City of Oxford OHIO
HOME OF MIAMI UNIVERSITY

Agenda

Oxford City Council

Court House

TUESDAY, SEPTEMBER 1, 2009

EXECUTIVE SESSION
7:15 P.M.

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

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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. Proclamation - 'Hispanic Heritage Month'

Proclamation

B. Proclamation - 'Three Valley Conservation Trust Day'

Proclamation

C. Appointments to Boards and Commissions

D. Right-Of-Way Request - Evilution Unlimited LLC

Permit Request

E. 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 18, 2009 City Council Work Session. (Mary Ann Eaton, Clerk of Council)

Minutes

B. Minutes of the August 18, 2009 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

Minutes

C. Minutes of the August 25, 2009 City Council Work Session. (Mary Ann Eaton, Clerk Of Council)

Minutes

D. Report regarding the August 17, 2009 Historic and Architectural Preservation Commission Special Meeting. (Jung-Han Chen, Community Development Director)

Report

E. Report regarding the August 19, 2009 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)

Report

F. A Resolution authorizing the City Manager to accept the contract secured by Butler County and authorizing the City Manager to purchase from North American Salt Co. road de-icing materials for an amount not to exceed $95,000.00. (Mike Dreisbach, Service Director)

Staff Report/Resolution

5. Resolutions

A.A Resolution authorizing the assessment of delinquent charges for the cutting and removal of weeds, vegetation and/or grass to be placed on the Butler County, Ohio property tax duplicate. (Jung-Han Chen, Community Development Director)

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 Approving The Final Subdivision Application For Campus Commons Subdivision, Phase One With Conditions. (Jung-Han Chen, Community Development Director)

Staff Reports/Ordinance

2.An Ordinance Repealing Oxford Code Of Ordinances Chapter 146, Finance Commission. (Doug Elliott, City Manager)

Staff Report/Ordinance

3.An Ordinance Adopting New Chapter 550, Section 550.01 Of The Oxford Code Of Ordinances Establishing The Creation Of An Alcohol Education Program. (Steve Schwein, Police Chief)

Staff Report/Ordinance

B. Second 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/Ordinance

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 Reports/Ordinance

Supporting Documents

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.

A. Announcements.

1.Remarks from City Council and City staff.

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

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

WED - Sept 9 Open House - Ohio Department of Natural Resources 6:00 p.m.

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

MON - Sept 21 Housing Advisory Commission 7:00 p.m. Municipal Building 2nd Floor

TUES - Sept 22 Community Open House & Historic Award Ceremony 5:00 p.m.

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

WED - Sept 23 Civil Service Commission Meeting 7:00 p.m.

WED - Sept 23 Environmental Commission Meeting 7:00 p.m. Municipal Building 2nd

8. Adjourn

Rev. 12/06

CITY OF OXFORD

☐ REQUEST FOR PUBLIC PARK PERMIT

☑ REQUEST FOR PUBLIC RIGHT-OF-WAY PERMIT

Date(s) of Event: 9/25/09 through 11/1/09 **From:** 10 a.m./p.m. **To:** 1 a.m./p.m.

Today's Date: ___/___/___ ☐ Emergency Utility Repair *(check box, if applicable)*

--- Applicant shall allow a minimum of 5 business days for processing ---

Responsible Adult: (18 years of age or older)* Brandon Whitaker
Address: 4180 Nowls Rd
Oxford, OH 45056
Telephone: 513-523-6208
Cellular: 513-319-3845
Fax:
Email: punkinking820@hotmail.com

Organization: Entertainment LLC
Advisor:
Address: SAME
Telephone:
Cellular:
Fax:
Email:

* *Person in charge - Primary contact*

Non-Profit: ☐ Yes ☒ No

RECEIVED
MAY 2009
City of Oxford

PARK REQUESTED

- ☐ Merry Day Park (adjacent to the Miami Mobile Home Park, Reagh Way Drive)
- ☐ Leonard Howell Park (Bonham Road)
- ☐ Oxford Community Park (Fairfield Road) – *Contact 523-6314 to confirm date(s)*
- ☐ Memorial Park (E. Park Place & N. Main Street – has pavilion)
- ☐ Martin Luther King Jr. Park (W. Park Place & N. Main Street -- animal sculptures & fountain)
- ☐ Other: _____

TITLE OF EVENT (be specific and include projected attendance)

Toxicity Haunted Attraction (2 People handing at Alyas)

Projected Attendance: 7,000 Has this event been held previously? ☐ Yes ☒ No If "YES", when? _____

DESCRIPTION OF EVENT

Place a description of the event, along with additional requests, on the appropriate attachment. If request is **only** for use of a right-of-way, use the attachment labeled City of Oxford / Right-of-Way Request Details.

Applicant's Signature: _____ Date: ___/___/___

I have read and understand the rules, guidelines and conditions. Furthermore, I understand that acceptance of them is a condition of approval; and, if approval is granted, it is only for the event specified above. I also understand that the request will be reviewed by various City of Oxford officials and additional conditions may be required before final approval is granted. If additional conditions are required, I agree to meet with the appropriate officials and/or the Oxford Community Event Coordinating Committee.

M.U. Use Only

The organization listed above is a registered student organization in good standing with Miami University.

Signature: _____ Date: ___/___/___

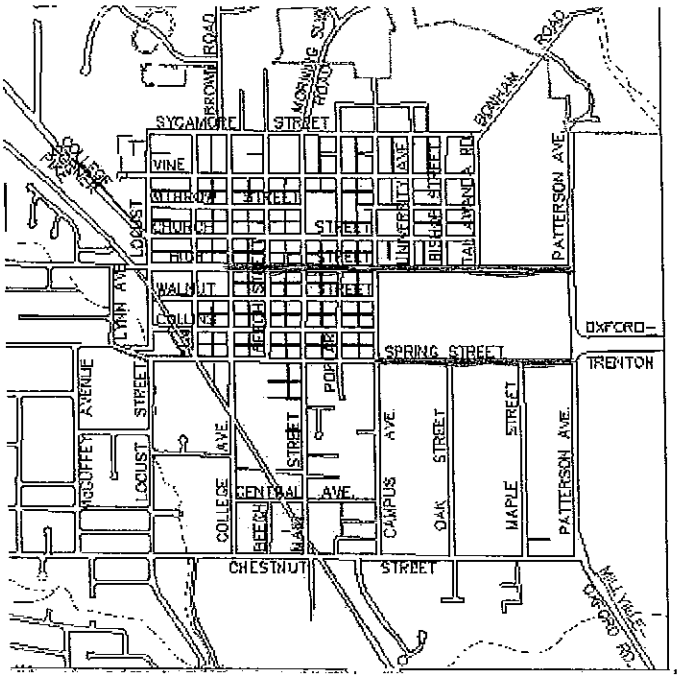
City Use Only

On-Site Contact Person: _____ Cell: (___) ___-____

Distribution Checklist: ☐ O.P.D. ☐ O.F.D. ☐ Service Director ☐ Street Department ☐ O.P.R.D. ☐ O.V.C.B. ☐ QuickBase Entry ☐ M.U. Student Activities Office ☐ M.U.P.D.

Rev. 12/06

Note
If your event is outside the boundaries of this map, either attach a separate map or contact the City for assistance.



CITY OF OXFORD / RIGHT-OF-WAY REQUEST DETAILS

Instructions for Applicant: Please clearly denote the parade route, streets and/or sidewalk areas being requested. Place a concise narrative explanation on the following lines. Attach additional pages if necessary.

I want to have costumed characters handing out flyers along Spring Street and High Street. The Toxicity Haunted Attraction is actually located in College Corner at Hannon's Campus Arena. They will only be on Spring Street in the day, they will also be on High Street, between Patterson and Campus during the day. In the evening they will be on High Street between Campus and College. These costumed characters will be out the whole month of October 2009.

