37' 55" E, A DISTANCE OF 102.85 FEET TO A 5/8" REBAR FOUND;

THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 2605.21 FEET, WITH A RADIUS OF 3811.23 FEET, WITH A CHORD BEARING OF N 02° 43' 48" E AND WITH A CHORD LENGTH OF 2554.78 FEET, TO A MAGNAIL SET, SAID POINT BEING ON THE SOUTHWEST CORNER OF THE LANDS OF CLAWSON PROPERTIES, LLC., AS RECORDED IN DEED BOOK 7577, PAGE 1342 OF THE BUTLER COUNTY RECORDER'S OFFICE;

THENCE WITH THE SOUTH LINE OF SAID LANDS OF CLAWSON PROPERTIES, LLC., N 76° 32' 51" E, A DISTANCE OF 579.74 FEET TO A WOODEN POST FOUND;

THENCE CONTINUING WITH SAID SOUTH LINE OF SAID LANDS OF CLAWSON PROPERTIES, LLC., S 88° 32' 26" E, A DISTANCE OF 1434.54 FEET TO A 5/8" REBAR SET;

THENCE WITH THE WEST LINE OF SAID LANDS OF ARROWHEAD CROSSING, LTD. AND CONTINUING WITH THE WEST LINE OF THE LANDS OF NED C. HOELZER AND JACK THACKER AS RECORDED IN DEED BOOK 7395, PAGE 1648 OF THE BUTLER COUNTY RECORDER'S OFFICE, S 02° 17' 31" W, A DISTANCE OF 2124.34 FEET TO A WOODEN POST FOUND;

THENCE WITH THE SOUTH LINE OF SAID LANDS OF NED C. HOELZER AND JACK THACKER, S 87° 06' 55" E, A DISTANCE OF 1796.77 FEET TO A WOODEN POST FOUND;

THENCE S 02° 22' 56" W, A DISTANCE OF 831.45 FEET TO THE TRUE POINT OF BEGINNING CONTAINING 154.392 ACRES OF LAND MORE OR LESS, WITH 34.518 ACRES IN LOT 1, 79.708 ACRES IN LOT 3, 27.068 ACRES IN LOT 4, 4.304 ACRES IN LOT 5 AND 8.794 ACRES IN LOT 6.

THIS DESCRIPTION WAS PREPARED BY DAVID DOUGLAS SMITH, REGISTERED OHIO SURVEYOR #7121.

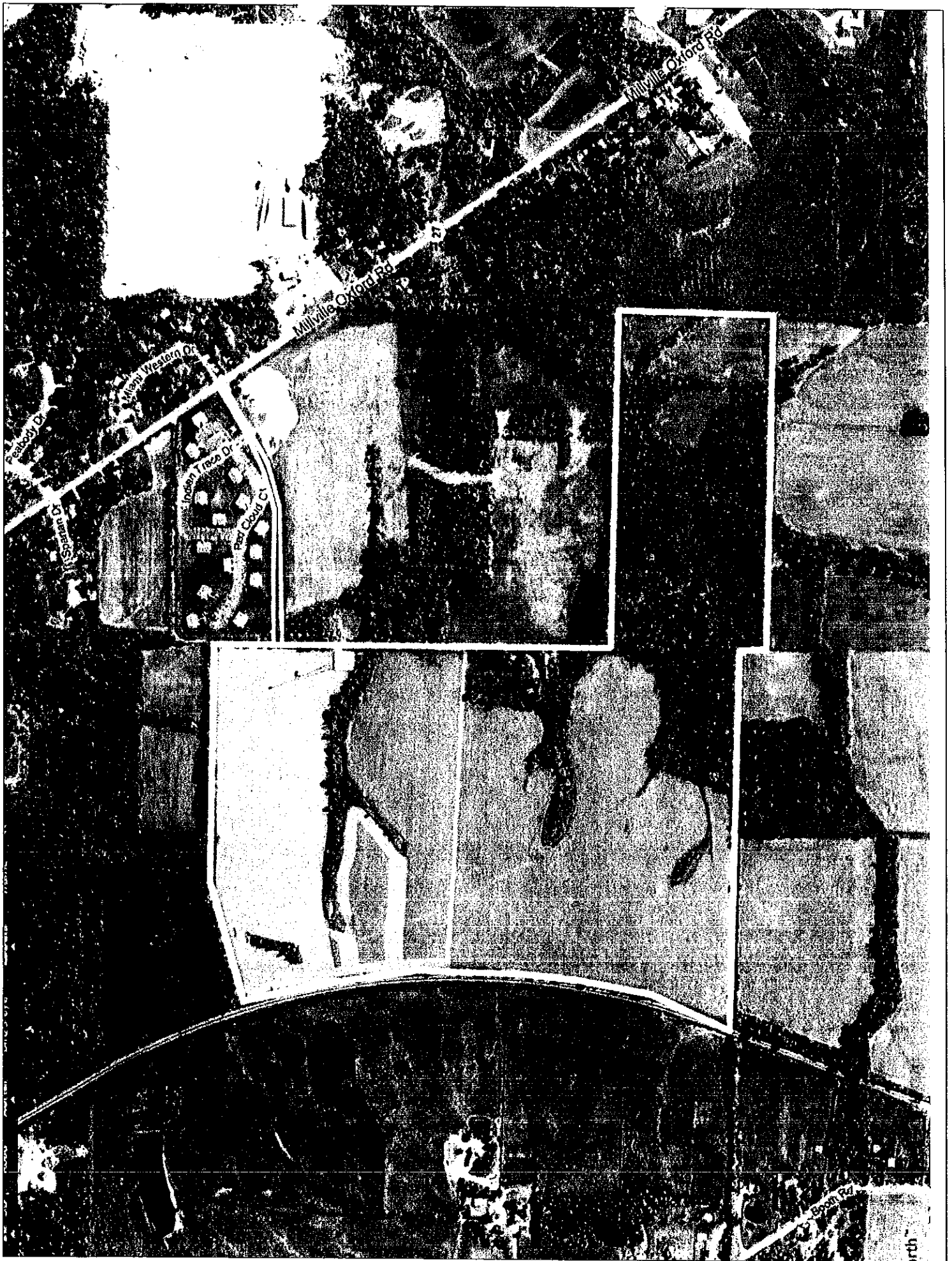
A PLAT OF SURVEY OF THIS PROPERTY HAS BEEN RECORDED IN VOLUME 52, PAGE 165 OF THE BUTLER COUNTY ENGINEER'S RECORD OF LAND SURVEYS.

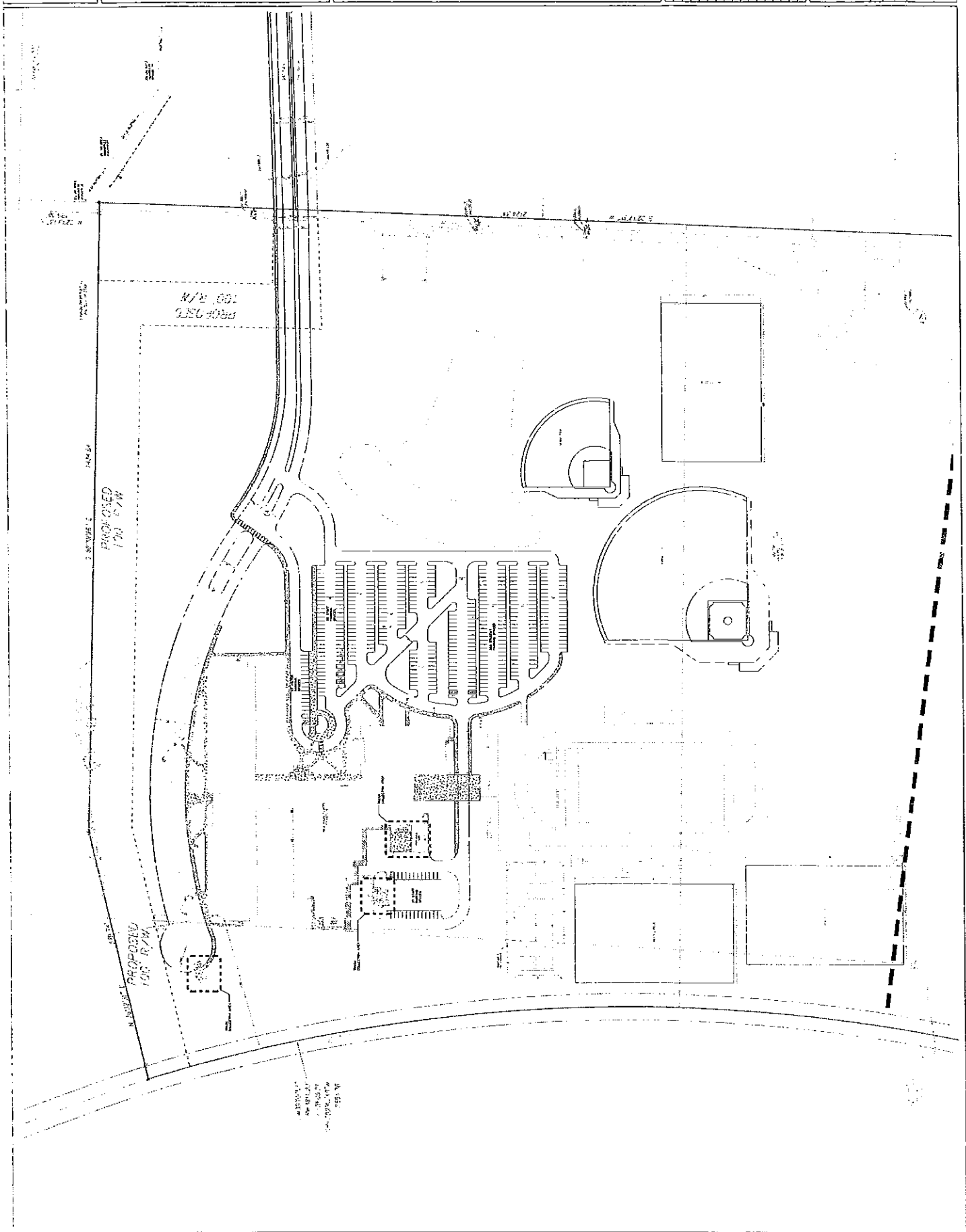


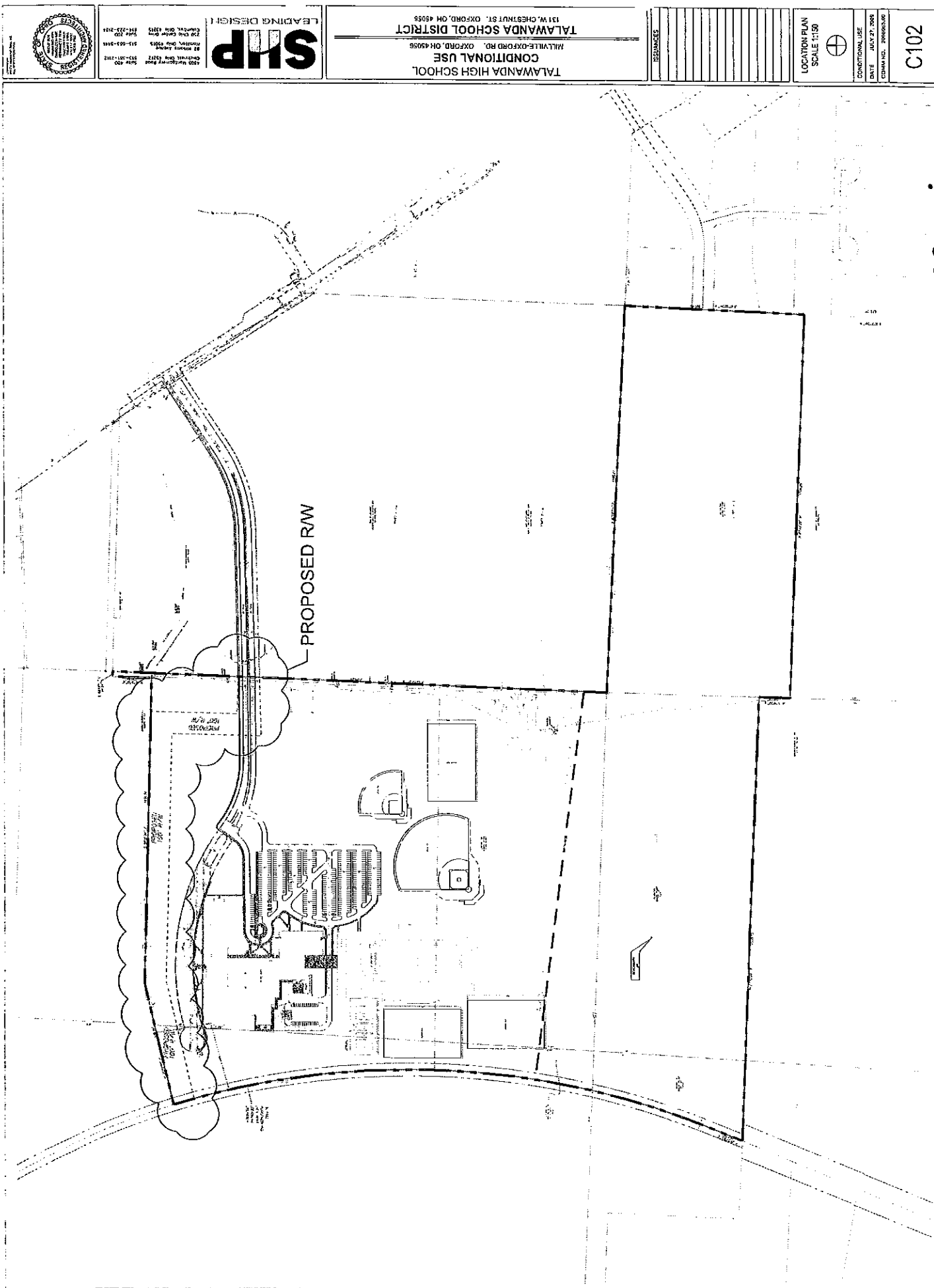
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Page 3 of 3
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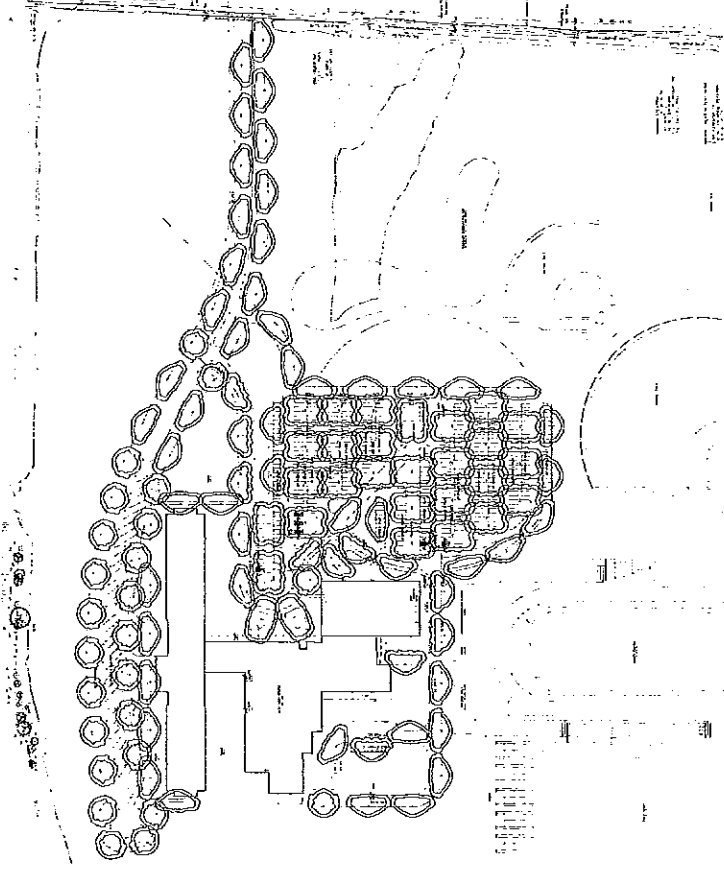
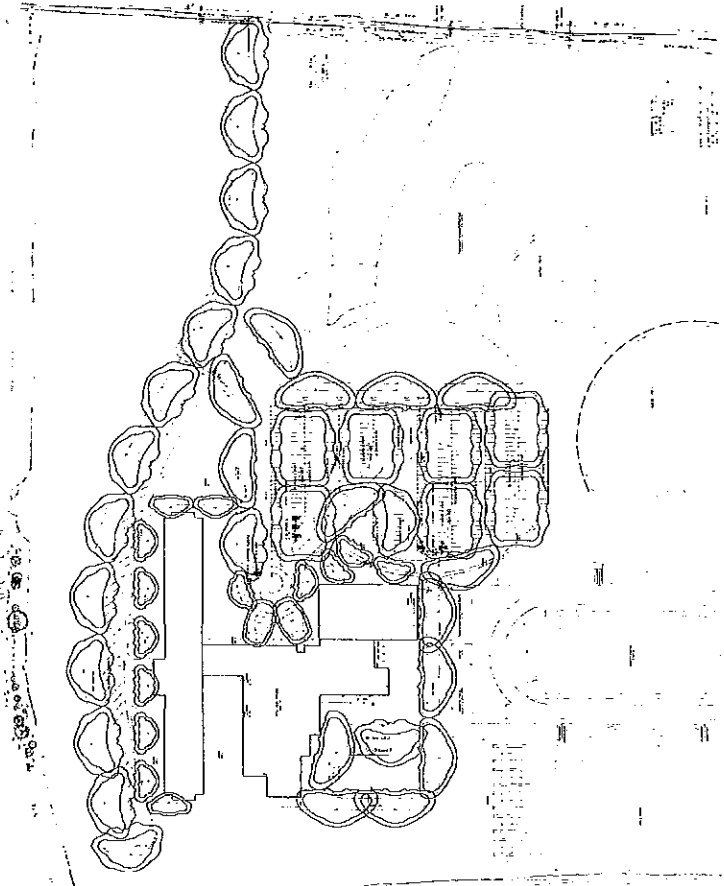


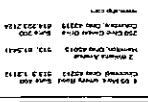


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CONDITIONAL USE
DATE: JUNE 23, 2009
CLAIM NO. 2009056500

E100





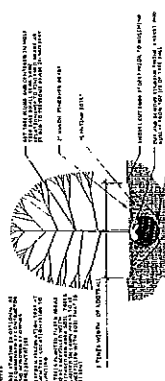
TALAWANDA HIGH SCHOOL
TALAWANDA SCHOOL DISTRICT
MILLVILLE-OXFORD RD., OXFORD, OH 45058
TALAWANDA SCHOOL DISTRICT
131 W. CHESTNUT ST., OXFORD, OH 45056

[illegible]

TREE PLANTING PLAN	DESIGN DEVELOPMENT	L100
	DATE 06-20-2009 COMD NO 2009005 00	

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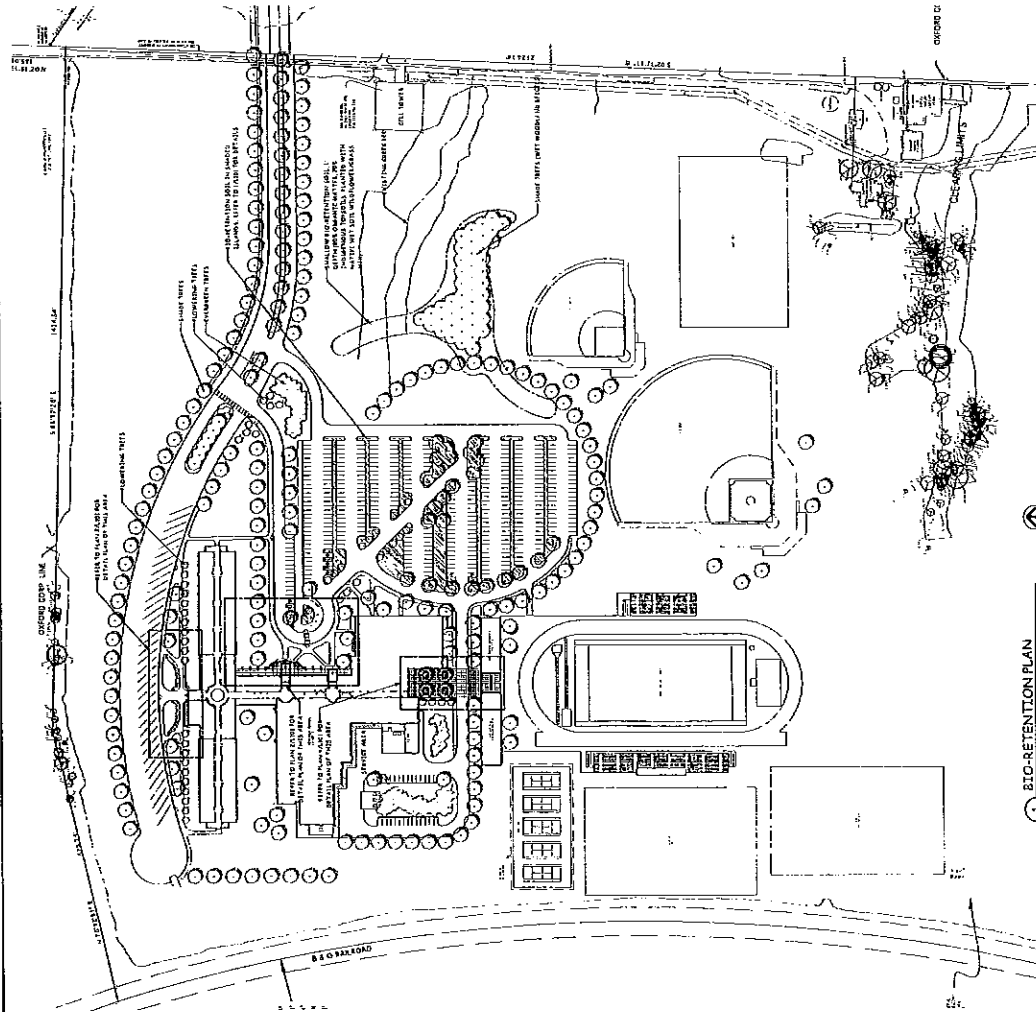
THESE CONCEPTS CAN BE APPLIED TO A VARIETY OF SITUATIONS, INCLUDING THE DESIGN OF "NEEDS AND WANTS" TO BE ACCOMPLISHED. IN THE CASE OF LANDSCAPE ARCHITECTURE, THE DESIGN OF LANDSCAPE ARCHITECTURE CAN BE APPLIED TO A VARIETY OF SITUATIONS, INCLUDING THE DESIGN OF "NEEDS AND WANTS" TO BE ACCOMPLISHED. IN THE CASE OF LANDSCAPE ARCHITECTURE, THE DESIGN OF LANDSCAPE ARCHITECTURE CAN BE APPLIED TO A VARIETY OF SITUATIONS, INCLUDING THE DESIGN OF "NEEDS AND WANTS" TO BE ACCOMPLISHED.

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2 Tree Planting Detail
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PAVE PROVIDE WATER OUTFALLS INTO SIGNMENTION
AREAS, N. DEPTH OF WASHED 3.5" TO 3" OVER STONE
WITH GROUNDABLE FILLER UNDERLAYMENT



1 **BIO-RETENTION PLAN**
Scale: 1"=100 ft

Plant List	Gw.	Scheduled size	Remarks
Common Name			
Cassagrain Trees	376		
Bearing Trees	58	2 1/2' Cal	Straw Trees imported in 6" H.
Seedling Scrubs	50	2' cal	Specimen Quality
Small Shrubs	150,000	4" H.	
Large Shrubs	376	18-35' / 3 Gals.	
Native wildflower and grass row	150,000	1' Shrub	



LEADING DESIGN
SHP
2700 N. COLUMBIA BLVD.
SUITE 200
OXFORD, OH 43085
PHONE: 614.233.8888
FAX: 614.233.8889
WWW.SHPPDESIGN.COM

TALAWANDA SCHOOL DISTRICT
MILVILLE OXFORD RD., OXFORD, OH 43085
TALAWANDA HIGH SCHOOL
13111 CHESTER ST., OXFORD, OH 43085

DESIGNER
DATE: 01.25.2009
PROJECT: TALAWANDA HIGH SCHOOL
SHEET: 101

DESIGN DEVELOPMENT
DATE: 01.25.2009
PROJECT: TALAWANDA HIGH SCHOOL
SHEET: 101

DATE: 01.25.2009
PROJECT: TALAWANDA HIGH SCHOOL
SHEET: 101

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PROJECT: TALAWANDA HIGH SCHOOL
SHEET: 101

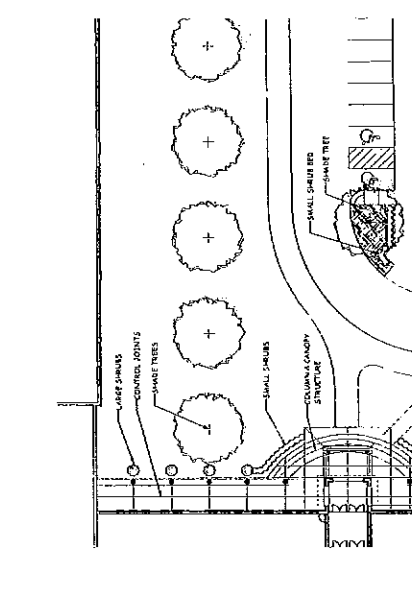
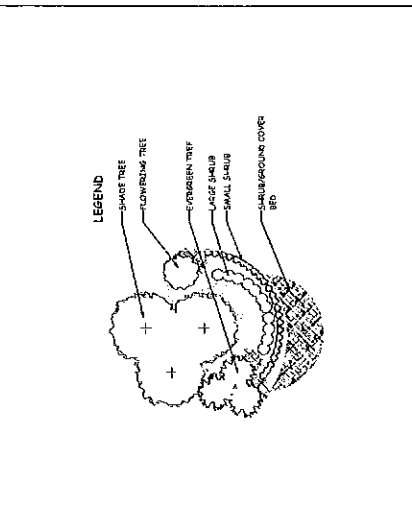
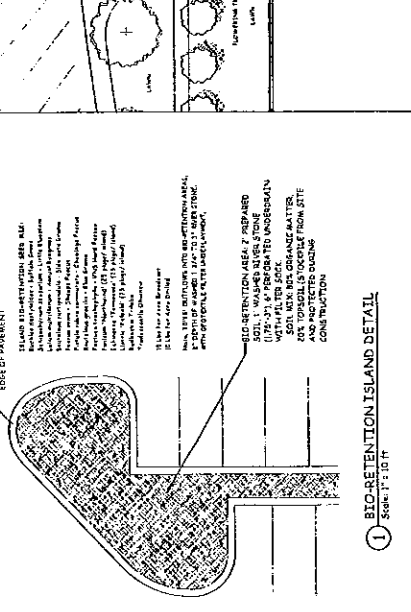
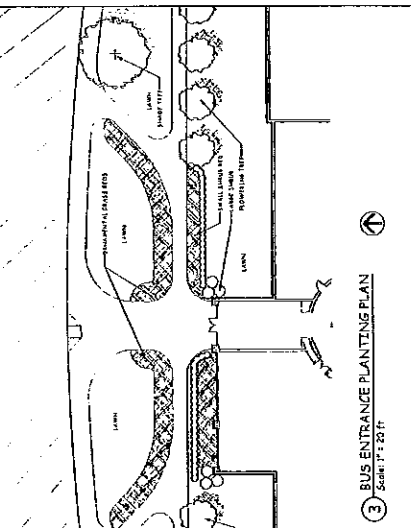
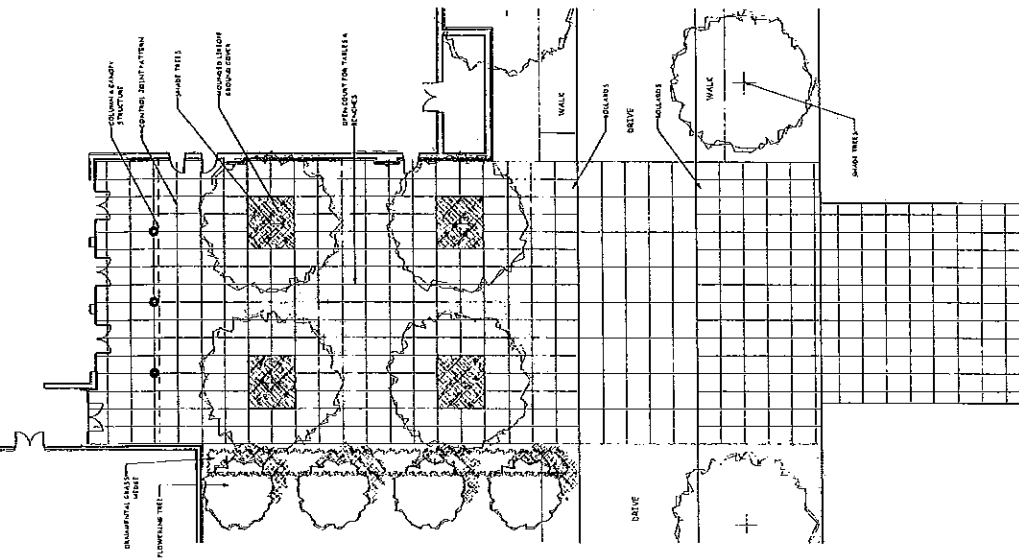
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PROJECT: TALAWANDA HIGH SCHOOL
SHEET: 101