Additional Requests:
(Include details in narrative)

- ☐ No Parking Signs*
- ☐ Detour(s)
- ☐ Police Assistance

Generally the responsibility of the applicant.

Time Details	Start	End
Setup		
Event	10 AM	1 AM
Breakdown		

Dear Mary Ann:

Our Haunted Attraction, new this year, is not just a money making scheme. We are out to make a difference in our community. Here are some positive things about the new Toxicity Haunted Attraction:

1. 10% of our net profit will be going to the Sojourner Recovery Services which helps people battle addiction problems and to help get them back on their feet. http://www.sojournerrecovery.org/

2. Unlike most haunted houses, Toxicity's plot is rich with real history. Set in the 1950s, one of our goals is to educate people about this time period in which the world came so close to total destruction. We do this through our blog: www.toxicityhaunt.wordpress.com with the On-This-Day posts and by having a guide give details on the CD-78 Nike Base our shuttle from Oxford to/from the haunt will pass. To many in our target market, the '50s are viewed as a joke. We are using that mentality to make it a scary time again.

3. Toxicity has positions for actors, set constructors, and makeup artists. Many of these employees come from Miami University, allowing them to further improve their talents and possibly even receive college credit.

4. Toxicity is an activity that is an alternative to a night of going out to party (this will be an alcohol free event).

If this information is not enough to approve the permit then if you would please add us to the Sept. 1st agenda so we may have a chance to plead our case in front of council.

Thank you again for your time and efforts in helping us with this matter.

Sincerely,

Carly Jo McFadden
Evilution Unlimited LLC

Office of the Mayor

Proclamation

Whereas: Oxford has always embraced the many cultures and peoples that make our country so diverse and Hispanic-Americans are the fastest growing minority population in the country; and

WHEREAS, as a result of their determination, intelligence, hard work and perseverance, Hispanics/Latinos have contributed immensely to the growth of our country, helping to shape the character and future of this state; and

WHEREAS, the cultural, educational, and political influences of Hispanics/Latinos can be seen and appreciated in all aspects of our life, from farm-worker struggles for housing and equal wages, to incredible and gifted artists, vibrant businesses, music and community festivals; and

WHEREAS, the Hispanic-American community has a long and important history of commitment to our Nation's core values and the contributions of this community have helped make our country great. During National Hispanic Heritage Month we celebrate the many achievements of Hispanic Americans and recognize their contributions to our country; and

WHEREAS, the United States Congress issued Public Law 100-402 designating the month of September as National Hispanic Heritage Month;

NOW, THEREFORE, I, Prudence Z. Dana, Mayor of the City of Oxford, Ohio, do hereby proclaim September 15th thru October 15th, 2009 as:

'HISPANIC HERITAGE MONTH'

in the City of Oxford and urge all citizens to join me in celebrating the significant contributions of Hispanic Americans in our country by participating in the activities and events planned for this important occasion.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 28th day of August, 2009.

PRUDENCE Z. DANA, MAYOR

Office of the Mayor

Proclamation

Whereas: the Three Valley Conservation Trust is a not-for-profit organization incorporated in 1994 dedicated to conserving the natural environment and cultural heritage of the Four Mile, Seven Mile, Indian and Twin Creek valleys, as well as Butler and Preble counties in southwest Ohio; and

WHEREAS, the Three Valley Conservation Trust has more than 600 dues-paying members who live throughout Butler County, as well as Preble, Montgomery and Darke counties in Ohio, who share the Trust's goals of preserving local green space, woodlands, farmland and wildlife habitat; and

WHEREAS, the Three Valley Conservation Trust has assisted southwestern Ohio farmers and other landowners in their efforts to preserve these lands by recording permanent conservation easements that forever keep lands natural and/or agricultural; and

WHEREAS, the Three Valley Conservation Trust has assisted local communities and landowners to preserve the integrity of our productive local farms and open space through successful applications for funding the permanent preservation of their lands from Ohio Department of Agriculture, Ohio Public Works Commission, Ohio Environmental Protection Agency, U.S. Fish and Wildlife Service, and U.S. Department of Agriculture; and

WHEREAS, the Three Valley Conservation Trust has permanently preserved 10,000 acres of wildlife habitat and farmland in southwest Ohio because private landowners have signed conservation easements with the Three Valley Conservation Trust; and

WHEREAS, the Three Valley Conservation Trust is commemorating its Fifteen Year Anniversary in September 2009 with a celebratory picnic on October 4 at the permanently preserved Beck Farm, home of the Three Valley Conservation Trust office, 5920 Morning Sun Road, Oxford, Ohio at 1:00 p.m. to thank our loyal supporters and community.

NOW, THEREFORE, I, Prudence Z. Dana, Mayor of the City of Oxford, Ohio do hereby proclaim Tuesday, September 1, 2009 as:

'Three Valley Conservation Trust Day'

and congratulate them on their 15th anniversary.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 1st day of September, 2009.

Prudence Z. Dana, Mayor

The Work Session of the Oxford City Council was called to order by Mayor Prue Dana on Tuesday, August 18, 2009 at 6:00 P.M. Those Council members present were: Richard Keebler and Greig Rutherford. Ken Bogard arrived at 6:06 p.m.

Staff members present: Doug Elliott, City Manager; Alan Kyger, Economic Development Director, Joe Newlin, Finance Director; Steve McHugh, Law Director and Mary Ann Eaton, Clerk of Council.

Also present were Roger Reynolds and Ted Besel from the Butler County Auditor's Office.

APPROVAL OF AGENDA

Mr. Keebler moved approval of the Agenda. Mr. Rutherford seconded. The motion carried 3-0-0.

PURPOSE

The purpose of the Work Session was for Council and members of the public to receive information from the Butler County Auditor with regard to property reappraisals.

Mayor Dana thanked Mr. Reynolds and Mr. Besel for attending the Work Session.

PRESENTATION

Mr. Roger Reynolds, Butler County Auditor, advised his office was pursuing an aggressive campaign to look at reappraisals and ways to do a better job the next time they were due. Mr. Reynolds noted their goal was to be fair and consistent with reappraisals. Mr. Reynolds introduced Mr. Ted Besel and advised Mr. Besel was hired in April of 2009 to focus on the City of Oxford due to the diverse housing within the City. Mr. Reynolds discussed the appraisal process in detail and answered questions from Council, Mr. Elliott and members of the public.

AJOURNMENT

Mr. Keebler moved to adjourn at 7:10 p.m. Mr. Bogard seconded. The motion carried 4-0-0.

A Regular meeting of the Oxford City Council was called to order by Mayor Prue Dana on Tuesday, August 18, 2009 at 7:30 p.m. Those members present were Ken Bogard, Richard Keebler, Alysia Fischer and Greig Rutherford. Doug Ross arrived at 7:33 p.m. and Kate Currie was excused.

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

PLEDGE OF ALLEGIANCE

Mayor Dana called for the Pledge of Allegiance.

APPROVAL OF AGENDA

Ms. Fischer moved to approve the agenda. Mr. Bogard seconded the motion passed 5-0-0.

PUBLIC PARTICIPATION

Mayor Dana thanked Roger Reynolds, Butler County Auditor and Ted Besel for attending Council's Work Session this evening.

PUBLIC COMMENTS

Mr. Matt Ciccone, Secretary Off Campus Student Affairs, thanked Mayor Dana for speaking to the Student Government Executive Cabinet today.

Mr. Ciccone inquired if Council would be interested in the creation of a comprehensive calendar showing important events involving the City and the university. Mr. Ciccone asked Council to provide their comments to him via email or phone.

CONSENT AGENDA

Mr. Keebler requested removal of item E. Resolution.