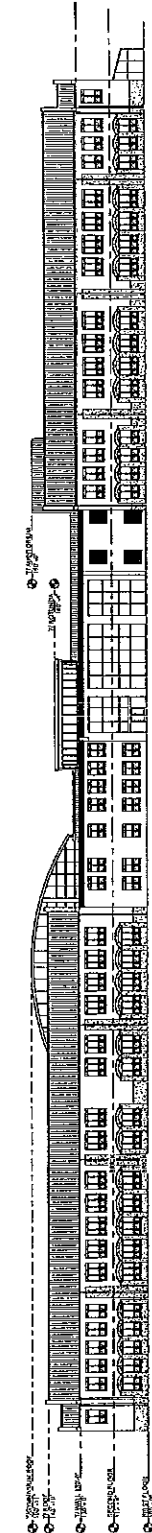
DATE: 01.25.2009
PROJECT: TALAWANDA HIGH SCHOOL
SHEET: 101

DATE: 01.25.2009
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SHEET: 101

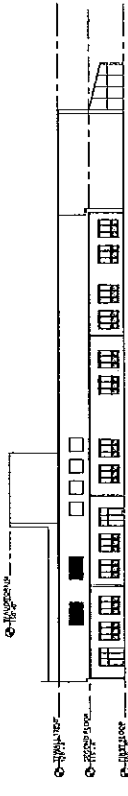
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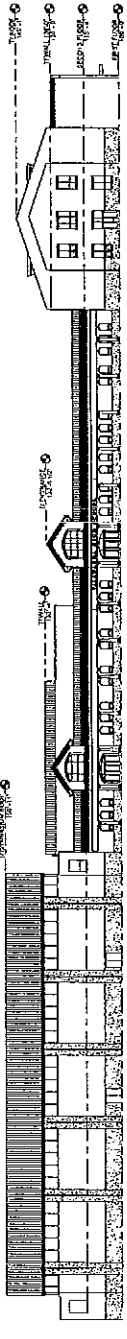




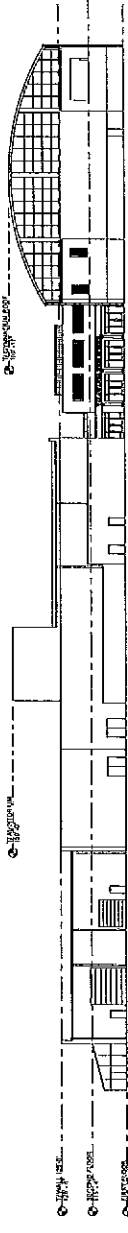
1 NORTH ELEVATION - ACADEMIC WING
A200 3/24/12



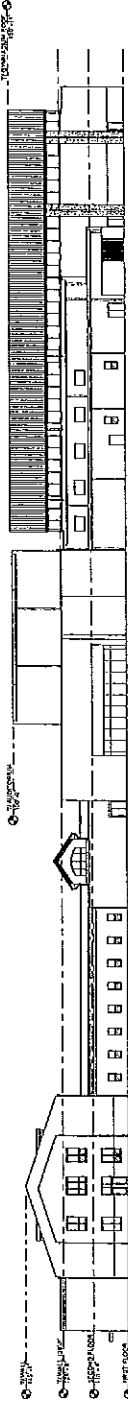
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A200 3/24/12



3 EAST ELEVATION - MAIN ENTRANCE
A200 3/24/12



4 SOUTH ELEVATION
A200 3/24/12



5 WEST ELEVATION
A200 3/24/12



SHP
LEADING DESIGN

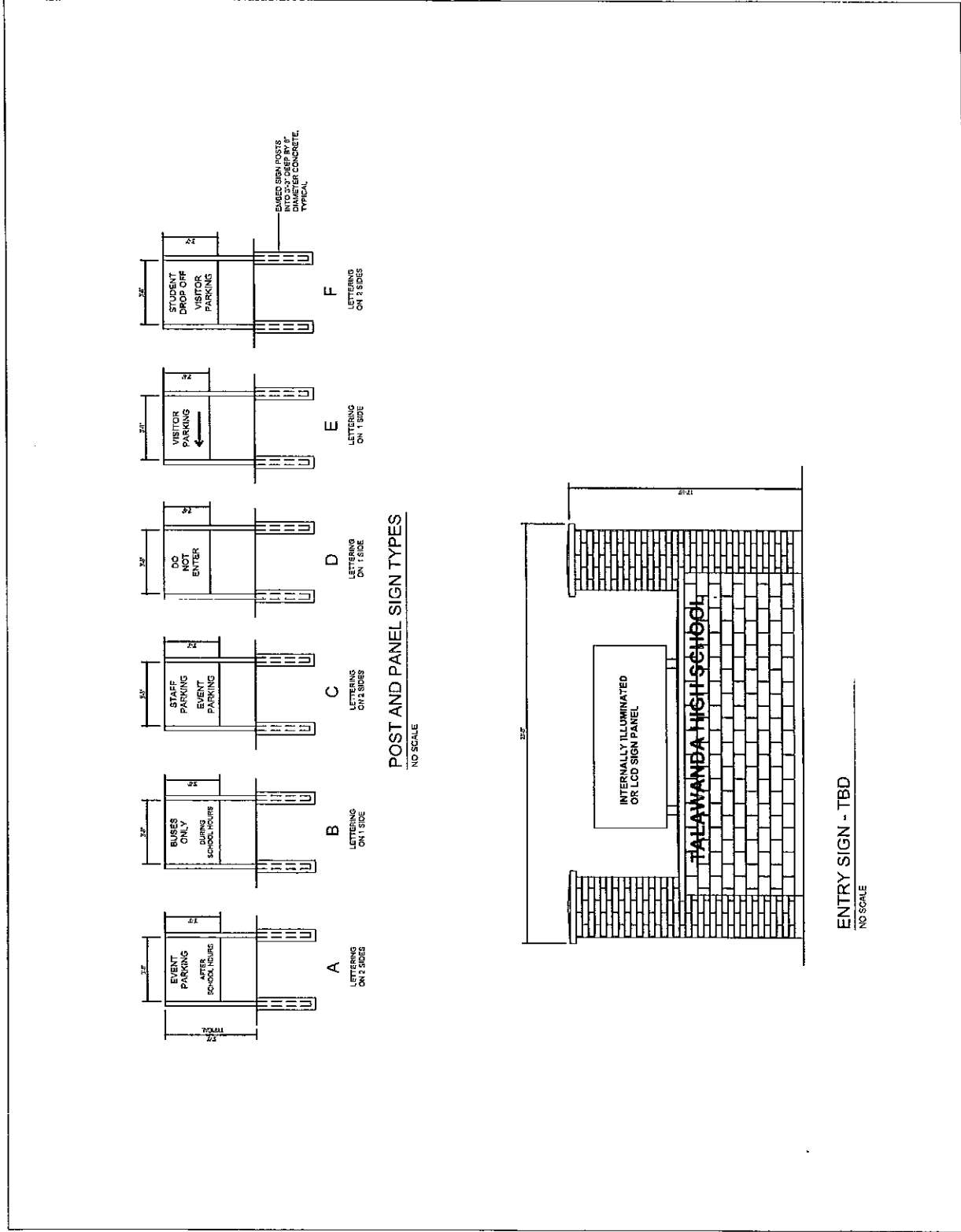
Architect: S.H. Partners
23700 W. Chester Rd.
Cincinnati, OH 45244
Tel: 513.333.3333
Fax: 513.333.3334

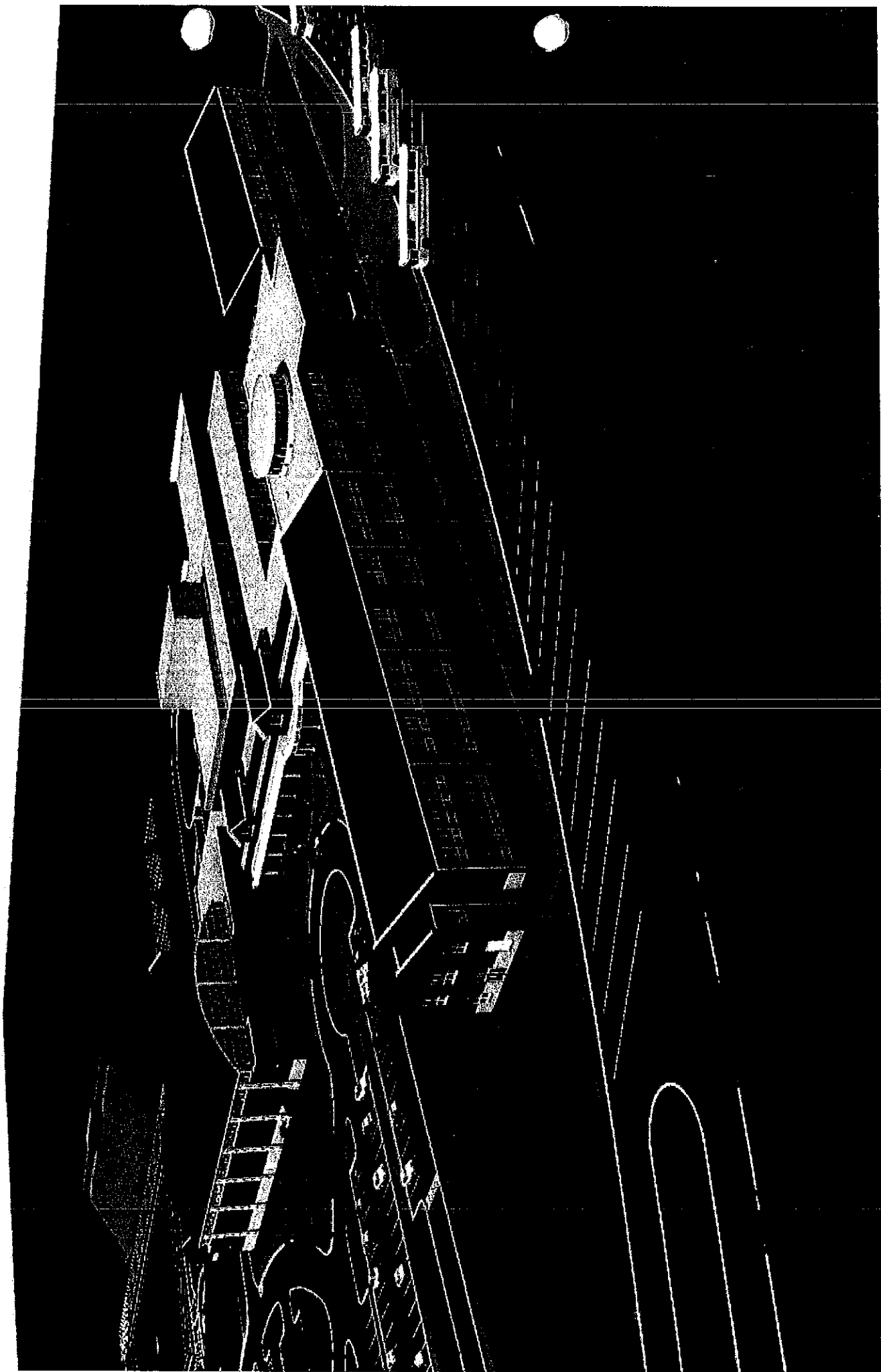
TALAWANDA HIGH SCHOOL
CONDITIONAL USE
MILLVILLE, OHIO RD., OXFORD, OH 45056
131 W. CHESTNUT ST., OXFORD, OH 45056

EXTERIOR ELEVATIONS

CONVENTIONAL USE
DATE: 06-24-2010
DRAWING NO.: 2010051109

A200









THE NEXT PAGES

ARE

**COMMENTS RECEIVED FROM STAFF AS A RESULT OF
THEIR REVIEW OF THE CONDITIONAL USE
APPLICATION**

THE NEXT PAGES
ARE
COMMENTS RECEIVED FROM STAFF AS A RESULT OF
THEIR REVIEW OF THE CONDITIONAL USE
APPLICATION

City of Oxford
Community Development Department
STAFF REVIEW & COMMENTS

Planning Commission

Case # PC-12-09

Date – August 11, 2009

APPLICATION

Applicant:	SHP Leading Design, Charlie Jahnigen
Location:	4135 Millville-Oxford Road
Owner:	Talawanda School District
Action Request:	Conditional Use- 4235 Millville-Oxford Road
Current Zoning:	R1-A
Current Use:	Farmland
Surrounding Existing Land Uses:	Residential and Farmland

DESCRIPTION

The proposal to build a new high school was presented to the Planning Commission at the July meeting as a conceptual review. The purpose of the review was to solicit comments from the Commission as to whether the proposed use would meet the Decision Standards of a conditional use. At the conclusion of the review, the Commission requested the Applicant incorporate the comments onto the revised site plan. Those comments included roadway accessibility to all buildings for fire fighting purposes and realistic right-of-way dedications for future roadway extension to the west of railroad tracks.

ZONING CODE

Section 1143.01(b) (H) allows Schools, both private and public as conditional uses. Chapter 1147 regulates conditional uses. Section 1147.01 states that conditional uses are land uses that are potentially appropriate in many zoning districts but are likely to have characteristics that could be detrimental to the public health, safety or general welfare if not located appropriately, operated appropriately, or mitigated with good design. Section 1147.03(30) regulates "Use Specific Regulations and Potential Concerns" outlines those concerns and regulations:

1147.03(30) Schools,

A. Potential Concerns.

1. Adequate lot size to permit future expansion
2. Buses and van storage
3. Access to streets that can handle traffic generated by the use
4. Design of vehicle management area
5. Location of outdoor facilities such as ball fields and band practices
6. Proximity to incompatible uses (establishments serving alcohol)

B. Regulations

1. Parking spaces shall not be located in a yard adjacent to a residential zoning district
2. Structures shall be setback a minimum of 30 feet from a residential zoning district

COMPREHENSIVE PLAN

LAND USE GOAL

Managed growth to ensure small town character, green areas, and preserve farmland.

D. Objectives

1. Managed Growth

Strategies:

- LU 1.1 Integrate the Comprehensive Plan into the city's daily business.
- LU 1.2 Continue to use a formal utility services boundary to include timing utility extensions and an annexation policy.
- LU 1.3 Continue to adopt the annual capital improvement program (CIP) in line with the Comprehensive Plan.
- LU 1.4 Continue to work with Oxford Township, other surrounding townships, Butler County, and Miami University on land use issues.
- LU 1.5 Charge the Planning Commission with planning and managing long-term growth including, but not limited to a comprehensive review of the zoning code and subdivision regulations.
- LU 1.6 Recruit appropriate commercial and industrial development.
- LU 1.7 Work towards a compatible zoning district with the County and Township to manage rural development.

COMMUNITY FACILITY AND SERVICES GOALS

Excellent schools and community facilities and services including cultural and recreational facilities, safety and social services and programs for all.

C. Objectives and Strategies

2. Support Education

- CF2.1. Support partnerships between the City, Talawanda School District and Miami University to create new education opportunities for students and the general community.
- CF 2.2. Promote the enhancement of school facilities and creation of high quality academic programs.
- CF 2.3. Work with the School District and University to promote "green" building and site planning for facilities.

COMMENT FORMS (Public Comments)

No public comments have been received to date.

AGENCY REVIEWS

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

- | | |
|--------------|--|
| Police: | Returned without comments. |
| Fire: | See attached correspondences and comments |
| Engineering: | See attached comments dated July 28, July 16 and July 6, 2009. Comments regarding maintenance of the private portion of the drive, maintenance of the 100' dedicated right-of-way and curving the northern most turn on the 100' dedicated right-of-way. |
| Econ. Dev.: | Comments attached. |

DECISION CRITERIA

A copy of the Zoning Code Conditional Use Decision Standards is attached.

ANALYSIS

The proposed use is in fact a conditional use in the R1A District and the applicant has outlined the responses based on the Decision Standards. However, the issue of a dedicated easement for the Right-of-Way for the roadway extending to the west of the CSX track is still unresolved, even though it is not specifically related to the Decision Standards. The Applicant did provide three roadway schemes in the revised submittal, dated July 27, 2009. It is unclear the intent of these proposals related to the comments from the Commission. It would appear that the Applicant is seeking the Commission's guidance. Staff believes that the Commission, based on the comments from the July meeting, desires to see a revise site plan removing the 90-degree perpendicular turns with a smooth curve.

Previously, staff was not certain about the status of the existing cell tower and required further research regarding this matter. Based on language provided under Section 1147.02(f) (3), the existing cell tower is considered an approved Conditional Use; however, the structure is considered a nonconforming structure since it does not conform to the bulk regulations of the underlying district.

The Board of Zoning Appeals will consider other bulk regulations as pointed out in the previous staff report in its August meeting. It is important to identify the design elements, which may not be under the purview of the Decision Standards, but require conformance with the Zoning Code to avoid any miscommunication problem in the future. *The dumpsters for this new high school must meet the requirement of the zoning code to be fully screened, from being visible from a public right-of-way or an adjacent property, per Section 1141.04(J)*

Other concerns raised by the Engineering Office and Fire Chief may be related to construction and maintenance issue that would cause concerns for not completely conforming to the criteria of Decision Standards. The Applicant needs to provide explanations to the Commission during the deliberation process. These issues must be worked out between the Service Department, Fire Chief and the Applicant to address the utility and public safety issue prior to site construction commences.

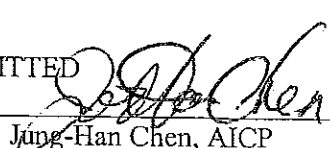
RECOMMENDATION

As stated, this application appears to satisfy the Decision Standards, except those issues related to the concerns raised by the Engineering office, as well as Fire Chief comments under item H. Should the Commission recommend approval to the City Council, the following conditions must be addressed prior to the commencement of any site improvements:

1. That, the future roadway and the extension of University Park Boulevard shall not be perpendicular, but a smooth curve. The right-of-way width of the future roadway and the extension of the University Park Boulevard shall be the same as depicted on the drawing, dated July 27, 2009.
2. All concerns identified by the Engineering Office and the Fire Department must be addressed and satisfactory to both agencies prior to the commencement of any site improvements.

SUBMITTED

BY: _____


Jung-Han Chen, AICP

Community Development Director

DATE: July 30, 2009

ATTACHMENT

(c) Planning Commission Review. The Planning Commission shall base its review of a proposed Conditional Use upon the complete application, upon any staff report, and upon any relevant and credible public comment presented during the public hearing. If the Planning Commission finds that the information provided is insufficient to make a determination, it may suspend its review until sufficient information has been provided.

(1) Burden of proof.

- A. The Planning Commission has no obligation to recommend approval and City Council has no obligation to approve a Conditional Use. This Zoning Code assumes that the uses listed in this section are not appropriate unless an applicant proves that the use will not be detrimental to the public health, safety, or general welfare of the City or the neighborhood in which it is proposed.
- B. 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.

(2) General Decision Standards. All Conditional Uses shall satisfy these General Decision Standards:

- A. The proposed use is in fact a Conditional Use in the zoning district in which it is proposed.
- B. The use and site will satisfy the general intent of this Zoning Code.
- C. The use and site will be compatible with the general intent of the Comprehensive Plan.
- D. The size and shape of the site are sufficient for the proposed use.
- E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.
- F. 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.
- G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.
- H. 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.
- I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
- J. 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.
- K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.
- L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
- M. All necessary permits and licenses for the Conditional Use and its operation have been or can be obtained for the use at the proposed location.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 07/27/2009

To: Fire Department Engineering Division

Economic Development

Police Department

From: Community Development

Drawings are being submitted to you for the following:

PC-12-2009 Conditional Use THS

August 11, 2009 PC Mtg.

Attached please find the revised drawings that we were anticipating as a result of the Conceptual comments you provided. In your 07/01/09 transmittal sheet you were advised that revisions were likely and the review time was expected to remain the same (Due next Monday - Tuesday at the latest). These drawings are the official drawings that PC & Council will be voting on. Please provide any new comments or if previous comments were not addressed, please state so.

****Larger drawings are available for review in the Community Development Department or email K. Dale for the electronic version.**

 X Review

 X Revisions

 Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **8/3/2009** Note: If no comments are received, we will assume the project meets your department's standards.

.....
Drawings are returned:

 w/ comments

without/comments

Have not heard from anyone to address these issues.

Drawings reviewed by:

[Signature]

Date:

7/30/09



Have not heard from anyone to address t¹⁰³ issues.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 7/1/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-12-2009

Description:

PC-12-2009 **CONDITIONAL USE – Talawanda High School, 4135 Millville-Oxford Road,
SHP Leading Design, Architect, Applicant**

****Larger drawings are available for review in the Community Development Department**

****Revisions from SHP Leading Designs are expected after July 14, 2009. The review time is expected to stay the same.**

_____X_____ Review _____ Revisions _____ Other

Comments or status update requested by: Lynn Taylor

Please return your review no later than: **8/3/2009** Note: If no comments are received, we will assume the project meets your department's standards.

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

See attached

Drawings reviewed by: *A. Deup*

Conditional Use Application/ Preliminary Review

Fire Department Concerns

1. Close proximity of building to rail road tracks in case of a derailment or chemical leak.
2. Lack of hard surface access to sports fields for emergency vehicles.
3. Adequate access for ladder trucks through parking lot. Needs to be designed for minimum of 242" wheel base and 496" overall length.
4. Hard surface access must be provided close enough to building to reach with a 100' aerial device – edge of curb within 85' of base of wall.
5. Width of roadway around building must be a minimum of 24' to allow for set up of ladder truck including circle in front of main entrance.
6. Provide ladder truck access to raised portion of auditorium.
7. Secondary access to the west side of building must be provided should the primary route be blocked.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 07/27/2009

To: Fire Department

Engineering Division

Economic Development

Police Department

From: Community Development

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 X Revisions

 Other

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.....

Drawings are returned:

w/comments

without/comments

SEE MEMO DATED JULY 28, 2009.

Drawings reviewed by:

A. J. Pinner

Date:

7-28-09



Memo

Service Department
Engineering Division

513/524-5208 fax 513/524-5267

TO: Community Development Department

FROM: Victor Popescu, PE
City Engineer

RE: PC - 12 - 2009
Conditional Use - Proposed Talawanda High School

DATE: July 28, 2009

The subject submittal, dated July 27, 2009, contains revisions to the original submittal, dated July 1, 2009.

A letter to Ms. Kathy Dale, dated July 27, 2009, is part of this submittal. The letter attempts to address previous comments on the proposed plan.

Two (2) memos were part of the Engineering Division's response to the previous submittal. With the exception of the fire protection line size, none of the other comments were addressed. Thus, the two (2) memos from the Engineering Division, which are part of the latest submittal, are our response to the latest submittal for PC - 12 - 2009.

If there are questions, please contact the Engineering Division.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 7/1/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-12-2009

Description:

PC-12-2009 **CONDITIONAL USE – Talawanda High School, 4135 Millville-Oxford Road,
SHP Leading Design, Architect, Applicant**

****Larger drawings are available for review in the Community Development Department**

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_____X_____ Review _____ Revisions _____ Other

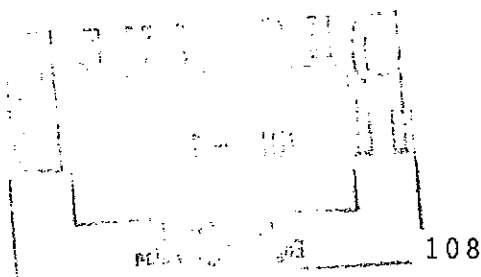
Comments or status update requested by: Lynn Taylor

Please return your review no later than: **8/3/2009** Note: If no comments are received, we will assume the project meets your department's standards.

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

SEE THE ATTACHED MEMOS DATED JULY 6, 2009, AND JULY 16, 2009.

Drawings reviewed by: *A. J. [Signature]* 7-22-09



delivered 7/1/09 @ 1:50pm



Memo

Service Department
Engineering Division

513/524-5208 fax 513/524-5267

TO: Community Development Department

FROM: Victor Popescu, P.E.
City Engineer

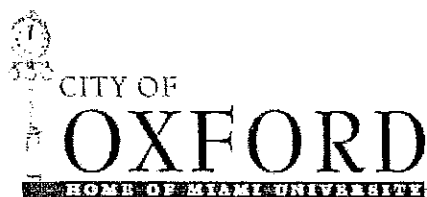
RE: Inter-Office Review - June 25, 2009

DATE: July 6, 2009

The following are our comments requested by your transmittal dated June 25, 2009.

- University Park Boulevard is to be a public road from its intersection with USR 27 to the Talawanda High School property line.
- If the entrance, University Park Boulevard, to the proposed Talawanda High School is to be constructed to other than the City of Oxford street standards, a maintenance agreement must be reached between the City of Oxford and the Talawanda School Board. The purpose of the maintenance agreement is to define the maintenance responsibilities for such items as plantings, irrigation, etc.
- The maintenance of the easement for the proposed future roadway shall be the responsibility of the easement recipient. At the time that a roadway is constructed for the purposes of connecting to a public roadway on the west side of the CSX track, the maintenance of the easement shall become the responsibility of the City of Oxford.
- The intersection of the proposed future roadway and the extension (school entrance) of University Park Boulevard shall be perpendicular (90 degrees). However, the following (next) intersection shall not be perpendicular (90 degrees), but rather a smooth curve that will eliminate another controlled intersection.

If there are questions, please contact the Engineering Division.



Memo

Service Department
Engineering Division

513/524-5208 fax 513/524-5267

TO: Community Development Department

FROM: Victor Popescu, P.E.
City Engineer

RE: Proposed Talawanda High School
Early Site Package – Review Comments

DATE: July 16, 2009

The following are our comments resulting from the review of the Early Site Package dated June 26, 2009 and received by the Engineering Division on July 14, 2009.

Plan Sheet C100.

- Refer to the Standard Asphalt Pavement Detail.
 - Modify to require Tack Coat. No time limit.
- Refer to Heavy Duty Concrete Detail.
 - Use Item 451 Reinforced Concrete.
- Refer to Heavy Duty Asphalt Pavement Detail.
 - Modify to require Tack Coat. No time limit.
- Refer to Curb Ramp Detail.
 - Specify “mat” instead of “truncated domes”.
- Refer to Accessible Parking Sign Detail.
 - Check City of Oxford’s fee schedule for proper fine amount.

- Refer to General Note #25.
 - Revise note to require Contractor to follow City of Oxford Specifications for backfill, Standard Drawing #11 (See attachment).
- Refer to General Note #36.
 - City of Oxford Specifications requires a 4" sidewalk thickness, and not 5".

Plan Sheet C112.

- Additional contact names need to be added (See attachment).

Plan Sheets C132 & C133.

- Would any of the athletic fields be serviced by sanitary sewer or water service (i.e. irrigation, rest rooms, concession stands, etc.)?
- If so, how would that be accomplished?

Plan Sheet C140.

- The Fire Line is proposed to be 8" in diameter. In our discussions, it was agreed that it will be 12" in diameter, unless ISO agreed to a smaller size line. Is there a decision from ISO? If so, is the decision in writing? If not, change the size of the Fire Line to 12".
- Is the 4" diameter Domestic Water Service sufficient to serve the school?
- It is proposed to construct the Sanitary Sewer at, or close to, minimum grade. Add a note stating that construction of the Sanitary Sewer below minimum grade will not be accepted by the City of Oxford.
- Spacing between Fire Hydrants shall not exceed 300 linear feet, as per City of Oxford Specifications.
- What is the water meter size for the domestic water service?

Plan Sheet C141.

- It is proposed to construct the Sanitary Sewer at, or close to, minimum grade. Add a note stating that construction of the Sanitary Sewer below minimum grade will not be accepted by the City of Oxford.
- Indicate the water valves configuration at "Construction Limits" on University Park Boulevard. That is the point where the two (2) Consultants design meets.

Plan Sheet C142.

- The "Field Hockey Field" and the "Practice Football Field" each indicate a "Geothermal Well Field". Please explain.

Plan Sheet C151.

- Would there be any safety protection around the "Bio Retention" pond (i.e. fence, etc.)?

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

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 07/27/2009

To: Fire Department Engineering Division

Economic Development

Police Department

From: Community Development

Drawings are being submitted to you for the following:

PC-12-2009 Conditional Use THS

August 11, 2009 PC Mtg.

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****Larger drawings are available for review in the Community Development Department or email K. Dale for the electronic version.**

☒ Review

☒ Revisions

☐ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **8/3/2009** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments

without/comments

Drawings reviewed by: JS Date: 7/27/09

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 7/1/2009

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From: Community Development

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____X____ Review _____ Revisions _____ Other

Comments or status update requested by: Lynn Taylor

Please return your review no later than: **8/3/2009** Note: If no comments are received, we will assume the project meets your department's standards.