MINUTES

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

REPORTS

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

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

RESOLUTIONS

**RESOLUTION
AGREEMENT WITH
ARCADIS**

A Resolution No. 4476 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)

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

RESOLUTION

**RESOLUTION
AGREEMENT WITH
ARCADIS**

A Resolution No. 4477 authorizing the City Manager to enter into a contract with Arcadis Engineering for a return Activated Sludge (RAS) and Biosolids Study for the Wastwater 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)

Mr. Keebler inquired why a contingency fee was needed for a study and Mr. Dreisbach advised some items at the plant were submerged and staff was not aware of their condition. Mr. Dreisbach advised he was hoping to abate a 2.5 million dollar improvement at the plant and he wanted to be very cautious up front.

Ms. Fischer moved to adopt Resolution No. 4477. Mr. Keebler seconded. The Resolution was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

RESOLUTIONS

RESOLUTION
APPOINTMENT TO THE 9-1-1
PLANNING COMMITTEE

A Resolution No. 4478 making an appointment to the Butler County 9-1-1 Planning Committee. (Doug Elliott, City Manager)

Mr. Elliott advised it was up to municipalities to appoint a CEO to serve on the Countywide 9-1-1 Planning Committee and the CEOs of Oxford, Middletown and Fairfield agreed to serve on the committee on a rotating basis.

Mr. Rutherford inquired who the CEO would be and Mr. Elliott advised the City Manager. Mr. Rutherford referred to Sections 6 and 7 of the proposed Resolution and inquired if Council was selecting a representative to the committee for Middletown and Fairfield. Mr. Elliott advised Council was accepting his recommendation that the CEO of each municipality would serve on the committee on a rotating basis.

Mr. Keebler moved to adopt Resolution No. 4478. Ms. Fischer seconded. The Resolution was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

RESOLUTION
BUTLER COUNTY SHERIFF'S
DRUG TASK FORCE

A Resolution No. 4479 authorizing the City Manager to enter into an agreement to participate in the Butler County Sheriff's Drug Task Force. (Steve Schwein, Police Chief)

Chief Schwein discussed his staff report as presented on page 32 of the agenda noting there was no cost to participate in the Drug Task Force other than one officer already budgeted for the position.

Mr. Keebler inquired if Oxford's officer would work in Oxford or another location. Chief Schwein advised the officer would work 40 hours a week out of another location in Butler County.

Mr. Rutherford noted the proposed Resolution would provide the ability for Oxford's officer to work in other jurisdictions and for other municipalities to do the same in the City of Oxford. Chief Schwein advised Oxford's officer could work in Monroe, Ross or Downtown Hamilton for example and it was a benefit to have someone work undercover in Oxford who was unknown to local residents.

Mayor Dana referred to page 37 of the agenda and inquired who would receive the reporting information and Chief Schwein advised he would receive the reports and relay significant information to Council.

Mr. McHugh referred to page 36 of the agenda and advised from time to time monies could flow into the City as a result of the sale and distribution of seized assets.

Mr. Bogard moved to adopt Resolution No. 4479. Mr. Keebler seconded. The Resolution was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ORDINANCES
FIRST READING

ORDINANCE
NEW SECTIONS
503.02 AND 503.98

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)

Chief Schwein discussed his staff report as presented on page 39 of the agenda noting the proposed Resolution would allow Police Officers to take enforcement actions in quality of life and safety issues without issuing citations which resulted in court appearances and/or court costs. Chief Schwein noted jay walking, upturns, no front license plate and windows tinted too dark were examples of the citations. Chief Schwein thanked Mr. McHugh for reworking this section of the codified ordinance. Chief Schwein noted violators would have the right to appeal the citation and be heard by the hearing officer.

Mr. Ross inquired who the hearing officer was and Chief Schwein advised an attorney. Mr. Ross referred to page 41 and inquired if 'Signs on Public Property' pertained to events like the Farmer's Market. Chief Schwein advised yes although the City Manager had the right to allow waivers for signs related to community events.

Mr. Rutherford referred to page 43 of the agenda and requested the fines be designated as U.S. dollars.

Ms. Fischer referred to item 311.04 on page 40 of the agenda and noted concern with curtailing this activity and item 521.12A on page 41 of the agenda noting people might not take the Outdoor Furniture Ordinance as serious as they did now. Chief Schwein advised he expected to see more enforcement of these violations under the proposed Civil Offense structure.

Mr. Keebler advised he was in favor of the proposed Ordinance noting it was important to enforce laws.

ORDINANCE
ZONING MAP AMENDMENT

An Ordinance Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment For 154.487Acres 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) District. (Jung-Han Chen, Community Development Director)

Mr. Chen discussed his staff report as presented on page 44 of the agenda noting the Planning Commission voted unanimously to recommend approval of the zoning map amendment for the Talawanda School District property.

Mr. Keebler advised upon annexation into the City the property needed to be rezoned and there was very little discussion regarding the issue at the Planning Commission meeting.

Ms. Fischer noted a portion of the land would continue to be farmed and she wanted to ensure the language was correct within the proposed Ordinance. Mr. Chen noted the farming issue was addressed in the Pre-annexation Agreement.

ORDINANCE
CONDITIONAL USE PERMIT

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)

Mr. Chen discussed his staff report as presented on page 62 of the agenda noting the Planning Commission placed a condition on the proposed Ordinance that the future extension of University Park Boulevard shall contain a smooth curve as depicted on page 73 of the agenda. Mr. Chen advised officials from the school district were in attendance to answer any questions.

Mr. Bogard noted the map on page 73 of the agenda dealt with the future planning of a connector road from U.S. 27 to Kehr Road.

Ms. Fischer noted it had been a pleasure to work with the School Board and their architects on this project as they addressed concerns of the Planning Commission on a timely basis in an effort to move the process along.

Ms. Fischer noted the Planning Commission was concerned with students walking to school via the railroad tracks noting Council needed to think about the proposed multi-use path and walk ability to the school.

Mayor Dana referred to page 102 of the agenda noting the decision standards used to approve a conditional use permit.

Mr. McHugh suggested adding condition c. to the proposed Ordinance on page 63 of the agenda related to farming a portion of the property.

Ms. Fischer moved to add condition c. as follows: 'Crop farming of a portion of the land shall be allowed to continue per the terms of the pre-annexation agreement.' Mr. Bogard seconded. The motion passed 6-0-0.

Mr. Rutherford referred to page 73 of the agenda and advised the easement for the future right-of-way had not been defined. Mr. Elliott suggested amending condition a. on page 63 of the agenda in the event modifications were necessary.

ORDINANCES
SECOND READING

ORDINANCE
ANNEXATION

An Ordinance No. 3073 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 advised he had no new information regarding the proposed Ordinance and noted this was the last step in the annexation process.

Mr. Bogard moved to adopt Ordinance No. 3073. Ms. Fischer seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ORDINANCE
FINAL SUBDIVISION
APPLICATION

An Ordinance No. 3074 Approving The Final Subdivision Application For Reckford Woods Subdivision Phase One. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the City Engineer had approved the geotechnical report and environmental soil analysis and suggested that Council remove condition b. of the proposed Ordinance as listed on page 157 of the agenda.

Mr. Keebler moved to remove condition b. on page 157 of the agenda and rename condition c. to condition b. Mr. Rutherford seconded. The motion passed 6-0-0.

Ms. Fischer thanked those involved for obtaining the geotechnical report and providing it to Council prior to this evening's meeting.

Mr. Keebler advised the Planning Commission reviewed the proposed project in detail and all of the conditions and requirements were met.

Mr. Bogard moved to adopt Ordinance No. 3074 as amended. Mr. Rutherford seconded. The Ordinance was adopted by the following roll call:

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

NAY: Mr. Ross (1)

ABS: None (0)

ORDINANCE
NEW SECTION 351.04

An Ordinance No. 3075 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)

Chief Schwein advised he had no new information since the first reading and noted the proposed Ordinance would make the fine for parking illegally in a handicapped space more reflective of the state code.