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

Drawings reviewed by: SSC LWE

City of Oxford
Inter-Office Review Transmittal Sheet

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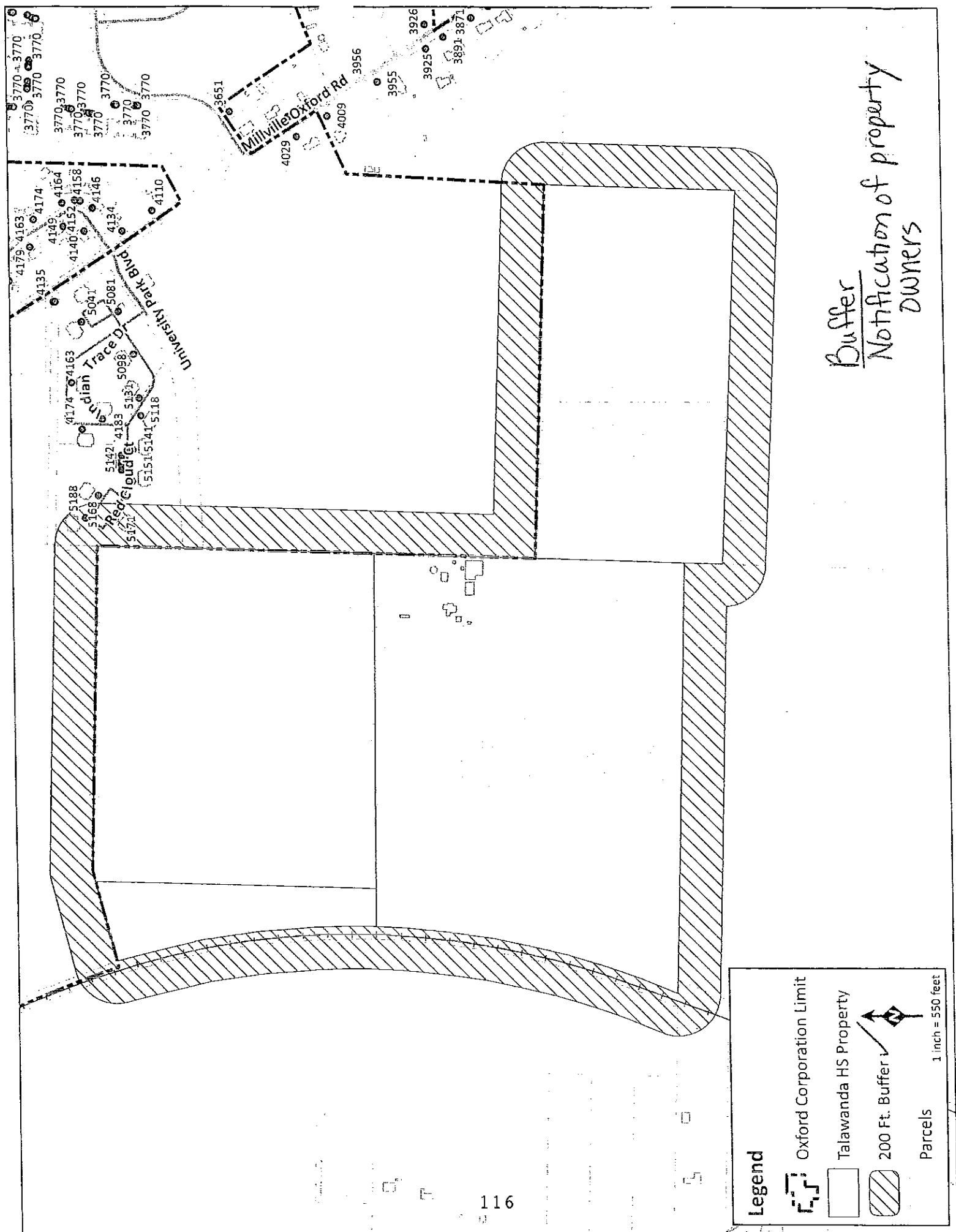
Comments or status update requested by: Lynn Taylor

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

A NEW HIGH SCHOOL FOR THE TALAWANDA DISTRICT
WILL BE A STRONG ASSET TOWARDS ECONOMIC DEVELOPMENT
IN THE OXFORD AREA. BEING LOCATED INSIDE
OXFORD IS EVEN A BIGGER ASSET.

Drawings reviewed by: 



(Prepared by City Staff)

Front Yard Lot Coverage (25%):

Front Yard:	1,830' x 30' = 54,900 sf.
Farm Building:	81.26' x 20.18' [30' - 9.82' = 20.18'] = 1,640 sf.
Gravel Drive:	1,169' x 9' = 10,521 sf (Length taken from University to point where gravel turns west x 9' wide)
Silos:	376 sf (2 silos)
Concrete behind building:	<u>859 sf</u> 13,396 sf / 54,900 = 24.4%

Total Building Coverage (25%):

Total Site:	154 ac. or 6,708,240 sf.
Part being developed:	77.6 ac. or 3,381,718 sf.

Proposed Building:	189,757 sq.ft.
Proposed Future Fieldhouse:	12,936 sf
House: 2,181 sf	
Garage:	512 sf
Shed:	176 sf
Barn 1:	2,424 sf
Barn 2:	6,169 sf
Building 3:	154 sf
Silos:	<u>376 sf total (2 silos)</u>
	212,504 sf
	/ 6,708,240 = 3.17%
	Whole Site

212,504 sf
/ 3,381,718 = 6.28%
Developed Site

Total Lot Coverage (35%):

Proposed Building:	189,757 sf.
Proposed Future Fieldhouse:	12,936 sf
Parking for cars:	77,886 sf
Parking for buses:	29,284 sf
Sidewalks:	62,359 sf
Access drives:	247,007 sf
Tennis Courts:	30,240 sf
Track/field (including stands):	192,824 sf
House:	2,181 sf
Garage:	512 sf
Shed:	176 sf
Barn 1:	2,424 sf
Barn 2:	6,169 sf
Building 3:	154 sf
Silos:	376 sf
Sidewalks:	342 sf
Deck/Porches:	100 sf
Existing Gravel Drive:	19,613 sf
Cell Tower Pad:	<u>9,844 sf</u>
	884,184 sf
	/ 6,708,240 = 13.2%
	Whole Site

884,184 sf
/ 3,381,718 = 26%
Developed Site

THE NEXT PAGES

ARE

**COMMENTS RECEIVED FROM STAFF AS A RESULT OF
THE CONCEPTUAL REVIEW WHICH TOOK PLACE AT
THE PLANNING COMMISSION MEETING HELD ON
JULY 14, 2009**

City of Oxford
Community Development Department
STAFF REVIEW & COMMENTS

Planning Commission

Case # PC-Conceptual Review-2009

Date – July 14, 2009

APPLICATION

Applicant: SHP Leading Design, Charlie Jahnigen
Location: 4135 Millville-Oxford Road
Owner: Talawanda High School

Action Request: **Conceptual Review**
Current Use: Farmland Pending Annexation
Surrounding Existing Land Uses: Residential and Farmland

DESCRIPTION

The applicant is seeking advisory comments regarding the new Talawanda High School on Oxford-Millville Road. The Annexation is expected to have a first reading prior to the Planning Commission's public hearing for this requesting in August. Planning Commission can make a recommendation in August considering that the annexation is in progress and will be effective prior to the Rezoning or Conditional Use taking effect.

Project Summary:

Proposed Zoning: "R1A" Single-Family Low Density Residential
Conditional Use: Yes, public high school is considered as a Conditional Use in this zoning district.
Grades 9-12 approx. 1,050 students, 86 staff
Amenities: Football/Soccer Stadium
Outdoor Track
Softball Field
Baseball Field
Tennis Courts
3 practice field locations
Existing Use: Farmland with existing single-family home and accessory buildings.
There is also an existing cell tower located on the property.
Site acres: 154 acres (88.502 Developed)
Setbacks: Building = 1,350' from east property line
1,050' from north property line
200' from west property line
Parking = 1,100' from east property line
Practice Fields= 25' from west property line
Tennis Courts= 55' from west property line
Stadium= 225' from west property line
Lot Coverage's: All lot coverage's are satisfied
Parking Spaces: 35+/- Buses
67 Staff
308 Regular
13 Visitor
} 401 Total (Minus buses)

Building Height: Auditorium= 50'
 Gymnasium= 50'
 Rotunda= 40'
 2-story classrooms= 45'
 Entrance= 32'-33'
 Loading Dock= 28'

} Required 35' Max.

Access: University Park Blvd. will be continued from U.S. 27 to the school. The road would become private and end in a cul-de-sac for bus loading. The applicants propose to dedicate 100' of right-of-way along the northern property line for the potential of a Kehr Road connection per the Oxford Thoroughfare Plan. This proposed road has not been designed or sited (thus the reason for the 90degree turns), but the school has agreed to negotiate with the City the land necessary should this road ever be constructed in the future.

Lighting: Stadium or field lights are not shown.
 Option 1: 16' poles in accordance with the code (115 poles)
 Option 2: 16' & 30' poles. The 30' poles will require BZA approval. (53 poles).

ZONING ANALYSIS

§1141.01(a)(2)F.: Tennis courts and other similar playing courts may be located in any rear yard with the fence located no closer than five feet of any property line, provided the location of such courts are in accordance with all pertinent provisions of this Section. Such courts may be fenced with a chain link fence located around the perimeter of the court, but any fence over six feet in height shall be planted with large shrubs in sufficient quantities to screen and filter the view.

Staff Finding: It is unclear from the drawings submitted if fencing will be provided around the tennis courts. If there is a fence higher than 6', then the appropriate landscaping will have to be shown on the landscaping plans.

§1141.04(j): Trash Collection Facility. All provisions for this section shall be followed. Adequate waste disposal on-site facilities shall be shown on the plans submitted for a zoning permit.

Staff Finding: It is assumed that the trash facility will be located near the loading dock area at the rear of the building. The applicant should identify the appropriate area on the site plan.

§1143.01(c)(2)B.: Minimum Rear Yard Setback for the "R1A" zoning district is 40 feet.

Staff Finding: There is a practice/field hockey field located near the railroad tracks that is approximately 25 feet from the property line. Clarification is needed from the applicant about the set-up of this field. If this is a naturally grassed area, open area that is not permanently marked or has permanent concession or field house uses near it, or has a different turf than natural grass, then the setback should not be an issue. However, if this is a permanent field with all accessory uses and stands, then the field should meet the 40' rear yard setback requirement.

§1143.01(c)(3)A.: Maximum Building Height for "R1A" zoning district is 35 feet.

Staff Finding: Parts of the new building exceed this requirement. The Auditorium, Gymnasium, Rotunda, and the 2-story classroom wing all exceed the height requirement for this zoning district. Despite the size of the property and the large setbacks of the building from the property lines, there is no provision that would grant an exception to the requirement administratively (i.e. building must be setback equal to the height), thus requiring review by the BZA.

§1147.03(b)(30): Conditional Use Potential Concerns and Additional Regulations.

Staff Finding: *Staff can reasonably concur that the potential concerns regarding property size, parking, location of fields and access are reasonably addressed, or are further being worked out (i.e traffic signalization).*

However, further discussion may be warranted regarding the stadium lights and announcement system and any impact those will have on properties in the general vicinity (even those beyond immediate adjacencies). Further assurances should be had that the lighting system for the stadium will not affect vehicular traffic along U.S.27. If the stadium lights are higher than the tree line to remain, then glare maybe an issue.

Another item staff would like more understanding on is why the bus loading area was decided on as shown. From a cost effectiveness stand point, it may have made better use of the property to have the drive ending in a cul-de-sac as part of the potential connector road and dedicate it as an entire public street, thus relocating the busing to the rear of the building. It would save the property owner from having to dedicate additional land for a potential road connection as well as cut down on the cost for infrastructure.

Something that is not shown or mentioned in the documentation submitted with the application is where maintenance for the buses will take place. The applicant needs to address if the existing site will be maintained, or if all busing operations, storage and gas refueling will take place on this proposed site, and where that will all be located.

§1149.03(e)(2): Parking Spaces Required. 1 per employee and 1 for every 4 students.

Staff Finding: *According to the high school website there are 86 high school employees and approximately 1,050 students enrolled. This would require 349 parking spaces, not including buses. 401 spaces are shown, with 35 spaces designated for buses. The site plan indicates that the parking requirement is satisfied, but the applicant may want to designate more spaces reserved for staff parking to verify that this requirement is satisfied.*

§1149.03(e)(4)D: Light fixtures shall be a maximum height of 16 feet above the adjacent ground.

Staff Finding: *Stadium or field lights are not shown.*

Option 1: 16' poles in accordance with the code (115 poles)

Option 2: 16' & 30' poles. The 30' poles will require BZA approval. (53 poles).

Typical sample of the lighting fixture(s) should be provided with the application.

§1149.03(e)(4)F: Landscaping. A raised, landscaped, and curbed island a minimum of 4.5 feet wide (including the width of the curb) shall be provided at the front and at the ends of each row of parking spaces and at every interval of 7 parking spaces in a row.

Staff Finding: *Approximately 36 interior, landscaped, parking islands are needed. The islands at the eastern ends of the parking rows also are required to be landscaped.*

§1149.03(e)(4)F: A parking area shall have 2 trees per parking facility plus 1 tree for every 5 parking spaces or fraction thereof generally distributed throughout the parking area.

Staff Finding: *91 trees are required and this does not include landscaping around the building or the street medians.*

- §1151.05(b)(1): Nonresidential Land Use Signs in Residential Zoning Districts. The following regulations describe the signs permitted for identification of nonresidential land uses such as daycare, institutional, public, semi-public, charitable, non-profit, religious, or medical facilities in any residential zoning district
- (1) No more than 1 sign per development site is permitted as follows:
- A. The sign may be either a wall or a freestanding sign but not both.
 - B. No more than 12 square feet in area.
 - C. Indirect illumination only

Staff Finding: The applicants have not yet finalized signage for the site, but more than likely signage will have to go before the BZA closer to the time of completing the site construction. Preliminary plans indicate that the school would like to install a ground sign in addition to wall signage. Variances will likely be needed for the size and height of the signage in addition to the LCD sign.

- §1151.05(c): Name Plate and Direction Signs in Any District. These regulations describe the signs permitted for the purposes of controlling the flow of pedestrian and vehicular traffic on-site and for identifying the building entrances for nonresidential land uses in any zoning district. Such signs include vehicular and pedestrian-scale signs that describe building occupants, secondary entrances, intended travel directions, and parking regulations.

Staff Finding: The applicant will have to closely review requirements regarding directional signage. As presented, BZA approval will be necessary for height, square footage and double faced signs.

- §1157
§1157.06(b): Cell Tower
APPLICATION REQUIREMENTS FOR ALL WIRELESS AND CELLULAR TELECOMMUNICATION FACILITIES THAT ARE NOT CONSIDERED EXEMPT. Existing Facilities.

- §1157.06(h): Proof of Approval. Written proof that the telecommunications proposal has been approved by all agencies and governmental entities with jurisdiction, including, but not limited to, the Federal Aviation Administration (FAA) and the Federal Communications Commission (FCC), including successors to their respective functions.

- §1157.07: REGISTRATION REQUIREMENTS.

- §1157.08(l): GENERAL REQUIREMENTS.

- §1157.11(d): ZONING DISTRICTS AND LOCATIONS WHERE WIRELESS AND CELLULAR TELECOMMUNICATIONS TOWERS AND FACILITIES ARE PERMITTED.

- §1157.14: DESIGN STANDARDS FOR TOWERS.

Staff Finding: Cell towers are permitted on publicly owned property defined in this Chapter as any real property owned by the City of Oxford, Talawanda School District, or Miami University, but must go through the conditional use process. In reviewing the code, although the cell tower is existing, it does not meet of the City's requirements. All specifications regarding the tower need to be registered with the City. Section 1159.08(l) discusses landscaping requirements that can be addressed on the landscaping plan. Screening shall be required around the security fencing and shall consist of a continuous evergreen hedge at least 48" high at planting. Section 1159.14 limits the height to 200' and must be setback

from the property line equal to the height of the tower, which is not the case along the eastern property line. BZA will have to grant these variances for the height and setback. Additionally, access to the tower must be maintained with the proper access easements.

Other:

The landscaping plan and site plan do not have the same field locations for the various sports. Also, the staff parking area at the rear of the building has been modified. The site layout on all drawings should correspond.

Maintenance of the median landscaping must be worked out with the City Service Department and the School District. The City will not maintain the landscaping on the private portion of the drive.

Prior to the issuance of permits, the lots involved for construction for the main facility should be consolidated into one lot.

AGENCY REVIEWS

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

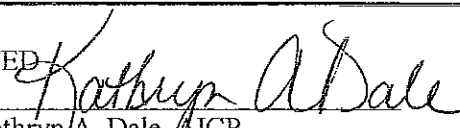
Police:	See Attachment, multiple comments.
Fire:	None Received
Engineering:	See Attachment. Comments regarding maintenance of the private portion of the drive, maintenance of the 100' dedicated right-of-way and curving the northern most turn on the 100' dedicated right-of-way.
Econ. Dev.:	Comments Attached. Likes the right-of-way shown as a place keeper for any future road alignment.

RECOMMENDATION

Not applicable.

SUBMITTED

BY:


Kathryn A. Dale, AICP

Community Development Department

DATE: June 26, 2009

Conditional Use Application/ Preliminary Review

Fire Department Concerns

1. Close proximity of building to rail road tracks in case of a derailment or chemical leak.
2. Lack of hard surface access to sports fields for emergency vehicles.
3. Adequate access for ladder trucks through parking lot. Needs to be designed for minimum of 242" wheel base and 496" overall length.
4. Hard surface access must be provided close enough to building to reach with a 100' aerial device – edge of curb within 85' of base of wall.
5. Width of roadway around building must be a minimum of 24' to allow for set up of ladder truck including circle in front of main entrance.
6. Provide ladder truck access to raised portion of auditorium.
7. Secondary access to the west side of building must be provided should the primary route be blocked.



Memo

Service Department
Engineering Division

513/524-5208 fax 513/524-5267

TO: Community Development Department

FROM: Victor Popescu, P.E.
City Engineer

RE: Inter-Office Review - June 25, 2009

DATE: July 6, 2009

The following are our comments requested by your transmittal dated June 25, 2009.

- University Park Boulevard is to be a public road from its intersection with USR 27 to the Talawanda High School property line.
- If the entrance, University Park Boulevard, to the proposed Talawanda High School is to be constructed to other than the City of Oxford street standards, a maintenance agreement must be reached between the City of Oxford and the Talawanda School Board. The purpose of the maintenance agreement is to define the maintenance responsibilities for such items as plantings, irrigation, etc.
- The maintenance of the easement for the proposed future roadway shall be the responsibility of the easement recipient. At the time that a roadway is constructed for the purposes of connecting to a public roadway on the west side of the CSX track, the maintenance of the easement shall become the responsibility of the City of Oxford.
- The intersection of the proposed future roadway and the extension (school entrance) of University Park Boulevard shall be perpendicular (90 degrees). However, the following (next) intersection shall not be perpendicular (90 degrees), but rather a smooth curve that will eliminate another controlled intersection.

If there are questions, please contact the Engineering Division.

S:\Shared\Talawanda HS - July 7.rtf



Memo

Service Department
Engineering Division

513/524-5208 fax 513/524-5267

TO: Community Development Department

FROM: Victor Popescu, P.E.
City Engineer

RE: Proposed Talawanda High School
Early Site Package - Review Comments

DATE: July 16, 2009

The following are our comments resulting from the review of the Early Site Package dated June 26, 2009 and received by the Engineering Division on July 14, 2009.

Plan Sheet C100.

- Refer to the Standard Asphalt Pavement Detail.
 - Modify to require Tack Coat. No time limit.
- Refer to Heavy Duty Concrete Detail.
 - Use Item 451 Reinforced Concrete.
- Refer to Heavy Duty Asphalt Pavement Detail.
 - Modify to require Tack Coat. No time limit.
- Refer to Curb Ramp Detail.
 - Specify "mat" instead of "truncated domes".
- Refer to Accessible Parking Sign Detail.
 - Check City of Oxford's fee schedule for proper fine amount.

- Refer to General Note #25.
 - Revise note to require Contractor to follow City of Oxford Specifications for backfill, Standard Drawing #11 (See attachment).
- Refer to General Note #36.
 - City of Oxford Specifications requires a 4" sidewalk thickness, and not 5".

Plan Sheet C112.

- Additional contact names need to be added (See attachment).

Plan Sheets C132 & C133.

- Would any of the athletic fields be serviced by sanitary sewer or water service (i.e. irrigation, rest rooms, concession stands, etc.)?
- If so, how would that be accomplished?

Plan Sheet C140.

- The Fire Line is proposed to be 8" in diameter. In our discussions, it was agreed that it will be 12" in diameter, unless ISO agreed to a smaller size line. Is there a decision from ISO? If so, is the decision in writing? If not, change the size of the Fire Line to 12".
- Is the 4" diameter Domestic Water Service sufficient to serve the school?
- It is proposed to construct the Sanitary Sewer at, or close to, minimum grade. Add a note stating that construction of the Sanitary Sewer below minimum grade will not be accepted by the City of Oxford.
- Spacing between Fire Hydrants shall not exceed 300 linear feet, as per City of Oxford Specifications.
- What is the water meter size for the domestic water service?

Plan Sheet C141.

- It is proposed to construct the Sanitary Sewer at, or close to, minimum grade. Add a note stating that construction of the Sanitary Sewer below minimum grade will not be accepted by the City of Oxford.
- Indicate the water valves configuration at "Construction Limits" on University Park Boulevard. That is the point where the two (2) Consultants design meets.

Plan Sheet C142.

- The "Field Hockey Field" and the "Practice Football Field" each indicate a "Geothermal Well Field". Please explain.

Plan Sheet C151.

- Would there be any safety protection around the “Bio Retention” pond (i.e. fence, etc.)?

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

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 6/25/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Staff is requesting a preliminary review of the attached documents for the July 14, 2009 Planning Commission Meeting regarding Talawanda High School.

You will receive similar drawings for the Conditional Use Application for the August 11, 2009 Planning Commission meeting.

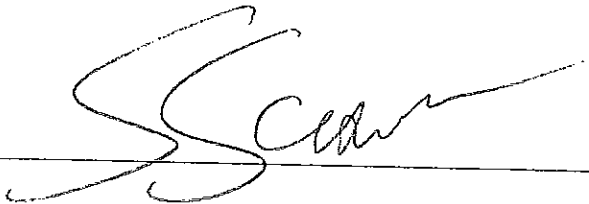
We would like your input. Should you have any comments, please return by July 7, 2009.

Comments or status update requested by: Lynn Taylor

Please return no later than: **7/7/2009** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

Drawings reviewed by: _____



City of Oxford
Inter-Office Review Transmittal Sheet

Date: 6/25/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Staff is requesting a preliminary review of the attached documents for the July 14, 2009 Planning Commission Meeting regarding Talawanda High School.

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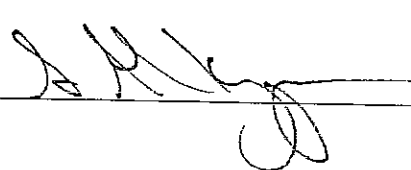
We would like your input. Should you have any comments, please return by July 7, 2009.

Comments or status update requested by: Lynn Taylor

Please return no later than: **7/7/2009** Note: If no comments are received, we will assume the project meets your department's standards.

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

I LIKE THE ROW FOR A FUTURE CONNECTOR ROAD TO THE WEST IS PROVIDED. I UNDERSTAND THIS ROW IS JUST A PLACEKEEPER UNTIL THE ACTUAL ROAD ALIGNMENT IS ESTABLISHED.

Drawings reviewed by: 

THE NEXT PAGES

IS THE APPLICANT'S

RESPONSE TO FEEDBACK RECEIVED FROM CITY
STAFF AS A RESULT OF THE CONCEPTUAL REVIEW
WHICH TOOK PLACE AT THE PLANNING
COMMISSION MEETING HELD ON JULY 14, 2009



Monday, July 27, 2009

Ms. Kathy Dale
City of Oxford
101 East High Street
Oxford, Ohio 45056-1887

Re: Talawanda High School Conditional Use

Dear Ms. Dale:

Thank you for coordinating the Preliminary Review with the City of Oxford Planning Commission. The comments were appreciated by the owner and design team.

We are requesting approval for the Talawanda High School development on 4138 Millville-Oxford Road. Attached are updated plans and diagrams based off the Preliminary Review:

- 1) **Tennis Court Fencing** – We will be providing an 8' fence on all four sides of the tennis courts. We will be providing no landscaping screening around the courts as the landscaping will create blind spots and will also inhibit the ability for spectators to observe tennis matches.
- 2) **Trash Collection Facilities** – See three highlighted areas on sheet C101 where trash and recycling will be collected. The three areas will all be screened by the building.
- 3) **Parking Spaces Required** – See sheet C101 where employee and student parking spaces are indicated.
- 4) **Field Lighting / P.A. System** – See attached field lighting foot candle diagrams. The field will average 50.70 fc and the track will average 25.25 fc. Although lights will be seen from U.S. 27, no actual light will illuminate the roadway. The closest light will be approximately 2,700' from U.S. 27. Finally, the lights will have lenses that direct light onto the field with minimal off-field spill light.

The P.A. system for the new field will be similar to the current high school. At this point, the Talawanda School District has not received complaints about the volume or frequency of use. The school district intends to operate the new system similar to the

City of Oxford
4805 Montgomery Road Suite 400
Cincinnati, Ohio 45212
513.961.2112 main
513.961.5121 fax

Stacy Hammond, P.E., Inc.

City of Oxford
82 William Avenue
Hartsville, Ohio 45015
513.869.5441 main
513.869.6393 fax

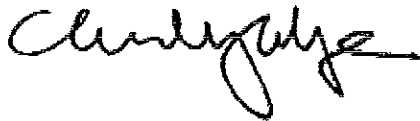
City of Oxford
250 Civic Center Drive Suite 200
Columbus, Ohio 43215
614.223.2124 main
614.223.2150 fax

existing P.A. system. Finally, the existing tree buffer along the property of the sight will remain. This will help buffer any light or sound that may penetrate beyond the site property lines.

- 5) **Parking Lot Light Fixtures** – See attached cut-sheet for proposed parking lot lighting.
- 6) **ISO Requirements** – There has been an ongoing discussion with city engineers that there is an insurance requirement for a larger on-site water line per the city's insurance carrier. Per Plumbing Engineer, *"I received a call back from Steve Stross with ISO just now, and he was perplexed with the issue that I posed to him. He did not want to say that there are no ISO requirements, but rather that he is not aware of any requirements that he would require if he were to review the project. He indicated that the only time he is aware of additional requirements for fire flows is for sites where the building is not fully protected with sprinklers. I'll try to contact someone else at ISO to see if they can provide any additional information, but at this time it does not appear that we need to design for any additional insurance mandated sprinkler or fire flow requirements. This may ultimately determine if the City should be responsible to pay for the difference in cost for larger (12") water line as opposed to the 8" line that would technically be required to protect the building/site."* Per the School Treasurer: *"I spoke to our insurance carrier this morning and they are NOT concerned about the size of the line. Our carrier (Ohio School Plan) does not currently use ISO standards for premium purposes."*
- 7) **Connector Road** – See attached images. These images are to diagram the variations of how the connector road may flow. At this point, no connector road plan is in place. Should this subject gain momentum, the Talawanda School District would work closely with the City of Oxford to allow for the best solution for the future connector road.
- 8) **Fire Department Comments** – The design team will meet with the Oxford Fire Department to address concerns.
- 9) **Landscaping Plans** – See updated Landscaping Plans (L100 & L101) along with updated Location Plans (C101 & C102). Base plans are identical and should match up.
- 10) **Bus Maintenance** – All bus maintenance and storage will remain at the existing High School site.

Please contact me if you have additional question.

Sincerely,
SHP Leading Design



Charlie Jahnigen, AIA, LEED AP
Vice President

EQUIPMENT LIST FOR AREAS SHOWN

QTY	LOCATION	Pole	GRADE ELEVATION	MOUNTING HEIGHT	LAMP TYPE	Luminaires		
						QTY/ POLE	THIS SNO	OTHER SNO
2	F1, F3	80'	-	80'	1500W MZ	8	8	0
2	F2, F5	90'	-	90'	1500W MZ	10	10	0
2	F4, F6	80'	-	80'	1500W MZ	9	9	0
6	TOTALS					54	54	0



GUARANTEED PERFORMANCE

ILLUMINATION SUMMARY

Football

Talawanda New High School Football
Oxford, OH

Football

- Size: 360' x 160'
- Grid Spacing = 30.0' x 30.0'
- Values given at 3.0' above grade

- Luminaire Type: Green Generation
- Rated Lamp Life: 5,000 hours
- Avg Lumens/Lamp: 134,000

CONSTANT ILLUMINATION
HORIZONTAL FOOTCANDLES

Entire Grid
No. of Target Points: 72
Average: 50.70
Maximum: 61
Minimum: 45
Avg/Min: 1.13
Max/Min: 1.36
UG (Adjacent Pts): 1.22
CV: 0.08
Average Lamp Tilt Factor: 1.000
Number of Luminaires: 54
Avg KW over 5,000 hours: 84.46
Max KW: 91.8

Guaranteed Performance: The CONSTANT ILLUMINATION described above is guaranteed for the rated life of the lamp.

Field Measurements: Averages shall be +/-10% in accordance with IESNA RP-6-01 and CIBSE LG4. Individual measurements may vary from computer predictions.

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

Installation Requirements: Results assume +/- 3% nominal voltage at line side of the ballast and structures located within 3 feet (1m) of design locations.