Mr. Rutherford suggested placing parking meters at handicapped spaces to deter others from using them. Chief Schwein advised the Oxford Parking and Alternative Transportation Advisory Board was looking into that issue as well as assessing the quantity of handicapped parking spaces. Ms. Fischer noted any new handicapped spaces needed to be placed at a curb cut.

Ms. Fischer moved to adopt Ordinance No. 3075. Mr. Bogard seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

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)

Chief Schwein advised a lot of discussion had taken place regarding the proposed Ordinance and Council had brought up good points at the last meeting. Chief Schwein noted the Oxford Parking and Alternative Transportation Advisory Board met yesterday and would like the proposed Ordinance remanded back to them for additional input. Mayor Dana as a member of the OPATAB concurred with Chief Schwein noting the board had some specific ideas regarding the fine structure.

Mr. Keebler moved to remove the proposed Ordinance from the agenda and remand it back to the Oxford Parking and Alternative Transportation Advisory Board. Ms. Fischer seconded. The motion passed 5-1-0 with Mr. Ross voting nay.

Mr. Rutherford requested that the OPATAB look at modifying the language that stipulated 3 inches of ice resulted in a Snow Emergency. Mr. Rutherford suggested language such as 'when ice creates a hazard.'

ANNOUNCEMENTS

Mayor Dana advised Mr. Elliott would make a presentation regarding Deer Management Options at this time.

Mr. Elliott advised Jim Hockaday, City Intern would make the presentation. Mr. Elliott thanked Mr. Hockaday for his assistance with this project as well as other projects.

Mr. Elliott advised in September of last year Eccologix made a presentation to Council regarding a Deer Harvesting/Management program. Mr. Elliott advised the program was very costly and since then information had been obtained from various agencies and individuals and a reduced program to manage and harvest deer was developed. Mr. Elliott advised the pilot program focused on safety and would be limited to harvesting deer by bow and arrow primarily on large tracts of public property.

Mr. Elliott noted the goal was to restore the balance of deer not eliminate white- tailed deer. Mr. Elliott advised a public meeting would take place first with the Ohio Department of Natural Resources (ODNR) to discuss the pilot program and hear resident's concerns. Mr. Elliott noted ODNR estimated the deer herd in Ohio to be 17,000 in 1970 and in 2005 it was estimated to be 700,000. Mr. Elliott turned the presentation over to Mr. Hockaday.

Mr. Hockaday discussed the background on white-tailed deer, understanding deer management, IES report highlights which included deer-vehicle collision data, disadvantages of residents intentionally feeding deer, differences in attitudes among Township and City residents regarding whether or not deer were problematic, deer damage reported by Oxford residents and resident support for a variety of deer management strategies. Mr. Hockaday discussed various deer management options which included the following:

Allow 'nature' to take its course
Yard Fencing & Repellents
Citywide Roadside Clearing, Fencing, & Repellents
Trap and Transfer
City-Regulated Feeding Ban
Contraceptives
Sharpshooters
Regulated Bow-Hunting (private property)
Regulated Bow-Hunting (city-owned property)

Mr. Hockaday discussed the City's recommendations which included the following:

Enacting a city-wide wildlife feeding ban Ordinance
Provide education on fencing options and repellants for homeowners
Make improvements to the City's signage warning motorists of deer crossing areas
Establish a pilot program to harvest deer on isolated public-property by select hunters who were approved by the City Manager

Mr. Elliott advised three things needed to occur prior to initiating a Deer Management/Harvesting Program as follows:

Schedule an Open House with ODNR for public education and to receive public input and concerns

Introduce legislation to amend laws prohibiting hunting in City limits

Adopt legislation to implement a pilot program for Deer Management/Harvesting

Mayor Dana thanked Mr. Hockaday and Mr. Elliott for their efforts regarding this initiative.

Ms. Fischer advised she would support legislation banning the feeding of deer and would support additional signage regarding deer crossing areas on U.S. 27 South.

Ms. Fischer noted Nuisance Licenses could be applied for from the State to allow deer harvesting outside of City Limits.

Mr. Keebler and Mr. Bogard advised they supported moving forward with all of the recommendations.

Mr. Rutherford inquired if there was an age restriction with regard to deer harvesting and Mr. Hockday advised he was not aware of an age restriction although this would be an antlerless only program.

Mr. Ross advised he did not support additional signage but was all for the proposed project.

Mayor Dana advised she supported the proposed project.

Mr. Bruce Blankenship, 5280 Hester Road, addressed Council with regard to extensive deer damage his property had suffered from over the years.

Mr. Jeff McDonald, advised he saw 14 deer on his way to the Courthouse this evening. Mr. McDonald advised he was anxious to see a Deer Management/Harvesting Program move into town which was where the real problem was and where he wanted to see the program evolve as soon as possible.

Mr. Elliott noted an Open House would be scheduled and staff would begin preparing legislation.

Mr. Rutherford suggested using large private tracts of land such as the Oxford Country Club for the Deer Management/Harvesting Program and Mr. Elliott advised that was a possibility. Mr. Rutherford inquired if there were legislative restrictions regarding state owned property. Mr. Elliott advised the university would probably not be approached this year with regard to the program.

Mr. Elliott advised Time Warner Cable was changing their channel lineup and all customers should receive the information.

Mr. Elliott discussed a 3 year Fire/EMS agreement proposal that was presented to the Oxford Township Trustees.

Mr. Elliott advised the Capital Improvement Plan was distributed to Council and a Work Session would take place August 25, 2009.

Mr. Ross acknowledged Mr. McKeehan and Mr. Blackburn who were in attendance and candidates for City Council.

Mr. Bogard commended the City's road resurfacing program.

Mr. Bogard noted the annual 'Walkabouts' would take place Sunday welcoming students back to Oxford.

Mr. Bogard advised he toured the new Farmers School for Business on campus today which was magnificently beautiful and would be a model for other Business Schools.

Ms. Fischer noted input should be obtained from the SCRC with regard to the 'Snow Emergency' Ordinance and especially with regard to how the information was relayed to students. Ms. Fischer offered to discuss the matter with the SCRC as well as other issues if Council members wished her to.

Ms. Fischer commented on the increased traffic within the City due to students moving in this week and encouraged people to use alternate transportation such as walking and bicycling.

Ms. Fischer noted she would like Council to look at the issue of using more waste wheelers within the City.

Ms. Fischer encouraged citizens to file petitions for the four City Council seats which would be available in November noting the deadline for filing was Thursday.

Mayor Dana noted the annual Pig Roast was next Thursday, August 27, 2009.

Mayor Dana recapped the meeting schedule noting the HAC and HAPC would hold an Open House at the Community Arts Center on September 22, 2009 from 5-7 p.m.

ADJOURNMENT

Ms. Fischer moved to adjourn at 9:34 p.m. Mr. Bogard seconded. The motion passed 6-0-0.

A work session of the Oxford City Council was called to order by Mayor Prue Dana Tuesday, August 25, 2009, at 7:04 P.M. Those Council members present were Alysia Fischer, Kate Currie, Richard Keebler, and Ken Bogard.

Staff members present: Doug Elliott, City Manager; Joe Newlin, Finance Director; Mike Dreisbach, Service Director; Steve Schwein, Police Chief; Gail Brahier, Parks and Recreation Director; Alan Kyger Economic Development Director; Heidi Hill, Assistant Finance Director and John Detherage, Fire Chief

Also present were John Harmon, City Council Candidate and Ryan Gauthier of the Oxford Press.

APPROVAL OF AGENDA

Ms. Currie moved approval of the Agenda. Ms. Fischer seconded. The motion carried 5-0-0.

CAPITAL IMPROVEMENT PROJECTS (CIP)

Mr. Elliott and Mr. Newlin presented the proposed five-year Capital Improvement Plan which included information on the following:

- Funding sources proposed for the 2010 CIP Expenditures
- Detailed list of proposed construction projects
- Detailed list of proposed equipment purchases

ADJOURNMENT

Ms. Fischer moved to adjourn at 8:32 P.M. Ms. Currie seconded. The motion carried 5-0-0.

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: September 1, 2009

Account Code No. #:

Kathryn A. Dale
Prepared By

Budgeted Amount:

August 18, 2009
Date Prepared

Agenda Title: **HAPC SPECIAL Meeting Report – August 17, 2009**

DISCUSSION:

Review of Historic Award Nominations:

The following nomination applications were received and reviewed:

Preservation Award (Awarded by City):

1. **103 W. Walnut Street**, Kimberly & Kathryn Peterka, Barrows-Clough/ Gilchrist-Moore House, c. 1840, for Project Excellence in Exterior Restoration of a Mixed-Use/ Commercial structure.
2. **26 & 28 W. High Street**, Tom & Heather Kacachos, Davis Hall, 1872, for Exterior Restoration of a Mixed-Use/ Commercial Structure.

Historic Plaques (Purchased by Owner):

1. **103 W. Walnut Street**, Kimberly & Kathryn Peterka, Barrows-Clough/ Gilchrist-Moore House, c. 1840.
2. **131 W. Collins**, Prudence Dana, Kelly-Douglass Cottage, c. 1850.
3. **10 S. College,** Oxford Community Arts Center/ Miami University, Oxford Female Institute/ Oxford College.

All applications were approved with the exception of 26 & 28 W. High. This application was incomplete and did not provide dates, structure name or any historic documentation other than before and after photographs of the recent restoration project. The Commission has agreed to work with the owner to help research the historic documentation and will give this project serious consideration at the next award ceremony in May 2010.

Correspondence and Announcements:

The HAC/HAPC Open House and Historic Marker Awards will be presented September 22, 2009 between 5-7 p.m. at the Oxford Community Arts Center. Ms. Dale distributed the flyer that would be dispersed for the Open House.

The next regular HAPC meeting is scheduled for September 2, 2009.

Approved By:

	Initial	Date
Department Head:	JHC	8/18/09
City Attorney:		
City Manager:		8/20/09

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: August 20, 2009

Kathryn A. Dale
Prepared By

Account Code No. #:

Budgeted Amount:

August 20, 2009
Date Prepared

Agenda Title:	**Board of Zoning Appeals – August 19, 2009 Meeting Report**

Recommendation:	**N/A**

PUBLIC HEARINGS:

BZA-07-2009 – 4135 Millville-Oxford Road, *Variance to Section 1143.01(c)(3)A, building height exceeding 35'; Section 1149.03(e)(4)D, light pole height exceeding 16'; Section 1149.03(e)(4)F, minimal parking landscaping not met, & 1141.01(a)(2)F tennis court landscaping* ***SHP Leading Design, Applicant.***

Staff provided a review of the four variances the Appellant was requesting relief from.

The Appellant is proposing an 8' high fence around the tennis courts; 6' is the maximum permitted height and must be screened with landscaping. The Appellant indicated that a variance is necessary because stands would likely be set up on the outside of the fence for spectators. Furthermore, OHSAA requires certain heights for fencing, that wind screen/mesh fencing would be required on the south, and west sides of the courts. Overall, the fence will be chain link and green coated. Staff referred to the fence that this requirement in the code and stated it was intended for private residential courts, but had to be requested because of the residential zoning designation assigned. No other sports related fields are regulated in the zoning code.

The Auditorium, Gymnasium, Rotunda, and the 2-story classroom wing all exceed the 35' height requirement. 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). The Appellant indicated that this was a typical request for new schools; however, building must be this high in some locations to meet state regulations for school structures.

Two options were provided by the Appellant for the lighting plan of the parking area. Option 1 shows all 16' poles in accordance with the code (115 poles). Option 2 has a mixture of 16' & 30' poles (53 poles). Standard school lighting for safety is typically 30' and the school is attempting to meet high LEED standards, which a 30' pole would provide for a LEED Light Pollution Reduction Credit. The second option shows higher poles, which would require fewer poles but provide better coverage. The Appellant stated that the higher lights would also cut down on light pollution and vibrancy of the lights. Stadium lighting is not specifically regulated in the zoning code. When asked, the Appellant did say that cost was one factor, but not the only factor in making this request.

Raised, landscaped, and curbed islands 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 and at every interval of seven parking spaces in a row. Approximately 37 interior, landscaped, parking islands were needed. A parking area shall have two trees per parking facility plus one tree for every five parking spaces or fraction thereof generally distributed throughout the parking area. 91 trees are required and this does not include landscaping shown around the building or the street medians. The Appellant answered many questions regarding the function of the bio-retention/bio-filtering system. Staff shared the Codes purpose statement for requiring landscaping and stated that the governmental services will not adversely affected if the landscaping is not installed, but may actually be assisted with this new bio-filtering system and that the character of the neighborhood will not be substantially altered by this particular variance or any of the variances requested.

No public comments were received.

The BZA deliberated and made the following findings of fact:

1. The property would yield a reasonable return and could be beneficially used without the variances.
2. The variances are substantial, however are necessary to meet Ohio School Facilities Commission (OSFC) standards for schools and LEED requirements.
3. The character of the neighborhood would not be substantially altered, nor would the adjoining properties suffer substantial detriment as a result of the variances being granted because (a) the nearest residential structures are over 500 feet away and (b) the requested variances are typical of those required to construct a desirable, modern school facility in a residential area.
4. Constructing the building as required by the OSFC without the requested variances would be detrimental to the delivery of water services, as reported in the Engineering Department's report.
5. The Applicant's predicament in regards to the building height cannot be obviated through some other method other than a variance due to OSFC standards for schools. The Applicant could meet the lighting requirement, but the coverage would be substantially less effective.
6. The installation of shrubbery or low level landscaping at the ends of the eastern parking islands would not be detrimental to the bio-detention system presented by the Applicant.
7. The property owner purchased the property when it was under County regulations, prior to its annexation into the City of Oxford.
8. The spirit and intent behind the zoning requirements would be observed and substantial justice done by granting the variances.

After considering and weighing these facts and circumstances, the Board found that practical difficulty was shown sufficient to warrant granting the variances requested, and voted 4-0-1 to APPROVE the application with the following condition:

1. That, shrubs and other appropriate low-level landscaping, excluding trees, are to be provided at the terminal ends of the eastern parking islands.

The next BZA meeting is scheduled for September 16, 2009. A sign variance in the "R3" District is scheduled.

Approved By:		**Initial**	**Date**
	Department Head:		8/24/09
	City Attorney:		
	City Manager:		8/28/09

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: September 1, 2009

Account Code #: 122.720.52450 & 123.730.52450

Budgeted Amount: $50,000 / $14,500

Service Department
Originating Department

Michael B. Dreisbach
Prepared By

August 24, 2009
Date Prepared

Agenda Title: Purchase of Road De-icing Salt in Conjunction with Butler County Engineer's Office Purchasing Contract

Recommendation: Approval

Discussion: The City of Oxford expects to purchase approximately 1,000 tons, more or less, of road de-icing materials in the balance of 2009 and during calendar year 2010.

The Streets & Maintenance Division has been working with the Butler Co. Engineer's Office to provide the City with the opportunity to piggyback onto Butler County's procurement bid for road de-icing salt. By pooling our purchasing power with several jurisdictions, the City receives more favorable pricing for our deicing material purchases.