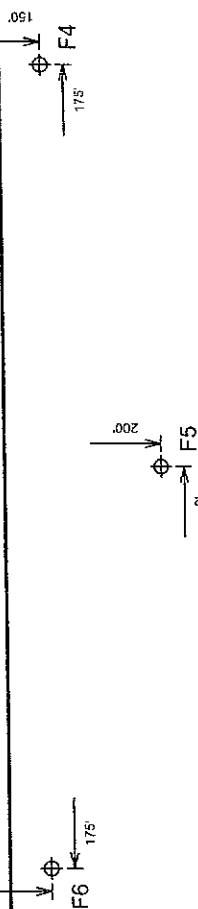
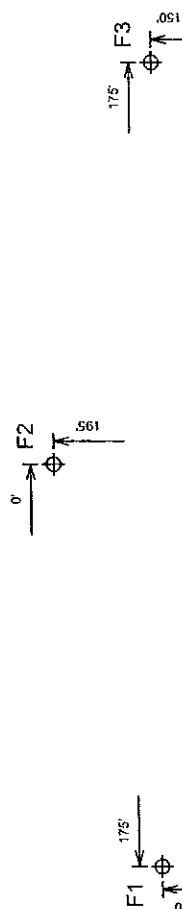
By:

File #: 137432

Date: 07-Jul-09

Pole location(s) & dimensions are relative to 0,0 reference point(s) ☉

SCALE IN FEET 1 : 80



EQUIPMENT LIST FOR AREAS SHOWN

QTY	LOCATION	Pole	SIZE	GRADE ELEVATION	MOUNTING HEIGHT	Luminaires			OTHER SERVO
						LAMP TYPE	QTY / POLE	THIS SERVO	
2	F1, F3		80'	-	80'	1500W MZ	8	0	
2	F2, F5		90'	-	90'	1500W MZ	10	0	
2	F4, F6		80'	-	80'	1500W MZ	9	0	
6	TOTALS						54	54	0



GUARANTEED PERFORMANCE

ILLUMINATION SUMMARY

Track

Talawanda New High School Football
Oxford, OH

Track

- Size: Irregular
- Grid Spacing = 10.0' x 10.0'
- Values given at 3.0' above grade

- Luminaire Type: Green Generation
- Rated Lamp Life: 5,000 hours
- Avg Lumens/Lamp: 134,000

CONSTANT ILLUMINATION
HORIZONTAL FOOTCANDLES

No. of Target Points: 51

Average: 25.25

Maximum: 54

Minimum: 4

Avg/Min: 6.90

Max/Min: 14.76

UG (Adjacent Pts): 0.00

CV: 0.61

Average Lamp Tilt Factor: 1.000

Number of Luminaires: 54

Avg KW over 5,000 hours: 84.46

Max KW: 91.8

Guaranteed Performance: The CONSTANT ILLUMINATION described above is guaranteed for the rated life of the lamp.

Field Measurements: Averages shall be +/- 10% in accordance with IESNA RP-6-01 and CIBSE LG4. Individual measurements may vary from computer predictions.

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

Installation Requirements: Results assume +/- 3% nominal voltage at line side of the ballast and structures located within 3 feet (1m) of design locations.

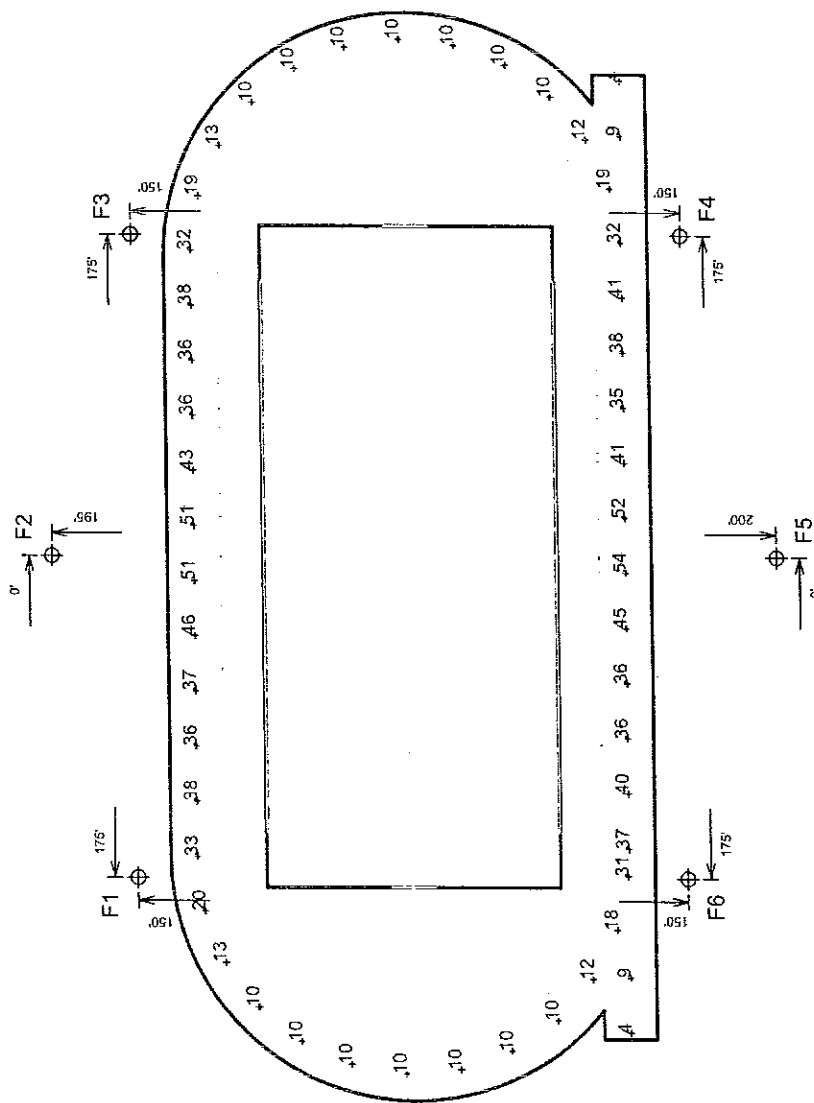
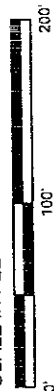
By:

File #: 137432

Date: 07-Jul-09

Pole location(s) dimensions are relative to 0.0 reference point(s)

SCALE IN FEET 1 : 100





GUARANTEED PERFORMANCE

EQUIPMENT LAYOUT

Talawanda New High School Football
Oxford, OH

INCLUDES:

- Football
- Track

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

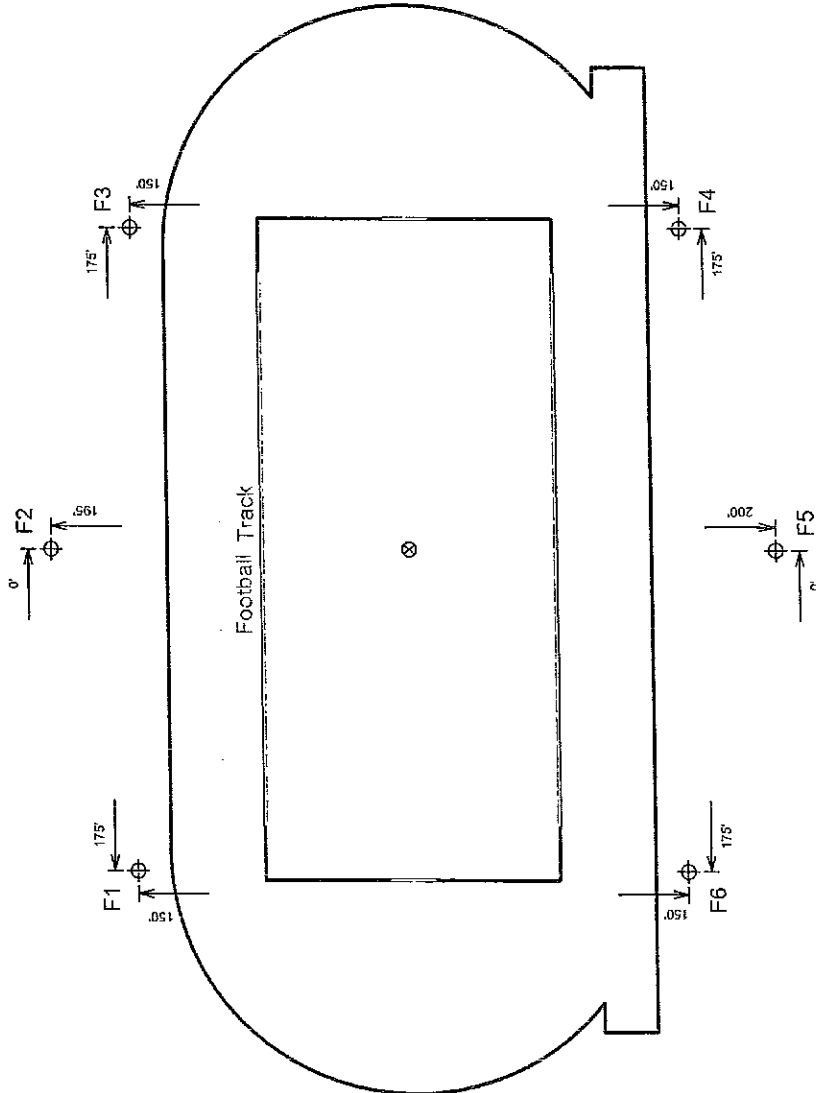
Installation Requirements: Results assume +/- 3% nominal voltage at line side of the ballast and structures located within 3 feet (1m) of design locations.

EQUIPMENT LIST FOR AREAS SHOWN

QTY	LOCATION	SIZE	GRADE ELEVATION	MOUNTING HEIGHT	LAMP TYPE	QTY / POLE
2	F1, F3	80"	-	80'	1500W MZ	8
2	F2, F5	90"	-	90'	1500W MZ	10
2	F4, F6	80"	-	80'	1500W MZ	9
TOTALS						54

SINGLE LUMINAIRE AMPERAGE DRAW CHART

Ballast Specifications (90 min power factor)	Line Amperage Per Luminaire (max draw)					
	120 (60)	208 (60)	240 (60)	277 (60)	347 (60)	380 (60)
Single Phase Voltage	120	208	240	277	347	380
1500 watt MZ	15.0	8.6	7.7	7.5	6.5	5.1
					4.7	3.7



By:

File #: 137432

Date: 07-Jul-09

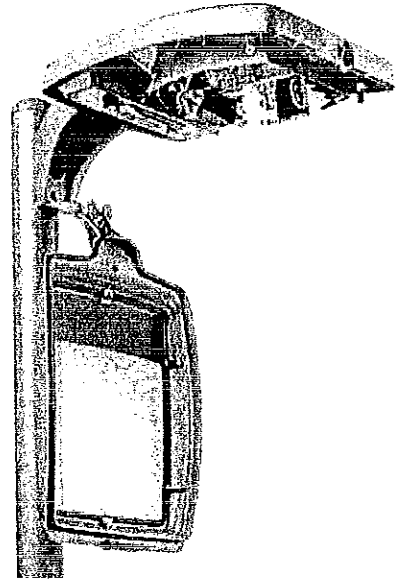
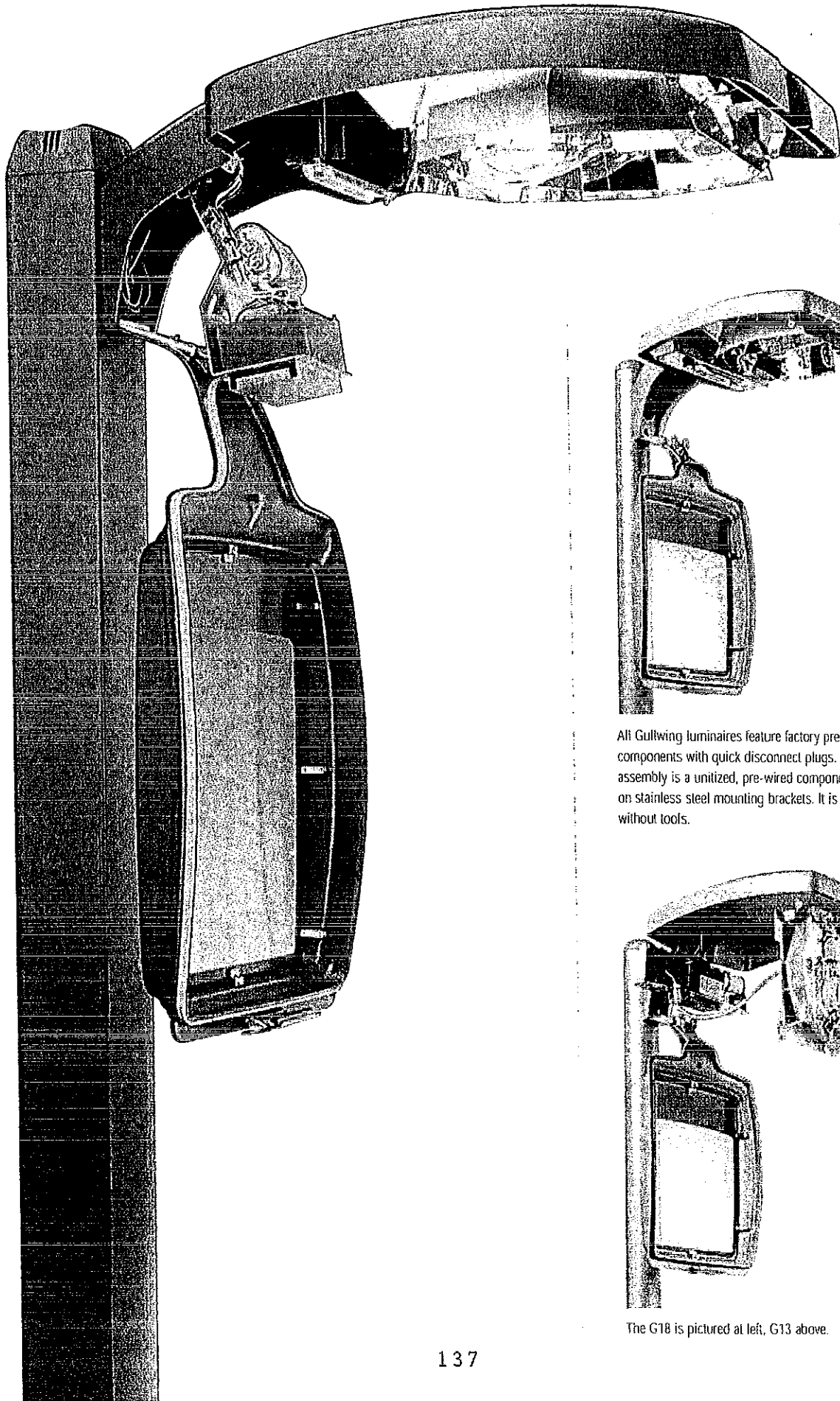
Pole location(s) dimensions are relative to 0,0 reference point(s) ⊗

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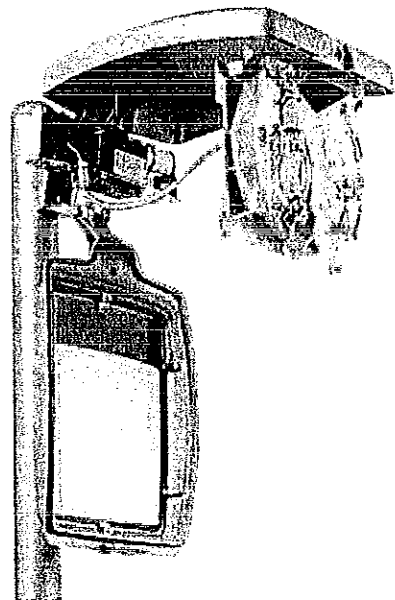
Print Date (07/Jul/2009) & Time (10:04)

SCALE IN FEET 1 : 100





All Gullwing luminaires feature factory pre-wired electrical components with quick disconnect plugs. The ballast assembly is a unitized, pre-wired component, which hinges on stainless steel mounting brackets. It is removable without tools.



The G18 is pictured at left, G13 above.

G13 ORDERING

PREFIX	CONFIGURATION	DISTRIBUTION	WATTAGE	VOLTAGE	FINISH	OPTIONS
Example G13	1	2XL	100MH	208	BRP	POLY
G13	1	2XL	50 HPS ¹	120	BRP	F
	2	3XL	70 HPS	208	BLP	LF
	3	4XL	100 HPS	240	WP	PC
	4	MTS ³	150 HPS	277	NP	PCR
All lamps are medium base.	W		50 MH ¹	347 (70W and above)	OC	POLY (100W Max)
1. Available in 120V or 277V only.	WS		70 MH	480	SC	HS
2. Not available with 480V.			100 MH			QS (100W Quartz Max)
3. ANSI #M102			150 MH ³			PTF
4. Pulse Start Metal Halide Lamp.			175 MH			SPA
5. Fluorescent only.			(2) 60 CF ⁶			
6. 120V through 277V only. 50/60 HZ starting temperature is -22°F.			(3) 42 TRF ⁷			
7. 120V through 277V and 347V only. Starting temperature is 0°F.						SPA is required for square poles.

G18 ORDERING

PREFIX	CONFIGURATION	DISTRIBUTION	WATTAGE	VOLTAGE	FINISH	OPTIONS
Example G18	1	2XL	400MH	208	BRP	POLY
G18	1	1 ¹	150 HPS	120	BRP	F
	2	2XL	250 HPS	208	BLP	LF
	3	3XL	400 HPS	240	WP	PC
	4	4XL	600 HPS	277	NP	PCR
	W	Q ¹	750 HPS ²	347	OC	POLY (250W Max)
	WS		100 MH ³	480	SC	HS
			150 MH ³			QS (150W Quartz Max)
			175 MH			RPA1 N/A above 400W HID)
			250 MH			RPA2
			250 PSMH ⁴			PTF2
			320 PSMH ⁴			PTF3
			350 PSMH ⁴			PTF4
			400 MH			SQPTF
			400 PSMH ⁴			SG
			750 PSMH ^{2,4*}			
			1000 MH ^{2,5}			
			1000 PSMH ^{4*}			

- Types 1 and Q are not available above 400W.
- Furnished with sag glass lens only.
- Venture mogul base lamps required.
- M149 only. Requires MS750/PS/BU-HOR/BT37 lamp.

NOTE: 400MH requires ED-28 or BT28 reduced jacket lamp.

RPA is required for round poles.

*Pulse Start Metal Halide

Note 5

For 1000 Metal Halide use:

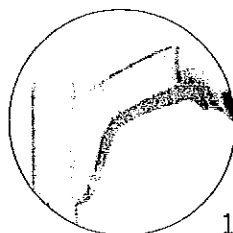
Brand	Product Code	Catalog Number
Venture	53702	MS1000W/HOR/BT37/2K
G.E.	18205	MVR1000A/UBT37
Venture	15332	MH1000W/UBT37

For 1000 Pulse Start use:

Brand	Product Code	Catalog Number
G.E.	10389	MVR1000A/UBT37/PA
Venture	49111	MS1000W/HOR/T25/PS

WARNING: Use of other lamps voids warranty.

CONFIGURATION	DISTRIBUTION	FINISH	OPTIONS
☐ 1 Single Fixture Assembly	1 Type I	BRP Bronze Paint	F Fusing
☐ 2 Twin (Specify 90° or 180° Degrees)	2XL Type II	BLP Black Paint	LF In-Pole Fusing
☐ 3 Triple Assembly	3XL Type III	WP White Paint	PC Receptacle and Photocontrol
☐ 4 Quad Assembly	4XL Type IV	NP Natural Paint	PCR Photocontrol (Receptacle Only)
☐ W Wall Mount, Recessed J-Box	Q Type V	OC Optional Color Paint	POLY Polycarbonate Sag Lens (250W Max-G18 & 100W Max-G13)
☐ WS Wall Mount, Surface Conduit (splice compartment within wall canopy)	MTS Medium Throw with Solite [®] Lens (G13 only)	SC Special Color Paint (must supply color chip)	HS Houseside Shield
			QS Quartz Standby (Max 100W Quartz G13, 150W Quartz G18)
			PTF2 Pole Top Fitter (2 1/4" Dia. Tenon)
			PTF3 Pole Top Fitter (3 3/4" Dia. Tenon)
			PTF4 Pole Top Fitter (3 1/2" Dia. Tenon)
			SQPTF Square Pole Top Fitter
			SPA Square Pole Adaptor (G13 only)
			RPA 1 Round Pole Adaptor 1 (G18 only)
			RPA 2 Round Pole Adaptor 2 (G18 only)
			SG Sag Glass Lens (G18 only. Supplied standard on 750W and 1000W)



RPA1 is used for 3" o.d. poles or tapered round poles where top o.d. is less than 4". RPA2 is used for 4" to 5" round poles.

107 SCONCE ORDERING

Lamp/Voltage Chart - 107

E17 Voltage:	120	208	240	277	347	480
50MH		*	*	*	*	*
70MH		*	*	*	*	*
100MH		*	*	*	*	*
150MH		*	*	*	*	*
175MH		*	*	*	*	*
35HPS		*	*	*	*	*
50HPS		*	*	*	*	*
70HPS		*	*	*	*	*
100HPS		*	*	*	*	*
150HPS		*	*	*	*	*
50CMHE		*	*	*	*	*
70CMHE		*	*	*	*	*
100CMHE		*	*	*	*	*
Fluorescent						
26QF ¹	*	*	*	*	*	*
226QF ¹	*	*	*	*	*	*
32TRF ¹	*	*	*	*	*	*
42TRF ¹	*	*	*	*	*	*
242TRF ¹	*	*	*	*	*	*

PREFIX DISTRIBUTION FINISH OPTIONS
 Example 107 — WT — BRP — PCB

107 FT Forward Throw²
 107EM WT Wide Throw²
 107EMR MT Medium Throw

BRP Bronze
 BLP Black
 WP White
 NP Natural Aluminum
 BGP Beige
 OC Optional Color
 Specify RAL designation. ex. OC-RAL7024
 SC Special Color
 Color chip required

F Fusing (120V, 277V)
 QS Quartz Standby
 PCB Button Type Photocontrol
 SL Solite[®] Diffusing Lens
 Solite is a registered trademark of AFG Industries
 UT 5° Uptilt
 WS Wall Mounted Box for Surface Conduit
 WG Wire Guard

Configuration Chart - 107EM

Distribution	FT	WT	MT	120	208	240	277	347	480
107EM	*	*	*	*	*	*	*	*	*
226QF ¹	*	*	*	*	*	*	*	*	*
42TRF ¹	*	*	*	*	*	*	*	*	*

Configuration Chart - 107EMR

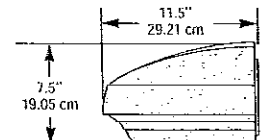
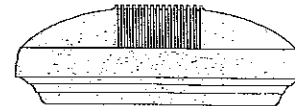
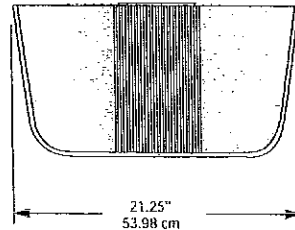
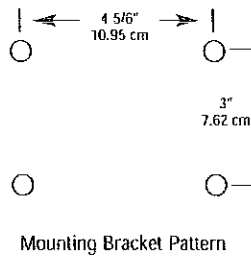
Distribution	FT	WT	MT	120	208	240	277	347	480
107EMR	*	*	*	*	*	*	*	*	*
226QF ¹	*	*	*	*	*	*	*	*	*
42TRF ¹	*	*	*	*	*	*	*	*	*
242TRF ¹	*	*	*	*	*	*	*	*	*

Combinations marked with a dot are available for ordering.

MH - Metal Halide, CMHE - Ceramic Metal Halide with Electronic Ballast, HPS - High Pressure Sodium, QF - Quad Fluorescent, TRF - Triple Tube Fluorescent.

- 26QF, 32TRF and 42TRF types feature an electronic fluorescent ballast that accepts 12V through 277V, 50hz or 60hz input.
- Not available in fluorescent.

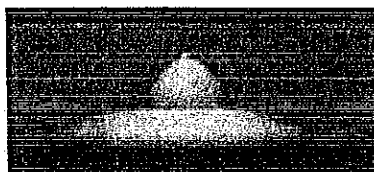
DIMENSIONS



PERFORMANCE

VERSATILITY - The 107 Gullwing Sconce is available in a forward throw distribution for small parking areas and a wide or medium distribution for pedestrian areas. Forward throw units are available with a 5° uptilt option which extends the effective illumination pattern

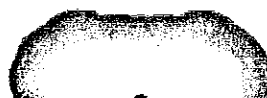
out and away from buildings. Medium throw units offer performance similar to interior downlights, allowing for illumination of interior spaces. All are suitable for damp location uplighting in lobbies, atriums and beneath canopies.



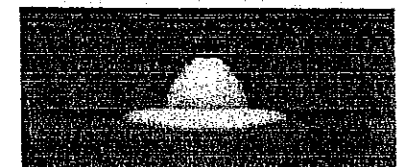
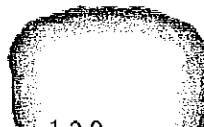
Forward Throw