Butler County has awarded a contract to **North American Salt Co.** at the following rates:

	Salted dumped at our facility	**Salt stacked inside our dome**
North American Salt Co.	**$62.01 per ton**	**$65.01 per ton**

This price represents an increase of 20.6% over prices from 2008 and reflects extraordinary price increases in this commodity due to relatively limited supply and very high demand the past two seasons. Many Ohio communities were paying in excess of $75.00 per ton last year.

It is Staff's recommendation that Council approve a Resolution accepting the bid of North American Salt Co. and authorize the City Manager to enter into an agreement with North American Salt Co. for the purchase of road de-icing materials for an amount not to exceed $95,000.

NOTE: While the budgeted amount is not sufficient to purchase the maximum quantity authorized by this Resolution, staff is requesting POSSIBLE additional purchasing capacity should an extreme winter warrant the purchase with additional funds authorized by Council through a supplemental appropriation.

Approved By:

	Initial	Date
Department Head:	MBD	8/26/09
City Manager:		8/26/09

RESOLUTION NO.

RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE CONTRACT SECURED BY BUTLER COUNTY AND AUTHORIZING THE CITY MANAGER TO PURCHASE FROM NORTH AMERICAN SALT CO. ROAD DE-ICING MATERIALS FOR AN AMOUNT NOT TO EXCEED $95,000.00.

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

SECTION 1: The City Manager and Service Director hereby recommend Council authorize the City Manager to enter into a contract with North American Salt Co. for the purchase of road de-icing materials. The City Manager and Service Director have reviewed the bidding process and contracts obtained, as a result of the Butler County Engineer's bid for road de-icing materials and find that the bid of North American Salt Co. to be the lowest and best bid submitted to the Butler County Engineer's Office.

SECTION 2: Council hereby accepts the recommendation of the City Manager and Service Director and hereby authorizes the City Manager to enter into a contract under the terms obtained by the Butler County Engineer's Office with North American Salt Co. for bulk de-icing sodium chloride at a price of $62.01 per ton (dumped) and $65.01 per ton (stacked) for a total cost not to exceed $95,000.00. Council further finds that for 2009 purchases sufficient funds to meet the maximum amount to be paid for bulk de-icing materials have been appropriated and remain unencumbered for said purpose.

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

Community Development Department
Originating Department

Council Meeting Of: September 1, 2009

Account Code No. #:

Jung-Han Chen
Prepared By

Budgeted Amount:

August 26, 2009
Date Prepared

Agenda Title:	**A Resolution Authorizing the Assessment of Delinquent Charges for the Cutting and Removal of Weeds, Vegetation and/or Grass to be Placed on the Butler County, Ohio Property Tax Duplicate**

Recommendation:	**Approval**

Discussion:
Certain properties in the City have failed to abate tall grass violations, causing the City to initiate the abatement with City funds. A list of properties is attached with this resolution for your information. The purpose of this resolution is to assess these properties for the cost of abating the violations. The City will eventually be reimbursed either when the property tax is due or when the property is transferred.

The Butler County Auditor's Office only place delinquent charges on property taxes once per year. The deadline is September 14, 2009. Staff is also reviewing the notification process for tall grass issues for future legislation consideration.

Approved By:

	Initial	Date
Department Head:	JHC	8/25/09
City Attorney:		
City Manager:		

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE ASSESSMENT OF DELINQUENT CHARGES FOR THE CUTTING AND REMOVAL OF WEEDS, VEGETATION AND/OR GRASS TO BE PLACED ON THE BUTLER COUNTY, OHIO PROPERTY TAX DUPLICATE.

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

SECTION 1: The procedure in the Oxford Codified Ordinance Sections 935.19 to Section 935.22 for the removal of noxious weeds, vegetation and/or grass and the notice to cut was hereby followed.

SECTION 2: The owner of property indexed on the list that is attached hereto as Exhibit "A" and made a part of this Resolution being lots in the City of Oxford, Ohio, have been provided with written notice to cut and remove weeds, vegetation, and/or grass.

SECTION 3: The owner of property indexes on the list that is attached hereto as Exhibit "A" and made a part of the Resolution being lots located in the City of Oxford, Ohio, have failed to cut and remove weeds, vegetation, and/or grass in compliance with the notice.

SECTION 4: The City of Oxford, Ohio then caused said cutting and removal of weeds, vegetation, and/or grass from each property on the list that is attached hereto as Exhibit "A".

SECTION 5: All expenses and labor costs incurred by the City of Oxford, Ohio during the cutting and removal of weeds, vegetation, and/or grass were paid out of Municipal funds.

SECTION 6: The owner of the property indexes on the list that is attached hereto as Exhibit "A" was provided with written notice to refund the labor costs incurred by the City of Oxford, Ohio within fifteen (15) days after the expenses were incurred. The owner was also notified that, failure to remit the labor costs incurred by the City of Oxford, Ohio would result in an assessment to the property tax duplicate.

SECTION 7: The owner of the property indexes on the list that is attached hereto as Exhibit "A" failed to refund the labor costs incurred by the City of Oxford, Ohio and this delinquent charge can be recovered by certification to the Butler County Auditor's Office for placement on the next property tax duplicate of the owner of said property pursuant to Oxford Code Section 935.22(B) and Ohio Revised Code Section 731.54.

SECTION 8: The City Manager is hereby authorized to certify delinquent charges to the Butler County Auditor for placement on the property tax duplicate of the owners of the property indexes on the list that is attached hereto as Exhibit "A" and made a part thereof, being lots located within the City of Oxford, Ohio.

SECTION 9: Should an owner of property titled on Exhibit "A" pay to the City of Oxford all costs incurred by the City of Oxford, Ohio after the adoption of this Resolution, and prior to the filing of this resolution with the Butler County Auditor's office, the City Manager is hereby authorized to remove the owners name and parcel from Exhibit "A".

SECTION 10: The Clerk of Council shall immediately on adoption of this Resolution certify a copy of this Resolution and shall cause a copy to be filed at the Butler County Auditor's office.

SECTION 11: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including, but not limited to Section 121.22 of the Ohio Revised Code.

SECTION 12: 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)

EXHIBIT "A"

Parcel ID#	Property Address:	Owner/Address:	Amount:
H4100103000031 (OL 24 E 182 OF S 60)	520 S. Main Street Oxford, Ohio 45056	Roselelia L. Patton 3728 Iona Avenue Cincinnati, Ohio 45213	$135.00
H4100020000081 (Lot 3522 ENT)	425 Jacob Drive Oxford, Ohio 45056	Lee Ann Shoker, TR 3687 Kehr Road Oxford, Ohio 45056	$285.00
H4100020000010 (Lot 1307 ENT)	5234 Hester Road Oxford, Ohio 45056	Roy D. Hendricks 11626 SR 38 Green Fork, IN 47345	$310.00
H4100008000089 (585 ENT & S16½ Vac ST)	333 W. Church Street Oxford, Ohio 45056	The Bank of New York 400 Countrywide Way Simi Valley, CA 93065	$110.00

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Community Development Department
Originating Department

Council Meeting Of: September 1, 2009

Account Code No. #:

Jung-Han Chen
Prepared By

Budgeted Amount:

August 24, 2009
Date Prepared

Agenda Title: 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**

Recommendation: Approval

Discussion:
The Planning Commission held a Public Hearing on this Final Subdivision proposal for Phase I.

Phase I consists of 5.434 acres and seven 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, only one will be constructed during this Phase. The Homeowner's 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 on Poplar Street will also be upgraded from a 12" to an 18" main.

The Planning Commission inquired about the HOA sign requirements and the Ohio EPA comments regarding the sanitary sewer. Mr. Victor Popescu, City Engineer, presented that the Applicant had made the necessary revisions regarding the sanitary and did not expect any more concerns to be raised by the EPA.

Public concern was raised regarding street standards not being met or the requirement that states new subdivision blocks can be no deeper than 300 feet. City Staff clarified that the Planning 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 I substantially represented what was approved in the Preliminary and voted 5-0-0 to Approve with conditions:

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

Approved By:		Initial	Date
	Department Head:	JHC	8/24/09
	City Attorney:		
	City Manager:		8/24/09

ORDINANCE NO.

ORDINANCE APPROVING THE FINAL SUBDIVISION APPLICATION FOR CAMPUS COMMONS SUBDIVISION, PHASE ONE WITH CONDITIONS.

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 and August 11, 2009 on the application of Paul W. Baer Trust Properties, L.L.C./Robert Broestl, P.E. for approval of the final subdivision for Campus Commons Subdivision, Phase One.

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

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

a) The final approval from the Ohio EPA is received regarding the sanitary sewer.
b) The Home Owners Association Declarations are reviewed and approved by the Law Director prior to the final recording.
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

Report Date	September 1, 2009
Case Number	PC-10-2009
Applicant Information	Robert Broestl, P.E. Paul W. Baer Trust Properties LLC
Requested Action	Final Subdivision – Campus Commons, Phase 1
Summary of Request	To Allow for a Proposed Residential Subdivision in a R2MS (Single and Two Family Residential) District
Public Hearing Information	On July 14, 2009 and August 11, 2009 Public Hearings were held at 118 West High Street. Legal notices of the hearings were published in the Oxford Press on June 1, 2009 and July 1, 2009.
Commission Action	The Planning Commission voted 5-0-0 to recommend to City Council ***APPROVAL*** of the final subdivision with the following conditions: 1. That, the City Engineer receives final EPA approval regarding the sanitary sewer; 2. That, the Homeowner's Association documents are reviewed and approved by the City of Oxford Law Director.
Commission Findings and Conclusions	At the August 11, 2009 meeting, the Planning Commission approved the final subdivision with conditions listed above.
Exhibits Submitted to the Commission	1. Staff Report dated July 17, 2009 2. Interoffice Review Transmittal Sheets from Fire, Engineering, Police & Economic Development dated May 29, 2009 3. Review and Comment Form 4. Ordinance No. 3030 5. Letter of Agency 6. Final Subdivision Application 7. Applicant Correspondence 8. Project Site Map 9. Tree Planting Layout 10. Final Record Plat 11. Plat of Survey 12. Approved Preliminary Plan 13. Home Owners Association By-Laws

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-10-2009 **Date – August 11, 2009**

APPLICATION	
Applicant:	Paul W. Baer Trust Properties, LLC/ Robert Broestl, P.E.
Location:	South Poplar and Campus Avenue; 540 S. Campus Avenue Parcel ID: H4100103000092, H4100103000095, H4100103000097, & H4100106000150
Owner:	Paul W. Baer, Trust
Action Request:	Final Subdivision Phase I
Current Use:	Vacant
Current Zoning	R2MS
Surrounding Existing Land Uses:	Single-Family/Multi-Family & Miami University

GENERAL DESCRIPTION

The Applicant seeks approval of the Final Subdivision Plat to subdivide Phase I of the Campus Commons Subdivision. The subject site consists of approximately 7.81 gross acres including the existing Campus Courts apartment complex. Phase I, according to the application, consists of 5.434 acres. The subdivision was required to provide an additional right-of-way requirement along Poplar Street and improve Poplar Street from the northern property line to the new Rose Avenue extension; however, the Applicant is proposing to continue the Poplar Street improvements to Central Avenue. Phase I will construct the Rose Avenue extension to Campus Avenue and a part of the Poplar Street Extension from Central Avenue to Lot D7.

Two drainage basins are shown in Phase I; however, just one will be constructed during this Phase. One basin is at the rear of lots D1 & D2 and the second basin is located on the existing Campus Courts apartment complex lot. The second basin will be constructed during Phase II. 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.

Approved Preliminary:	**Phase I:**
7.81 gross acres *including*	5.434 acre tract
Campus Courts Apartment Complex	
20 two-family residential lots	7 two-family residential lots
2 single-family residential lots	

City Council approved Planning Commission's recommendation November 18, 2008 with conditions as outlined in Ordinance #3030.

1. The maintenance of the pedestrian walking path and retention areas are the sole responsibility of the property owner and its successors and that the Homeowners Association Covenants are recorded with the Final Development Plan, and acceptable to the City's Legal Counsel.
2. A pedestrian path is provided from the edge of the existing Campus Courts parking lot, westward to Poplar Street.

3. Vehicular ingress/egress to the existing Campus Courts Apartments shall be accessed only from Campus Avenue and shall not be permitted from Poplar Street, unless the Campus Avenue curb cut is eliminated.
4. Vehicular ingress/egress to D18 shall only be accessed from Wooster Place and shall not be permitted from Campus Avenue.
5. The proposed pedestrian walking path(s) is paved in accordance with the City of Oxford's sidewalk standards.
6. The tree plan presented is submitted as part of the Final Development Plan, in accordance with the City of Oxford Chapter 935.05 Official Street Tree Species List and Street Tree Plan.
7. As presented, the project shall be completed in three phases, each phase to be completed within two years (Phase 1, Rose Street Extension and Lots D1-D6 by 2010; Phase 2, Bern Street Extension and Lots D7-D14 and S1 by 2012; and Phase 3, Wooster Place Extension and Lots D15-D20 and S2 by 2014) . Furthermore, the infrastructure improvements as presented, regarding the abandonment and relocation of an existing 12" sanitary sewer line going through the parking lot of Campus Courts Apartments is completed during Phase 1.
8. The full connectivity of Poplar Street from the northern property line to Central Avenue shall be complete within 2 years from the start of Phase 2.
9. Perpetual easements to the drainage basins are granted to the Homeowners Association and acceptable to the City's Legal Counsel.

The property is zoned "R2MS" Single and Two-Family Mile Square Residential and is required to have 7,500 sq. ft. lots with 75 foot lot widths. All of the lots as presented in this Final Subdivision application satisfy the zoning requirements.

SURROUNDING NEIGHBORHOOD

The site is located in the Mile Square and is west of the Miami University campus. The surrounding neighborhood is primarily residential to the north, west and south. There is a mix of single-family and multi-family units surrounding the property including the Faith Evangelical Lutheran Church and Delta Sigma Pi Fraternity to the northeast.

COMPREHENSIVE PLAN

The 2008 Comprehensive Plan focuses on connectivity via roadways, sidewalks and walking paths; continuing missing road segments and infill development. To continue the neighborhood qualities of the Mile Square, this proposed subdivision is including street trees, adequate lighting, and tree lawns. Water and sanitary services are also being upgraded for better service.

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:	Applauds the connectivity.
Engineering:	See Attached.
Fire:	Returned with no comments.
Econ. Dev.:	Returned with no comments.

PUBLIC COMMENT FORMS

Comment forms were sent July 1, 2009 to 46 owners of record. A legal notice was published July 10, 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 "R2MS" Single and Two-Family Mile Square Residential District. Conditions of Ordinance #3030 appear to be satisfied at this time. The "gap lot" is marked on the Phased site plan as being part of Phase II; however, the draft record plat submitted to staff shows that it would be recorded with the existing Campus Courts apartment complex during Phase I for the purpose of satisfying the underlying zoning requirements for lot coverage and size. The pedestrian path through the "gap" will not be constructed until Phase II when Poplar is continued past Linden Drive, so as not to encourage pedestrians to "cut-thru" an active construction area.

Again, this Final Subdivision application substantially reflects the design and layout of the approved preliminary plan.

RECOMMENDATION

Not Applicable.