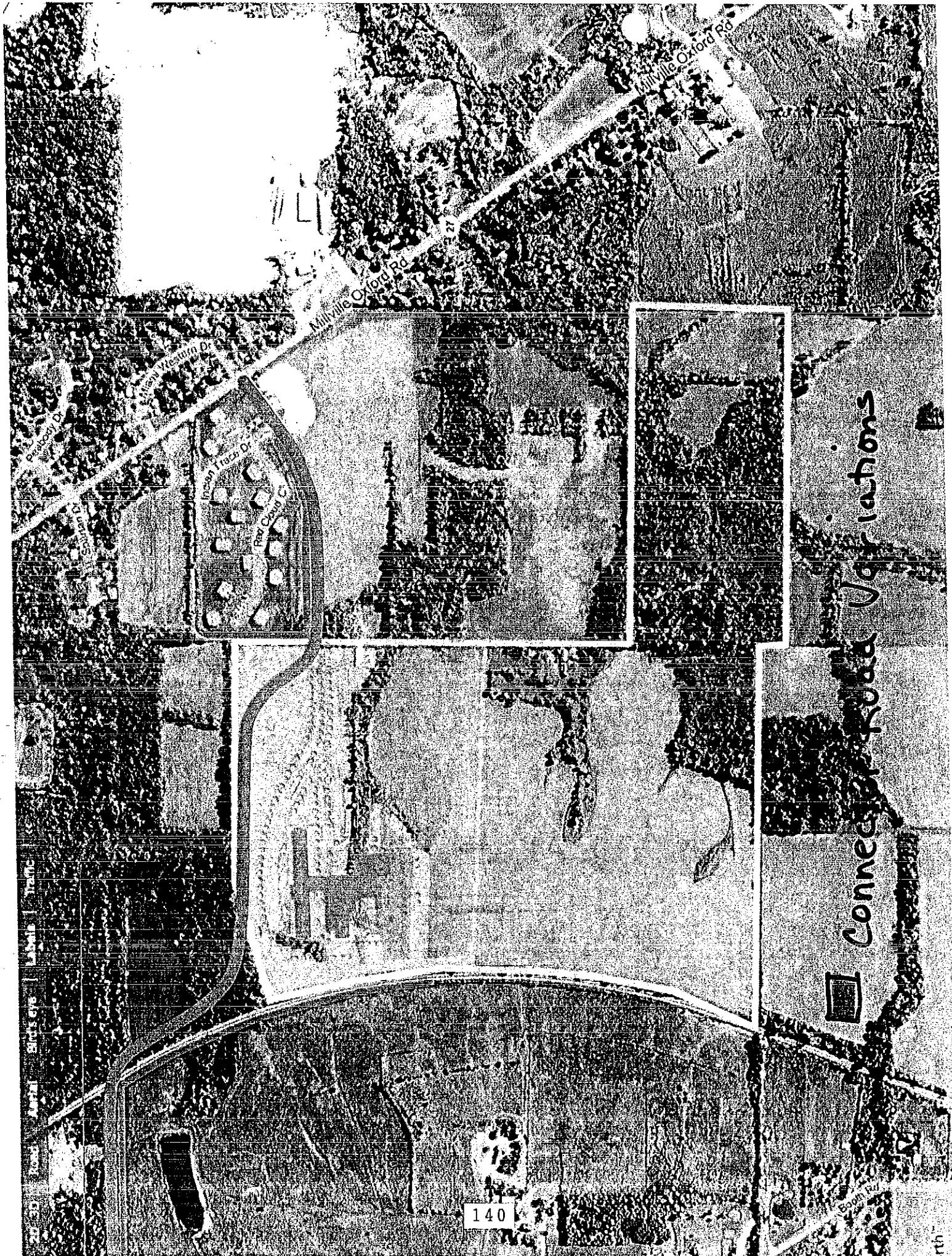


Wide Throw

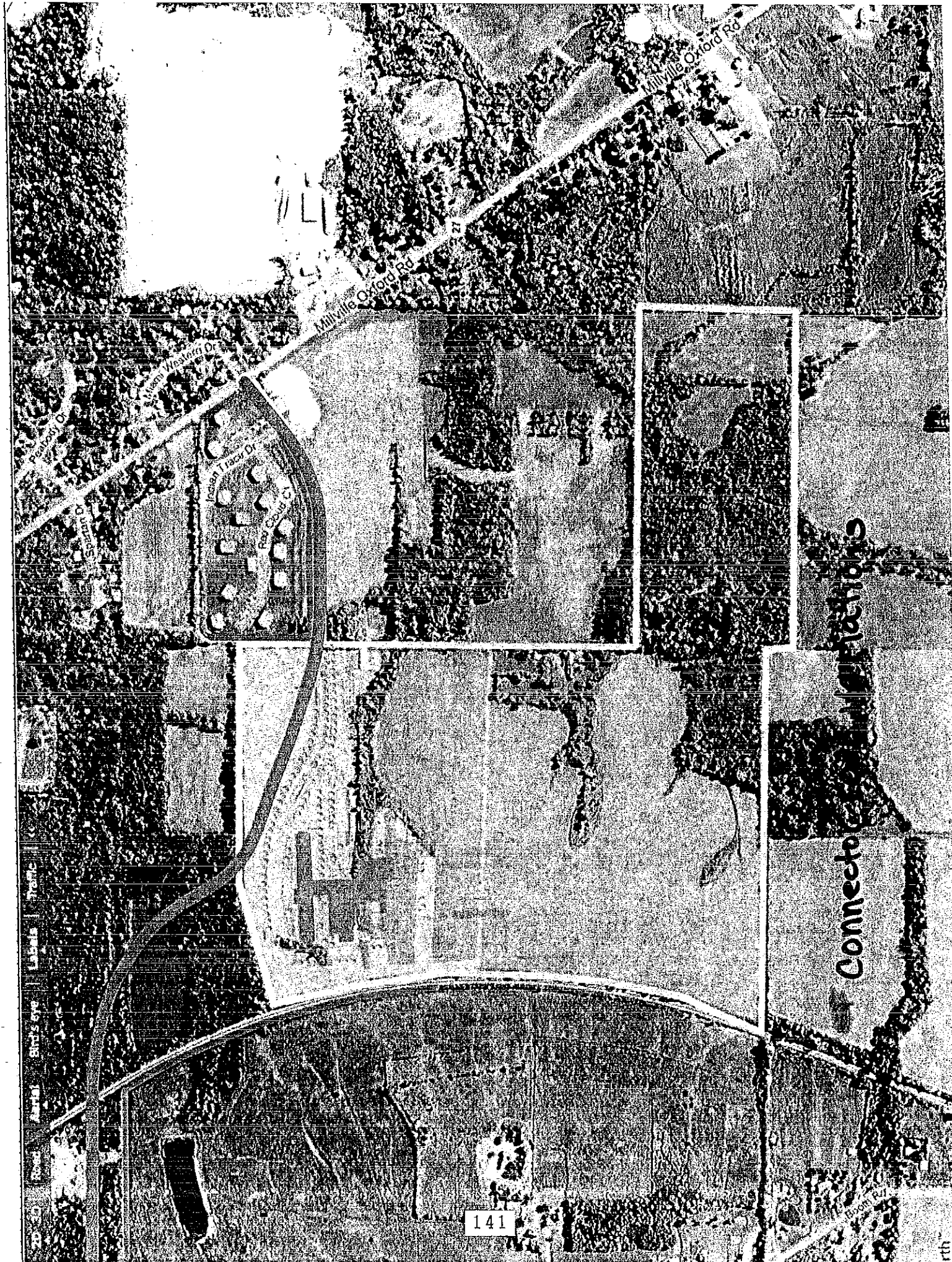


Medium Throw

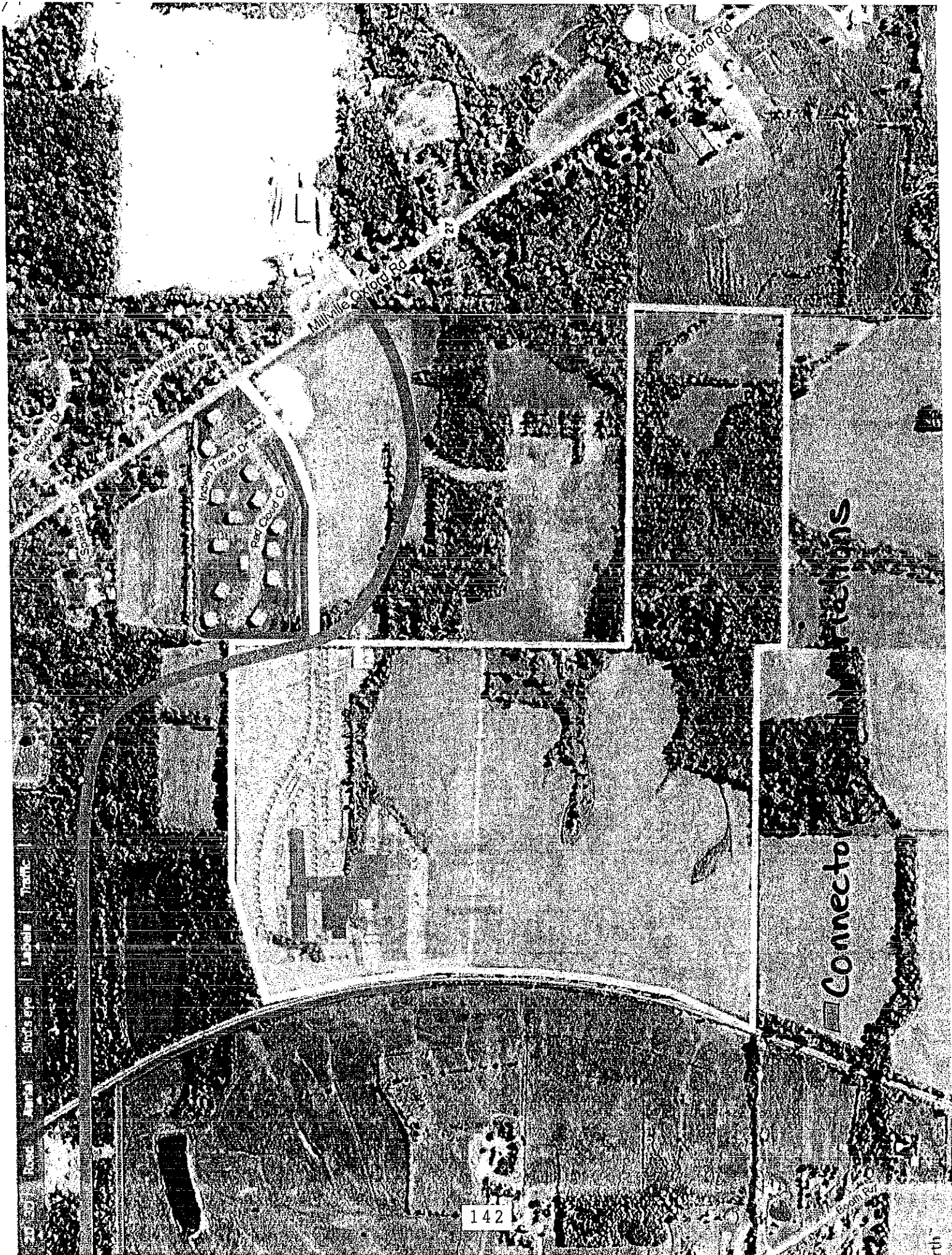




Connection Road Variations



Connecticut Electronics



CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: August 4, 2009

Jung-Han Chen

Account Code No. #: N/A

Prepared By

Budgeted Amount:

July 20, 2009
Date Prepared

Agenda Title:	Ordinance Accepting the Annexation Petition from The Board of Education of the Talawanda City School District for 154.487 Acres of Land, located off Millville Oxford Road, in the Township of Oxford, Ohio; and Accepted Said Property to be Annexed to the City of Oxford, Pursuant to a Petition filed with the Board of Commissioners of Butler County, Ohio by Gary T. Stedronsky, Agent for Petitioners.
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Recommendation:	Approval
------------------------	-----------------

Discussion:

This legislation is to officially accept the petitioned territory be annexed into the City.

The petitioner filed an annexation petition to the County Commission on April 28, 2009. Following the statutory proceeding, the County Commission sought input from the City of Oxford as well as Oxford Township.

City Council adopted a resolution to accept the annexation petition during its May 5, 2009 meeting. Oxford Township had no response to County Commission's request. Butler County Commissioners approved this annexation request at their June 2, 2009 meeting, based on the statutory requirements, Ohio Revised Code Section 709.023.

This is the final step of the annexation process and requires City Council to formally accept the petitioned territory into the City.

Approved By:	Department Head:	Initial	Date
	City Attorney:	<i>JHC</i>	7/21/09
	City Manager:	<i>JHC</i>	7-22-09

ORDINANCE NO. _____

AN ORDINANCE ACCEPTING THE ANNEXATION PETITION FROM THE BOARD OF EDUCATION OF THE TALAWANDA CITY SCHOOL DISTRICT FOR 154.487 ACRES OF LAND IN THE TOWNSHIP OF OXFORD, OHIO AND ACCEPTING SAID TERRITORY TO BE ANNEXED.

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

SECTION 1: On April 28, 2009, Gary T. Stedronksy, as Agent for the Board of Education of the Talawanda City School District, filed a petition with the Board of County Commissioners of Butler County, Ohio to obtain annexation to the City of Oxford, Butler County, Ohio territories consisting of 154.487 acres of land contiguous to the City of Oxford and the existing corporation line of the Township of Oxford, Ohio. Said petition was filed with the consent of all parties utilizing the annexation procedure set forth in Section 709.023 of the Ohio Revised Code.

SECTION 2: The Board of County Commissioners did, by Resolution No.09-05-0931 adopted on May 28, 2009, approve the annexation of the proposed territory to the City of Oxford as hereinafter described. Such approval was subject to the terms and conditions contained in the Statement of Services Resolution No. 4445, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference.

SECTION 3: The Board of County Commissioners did, through the Clerk of the Board of County Commissioners, Butler County, Ohio, certify a transcript of the proceedings in connection with the map and petition required herein to the Clerk of Oxford City Council who received the same on or about June 2, 2009.

SECTION 4: A certified transcript of the proceedings for annexation with an accurate map of the territory, together with the petition for annexation and the papers relating to all proceedings heretofore with the County Commissioners, are all on file with the Clerk of the City of Oxford, and have been for more than sixty (60) days.

SECTION 5: The proposed annexation, as applied for in the petition of the Board of Education of the Talawanda City School District, owners of the real estate in the territory sought to be annexed and filed with the Board of County Commissioners, Butler County, Ohio, in which the petition prayed for annexation to the City of Oxford, Ohio of certain territory adjacent thereto as hereinafter described, and Commissioner on May 28, 2009, be and the same is hereby accepted and deemed annexed to the City of Oxford, subject to all the *terms and conditions provided herein and contained within the Statement of Services Resolution No. 4445*, attached hereto and incorporated herein as Exhibit "A" and the *Pre-annexation Agreement Resolution No. 4424*, attached hereto and incorporated herein as Exhibit "B". The territory to be annexed is more particularly described in Exhibits "C" and "D", attached hereto and incorporated herein.

SECTION 6: The Clerk of the City of Oxford be and is hereby authorized and directed to make five copies of this ordinance, to each of which shall be attached a copy of the map accompanying this petition for annexation, a copy of the transcript of the proceedings of the Board of County Commissioners of Butler County, Ohio, related thereto, and certified as to the correctness thereof. The Clerk shall then forthwith deliver one copy of the County Auditor, one copy to the County Recorder, one copy to the County Engineer, and one copy to the Ohio Secretary of State and shall file notice of this annexation with the Board of Elections within thirty (30) days after it becomes effective and the Clerk shall do all other things as required by law.

SECTION 7: This Ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

A

RESOLUTION NO. 4445

A RESOLUTION ACKNOWLEDGING RECEIPT AND SERVICE OF THE ANNEXATION PETITION FROM THE BOARD OF EDUCATION OF THE TALAWANDA CITY SCHOOL DISTRICT FOR 154.487 ACRES OF LAND LOCATED OFF MILLVILLE OXFORD ROAD, IN THE TOWNSHIP OF OXFORD, OHIO; CONSENTING TO SAID ANNEXATION; AND ADOPTING A STATEMENT OF THE SERVICES THE CITY OF OXFORD WILL PROVIDE TO THE PROPOSED TERRITORY TO BE ANNEXED TO THE CITY OF OXFORD, PURSUANT TO A PETITION FILED WITH THE BOARD OF COMMISSIONERS OF BUTLER COUNTY, OHIO, BY GARY T. STEDRONSKY, AGENT FOR PETITIONERS.

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

SECTION 1: Council, having been served and having received the notification of a petition for annexation filed by Gary T. Stedronsky as agent for the petitioner Board of Education of the Talawanda City School District (hereinafter referred to as "Talawanda School District") for 154.487 acres of land located off Millville Oxford Rd. (also known as U.S. 27), in the Township of Oxford, Ohio, hereby agrees and consents to such annexation as stated in such petition.

SECTION 2: Pursuant to and in compliance with Ohio Revised Code Section 709.023 (D), Council hereby consents to the annexation as stated in the petition filed by Gary T. Stedronsky as agent for the Petitioner Talawanda School District 154.487 acres of land located off Millville Oxford Rd. (also known as U.S. 27), in the Township of Oxford, Ohio.

SECTION 3: The Ohio Revised Code, Section 709.023 (C) provides that if, at the time a petition for annexation is filed, the territory proposed for annexation is subject to county or township zoning regulations, the legislative authority of the municipal corporation shall adopt an ordinance or resolution regarding incompatible permitted uses.

SECTION 4: Pursuant to Ohio Revised Code, Section 709.023 (C) and in accordance with Section 3 herein, should City of Oxford Zoning Regulations permit uses in the annexed territory that the City of Oxford determines are clearly incompatible with the uses permitted under current county or township zoning regulations applicable to the adjacent land remaining within Oxford Township, Council for the City of Oxford will require, in the zoning ordinance permitting the incompatible uses, Talawanda School District to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Oxford Township. For the purposes of this section, "buffer" includes open space, landscaping, fences, walls, and other structured elements; streets and street rights-of-way; and bicycle and pedestrian paths and sidewalks.

SECTION 5: The Ohio Revised Code, Section 709.023 (C) provides that the legislative authority of a municipal corporation shall adopt an ordinance or resolution indicating what services a municipal corporation will provide to the territory to be annexed to the municipal corporation upon receiving notice of the petition for annexation and a hearing date before the Board of Commissioners of Butler County, Ohio.

SECTION 6: The City of Oxford, will provide the following services to the territory sought to be annexed in the petition filed by, Gary T. Stedronsky as agent for the petitioner Talawanda School District for 154.487 acres of land plus or minus as described on Exhibit "A", attached hereto and incorporated herein, conditioned upon the property owners providing to the City of Oxford the means of ingress and egress acceptable to the City, by which the City will have access to the proposed annexed territory. These services are conditioned upon access being provided.

POLICE

Police service will be provided on a twenty-four (24) hour basis. Additional police services/equipment will be provided as required.

FIRE PROTECTION

The Oxford Fire Division will provide fire protection and emergency ambulance service as stated in the Fee Ordinance in the territory to be annexed. Additional fire protection and services/equipment will be provided as required.

WATER AND SEWER

Water and Sewer, as provided by law and by service contract, will be furnished to the annexed territory where available, subject to the City's ability to provide these services, based on the current system.

PLANNING AND DEVELOPMENT

A professional planning and engineering staff and economic development staff will be available to service the annexed territory.

ZONING REGULATIONS

Subject to Section 4 adopted hereinabove, current City of Oxford Zoning Regulations will be enforced in the annexed territory.

STREET MAINTENANCE

The Streets and Maintenance Division will provide a full range of street maintenance activities, upon the owners dedicating streets to the public and deeding the same to the City.

BUILDING AND PLANNING SERVICES

Building inspection and planning services by the City of Oxford's professional staff will be provided to the territory on annexation.

WASTE COLLECTION

Waste collection services will be provided immediately upon annexation. Waste collection services will be provided in accordance with the City of Oxford's policies and schedules for commercial waste collection. The property owners will be subject to a monthly fee for waste-collection services.

PARKS AND RECREATION

As the City develops, the need for public parks and recreational facilities will be evaluated and appropriate facilities provided upon approval of the Council of the City of Oxford. The City of Oxford currently provides to its citizens play fields, a swimming pool, tennis courts, a skate park, and ball fields.

MISCELLANEOUS

Any and all other services provided to the citizens of the City of Oxford will be provided to the proposed territory upon annexation.

SECTION 7: This resolution shall take effect at the earliest time allowed by law.


MAYOR

ADOPTED: May 5, 2009

ATTEST:


DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

B

RESOLUTION NO. 4424

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A PRE-ANNEXATION AGREEMENT WITH THE TALAWANDA SCHOOL DISTRICT FOR LAND IN THE TOWNSHIP OF OXFORD, OHIO TO BE ANNEXED INTO THE CITY OF OXFORD, OHIO, SUBJECT TO THE CONDITIONS STIPULATED IN THE PRE-ANNEXATION AGREEMENT.

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

SECTION 1: Talawanda School District wishes to build a new high school on property located in Oxford Township (hereinafter the "Property").

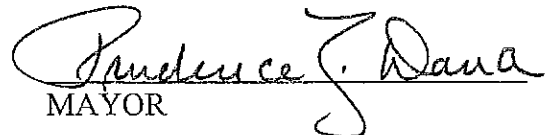
SECTION 2: Talawanda School District and the City would like the Property to be annexed into the City under certain terms and conditions.

SECTION 3: Council hereby approves the Pre-Annexation Agreement and authorizes the City Manager to sign the same in substantially the same form as the Agreement attached hereto as Exhibit "A" and incorporated herein.

SECTION 4: Council finds that the annexation of the Property in accordance with the terms of the Pre-Annexation Agreement is in the best interests of the City and would promote the health, safety and welfare of the citizens and hereby approves the same.

SECTION 5: The City Manager is hereby directed to execute the Pre-Annexation Agreement on behalf of the City.

SECTION 6: This resolution shall take effect at the earliest date allowed by law.


MAYOR

ADOPTED: March 17, 2009

ATTEST:


DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

PRE-ANNEXATION AGREEMENT

This Pre-Annexation Agreement is hereby entered into this 7th day of April, 2009, by and between the City of Oxford, Ohio, a municipal corporation, hereinafter referred to as "City", and Talawanda School District, hereinafter referred to as "Owner".

WHEREAS, the Owner owns property in Oxford Township (hereinafter referred to as "Property"); and

WHEREAS, the Owner would like to construct a new high school on the Property; and

WHEREAS, the Owner and the City would like the Property annexed into the City under certain terms and conditions; and

WHEREAS, the Owner and the City would like to agree in advance on the conditions of such an annexation;

NOW, THEREFORE, the City and Owner hereby enter into this Agreement on the terms and conditions stated below for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged:

1. The Owner agrees to file an annexation petition for the Property to annex it to the City within thirty (30) days after execution of this Agreement.
2. The City has agreed to take those actions required to annex the Property at the earliest time practical after the execution of the Agreement.
3. The City agrees to make municipal water service available to the Property. The cost to install a new water line down University Park Boulevard to the site of the new high school shall be the responsibility of the City. The owner will pay for the material including pipe, gravel, and other required material. The City shall also pay for additional upsizing of the waterline required to serve the Property if in the opinion of the City, the proposed waterline capacity will not support the servicing of the new high school.
4. The City also agrees to make municipal sanitary sewer service available to the Property. The cost of connecting the Property to the nearest existing municipal sanitary sewer service line will be the Owner's responsibility. The installation of such connection to the municipal sanitary sewer service shall conform to the specifications and standards of the City's Ordinances and regulations as applicable. The City shall pay for the upsizing of any existing sanitary lines necessary to support the development of the Property, as determined by the Service Director.

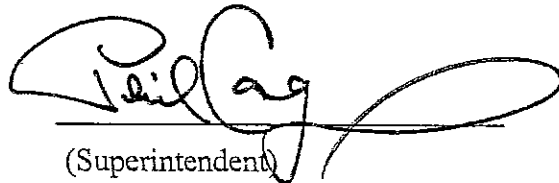
5. The Owner will provide the City Engineer with a detailed storm water management plan for review. The City Engineer shall determine whether the proposed plan to handle additional storm water satisfactorily meets the standards and specifications of the City's Ordinances and regulations as applicable and advise the Owner of any deficiencies that need to be corrected prior to approving the proposed storm water management plan. The Owner shall be responsible for all construction of approved storm water improvements.
6. The Owner shall be responsible for extending and widening University Park Boulevard to the school property line so as to allow access to the new high school. The City shall contribute fifty percent (50%) of the construction, widening and paving costs associated with the extension of University Park Boulevard up to a total not to exceed One Hundred Thirty Five Thousand and 00/100 Dollars (\$135,000.00). The remainder of the construction, widening and paving cost is to be borne by the owner.
7. The City shall be responsible for constructing sidewalks along the north side of University Park Boulevard from US 27 to the school property line and shall pay all costs associated with said construction.
8. The City shall pay for the construction of a temporary sidewalk from Chestnut Street on the west side of US 27 to University Park Boulevard. The sidewalk will be permanently constructed along said street once the widening of US 27 has been completed. The City, State or Federal Government shall pay for the cost of constructing these permanent sidewalks.
9. The Owner shall conduct a traffic impact study for the construction of the new high school on the Property. The City is responsible for the signalization of the entrance/entrances as determined by the Service Director, based on the traffic impact study, as well as turn lane improvements.
10. The Owner shall pay all capacity benefit charges, utility connection fees, and fees for water, sewer and fire service as well as all applicable earning taxes for each independent contractor and subcontractor hired to construct the new high school.
11. The City shall permit the Owner to allow farming of a portion of the land as a non-conforming use.
12. This Agreement is intended to be severable. If any part of the Agreement is deemed unenforceable, the remainder shall be enforced to the extent necessary to accomplish the goals of the Owner to construct a new high school as requested.
13. Any modifications to this Agreement shall require the approval of both parties and shall be in writing.

14. The terms and conditions shall be binding upon the parties herein and all successors and assigns, and these terms and conditions shall run with the land.

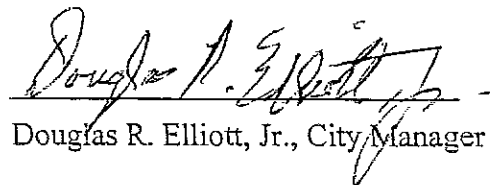
IN WITNESS WHEREOF, the City and Owner have executed this Agreement as of the date first written above.

TALAWANDA SCHOOL DISTRICT

(Signature)


(Superintendent)

CITY OF OXFORD, OHIO


Douglas R. Elliott, Jr., City Manager



EXHIBIT

C

318. S. College Avenue
Oxford, Ohio 45056
P 513.523.4270
F 513.523.3785
www.bayerbecker.com

April 27, 2009

DESCRIPTION:

Annexation Description
Board of Education of the Talawanda
City School District
154.487 acres

LOCATION:

Part of Section 35
Oxford Township
Butler County, Ohio

Situated in Lots 1,3,4,5 and 6 in Section 35, Town 5, Range 1, Oxford Township, Butler County, Ohio, being part of being the lands of Board of Education of the Talawanda School District as recorded in deed book 8096 pages 1518-1523 and deed book 8107 pages 1766-1769 of the Butler County Recorder's Office and being more particularly described as follows:

Commencing at a railroad spike found at the southeast corner of said Section 35;

Thence with the east line of said section and with the east line of the lands of Kenneth Sr. and Beulah Betz as recorded in deed book 6083 pages 175 of the Butler County Recorder's Office, N 2°29'39" E, for 1088.41 feet to a point.

Thence continuing with said east line of the lands of Kenneth Sr. and Beulah Betz N 2°22'56" E for 623.72 feet to a wooden post found, said point being the **True Point of Beginning**;

Thence with the north line of said Kenneth Sr. and Beulah Betz N 87°42'28" W a distance of 1780.30 feet to a wooden post found, said post being on the west line of said lot 1;

Thence with the east line of said Lot 4 and with the west line of the lands of Richard S. Coombs, Tr. Etal. as recorded in deed book 8042 pages 109 of the Butler County Recorder's Office, N 01°16'37" E a distance of 146.08 feet to a 5/8" rebar set;

Thence through said Lot 4 and with the north line of said lands of Richard S. Coombs Tr. Etal. N 87°45'09" W a distance of 2058.45 feet to a Magnail found, said point being on the centerline of the B & O Railroad;

Thence with the centerline of said B & O Railroad N 21°37'55" E a distance of 102.85 feet to a 5/8" rebar found;

Thence with a curve turning to the left with an arc length of 2605.21 feet, with a radius of 3811.23 feet, with a chord bearing of N 02°43'48" E and with a chord length of 2554.78 feet, to a Magnail set, said point being on the southwest corner of the lands of Clawson Properties, LLC. , as recorded in deed book 7577 page 1342 of the Butler County Recorder's Office;

Thence with the south line of said lands of Clawson Properties, LLC. , N 76°32'51" E a distance of 579.74 feet to a wooden post found;

Thence continuing with said south line of said lands of Clawson Properties, LLC. S 88°32'26" E a distance of 1410.21 feet to base of a concrete post;

Thence with the west line of said lands of Clawson Properties, LLC. N 02°19'13" E a distance of 185.06 feet to a ½" rebar found;

Thence continuing with said lands of Clawson Properties, LLC. S 88°19'17" E a distance of 24.24 feet to ½ " rebar found;

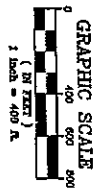
Thence with the west line of said lands of Arrowhead Crossing, Ltd. and continuing with the west line of the lands of Ned C. Hoelzer and Jack Thacker as recorded in deed book 7395 page 1648 of the Butler county Recorder's Office S 02°17'31" W a distance of 2309.31 feet to a wooden post found;

Thence with the south line of said lands of Ned C. Hoelzer and Jack Thacker S 87°06'55" E a distance of 1796.77 feet to a wooden post found;

Thence S 02°22'56" W a distance of 831.45 feet to **True Point of Beginning** containing 154.487 acres of land more or less, with 34.518 acres in Lot 1, 79.708 acres in Lot 3, 27.068 acres in Lot 4, 4.304 acres in Lot 5 and 8.794 acres in Lot 6, being subject to all legal highways, easements, restrictions and agreements of record.

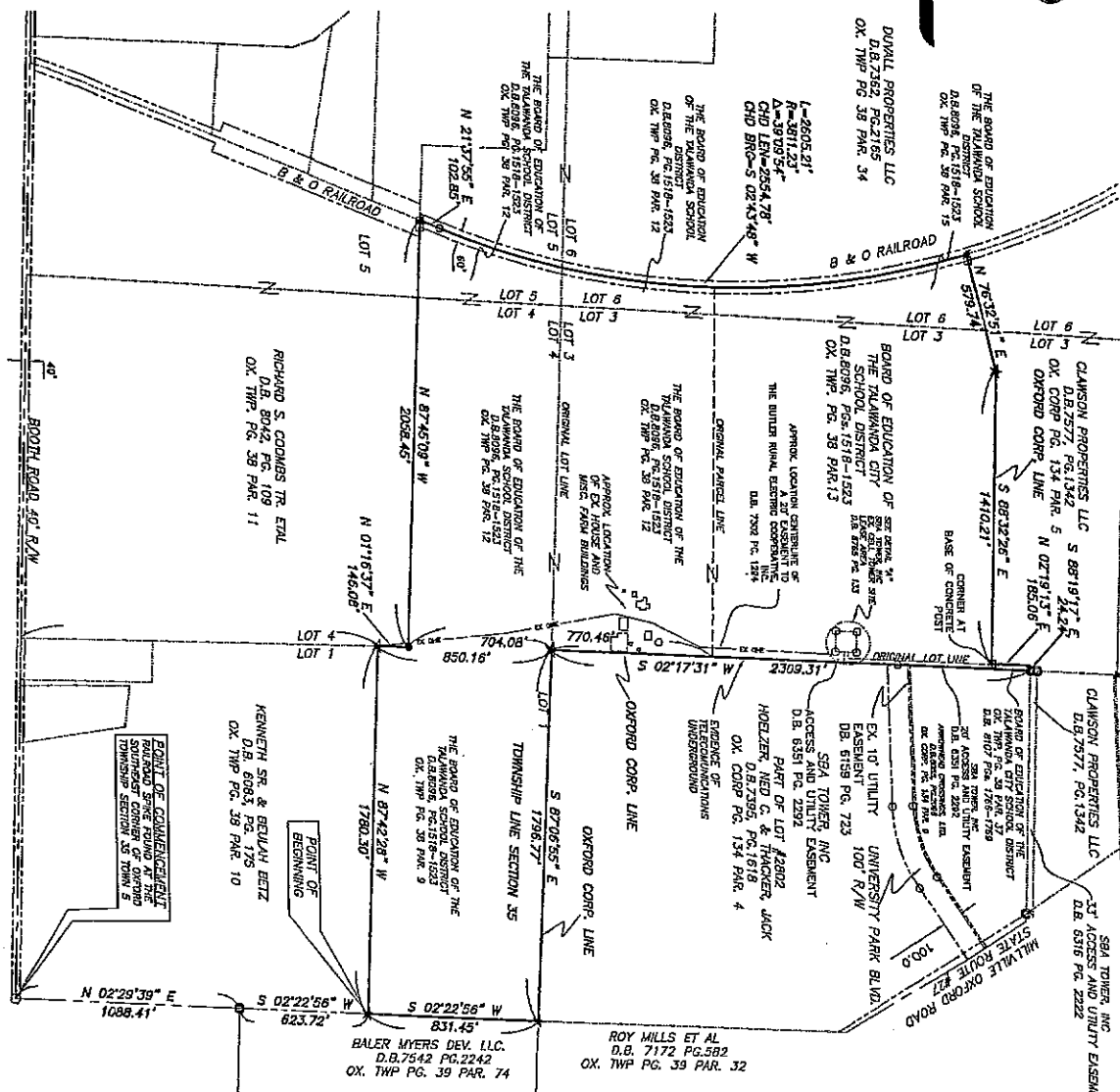
This description was prepared by David Douglas Smith, Register Ohio Surveyor # 7121. A plat of the original survey for this property has been recorded in volume 52 page 165 of the Butler County Engineers Record of Land Surveys.





I HEREBY CERTIFY THAT ALL MEASUREMENTS AND MONUMENTS SET AND/OR FOUND AS SHOWN, CURVE DISTANCES ARE MEASURED ON THE ARC. ALL WORK PERFORMED IN ACCORDANCE WITH THE MINIMUM STANDARDS FOR BOUNDARY SURVEYS IN THE STATE OF OHIO.

David Douglas Smith
 DAVID DOUGLAS SMITH
 PROFESSIONAL SURVEYOR NO. 7121 DATE 4/27/09



NOTES AND REFERENCES

NORTH IS BASED ON STATE PLANE
 COORDINATES NAD 83 OHIO SOUTH
 ZONE

DEED REFERENCES

D.B. 6682 PG. 342	D.B. 7395 PG. 1618
D.B. 6055 PG. 2094	D.B. 6083 PG. 175
D.B. 6055 PG. 2096	D.B. 8042 PG. 109
D.B. 6351 PG. 2292	D.B. 7171 PG. 902
D.B. 6327 PG. 1223	D.B. 8461 PG. 1252
D.B. 1730 PG. 200	D.B. 8461 PG. 115
D.B. 6327 PG. 2257	D.B. 7302 PG. 1294
D.B. 6327 PG. 1416	D.B. 6351 PG. 2292
D.B. 7015 PG. 185	D.B. 6316 PG. 2222
D.B. 7527 PG. 1342	D.B. 7527 PG. 1342

SURVEY REFERENCES

VOL. 18 PG. 177	ANNEXATION PLAT
VOL. 31 PG. 206	BALPH D.B. 1713 G. 513
VOL. 10 PG. 20	VOL. 28 PG. 115
VOL. 7 PG. 180	VOL. 48 PG. 173
VOL. 8 PG. 58	VOL. 41 PG. 104
VOL. 10 PG. 108	VOL. 44 PG. 176
VOL. 10 PG. 134	VOL. 41 PG. 105
VOL. 29 PG. 76	
VOL. 41 PG. 200	
SURVEY BY ROWLAND HALL	P.C. 2213 A
SURVEY SERVICES	P.C. 5114 A
DATED 4/22/01	P.L. 314 A

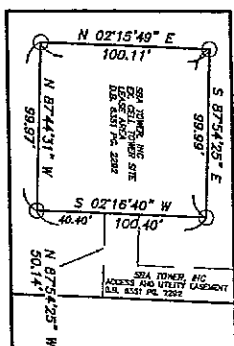
AREA SUMMARY

PARCEL 37	LOT 3	0.103 ACRES
PARCEL 37	LOT 3	50.789 ACRES
PARCEL 12	LOT 3	28.502 ACRES
PARCEL 12	LOT 6	26.523 ACRES
PARCEL 12	LOT 4	2.468 ACRES
PARCEL 12	LOT 5	27.068 ACRES
PARCEL 12	LOT 5	4.304 ACRES
PARCEL 9	LOT 1	34.518 ACRES

TOTAL THIS SURVEY = 164.487 ACRES

A COPY OF THIS SURVEY CAN BE FOUND IN VOLUME 52
 PAGE 185 OF THE BUTLER COUNTY ENGINEER'S RECORD
 OF LAND SURVEYS.

DETAIL "A" T = 60'



MONUMENT LEGEND

- Set 5/8" Iron Pin
- ◆ Set Spike
- Set Concrete Monument
- ▲ Set Mag Nail
- Existing 5/8" Iron Pin
- Existing 1/2" Iron Pin
- Existing Spike
- Existing Concrete Post
- △ Existing Mag Nail/P.K. Nail
- △ Existing Stone
- ✦ Existing Iron Pipe
- ✦ Existing Xyle
- ✦ Existing Cross Hatch
- ✦ Existing Wood/Steel Post

**BOARD OF EDUCATION OF THE
 TALAWANDA CITY SCHOOL DISTRICT**
 SECTION 35, TOWN 5, RANGE 1
 Oxford Twp
 Butler County, Ohio
ANNEXATION PLAT

**bayer
 becker**
 www.bayerbecker.com
 318 S. College Avenue
 Oxford, OH 45056 - 513.523.4270

Drawing: 080085-000 AX
 Created By: DJS
 Checked By: EBJ
 Date: 1/28/09

Item	Revision Description	Date	Drawn	CHK
1	ADD TAX PAGES AND PARCEL NO.			
2	ADD 0.103 ACRE TRACT TO PARCEL 13	4/06/09	DJS	BH
3	ADD RECORDING INFO	4/27/09	DJS	BH

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development Department
Originating Department

Council Meeting Of: August 4, 2009

Jung-Han Chen

Account Code No. #:

Prepared By

Budgeted Amount:

July 16, 2009

Date Prepared

Agenda Title: **PC-11-2009 FINAL SUBDIVISION** – Hester Road, Phase 1, Reckford Woods, 3.063 acres, 11 lots, proposed residential subdivision R1B (Single-Family Medium Density Residential) , Tri-State Habitat for Humanity, Applicant

Recommendation: Approval

Discussion:

The Planning Commission held a Public Hearing on this Final Subdivision proposal for the first phase. The subdivision has been named Reckford Woods Subdivision. The entire site is made up of two parcels; Phase I will consist of ten single-family lots on 3.063 acres.

The Planning Commission first heard the Preliminary Subdivision request in August 2008 and City Council approved the Planning Commission's recommendation and conditions, outlined in Ordinance #3022.

All of the lots as presented satisfy the zoning requirements. Legal Counsel and the Applicant continue to work out the details of the Homeowner's Association covenants and restrictions. Construction drawings have been approved by the Engineering Department. Potential soil contamination reporting, which was a request of Staff and the Planning Commission, was addressed by the Applicant at the hearing as having no contamination. Additional information is expected to be presented by the Applicant. One of the conditions for this subdivision is that the City Engineer reviews and approves the geotechnical report and environmental soil analysis.

The Planning Commission voted 6-0-0 to approve this Final Subdivision with the following conditions:

1. That, all existing buildings are removed from the site, including both structures and any sheds or accessory buildings, prior to construction.
2. That, the City Engineer reviews and approved the geotechnical report and environmental soil analysis.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

JHC 7/17/09

[Signature] 7-30-09

ORDINANCE NO. _____

ORDINANCE APPROVING THE FINAL SUBDIVISION APPLICATION FOR RECKFORD WOODS SUBDIVISION, PHASE ONE.

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

SECTION 1: In accordance with Oxford Code Section 1101.03, the Oxford Planning Commission held a public hearing on July 14, 2009 on the application of Tri-State Habitat for Humanity Ohio-Kentucky-Indiana for approval of the final subdivision for Reckford Woods, Phase One.

SECTION 2: After due deliberation, the Planning Commission recommended the approval of the Final Subdivision application for Reckford Woods Subdivision, Phase One.

SECTION 3: Council hereby accepts the recommendation of the Planning Commission and further approves the Final Subdivision application for Reckford Woods Subdivision, Phase One with the following conditions:

- a) All existing buildings are removed from the site, including both structures and any sheds or accessory buildings prior to construction;
- b) The City Engineer shall review and approve the geotechnical report and environmental soil analysis; and
- c) All proper recordings including the Home Owners Association Declarations, shall be filed and recorded at the Butler County Recorder's Office within one (1) year or the approval shall be considered null and void.

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

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

**Certification of Action
Oxford Planning Commission
Recommendation to City Council**

<u>Report Date</u>	July 16, 2009
<u>Case Number</u>	PC-11-2009
<u>Applicant Information</u>	Tri-State Habitat for Humanity Jean Masthay, Executive Director
<u>Requested Action</u>	Final Subdivision
<u>Summary of Request</u>	To Allow for a Proposed Residential Subdivision (R1B single family medium density residential)
<u>Public Hearing Information</u>	On July 14, 2009 a public hearing was held at 118 West High Street. A legal notice of the hearing was published in the Oxford Press on June 12, 2009.
<u>Commission Action</u>	The Planning Commission voted 6-0-0 to recommend to City Council <i>APPROVAL</i> of the final subdivision with the following conditions: 1. That, all existing buildings are removed from the site, including both structures and any sheds or accessory buildings, prior to construction. 2. That, the City Engineer reviews and approves the geotechnical report and environmental soil analysis.
<u>Commission Findings and Conclusions</u>	At the July 14, 2009 meeting, the Planning Commission approved the final subdivision with conditions listed above.
<u>Exhibits Submitted to the Commission</u>	1. Staff Report dated June 15, 2009 2. Interoffice Review Transmittal Sheets from Fire, Engineering, Police & Economic Development 3. Approved Preliminary Subdivision 4. Ordinance No. 3022 5. Review and comment forms 6. Letter of Agency 7. Final Subdivision Application dated May 29, 2009 8. Memorandum from Ben Hurst, P.E. 9. Final Development Plan 10. Draft HOA documents

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-11-2009

Date – July 14, 2009

APPLICATION

Applicant: Tri-State Habitat for Humanity and Bayer & Becker Engineers
Location: Hester Road
Owner: Michael Dickman

Action Request: Final Subdivision Phase I
Current Use: Single Family Residence
Current Zoning: R1-B
Surrounding Existing Land Uses: Single-Family/Multi-Family

GENERAL DESCRIPTION

The Applicants seek approval of the Final Subdivision Plat to subdivide the first phase of the now named Reckford Woods Subdivision on Hester Road. The site as a whole is made up of two parcels, Lot #1303 and #1304. The first phase would be developed on a portion of Lot #1303. Phase 1 includes one lot which contains the detention for the site and will be maintained by the Homeowners Association.

Approved Preliminary:

6.25 acre tract
20 single-family residential lots

Phase I:

3.063 acres
11 lots (10 SF lots)

Future Phase II:

3.178 acres
10 lots

The Planning Commission first heard this case in August 2008 and continued the meeting to September. City Council approved Planning Commission's recommendation, in October, with conditions as outlined in Ordinance #3022.

1. That, Engineering comments regarding the sanitary sewer and storm sewer must be addressed prior to submitting the final subdivision application.
2. That, the ownership determination of a strip of land located on the south side of the first cul-de-sac must be determined. The City will not be the owner of that strip of land. (This condition pertains to Phase II)
3. That, a Homeowners Association needs to be formed to own and maintain those potential detention areas.
4. Potential soil contamination issues must be addressed and satisfactory to appropriate public agencies.

The property is zoned "R1B" Single-Family Medium Density Residential and is required to have 7,500 sq. ft. lots with 65 foot lot widths. All of the lots as presented in this Final Subdivision application satisfy the zoning requirements. Lot lines have shifted slightly since the approved Preliminary Plan, but are still in the spirit and intent of layout and number of lots approved in the Preliminary.

SURROUNDING NEIGHBORHOOD

The surrounding neighborhood of the subject site consists of single family, along with a planned development multi-family retirement community (to the west). Directly to the south and north of subject property is an established residential neighborhood. To the east of the subject site is the Northridge Subdivision.

COMPREHENSIVE PLAN

Participants during the Comprehensive Plan update mentioned more affordable housing options should be provided. They explained that designated affordable housing (in the traditional deed-restricted sense) was

not necessary but that more affordable market rate options should be available. Additionally, residents noted a desire to have a range of housing options in size and style that are mixed within neighborhoods to promote socioeconomic integration.

- Housing Goal:** *Livable, attractive, and affordable housing for a diverse population.*
- Objective 2:** Expand Housing Options
- Strategies:**
- H 2.1 Update development regulations to allow for a variety of housing types in new developments.
 - H 2.2 Create incentives to make it desirable for developers to construct moderately priced housing developments.
 - H 2.3 Establish incentives and/or requirements to include a number of new units for low to moderate income residents.
 - H 2.4 Provide financial assistance to increase homeownership opportunities for low to moderate income residents (CDBG funds for first time homeowner grants).

SUBDIVISION REGULATIONS

This Final Subdivision application is complete and substantially reflects the design and layout of the approved preliminary plan. Subdivision is an administrative review to evaluate the proposed subdivision based on the City's regulations, specifically, the division of parcels, and utility service to the proposed divided lots. The issue centered on any proposed subdivision is whether there would be sufficient municipal services to support the development and whether the development will meet the minimum standards stipulated in the City's regulations.

AGENCY COMMENTS

Requests for Agency Review were sent to the Police, Economic Development, Engineering and Fire Departments. The returned comments are attached for your consideration.

- | | |
|--------------------|---|
| Police Department: | Returned with no comments. |
| Engineering: | Attached. Engineering states that there is an existing well on the site that was not presented on the construction drawings. Construction Drawings were approved with minor corrections needed. |
| Fire: | Returned with no comments. |
| Econ. Dev.: | Returned with no comments. |

PUBLIC COMMENT FORMS

Comment forms were sent June 9, 2009 to 65 owners of record. A legal notice was published June 12, 2009 in the Oxford Press. Citizen comment forms have been received and are attached for your review.

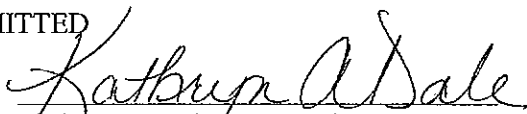
STAFF ANALYSIS

It appears that all the proposed lots have met or exceeded the minimum dimensional standards of the R1B Medium Density Single Family Residential District. Conditions of Ordinance #3022 appear to be satisfied at this time, with the exception that the Applicant has not addressed in their application letter or with the Community Development Department any findings regarding potential soil contamination. Furthermore, items listed in the Engineering report will have to be addressed prior to the Record Plat being filed for signatures. Again, this Final Subdivision application substantially reflects the design and layout of the approved preliminary plan.

RECOMMENDATION

Not Applicable.

SUBMITTED
BY:


Kathryn A. Dale, AICP, Planner
Community Development Department

DATE: June 15, 2009

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 6/1/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-11-2009

Description:

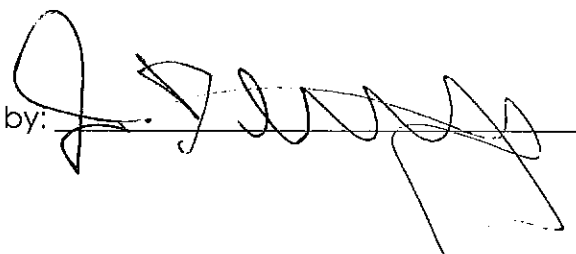
PC-11-2009 FINAL SUBDIVISION – Hester Road, Phase 1, Reckford Woods, 3.063 acres, 11 lots, proposed residential subdivision R1B (Single-Family Medium Density Residential) , Tri-State Habitat for Humanity, Applicant

☒ Review ☐ Revisions ☐ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **6/30/2009** Note: If no comments are received, we will assume the project meets your department's standards.

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

Drawings reviewed by: 

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 6/1/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-11-2009

Description:

PC-11-2009 FINAL SUBDIVISION – Hester Road, Phase 1, Reckford Woods, 3.063 acres, 11 lots, proposed residential subdivision R1B (Single-Family Medium Density Residential) , Tri-State Habitat for Humanity, Applicant

_____X_____ Review _____ Revisions _____ Other

Comments or status update requested by: Lynn Taylor

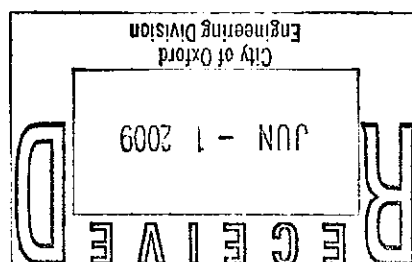
Please return no later than: **6/30/2009** Note: If no comments are received, we will assume the project meets your department's standards.

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

SEE MEMO DATED 6-9-09.

Drawings reviewed by: _____

A. P. Pusey 6-9-09



to Eng. 6/1/09 @ 3:08 pm



Changes need for
Const. Dwg's.
6/5/09-Per Victor P. - Const
Dwg's approved per
these minor changes

Memo

Service Department
Engineering Division
513/524-5208 fax 513/524-5267

TO: Rebecca Kolb
Building and Housing Division

FROM: Victor Popescu, PE
City Engineer

RE: Reckford Woods - Habitat for Humanity Subdivision

DATE: June 5, 2009

We have reviewed the submittal dated May 29, 2009, and received in the Engineering Division on June 1, 2009. The following are our comments.

Plan Sheet C1.o.

- Correct the telephone number for "Inspections" to read (513) 524-0203.
- Correct the address for "Duke Energy."
- Correct the "Underground Utility" note by replacing "United Utility" with "OUPS."

Plan Sheet C2.o.

- Show location of all water meters.

Plan Sheet C3.o.

- Show location of all water meters.

Plan Sheet C4.o.

- Refer to the "Typical Section" detail.
 - Correct the description for Item 304.

The above comments are from the Engineering Division. Questions are to be addressed to the appropriate staff member in the Engineering Division.

All revisions are to be submitted thru the Building & Housing Division.

Comments on
Final Subdivision



Memo

Service Department
Engineering Division
513/524-5208 fax 513/524-5267

TO: Jung-Han Chen
Community Development Department

FROM: Victor Popescu, PE
City Engineer

RE: PC Case #: PC-II-2009
Final Subdivision Plan – Phase One

DATE: June 9, 2009

The following are our comments on the “Final Subdivision Plan – Phase One”, dated May 29, 2009, and revised June 4, 2009.

Sheet 1/2.

- Refer to 4th paragraph.
Change “Oxford Natural Gas” to read “Glenwood Energy.”

Sheet 2/2.

- Lot 3742 indicates the presence of an existing well. This was not indicated on the construction plans.
- The proposed fire hydrant in the cul-de-sac is shown to be installed in the roadway pavement.
- The sanitary sewer easements are not consistent. One easement begins in the back of the sidewalk, while the other easement begins in front of the sidewalk.

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



Memo

Service Department
Engineering Division
513/524-5208 fax 513/524-5267

TO: Rebecca Kolb
Building and Housing Division

FROM: Victor Popescu, PE
City Engineer

RE: Reckford Woods – Habitat for Humanity Subdivision

DATE: June 25, 2009

We have reviewed the submittal dated June 17, 2009, and received in the Engineering Division on June 17, 2009. The following are our comments.

Plan Sheet C1.o.

- Refer to GENERAL NOTES.
 - Revise Note 4 to read as follows:

Surface course (Item 448) and Tack Coat (Item 407) are to be applied no sooner than nine (9) months after the leveling course (Item 446) and fifty (50) percent of the lots are developed. If, after two (2) years, fifty (50) percent of the lots have been developed, then the top course may be applied.

The above comments are from the Engineering Division. Questions are to be addressed to the appropriate staff member in the Engineering Division.
All revisions are to be submitted thru the Building & Housing Division.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 6/1/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-11-2009

Description:

PC-11-2009 FINAL SUBDIVISION – Hester Road, Phase 1, Reckford Woods, 3.063 acres, 11 lots, proposed residential subdivision R1B (Single-Family Medium Density Residential), Tri-State Habitat for Humanity, Applicant

_____X_____ Review _____ Revisions _____ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **6/30/2009** Note: If no comments are received, we will assume the project meets your department's standards.

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

Drawings reviewed by: _____

SS Scawen
6/9/9

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 6/1/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-11-2009

Description:

PC-11-2009 FINAL SUBDIVISION – Hester Road, Phase 1, Reckford Woods, 3.063 acres, 11 lots, proposed residential subdivision R1B (Single-Family Medium Density Residential), Tri-State Habitat for Humanity, Applicant

_____X_____ Review _____ Revisions _____ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **6/30/2009** Note: If no comments are received, we will assume the project meets your department's standards.

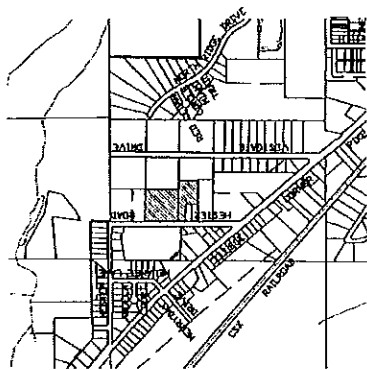
.....
Drawings are returned: w/comments without/comments

Drawings reviewed by: _____



Approved Preliminary

8-26-08 Revised Plan



VICINITY MAP
NO SCALE

ZONING CODE REVIEW:

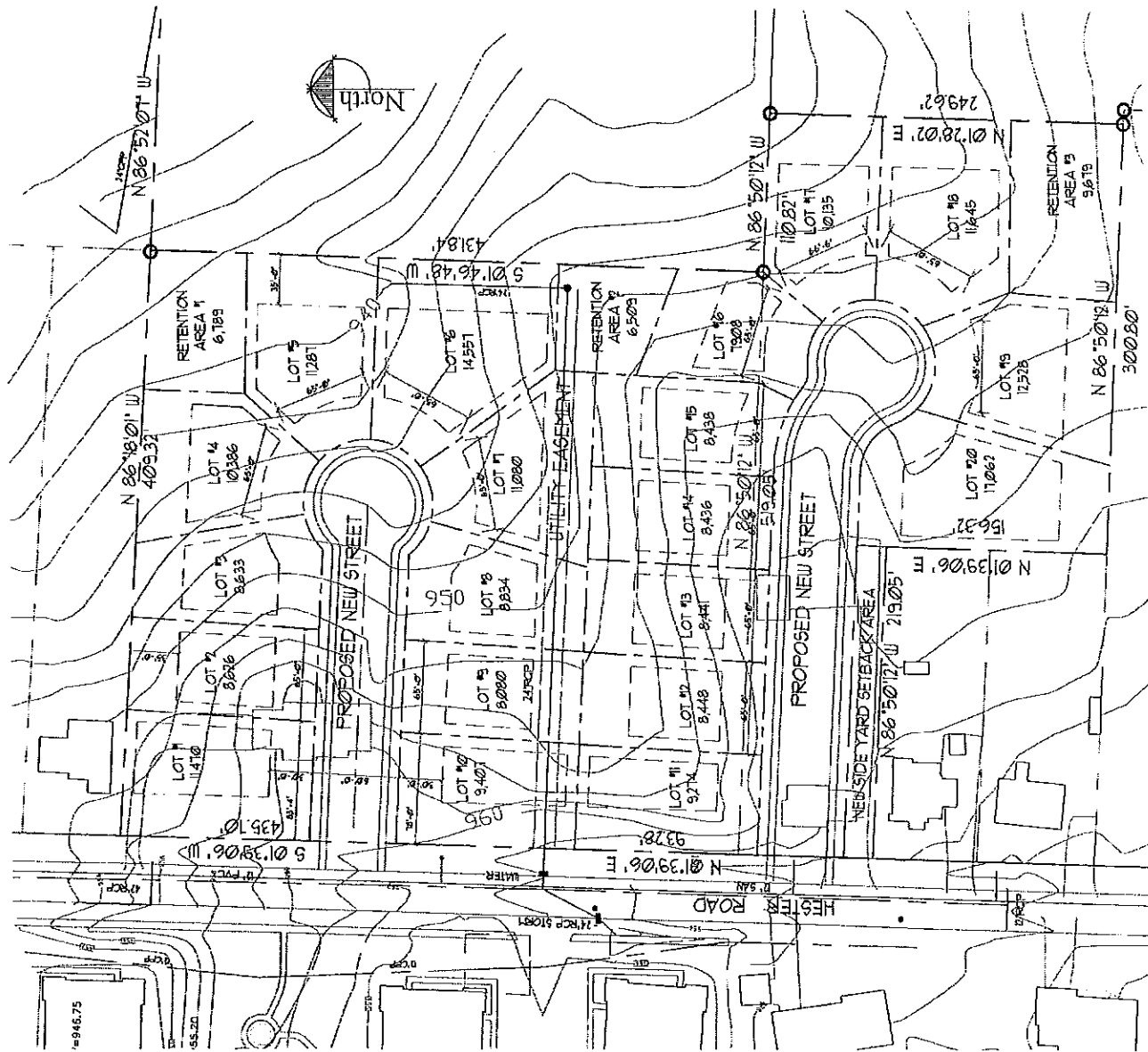
R18 SINGLE-FAMILY MEDIUM DENSITY RESIDENTIAL DISTRICT
SITE DEVELOPMENT REGULATIONS

- LOT REQUIREMENTS:
 - MINIMUM LOT AREA: 1500 SF.
 - MINIMUM LOT WIDTH: 65'-0"
- YARD REQUIREMENTS:
 - MIN. FRONT YARD: 30'-0"
 - MIN. REAR YARD: 35'-0"
 - MIN. SIDE YARD: 5'-0"
- LOT COVERAGE:
 - LOT TOTAL: 35% OF LOT
 - ALL ENCLOSED BLDG: 25% OF LOT
 - FRONT YARD: 25% OF FRONT YARD

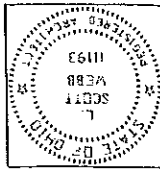
PRELIMINARY SURVEY DATA PROVIDED BY:

DDS Surveying Inc.

318 South College
P.O. Box 150
Oxford, Ohio 45056
(513) 523-4270



PRELIMINARY SUBDIVISION PLAN
SHOWING 10 NEW SINGLE FAMILY RESIDENTIAL LOTS



SCOTT WEBB ARCHITECT
100 West Walnut Street
Oxford, Ohio 45056
(513) 523-4270
www.scottwebbinc.com

HABITAT for HUMANITY
PROPOSED NEW SUBDIVISION
HESTER ROAD
OXFORD, OHIO 45056

DATE	January 1, 2008
REVISIONS	August 26, 2008

A=1

ORDINANCE NO. 3022

ORDINANCE APPROVING THE PLANNING COMMISSION'S RECOMMENDATION FOR PRELIMINARY APPROVAL OF A HESTER ROAD RESIDENTIAL SUBDIVISION.

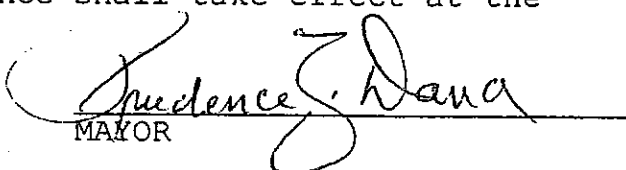
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT:

SECTION 1: Council finds that the Planning Commission held a public hearing on August 12, 2008 the purpose of which was to accept public comment on the proposed Hester Road Preliminary Subdivision Application. Council further finds that the Planning Commission after accepting public comment at the public hearing did continue the matter until September 9, 2008 to allow for additional adjoining property owner notification and for the applicant to amend the application based on concerns from the public.

SECTION 2: Council hereby accepts the action of the Planning Commission and accepts the recommendation report submitted by the Planning Commission and applicant's application and all documents filed by applicant and incorporates the same herein and hereby approves the amended application of the applicant for the preliminary Hester Road Subdivision, subject to the following conditions:

- a. Engineering comments regarding the sanitary and storm sewer must be addressed prior to submitting the final Subdivision Application.
- b. The ownership determination of a strip of land located on the south side of the first cul-de-sac must be determined. The City will not be the owner of that strip of land.
- c. A Homeowners Association needs to be formed to own and maintain those potential detention areas.
- d. Potential soil contamination issues must be addressed and satisfactory to appropriate public agencies.

SECTION 3: This Ordinance shall take effect at the earliest time allowed by law.



MAYOR

ADOPTED: October 21, 2008

ATTEST: 

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW(STAFF)



**CITY OF OXFORD
PLANNING COMMISSION
REVIEW AND COMMENT FORM**

Case No.: PC-11-2009

Date of Hearing: July 14, 2009

PC-11-2009 FINAL SUBDIVISION – Hester Road, Phase 1, Reckford Woods, 3.063 acres, 11 lots, proposed residential subdivision R1B (Single-Family Medium Density Residential) , Tri-State Habitat for Humanity, Applicant

If you cannot attend the public hearing on this planned development being held before the City of Oxford Planning Commission, but would like to comment on this matter, please complete this form and return it by **July 8, 2009** to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name: Bonita L Riddle

Address: 5344 Hester Rd

Telephone: Home: 513 461 1519 Work: _____

COMMENTS: Why not just move trailer park in
Don't want it . . .

Bonita Riddle
Signature

Date



**CITY OF OXFORD
PLANNING COMMISSION
REVIEW AND COMMENT FORM**

Case No.: PC-11-2009

Date of Hearing: July 14, 2009

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If you cannot attend the public hearing on this planned development being held before the City of Oxford Planning Commission, but would like to comment on this matter, please complete this form and return it by **July 8, 2009** to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name: Gary & Deborah Parker

Address: 7880 Stonehouse Ct

Dayton, OH 45459

Telephone: Home: 937-435-6772

Work: 937-212-2127 (Debbie)

COMMENTS: *We think the future of Oxford would be better served by building up that area of town with upscale retail, housing and commercial establishments. A Habitat for Humanity development in that area will do nothing for the future of Oxford.*

Deborah J Parker
Signature

6-10-09
Date

Gary D. Parker



**CITY OF OXFORD
PLANNING COMMISSION
REVIEW AND COMMENT FORM**

Case No.: PC-11-2009

Date of Hearing: July 14, 2009

PC-11-2009 FINAL SUBDIVISION – Hester Road, Phase 1, Reckford Woods, 3.063 acres, 11 lots, proposed residential subdivision R1B (Single-Family Medium Density Residential) , Tri-State Habitat for Humanity, Applicant

If you cannot attend the public hearing on this planned development being held before the City of Oxford Planning Commission, but would like to comment on this matter, please complete this form and return it by **July 8, 2009** to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name: Daniel A. DeCaro

Address: 5407 Hester Rd, Oxford OH 45056

Telephone: Home: 513-560-9304 Work: _____

COMMENTS: *I support the subdivision. Everyone should have the opportunity for affordable housing in a safe community environment. Our neighborhood has raised many "concerns" about the project; these "concerns" are largely ~~based~~ fueled by misconceptions & are not supported by all here. Please continue with the project. Thanks for including us in this decision process.*

Signature: Daniel A. DeCaro **RECEIVED** July 3, 2009
Date

JUL 10 2009

CITY OF OXFORD

LETTER OF AGENCY

To Whom It May Concern:

Please be advised that Jean Masthay, Randy Wilkerson, Jim Lipnickey with TriState Habitat for Humanity, and Etta Reed and Ben Hurst with Bayer & Becker, Inc. have permission to represent our interest with the City of Oxford regarding our property located at 5336 & 5306 Hester Rd., Oxford, Ohio 45056.

Thank-you,

Michaela Dickman
Owner

6-8-09
Date

Case No.: PC-11-09
Date filed: 5/29/09

Final Subdivision Application
City of Oxford, Ohio

REQUIRED INFORMATION

Name of Applicant: Tri-State Habitat for Humanity Ohio-Kentucky- Indiana
Mailing Address: 9900 Princeton Glendale Road, Suite 216
Cincinnati, Ohio 45246
Telephone Number(s): (513) 942-9211

Name of Subdivision: Reckford Woods
Date of Planning Commission preliminary approval: 09/09/08
Zoning District: R-1B
Number of Lots: 11 lots
Total Acreage: 3.06 Acres
Surveyor/Engineer: Bayer & Becker Inc.
Address: 318 S. College Avenue, Oxford, OH 45056
Phone Number: (513) 523-4270

DRAWING REQUIREMENTS

Please submit one copy of the plat on mylar and twelve copies of the plat on bond. Drawing size must be at least 18" x 24" and should never exceed 24" x 36 ". The plat must be prepared in accordance with Chapter 1101, Subdivision Regulations and Chapters 1121-1137, Zoning Code of the City of Oxford. Scale should not exceed 1" = 100'. The following information must appear on the plat:

- a) Boundary lines of the area being subdivided with accurate distances and bearings.
- b) The accurate outline of any portions of the property to be dedicated for public use.
- c) A statement dedicating all proposed public streets and alleys with their names.
- d) The lines of adjoining streets and alleys with their widths and names.
- e) All lot lines together with an identification system for all lots and blocks. Lot numbers shall be secured from the County Auditor's office.
- f) All dimensions, both linear and angular, necessary for locating the boundaries of the subdivision, lots, streets and alleys, easements and any other areas for public or private use. Linear dimensions are to be given to the nearest one hundredth of a foot.
- g) The radii, arcs, lengths, points of tangency and central angles for all curvilinear streets and the radii and lengths for rounded corners.
- h) The location of all survey monuments and bench marks together with their descriptions. There shall be a minimum of four permanent markers in each subdivision section located at or near the outer corners.
- i) The certificate of the surveyor attesting to the accuracy of the survey and to the correct locations of all monuments shown.
- j) A vicinity map, drawn to scale, showing the general location within the City.
- k) The location of all present property lines, streets, alleys, rights-of-way, buildings, easements, lakes, watercourses and drainage ways.
- l) Size of the tract in acres and lots in square feet and the boundary lines along with the linear measurement thereof.
- m) Any existing water mains, culverts, water or sewer lines, easements, buildings and streets within the tract or immediately adjacent thereto.
- n) The proposed location and width of streets, alleys lots and easements.



318 South College Avenue
Oxford, Ohio 45056
P 513.523.4270
F 513.523.3785
www.bayerbecker.com

June 8, 2009

Ms. Kathy Dale
City of Oxford
101 East High Street
Oxford, Ohio 45056-1887

Re: Habitat for Humanity (Reckford Woods)-Final Subdivision Plat Revisions

Dear Ms. Dale,

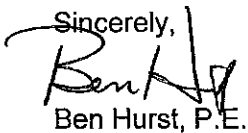
We are requesting approval for the Reckford Woods Final Subdivision Plat-Phase One. It is a residential community consisting of 10 single family lots and one open space lot on 3.063 acres located north of College Corner Pike, East of Hester Road and south and west of the Northridge Subdivision. The property is zoned R-1B and in this medium density residential district provides a transition from the higher density condominiums to the west to the lower density single family Subdivision mentioned above. A Future Phase Two will consist of 10 single family lots and two open space lots on 3.178 Acres.

The typical City of Oxford local street section shall be used with curb & gutter and shall be served with public utilities including gravity sanitary sewer. The minimum lot size shall be 7,500 S.F. (65 feet wide) with minimum setback distances of 30 feet for front yards, 35 feet for rear yards and 8 feet for side yards.

Below is a summary of the attachments and revisions per the requirements and requests of the City of Oxford:

- 1) A mylar and 12 copies of the revised Final Subdivision Plat. (Please replace the previously submitted set)
- 2) Letter of Agency
- 3) Deed covenants & restrictions and HOA documents shall be submitted at a later date.
- 4) Phase 1 and 2 outlined clearly with separate hatches on sheet one.
- 5) A curve table has been added showing the delta angle, radii, arc length and chord for the curves within the subdivision.
- 6) Revised list of names, addresses and parcel numbers of all property owners within 200 feet of the site. (to include all of the condo owners)
- 7) Receipt from the Butler County Auditor's website showing that all legally due taxes have been paid.
- 8) Existing buildings noted to be razed.
- 9) Existing and proposed utility connections are shown with sizes as well as Fire hydrant locations.

If you should have any additional questions or comments, please do not hesitate to call.

Sincerely,

Ben Hurst, P.E.

Enclosure
cc: Tristate Habitat for Humanity

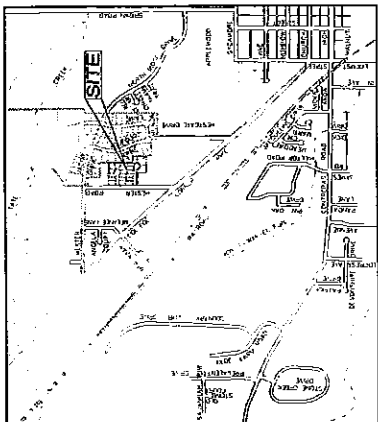
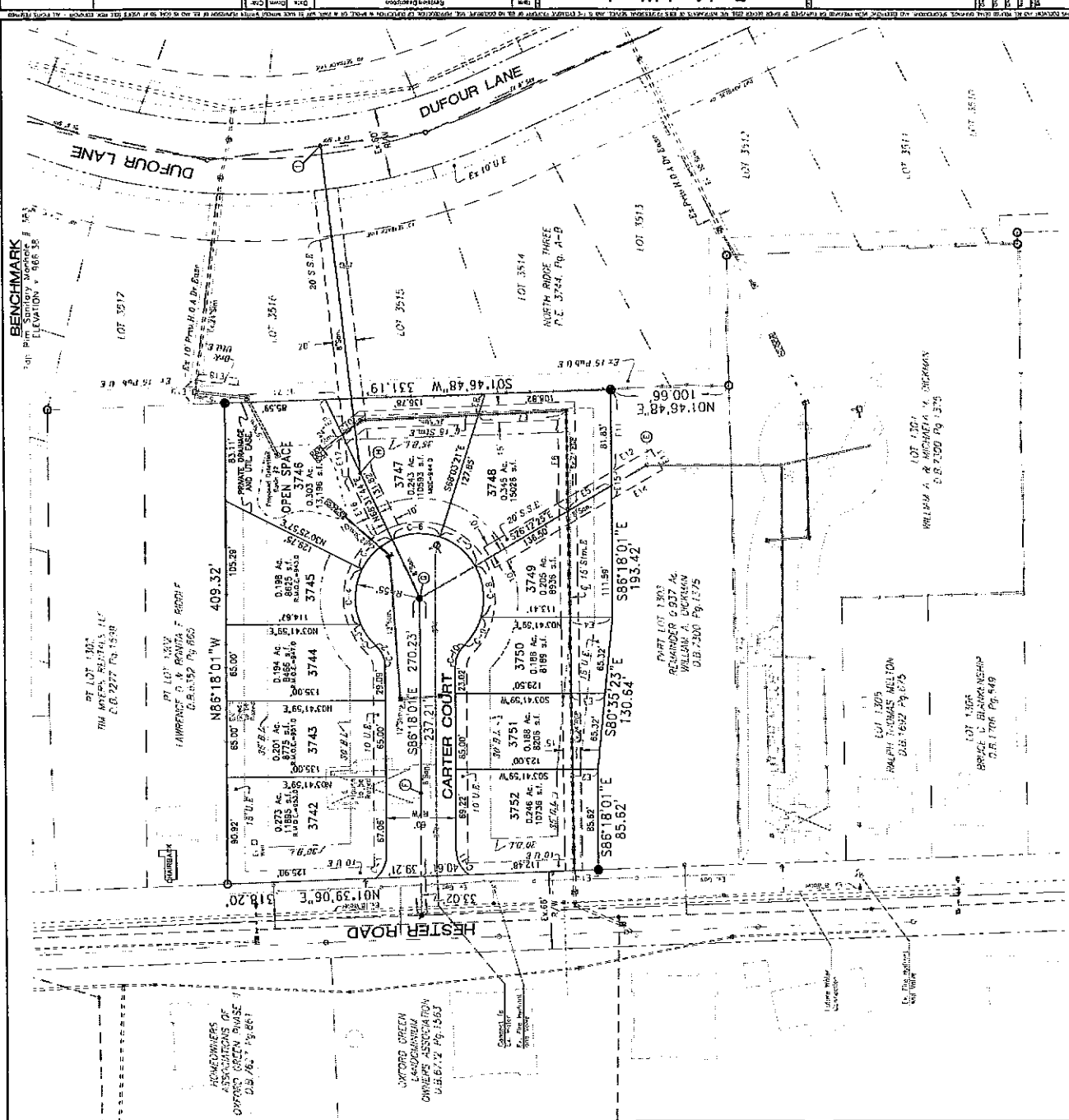
CIVIL & TRANSPORTATION ENGINEERING

LANDSCAPE ARCHITECTURE

PLANNING

SURVEYING

Dave D. Smith
Dave D. Smith, P.S.
Registered Surveyor #S-10000



VICINITY MAP
1"=1000'

NOTES:

1. Beels of Bearings: Ohio State Plane Coordinate System, Ohio South Zone 3402
2. References: North Ridge Section Three, P.E. 3744, Pg. A-B
North Ridge Section Two, P.E. 3150, Pg. A-B
North Ridge Section One, P.E. 2356, Pg. A
3. Lines of occupation where they exist generally agree with boundary lines unless otherwise shown on plat.

NOTES:

TOTAL DEDICATED CENTERLINE LENGTH FOR CARTER COURT = 237.21' L.F.

TOTAL RIGHT-OF-WAY TO BE DEDICATED = 0.477 ACRES

R.M.O.E. - REAR MINIMUM OPENING ELEVATION

CURVE TABLE

NUMBER	RADIUS	ARC LENGTH	CHORD DIRECTION	CHORD LENGTH	DELTA ANGLE
C-1	25.00	22.14	S 69°55'51" E	21.42	50°44'20"
C-2	25.00	20.32	N 70°24'58" E	19.76	46°34'03"
C-3	25.00	21.86	N 59°31'07" E	21.72	22°46'28"
C-4	25.00	48.50	S 84°49'48" E	46.94	50°31'32"
C-5	25.00	36.97	S 40°31'10" E	35.60	38°03'47"
C-6	25.00	41.68	S 07°41'11" W	40.68	43°24'55"
C-7	25.00	40.17	S 47°52'07" W	39.23	41°50'58"
C-8	25.00	45.06	S 87°15'45" W	43.81	48°56'18"
C-9	25.00	28.35	N 54°30'27" W	26.64	23°32'38"
C-10	25.00	26.32	N 63°01'00" W	25.76	46°34'03"
C-11	25.00	23.91	S 66°18'07" W	23.01	54°47'48"

EASEMENT LINE TABLE

LINE	DIRECTION	DIST.
E1	N 01°32'08" E	20.45
E2	N 03°41'58" E	21.88
E3	N 03°41'58" E	21.88
E4	N 03°41'58" E	21.88
E5	N 03°41'58" E	21.88
E6	N 03°41'58" E	21.88
E7	N 03°41'58" E	21.88
E8	N 03°41'58" E	21.88
E9	N 03°41'58" E	21.88
E10	N 03°41'58" E	21.88
E11	N 03°41'58" E	21.88
E12	N 03°41'58" E	21.88
E13	N 03°41'58" E	21.88
E14	N 03°41'58" E	21.88
E15	N 03°41'58" E	21.88
E16	N 03°41'58" E	21.88
E17	N 03°41'58" E	21.88
E18	N 03°41'58" E	21.88
E19	N 03°41'58" E	21.88
E20	N 03°41'58" E	21.88

Reckford Woods Subdivision Association
9900 Princeton-Glendale Road, Suite 216
Cincinnati, Ohio 45246

Property use in RECKFORD WOODS is controlled by a document titled "DECLARATION OF RESTRICTIONS FOR RECKFORD WOODS SUBDIVISION" (referred to as Deed Restrictions). This document is dated June 10, 2009, and will be filed with Butler County when RECKFORD WOODS is formed as a subdivision. When property in RECKFORD WOODS is purchased, the purchaser *should* receive a copy of the Deed Restrictions from the title company or realtor; however, this does not always happen. For this reason, the New Resident Information Packet includes a copy of this important document.

* * * * *

Section 1 - Use of Lot.

All lots shall be used for single residence purposes only, and no building of any kind whatsoever shall be erected, re-erected, moved, or maintained on any lot except one detached single family dwelling and appurtenant buildings on each lot, as hereinafter provided. Such dwelling shall be designed and erected for occupation by a single private family. A private garage for the sole use of the respective owner or occupant of the lot upon which said garage is erected may also be erected and maintained. All portions of a lot lying in front of the residential building shall be used for ornamental purposes only.

Section 2 - Size of Buildings

- a. No dwelling shall be permitted in open space and detention basin areas??
- b. No dwelling shall be permitted on any of the balance of the lots unless the living area thereof shall be not less than 1,060 square feet.

In the case of any multi-level dwelling, the first floor living area shall be not less than 500?? square feet; in any dwelling constructed without a basement an additional one hundred (100) square feet shall be added to the minimum required first floor area requirement. All computations of square footage for determination of the permissibility of erection of a residence shall be exclusive of garages, porches, or terraces. All garages must be attached or architecturally related to the dwelling. No garage shall provide space for less than two (2) automobiles. Carports are specifically prohibited.

Section 3 - Minimum Yard Requirements.

No building on any lot in The Subdivision shall be erected nearer than:

- a. Thirty (30) feet from the front lot line; nor
- b. Thirty-Five (35) feet from the rear lot line; nor
- c. Thirty (30) feet from the side lot line abutting a street on corner lots; nor
- d. Eight (8) feet from each side lot line

Approval of a variance by the City of Oxford Zoning Board of Appeals permitting rear or side yards smaller than the above minimums shall be deemed a valid waiver of this restriction.

Section 4 - Animals.

No farm animals, livestock or wild animals shall be kept, bred or harbored on any lot or on the Common Area. No animals shall be kept, bred or maintained on any lot excepting household pets for the use by the owner and members of his family. No animal shall be kept on any lot for any commercial purpose. Household pets shall have such care so as not to be objectionable or offensive due to noise, odor or unsanitary conditions.

Section 5 - Wells.

Reckford Woods Subdivision Association
9900 Princeton-Glendale Road, Suite 216
Cincinnati, Ohio.45246

No well shall be dug, installed or constructed on any lot.

Section 6 - Sight Distance at Intersections.

No fence, wall, hedge, or shrub planting which obstructs sight lines at elevations between two (2) and six (6) feet above the roadways shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting them at points twenty-five (25) feet from the intersection of the street lines, or in the case of a rounded property corner, from the intersection of the street property lines extended. No tree shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.

Section 7 - Easements.

a. Easements for the installation and maintenance of utilities, underground sewage, water and drainage lines, and surface drainage swales, are reserved to the Declarant, its successors and assigns, as shown on the recorded plat, and also in, on, under and over a strip of land (6) feet in width on each side of, and along all rear and side lot lines. The use of all or a part of such easements may at any time or times hereafter be granted or assigned by Declarant, its successors or assigns, to any person, firm, corporation, governmental unit or agency which furnishes such services or utilities. No building may be constructed or maintained over or on any easements; however, after the aforementioned utilities have been installed, planting, fencing, or other lot line improvements shall be allowed, so long as they do not interfere with, obstruct, hinder, or impair the drainage plan of The Subdivision and so long as access be granted, without charge or liability for damages, for the maintenance of the utilities or the underground drainage lines so installed, and/or for the installation of additional facilities.

b. Private easements for public utilities have been granted and reserved on the plat of The Subdivision.

Section 8 - Temporary Structures.

Trailers, tents, shacks, barns, or any temporary building of any description whatsoever, are expressly prohibited within The Subdivision, and no temporary residence shall be permitted in unfinished residential buildings. However, the erection of a temporary storage building for materials and supplies to be used in the construction of a dwelling, and which shall be removed from the premises upon completion of the building is permitted.

Section 9 - General Conditions

a. No lot shall be used or maintained as a dumping ground for rubbish, trash, garbage or other waste, and the same shall not be kept except in sanitary containers properly concealed from public view. Garbage containers shall not be left at the road for more than twenty-four (24) hours in any one week.

b. No house trailers, commercial vehicles, boat trailers, boats, camping vehicles or camping trailers may be parked on or stored on any lot in The Subdivision, unless stored fully enclosed within an attached garage. Commercial vehicles and trucks shall not be parked in the Subdivision or on any lot therein, except while making normal deliveries or pickups in the normal course of business.

c. No laundry shall be hung for drying in such a way as to be visible from the street on which the lot fronts, and in the case of corner lots, such laundry shall not be hung so that it will be visible from the streets on which the lot fronts and sides.

d. The yard drainage and grade of all lots in The Subdivision shall be maintained in accordance with the grading plan on file with the Township.

Reckford Woods Subdivision Association
9900 Princeton-Glendale Road, Suite 216
Cincinnati, Ohio.45246

e. No "through the wall" air conditioners may be installed on the front wall of any building in The Subdivision.

f. No outside compressors for central air conditioning units may be located other than in the rear yard and must be installed and maintained in such a manner so as to create no nuisance to the residents of adjacent dwellings.

g. No above-ground swimming pools which project eighteen (18) inches or more above the lot grade on any side will be permitted on any lot, except that children's wading pools which do not exceed a height of eighteen (18) inches above the lot grade at the top of the retaining wall, cover not more than 125 square feet of ground surface, use no filtering equipment and are of a type that can be readily emptied, may be used during the period from June 1st through September 1st of any year.

Section 10 - Sales Agency and/or Business Office.

Notwithstanding anything to the contrary elsewhere herein contained, Declarant and/or any builder or builders which it may designate, may construct and maintain a sales agency and a business office on any lot or lots which it or they may select, or may use a model house for such purposes, and Declarant and such designated builder or builders may continue to do so until such time as all of the lots in which Declarant or such other designated builder or builders have an interest, are sold.

Section 11 - Lease Restrictions.

No one shall lease and/or sublet less than the whole of any dwelling on any lot.

Section 12 - Exterior Surface of Dwellings.

The visible exterior walls of all dwelling structures built on any lot shall be made of wood, brick, brick veneer, aluminum or vinyl siding and/or stone. Stucco, and/or ledge rock may also be used, so long as any combination of these materials does not exceed fifty (50%) percent of the total of all visible exterior walls. The use of cement block, slag, imitation brick, cinder block and/or asphalt siding is expressly prohibited. Windows and doors shall not be included in calculating the total area of visible exterior walls.

Section 13 - Fences.

a. No fence, wall or solid hedge may be erected, grown or maintained in front of or along the front building line of any lot; provided, however, that low ornamental fencing along the front lot line in architectural harmony with the design of the house, may be erected. The side lot line of each corner lot which faces a street shall be deemed to be a second front building lot line and shall be subject to the same restrictions as to the erection, growth or maintenance of fences, walls or hedges as is hereinbefore provided for front building lines.

b. No fence or wall may be erected or maintained on or along the side lines of any lot, and/or on or along the rear line of any lot, except fences which are required by local ordinance to enclose swimming pools, or are otherwise required or permitted by the City of Oxford.

c. No enclosures, fences or hedge rows shall be permitted to separate the rear of any yard from an abutting Common Area.

d. No dog run or pen shall be permitted to be erected or maintained on any lot unless it is attached to the rear of the main dwelling, does not extend beyond the side building lines and does not exceed fifty-four (54) inches in height.

Section 14 - Signs.

Reckford Woods Subdivision Association
9900 Princeton-Glendale Road, Suite 216
Cincinnati, Ohio.45246

No sign or billboard shall be placed, erected, or maintained on any lot except:

a. One sign advertising the lot, or the house and lot for sale or lease, which said sign shall have a surface of not more than five (5) square feet, and the top of which shall be not more than three (3) feet above the ground; provided, however, that such sign shall have been constructed and installed in a professional manner; and

b. Political signs erected in compliance with the applicable City of Oxford Ordinance.

The provisions of this paragraph shall not apply to such signs as may be installed or erected on any lot by Declarant, or any builder which it may designate during the construction period, or during such periods as any residence may be used as a model or for display purposes.

Section 15 - Destruction of Building by Fire, etc.

Any debris resulting from the destruction in whole or in part of any dwelling or building on any lot shall be removed with all reasonable dispatch from such lot and property in order to preserve the sightly condition of The Subdivision.

Section 16 - Landscaping.

Upon the completion of a residence on any of the lots the owner thereof, (and the word "owner", as used in this connection, means the party who purchases a residence from the builder thereof and each subsequent purchaser), shall cause the lot owned by him to be finish-graded and seeded or sodded and suitably landscape as soon after the completion of construction as weather permits. The lot and the drainage ditch, if any, contiguous to each lot shall be kept free of weeds by the owner thereof. All landscaping and lawns shall be well-maintained at all times.

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development Department
Originating Department

Council Meeting Of: August 18, 2009

Jung-Han Chen

Account Code No. #:

Prepared By

Budgeted Amount:

August 12, 2009

Date Prepared

Agenda Title: PC-13-2009 ZONING MAP AMENDMENT – Talawanda School District, 4135 Millville-Oxford Road from A-1 (County Zoning) to R1A (Single Family Low Density Residential) District, **SHP Leading Design, Architects, Applicant**

Recommendation: Approval

Discussion:

The Planning Commission held a Public Hearing of this zoning map amendment request at its August 11, 2009 meeting. The site is approximately 154 acres of land currently being used for agricultural activity. City Council adopted Resolution #4455 on May 5, 2009 accepting the annexation petition for the subject property to be annexed into the City limits. City Council will also consider the final acceptance of the proposed territory at their August 18, 2009 meeting.

The Planning Commission has determined that the request met the Decision Criteria outlined in the Oxford Zoning Code Section 1135.02 (c) and in a vote of 5-0-0 recommends approval of this zoning map amendment to City Council.

Approved By:

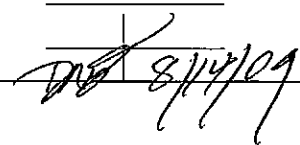
Department Head:

City Attorney:

City Manager:

Initial Date

JHC 8/12/09

 8/14/09

ORDINANCE NO. 3013

AN ORDINANCE ACCEPTING THE PLANNING COMMISSION'S RECOMMENDATION AND GRANTING A ZONING MAP AMENDMENT FOR 154.487 ACRES OF LAND LOCATED AT 4135 MILLVILLE OXFORD ROAD, OXFORD, OHIO AND REZONING THE PROPERTY FROM A-1 (COUNTY ZONING) TO R1A (SINGLE-FAMILY LOW DENSITY RESIDENTIAL) ZONING DISTRICT.

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

SECTION 1: Council finds in accordance with Section 1125.01 of the Codified Ordinances of the City of Oxford, the Oxford Planning Commission held a public hearing on August 11, 2009, at 7:30 p.m., on the applicant's, SHP Leading Design, Architect for a Zoning Map Amendment for 154.487 acres of land located at 4135 Millville Oxford Road, Oxford Ohio, attached hereto and incorporated herein as Exhibit "A" and requesting the rezoning of the property from A-1 (County Zoning) to R1A (Single-Family Low Density Residential) Zoning District.

SECTION 2: The Oxford Planning Commission, after the public hearing and deliberation, recommended granting the Zoning Map Amendment, and found that the proposed rezoning request was in keeping with the intended characteristics of the general vicinity of the property and was the most appropriate zoning classification of the property in question.

SECTION 3: Council hereby accepts the recommendation of the Oxford Planning Commission, and after deliberation, finds for the granting of the Zoning Map Amendment, rezoning 154.487 acres of land located at 4135 Millville Oxford Road, Oxford, Ohio attached hereto and incorporated herein as Exhibit "A" and rezoning the property from A-1 (County Zoning) to R1A (Single-Family low Density Residential) Zoning District.

SECTION 4: Council hereby grants the rezoning of the property as requested by the applicant, incorporating the application and documents submitted by the applicant as a term and condition of the granting of this rezoning request and orders that the official zoning map be amended.

SECTION 5: This Ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

EXHIBIT "A"

SITUATE IN LOTS 1, 3, 4, 5 AND 6 IN SECTION 35, TOWN 5, RANGE 1, TOWNSHIP OF OXFORD, BUTLER COUNTY, OHIO BEING PART OF THE LANDS OF LEO ERIC, ET AL., AS RECORDED IN DEED BOOK 6351, PAGE 2292 OF THE BUTLER COUNTY RECORDER'S OFFICE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A RAILROAD SPIKE FOUND AT THE SOUTHEAST CORNER OF SAID SECTION 35;

THENCE WITH THE EAST LINE OF SAID SECTION AND WITH THE EAST LINE OF THE LANDS OF KENNETH SR. AND BEULAH BETZ AS RECORDED IN DEED BOOK 6083, PAGE 175 OF THE BUTLER COUNTY RECORDER'S OFFICE, N 2° 29' 39" E, FOR 1088.41 FEET TO A POINT;

THENCE CONTINUING WITH SAID EAST LINE OF THE LANDS OF KENNETH SR. AND BEULAH BETZ, N 2° 22' 56" E, FOR 623.72 FEET TO A WOODEN POST FOUND, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE WITH THE NORTH LINE OF SAID KENNETH SR. AND BEULAH BETZ, N 87° 42' 28" W, A DISTANCE OF 1780.30 FEET TO A WOODEN POST FOUND, SAID POST BEING ON THE WEST LINE OF SAID LOT 1;

THENCE WITH THE EAST LINE OF SAID LOT 4 AND WITH THE WEST LINE OF THE LANDS OF RICHARD S. COOMBS, TR., ETAL. AS RECORDED IN DEED BOOK 8042, PAGE 109 OF THE BUTLER COUNTY RECORDER'S OFFICE, N 01° 16' 37" E, A DISTANCE OF 146.08 FEET TO A 5/8" REBAR SET;

THENCE THROUGH SAID LOT 4 AND WITH THE NORTH LINE OF SAID LANDS OF RICHARD S. COOMBS TR. ET., N 87° 45' 09" W, A DISTANCE OF 2058.45 FEET TO A MAGNAIL FOUND, SAID POINT BEING ON THE CENTERLINE OF THE B&O RAILROAD;

THENCE WITH THE CENTERLINE OF SAID B&O RAILROAD, N 21° 37' 55" E, A DISTANCE OF 102.85 FEET TO A 5/8" REBAR FOUND;

THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 2605.21 FEET, WITH A RADIUS OF 3811.23 FEET, WITH A CHORD BEARING OF N 02° 43' 48" E AND WITH A CHORD LENGTH OF 2554.78 FEET, TO A MAGNAIL SET, SAID POINT BEING ON THE SOUTHWEST CORNER OF THE LANDS OF CLAWSON PROPERTIES, LLC., AS RECORDED IN DEED BOOK 7577, PAGE 1342 OF THE BUTLER COUNTY RECORDER'S OFFICE;

THENCE WITH THE SOUTH LINE OF SAID LANDS OF CLAWSON PROPERTIES, LLC., N 76° 32' 51" E, A DISTANCE OF 579.74 FEET TO A WOODEN POST FOUND;

THENCE CONTINUING WITH SAID SOUTH LINE OF SAID LANDS OF CLAWSON PROPERTIES, LLC., S 98° 22' 26" E, A DISTANCE OF 1434.54 FEET TO A 5/8" REBAR SET;

THENCE WITH THE WEST LINE OF SAID LANDS OF ARROWHEAD CROSSING, LTD. AND CONTINUING WITH THE WEST LINE OF THE LANDS OF NED C. HOELZER AND JACK THACKER AS RECORDED IN DEED BOOK 7395, PAGE 1648 OF THE BUTLER COUNTY RECORDER'S OFFICE, S 02° 17' 31" W, A DISTANCE OF 2124.34 FEET TO A WOODEN POST FOUND;

THENCE WITH THE SOUTH LINE OF SAID LANDS OF NED C. HOELZER AND JACK THACKER, S 87° 06' 55" E, A DISTANCE OF 1796.77 FEET TO A WOODEN POST FOUND;

THENCE S 02° 22' 56" W, A DISTANCE OF 831.45 FEET TO THE TRUE POINT OF BEGINNING CONTAINING 154.392 ACRES OF LAND MORE OR LESS, WITH 34.518 ACRES IN LOT 1, 79.708 ACRES IN LOT 3, 27.068 ACRES IN LOT 4, 4.304 ACRES IN LOT 5 AND 8.794 ACRES IN LOT 6.

THIS DESCRIPTION WAS PREPARED BY DAVID DOUGLAS SMITH, REGISTERED OHIO SURVEYOR #7121.

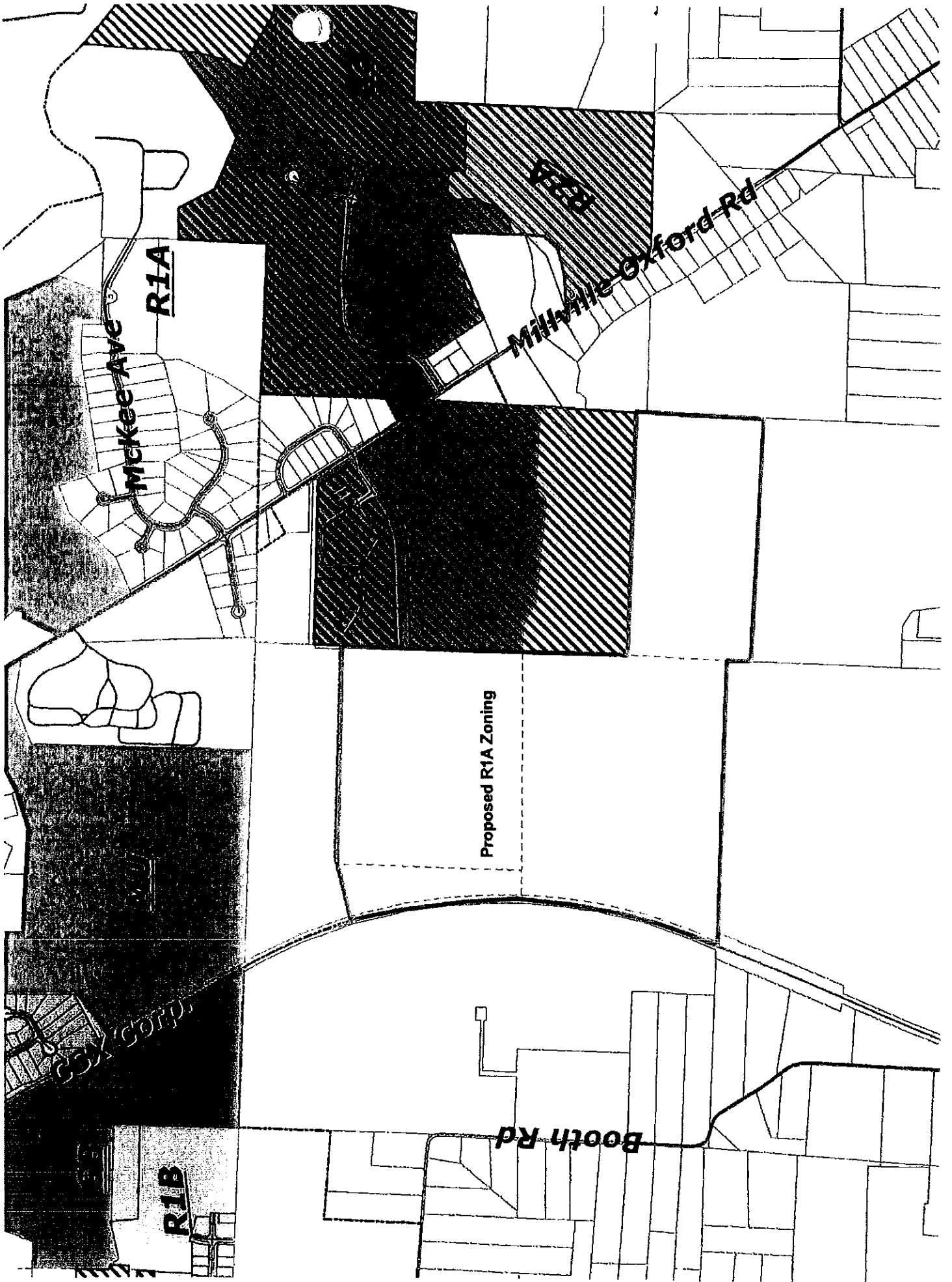
A PLAT OF SURVEY OF THIS PROPERTY HAS BEEN RECORDED IN VOLUME 52, PAGE 165 OF THE BUTLER COUNTY ENGINEER'S RECORD OF LAND SURVEYS.



Image ID: 000007264379 Type: OFF
Kind: DEED

Page 3 of 3
File# 2009-00014088

BK 8096 Pg 1523



McKee Ave

R1A

Millville Oxford Rd

Proposed R1A Zoning

Booth Rd

R1B

COX CORP.

**Certification of Action
Oxford Planning Commission
Recommendation to City Council**

<u>Report Date</u>	August 18, 2009
<u>Case Number</u>	PC-13-2009
<u>Applicant Information</u>	SHP Leading Design, Architects, Applicant Talawanda School District, Owner
<u>Requested Action</u>	Zoning Map Amendment
<u>Summary of Request</u>	Request for a Zoning Map Amendment from A-1 (County Zoning) to R1A (Single Family Low Density Residential) District
<u>Public Hearing Information</u>	On August 11, 2009, a Public Hearing was held at 118 West High Street. A legal notice of the hearing was published in the Oxford Press on July 10, 2009. Courtesy notices were mailed to adjacent property owners on July 1, 2009.
<u>Commission Action</u>	The Planning Commission voted 5-0-0 recommending approval of the Zoning Map Amendment.
<u>Commission Findings and Conclusions</u>	After Public Hearing and discussion, the Planning Commission voted to recommend approval of the Zoning Map Amendment.
<u>Exhibits Submitted to the Commission</u>	1. Community Development Staff Report dated July 22, 2009 2. Inter-Office Review Transmittal Sheets dated July 1, 2009 3. Proposed Zoning Map 4. Letter of Agency 5. Zoning Map Amendment Application dated June 26, 2009 6. Legal Description

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-13-2009

Date – August 11, 2009

APPLICATION

Applicant:	SHP Leading Design/Charlie Jahnigen, Agent for the Talawanda School District
Location:	4135 Millville-Oxford Rd.
Owner:	Talawanda School District
Action Request:	Zoning Map Amendment
Current Use:	Agricultural Use
Current Zoning	County agricultural zoned
Surrounding Existing Land Uses:	Agricultural /Single family

GENERAL DESCRIPTION

The Applicant seeks a zoning map amendment for an area of approximately 154 acres of agricultural land from a County agricultural zone (A-1) to R-1A Single Family Low Density Residential District. City Council adopted Resolution # 4455 on May 5, 2009 accepting the annexed petition for the subject property annexed into the City limits. City Council considered the final acceptance of the proposed territory at their August 4, 2009 meeting and will finalize it at their August 18, 2009 meeting.

SURROUNDING NEIGHBORHOOD

The site is bordered by a multi-family complex to the northwest and agricultural land to the east and south. The railroad track is to the west of the property. See attached map.

ZONING CODE REGULATIONS

The property is currently still carrying the county agricultural zoning until the property owner files an application to change the zoning designation to the City's zoning classification.

COMPREHENSIVE PLAN

LAND USE GOAL

Managed growth to ensure small town character, green areas, and preserve farmland.

D. Objectives

1. Managed Growth

Strategies

- LU 1.1 Integrate the Comprehensive Plan into the city's daily business.
- LU 1.2 Continue to use a formal utility services boundary to include timing utility extensions and an annexation policy.
- LU 1.3 Continue to adopt the annual capital improvement program (CIP) in line with the Comprehensive Plan.
- LU 1.4 Continue to work with Oxford Township, other surrounding townships, Butler County, and Miami University on land use issues.
- LU 1.5 Charge the Planning Commission with planning and managing long-term growth including, but not limited to a comprehensive review of the zoning code and subdivision regulations.
- LU 1.6 Recruit appropriate commercial and industrial development.
- LU 1.7 Work towards a compatible zoning district with the County and Township to manage rural development.

COMMUNITY FACILITY AND SERVICECS GOALS:

Excellent schools and community facilities and services including cultural and recreational facilities, safety and social services and programs for all.

C. Objectives and Strategies

2.Support Education

- CF2.1. Support partnerships between the City, Talawanda School District and Miami University to create new education opportunities for students and the general community.
- CF2.2. Promote the enhancement of school facilities and creation of high quality academic programs.
- CF 2.3. Work with the School District and University to promote “green” building and site planning for facilities.

AGENCY COMMENTS

Requests for Agency Reviews were sent to the Police, Engineering, Fire Department and Economic Development. No comments were received.

PUBLIC COMMENT FORMS

No public comments were received.

DECISION CRITERIA (Section 1135.02(c))

Planning Commission and City Council Review

The Planning Commission shall base their recommendation on a proposed zoning code amendment upon the complete application, upon any staff report, and upon any relevant and credible public comments presented during the Public Hearing. City Council shall base their decision on the same materials and shall consider the Planning Commission’s recommendation.

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

Map Amendment

- A. There is an error on the Official Zoning Map or in the delineation between districts thereon.
- B. The proposed amendment will make the map conform more closely to the Comprehensive Plan.
- C. There has been a substantial change in the area conditions that necessitates the amendment.
- D. There is a legitimate need for additional land area in the zoning district that will be expanded.

STAFF ANALYSIS

The school district has a long-term facility plan in place and has been looking to build and/or renovate buildings to bring the school facilities into today's standards. The City and the school administration have been working collaboratively to ensure the new school facilities would be in the City, as recommended by the 2008 Comprehensive Plan.

Once the annexation is complete and the zoning classification is in place, any future construction of school related facilities at the site will adhere to City's standards.

RECOMMENDATION

Staff recommends the Commission approve recommendation to the City Council for its legislative action.

SUBMITTED

BY: Jung-Han Chen
Jung-Han Chen, Director
Community Development Department

DATE: July 22, 2009

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 7/14/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-13-2009

Description:

PC-13-2009 **ZONING MAP AMENDMENT – Talawanda High School, 4135 Millville-
Oxford Road from A-1 (Township Zoning) to R1-A (Single-Family Low Density
Residential), SHP Leading Design, Architects, Applicant**

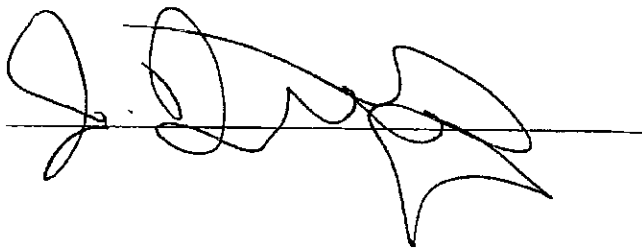
☒ Review ☐ Revisions ☐ Other

Comments or status update requested by: Lynn Taylor

Please return your review no later than: **8/3/2009** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

Drawings reviewed by:

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned over a horizontal line.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 7/1/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-13-2009

Description:

PC-13-2009 **ZONING MAP AMENDMENT** – Talawanda High School, 4135 Millville-
Oxford Road from A-1 (Township Zoning) to R1-A (Single-Family Low Density
Residential), **SHP Leading Design, Architects, Applicant**

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return your review no later than: **8/3/2009** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:

A. [Signature] 7-1-09

delivered @ 1:50pm 7/1/09

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 7/1/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-13-2009

Description:

PC-13-2009

**ZONING MAP AMENDMENT – Talawanda High School, 4135 Millville-
Oxford Road from A-1 (Township Zoning) to R1-A (Single-Family Low Density
Residential), SHP Leading Design, Architects, Applicant**

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return your review no later than: **8/3/2009** Note: If no comments are received, we will assume the project meets your department's standards.

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

Drawings reviewed by: _____

[Signature]

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 7/1/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-13-2009

Description:

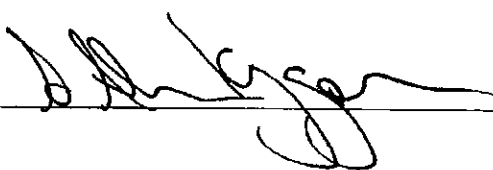
PC-13-2009 **ZONING MAP AMENDMENT – Talawanda High School, 4135 Millville-
Oxford Road from A-1 (Township Zoning) to R1-A (Single-Family Low Density
Residential), SHP Leading Design, Architects, Applicant**

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return your review no later than: **8/3/2009** Note: If no comments are received, we will assume the project meets your department's standards.

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

Drawings reviewed by: 

LETTER OF AGENCY

To Whom It May Concern:

Please be advised that SHP Leading Design has permission to represent our interest with the City of Oxford and act on our behalf for the Planning Commission and City Council hearings regarding Talawanda High School at our property located at 4135 Millville-Oxford Rd, Oxford, Ohio 45056.

Thank-you,



Owner/ Trustee:

Company Name & Address:

TALAWANDA SCHOOL DISTRICT

CFO/TREASURER

6/24/09
Date:

Case No.: PC-13-09
Date filed: 6/26/09

Zoning Map Amendment Application
City of Oxford, Ohio

REQUIRED INFORMATION

Name of Applicant: SHP LEADING DESIGN, CHARLIE JAHNIGEN
(Attach a letter of agency if the applicant is not the property owner.)
Mailing Address: 4805 MONTGOMERY RD, SUITE 400
CINCINNATI, OH 45212
Telephone Number(s): 513-381-2112
Location of Property: 4135 MILLVILLE-OXFORD RD.
(Indicate address if there is an existing structure or subdivision name and lot number if subdivided.)
Legal Description: ATTACHED
Total Area: 164 (Acres / Square Feet (circle one))
Existing Use of Property: Agriculture
Current Zoning: A-1
Proposed Zone(s): R1-A
Proposed Use: Education

SUBMISSION REQUIREMENTS

Please submit a vicinity map, at a scale and a metes and bounds description of the property, the statement described below and the required fee of \$150.00, made payable to the City of Oxford. The entire submission must be prepared in accordance with Chapter 1135, Zoning Code Amendments, of the City of Oxford Zoning Code.

On a separate sheet of paper, provide the names and addresses of all adjoining property owners within 200 feet of every parcel proposed to be rezoning, including those across streets, roads, alleys and highways.

Attach a statement which responds to the following questions:

- 1) What is the relationship of the proposed zone change to the City of Oxford's Comprehensive Plan?
- 2) How will the zone change affect the neighborhood in which the property is located? Briefly describe any impacts of the change as proposed.
- 3) How will the zone change affect public facilities such as sewer and water service, drainage, schools and roads, if applicable?
- 4) What mitigating actions might be suggested to offset problems resulting from adverse impacts on private property and public facilities (e.g., landscape screening, drainage improvements, changes in traffic signalization, provision of additional turn lanes).
- 5) Why is the current zoning classification of the property no longer appropriate?

All materials and application fee must be delivered to the office of the Planning Director, Municipal Building, 101 East High Street, Oxford, Ohio 45056. **Incomplete applications will not be processed.** Any questions should be directed to the Planning Department at (513) 524-5204. The issue will be placed on the next possible agenda.

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

SIGNATURE OF APPLICANT: Charlie Jahnigen Date: 6/25/09

PRINTED NAME: CHARLIE JAHNIGEN

FEE / RECEIPT

\$150 Fee Paid / Receipt Number: 14764

ZONING MAP AMENDMENT

Talawanda High School

4135 Millville-Oxford Rd, Oxford, Ohio 45056

Applicant:

SHP Leading Design

Charlie Jahnigen, AIA, LEED AP

4805 Montgomery Road, Suite 400

Cincinnati, OH 45212

1. What is the relationship of the proposed zone change the City of Oxford's Comprehensive Plan?

The Comprehensive Plan calls out for Economic Expansion and Neighborhood Development adjacent to the proposed site. Having a new high school will be attractive when looking to locate to Oxford.

2. How will the zone change affect the neighborhood in which the property is located? Briefly describe any impacts of the change as proposed.

The neighborhood traffic will increase. Talawanda Schools has performed a traffic impact study which has been submitted to the City of Oxford and the Ohio Department of Transportation. The study requires a south bound turn lane on 27 in which the city and district are working together to execute. A north bound turn lane is required and that is already in place. The study has included recommendations for providing sufficient capacity for vehicles exiting the site.

3. How will the zone change affect public facilities such as sewer and water service, drainage, schools and roads, if applicable?

The proposed water service and sanitary sewer service design is meeting the loads and expectations of the City of Oxford.

4. What mitigating actions might be suggested to offset problems resulting from adverse impacts on private property and public facilities (e.g., landscape screening, drainage improvements, changes in traffic signalization, provision of additional turn lanes).

We intend to preserve the existing vegetation surrounding the property. This will help shield light and sound. The site will have on-site detention where storm water will be contained and released at an allowable release rate. Additionally

stormwater leaving the site will be treated by bioretention which is beyond typical requirements.

5. Why is the current zoning classification of the property no longer appropriate?

Based on annexation agreement and annexation into the city R1-A is appropriate.



318. S. College Avenue
Oxford, Ohio 45056
P 513.523.4270
F 513.523.3785
www.bayerbecker.com

March 26, 2009

DESCRIPTION:

Leo Erik, etal. Property
0.103 acres

LOCATION:

Part of Section 35
Oxford Township
Butler County, Ohio

Situated in Lot 3 Section 35, Town 5, Range 1, Oxford Township, Butler County, Ohio, being part of the lands of Leo Erik, etal., as recorded in deed book 6351 page 2292 of the Butler County Recorder's Office and being more particularly described as follows:

Commencing at a Stone found at the northeast corner of said Lot 3, Section 35;

Thence with the east line of said Lot 3 and with the east line of the lands of Clawson Properties, LLC. as recorded in deed book 7577 page 1342 of the Butler County Recorder's Office; S 02°18'18" W, for 422.75 feet to a 1/2" rebar found, said point being the **True Point of Beginning**;

Thence with the west line of the lands of Arrowhead Crossing, Ltd., as recorded in deed book 6055 page 2096 of the Butler county Recorder's Office, S 02°17'31" W a distance of 184.97 feet to a 5/8" rebar set;

Thence with the north line of the lands of The Board of Education of the Talawanda School District as recorded in deed book 8096 page 1521 of the Butler County Recorder's Office; N 88°32'26" W, for 24.33 feet to a point, said point being at the base of a concrete post ;

Thence with the eastern line of said lands of Clawson Properties, LLC, N 02°19'13" E a distance of 185.06 feet to a 5/8" rebar set;

Thence with the southern line of said lands of Clawson Properties, LLC, S 88°19'17" E a distance of 24.24 feet to **True Point of Beginning** containing 0.103 acres of land more or less, being subject to all legal highways, easements, restrictions and agreements of record.

This description was prepared by David Douglas Smith, Register Ohio Surveyor # 7121. A plat of survey of this property has been recorded in volume 53 page 6 of the Butler County Engineers Record of Land Surveys.



CIVIL & TRANSPORTATION ENGINEERING

LANDSCAPE ARCHITECTURE

PLANNING

SURVEYING

0800661 EGAL and doc

(REV 11/13/03)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott, Jr.

Police

Originating Department

Council Meeting Of: August 18, 2009

Account Code No. #: N/A

Steve Schwein

Prepared By

Budgeted Amount: N/A

August 13, 2009

Date Prepared

Agenda Title: An Ordinance Repealing Oxford Code of Ordinances Section 503.02 and 503.98 and Adopting New Oxford Code of Ordinances Sections 593.02 and 503.98; Titled "Classifications of Civil Offenses" and "Civil Fines."

Recommendation: Adopt the Ordinance.

Discussion: Creation of new Classifications of Civil Offenses and Civil Fines by passing this Ordinance allows Police Officers to take enforcement actions in both quality of life issues as well as safety issues *WITHOUT* issuing citations which could result in either court appearance and/or court costs. Presently, for example, a simple "no front plate" citation for a motorist operating a vehicle registered in Ohio and not bearing an Ohio front license plate will cost the motorist \$160.00 (\$60 fine + \$100 court costs). A "u-turn" where restricted bears the same fine and costs as do the other violations listed in Class A(2). The same is true of "beer pong table" violation. This new ordinance will require the same basic costs of the violator in terms of a fine without the "sting" of the court costs. As in all civil violations, the violator has the option of a hearing to insure due process.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

SDS 18/13/09

[Signature] 8/14/09

ORDINANCE NO. _____

AN ORDINANCE REPEALING OXFORD CODE OF ORDINANCES SECTIONS 503.02 AND 503.98 AND ADOPTING NEW OXFORD CODE OF ORDINANCES SECTIONS 503.02 AND 503.98; TITLED "CLASSIFICATION OF CIVIL OFFENSES" AND "CIVIL FINES"

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

SECTION I: Council hereby repeals Sections 503.02 and 503.98 entitled "Classification of Civil Offenses" and "Civil Fines" and new Sections 503.02 and 503.98 entitled "Classification of Civil Offenses" and "Civil Fines" is hereby adopted as follows (language to be repealed is stricken through and language to be adopted is in bold):

503.02 CLASSIFICATION OF CIVIL OFFENSES

All civil offenses shall fall into one of the following classifications.

- (a) **Class A(1) and A(2) Civil Offenses.** A person who violates a standard of conduct set forth in a section or chapter of the Oxford Codified Ordinances listed below is liable for the civil fine specified in Section 503.98 for a **Class A(1) or A(2)** Civil Offense. If a person has previously been found to have violated the same provision of the Oxford Codified Ordinances within one year that person may be charged as a second offender and on being found to have committed a second or subsequent offense is liable for the civil fine specified in Section 503.98 for the first violation of a **Class B** Civil Offense.

~~(Civil Fines for subsequent offenses)~~

(1) **Class A(1) General Offenses**

- * 521.11 Snow and ice removal ~~(Class-B)~~
- * 931.02 Container requirements ~~(Class-B)~~
- * 931.03 Placement and maintenance of containers ~~(Class-B)~~
- * 931.04 Individual disposal prohibited ~~(Class-B)~~
- * 931.08 Scavenging on private premises ~~(Class-B)~~
- * 931.09 Burning ~~(Class-B)~~
- * 931.10 Depositing solid waste or recyclable materials in public or private receptacle ~~(Class-B)~~

(2) **Class A(2) Moving, Non-Moving and Miscellaneous Offenses**

- * **311.03 Toy Vehicles on Streets**
- * **311.04 Use of Streets for Amusement, Play or Sports**
- * **313.05 Pedestrian Control Signal**
- * **331.02C U-turns Restricted**
- * **331.42A&B Littering from Motor Vehicle**
- * **335.09A Display of License Plates**
- * **337 Section Safety and Equipment**

- * 339.08C Loads Dropping or Leaking, Removal Required, Tracking Mud
- * 371.01B Right of Way in Crosswalk, (person suddenly leaves sidewalk into roadway)
- * 505.01A-D Dogs and Other Animals Running at Large
- * 505.03 Annual Registration of Dogs
- * 505.09A Barking or Howling Dogs
- * 505.15A1,2,3 Dog Nuisances
- * 521.12A Outdoor Furniture
- * 729.03 Door to Door Solicitation Prohibited
- * 1151.04 Signs on Public Property

(b) Class B Civil Offenses. A person who violates a standard of conduct set forth in a section of or chapter of the Oxford Codified Ordinances listed below is liable for the civil fines specified in Section 503.98 for a Class B Civil Offense. If the provision is listed under paragraph (1) below, the otherwise applicable civil fine is reduced by seventy-five percent (75%) if the person charged shows in accordance with Section 503.04 that the violation has been corrected. If a person has previously been found to have violated the same provision of the Oxford Codified Ordinances within one year that person may be charged as a second offender and on being found to have committed a second or subsequent offense is liable for the civil fine specified in Section 503.98 for **the violation of a Class C Civil Offense** provided below, **unless otherwise noted**, which fine is not subject to reduction for correction of the violation.

(1) Class B Civil Offenses With Civil Fines subject to Seventy-Five Percent (75%) reduction for Correction of Violation:

~~(Civil fines for subsequent offenses)~~

- * 521.07 Fences/electric fences ~~(Class B)~~
- * 935.10 Pruning for public safety ~~(Class C)~~
- * 935.20 Notice to cut, destroy or remove noxious vegetation ~~(Class C)~~
- * Chapter 1151 Signs ~~(Class C)~~
- * Chapter 1305 International property maintenance Code ~~(Class C)~~
- * Chapter 1327 Flood protection ~~(Class C)~~

(2) Class B Civil Offenses with Civil Fines not Subject to Seventy-Five Percent (75%) Reduction for Correction of Violation:

~~(Civil Fines for subsequent offenses)~~

- * 521.02 Venting, heating and burning ~~(Class C)~~
- * 521.03 Barriers and warning lights ~~(Class C)~~
- * 521.04 Sidewalk Obstructions ~~(Class C)~~
- * 521.05 Notice to fill lots and remove putrid substances ~~(Class C)~~
- * 521.08 Removal of litter on property and watercourse obstruction ~~(Class C)~~
- * 905.08 Sidewalk in repair and free from nuisances ~~(Class C)~~

- (c) Class C Civil Offenses. A person who violates a standard of conduct set forth in a section of or chapter of the Oxford Codified Ordinances listed below is liable for the civil fines specified in Section 503.98 for a Class C Civil Offense. If the provision is listed under paragraph (1) below, the otherwise applicable civil fine is reduced by seventy-five percent (75%) if the person charged shows in accordance with Section 503.04 that the violation has been corrected. If a person has previously been found to have violated the same provision of the Oxford Codified Ordinances within one year that person may be charged as a second offender and on being found to have committed a second or subsequent offense is liable for the civil fine specified in Section 503.98 for **the violation of a Class D Civil Offense** ~~the offense provided below~~, which fine is not subject to reduction for correction of the violation.

- (1) Class C Civil Offense s With Civil Fines subject to Seventy-Five Percent (75%) reduction for Correction of Violation:

~~(Civil fines for subsequent offenses)~~

- * 1307.01 Demolition of Buildings – General ~~(Class D)~~
- * 1307.02 Demolition of Buildings - Permit ~~(Class D)~~

- (2) Class C Civil Offenses with Civil Fines not subject to Seventy-Five Percent (75%) Reduction for Correction of Violation:

~~(Civil fines for subsequent offenses)~~

- * 521.01 Abandoned refrigerators and Airtight containers ~~(Class D)~~
- * 521.06 Sidewalks: Clean and in repair ~~(Class D)~~
- * 521.09 Noxious Odor ~~(Class D)~~

- (d) Class D Civil Offenses. A person who violates a standard of conduct set forth in a section of or chapter of the Oxford Codified Ordinances listed below is liable for the civil fines specified in Section 503.98 for a Class D Civil Offense. If the provision is listed under paragraph (1) below, the otherwise applicable civil fine is reduced by seventy-five percent (75%) if the person charged shows in accordance with Section 503.04 that the violation has been corrected. If a person has previously been found to have violated the same provision of the Oxford Codified Ordinances within one year that person may be charged as a second offender and on being found to have committed a second or subsequent offense is liable for the civil fine specified in Section 503.98 for **the violation of a Class D Civil Offense** ~~for the offense provided below~~, which fine is not subject to reduction for correction of the violation.

- (1) Class D Civil Offense s With Civil Fines subject to Seventy-Five Percent (75%) reduction for Correction of Violation:

~~(Civil fines for subsequent offenses)~~

- * Chapter 1129 Administration [~~Zoning (Class D)~~]
- * Chapter 1141 Accessory, Temporary, Supplemental and Environmental Regulations ~~(Class D)~~
- * Chapter 1143 Districts ~~(Class D)~~
- * Chapter 1147 Conditional Use ~~(Class D)~~
- * Chapter 1149 Vehicle Management ~~(Class D)~~
- * Chapter 1301 Building Code ~~(Class D)~~

- * Chapter 1303 Residential Code of Ohio (~~Class D~~)
- * Chapter 1331 Historic preservation (~~Class D~~)
- * Chapter 1501 Ohio Fire Code (~~Class D~~)
- * Chapter 1151 Open Burning (~~Class D~~)
- * Chapter 1519 Fireworks (~~Class D~~)

SECTION 503.98 CIVIL FINES.

The civil fines for civil offenses are:

<u>Offense</u>	<u>Initial Civil Fine</u>	<u>If Delinquent</u>	<u>If Sent for Collection</u>
Class A(1)	(34)	(68)	(100)
Class A(2)	(60)	(80)	(100)
Class B	(86)	(172)	(250)
Class C	(150)	(300)	(500)
Class D	(500)	(1000)	(1250)

Neither the City of Oxford, the State of Ohio, the United States Government, nor any city, federal or state agency or political subdivision is liable for a civil fine imposed pursuant to this Chapter.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA
PREPARED BY: LAW (STAFF)