SUBMITTED
BY: Kathryn A. Dale

Kathryn A. Dale, AICP, Planner
Community Development Department

DATE: July 17, 2009

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 5/29/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-10-2009

Description:

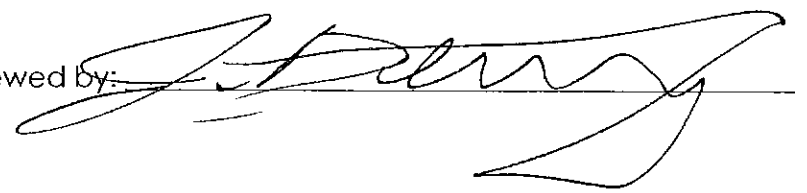
PC-10-2009 FINAL SUBDIVISION – South Campus Avenue, Campus Commons, proposed residential subdivision (R2MS Single and Two Family Residential) **Paul Baer Family Trust, Robert Broestl, P.E. Architect, Applicant**

_____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: 

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 5/29/2009

To: Fire Department (Engineering Division) Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-10-2009

Description:

PC-10-2009 FINAL SUBDIVISION – South Campus Avenue, Campus Commons, proposed residential subdivision (R2MS Single and Two Family Residential) **Paul Baer Family Trust, Robert Broestl, P.E. Architect, 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: H. Spencer 6-15-09

to Eng 5/29/09 1:53 pm

Baer Final Comments
6/24/09

CITY OF
OXFORD
HOME OF MIAMI UNIVERSITY

Memo

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

TO: Community Development Department

FROM: Victor Popescu, P.E.
City Engineer

RE: Case #: PC-10-2009
Campus Commons Subdivision – Phase I

DATE: June 15, 2009

Below are our comments.

Plan Sheet 2/2.

- The "Typical Section" for the street construction does not indicate an ODOT Item 407 between the two (2) asphalt concrete courses.
- The "Typical Section" for the street construction does not identify the ODOT item numbers for the two (2) asphalt concrete courses. Use item 446 for the intermediate course, and item 448 for the surface course.
- The subdivision regulations require that the plat be signed and sealed by a registered surveyor. This submittal contains a statement that a registered surveyor will sign the final plat.
- Ordinance 3030, Section 3 (g), adopted November 18, 2008, states that Phase I will consist of "... Rose Street Extension and Lots D1 – D 6..." The submittal indicates that Lot D7 will be part of Phase I.

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

Kathy Dale

From: Victor Popescu
Sent: Tuesday, August 04, 2009 8:51 AM
To: Kathy Dale
Subject: FW: Campus Commons PTI application
Attachments: CampusCommons1.doc

FYI

Victor Popescu, P.E.
City Engineer
City of Oxford
1-513-524-5216
vpopescu@cityofoxford.org

CONFIDENTIALITY NOTICE:
This information transmitted is intended only for the person or entity to which it is addressed and may contain personal information which is privileged and confidential. If you receive this material/information in error, please contact the sender and delete or destroy the material/information immediately.

-----Original Message-----
From: Victor Popescu
Sent: Tuesday, August 04, 2009 8:51 AM
To: 'Bob Broestl, Bellecci and Associates, Inc.'
Subject: FW: Campus Commons PTI application

Bob:
Please see the attachment. I need you to address the "Engineering Drawings" issues. I can take care of the rest. As you will note, Ohio EPA wants revised drawings, as well. This is the first project since I've been here that was not approved on the first try.
Thanks,

Victor Popescu, P.E.
City Engineer
City of Oxford
1-513-524-5216
vpopescu@cityofoxford.org

CONFIDENTIALITY NOTICE:
This information transmitted is intended only for the person or entity to which it is addressed and may contain personal information which is privileged and confidential. If you receive this material/information in error, please contact the sender and delete or destroy the material/information immediately.

-----Original Message-----
From: Ned Sarle [mailto:Ned.Sarle@epa.state.oh.us]
Sent: Friday, July 31, 2009 12:45 PM
To: Victor Popescu
Subject: Campus Commons PTI application

Attached is a copy of my comment letter. A signed hard copy will be sent to you.

If you have any questions or comments, please contact me.

Ned Sarle
Ohio EPA, Southwest District Office
Division of Surface Water
401 East Fifth Street
Dayton, Ohio 45402-2911
Phone: (937) 285-6096
Fax: (937) 285-6249
e-mail: ned.sarle@epa.state.oh.us

OhioEPA
State of Ohio Environmental Protection Agency

Southwest District Office
401 East Fifth Street
Dayton, Ohio 45402-2911
TELE: (937) 285-6357 FAX: (937) 285-6249
www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

August 4, 2009

Mr. Victor Popescu
City of Oxford
101 East High Street
Oxford, Ohio 45056-1887

Re: Butler County, Campus Commons, Phase 1, PTI Application

Dear Mr. Popescu:

On July 15, 2009, the Ohio EPA received the detailed plans of the gravity sanitary sewer system for the Campus Commons, Phase 1 in Oxford, Ohio. At this time, I have completed my initial review of these plans. The following items will have to be addressed before I will be able to continue my review of the detailed plans:

Sanitary Sewer and Pump Station Data Sheet

1. On page 1 of 5, number 2, the pipe specifications for the 8 inch PVC pipe and the 18 inch DIP must be addressed.

2. On page 1of 5, number 2, maximum distance between the sanitary sewer manholes is indicated as being 442 feet. Ten State Standards limits this distance to no more than 400 feet. Please indicate if the City of Oxford has the necessary equipment to clean this pipe. Please also provide the justification for proposing a distance that exceeds this standard.

Engineering Drawings

1. On page 5 of 8, the 18 inch gravity sanitary sewer is proposed to pass through an existing 54 inch storm sewer. Please address the following comments:

   a) Please indicate why another alignment cannot be proposed for the sanitary sewer. Please also indicate why the storm sewer could not be relocated to eliminate this crossing.

   b) The Ohio EPA is concerned about displacement impacts to the sanitary sewer due to the flow in the storm sewer. Please indicate why a thrush block or concrete encasement is not required to prevent the sewer displacement.

c) Please indicate how the necessary hydraulics in the storm sewer will be maintained.

d) Please provide an overview and profile of the storm sewer manhole that contain both the storm sewer pipe and the sanitary sewer pipe.

e) Please clearly indicate that the DIP will not have any joints constructed within the storm sewer pipe.

f) The sanitary sewer pipe should be inspected on an appropriate schedule. This should include an annual inspection and an inspection after any large rain event.

g) Finally, the City of Oxford indicated that a similar situation existed with the community. Please provide any relevant information about this case.

A written response addressing all areas discussed in my letter should be submitted. In addition, you are required to submit three complete sets of revised engineering drawings and two copies of the Sanitary Sewer and Pump Station Data Sheet.

If you have any questions, please call me at (937) 285-6096.

Sincerely,

Ned Sarle
Division of Surface Water
Permits Group

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 5/29/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-10-2009

Description:

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

I support the connectivity the project brings.

Drawings reviewed by: _____

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 5/29/2009

To: Fire Department Engineering Division Police Department (Economic Development)

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-10-2009

Description:

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

IT IS NICE TO SEE THE STREET GRID PATTERN CONNECTS WITH THE EXISTING STREETS.

Drawings reviewed by: _____

CITY OF
OXFORD
HOME OF MIAMI UNIVERSITY

CITY OF OXFORD
PLANNING COMMISSION
REVIEW AND COMMENT FORM

Case No.: **PC-10-2009** **Date of Hearing:** **August 11, 2009**

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

If you cannot attend the public hearing on this 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 **August 4, 2009** to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name: TOM CONRAD

Address: 942 WOODBINE CN

NORTHBROOK, IL

Telephone: Home: 847-274-6600 Work: 847-274-6600

COMMENTS: I OWN 4 HOMES WITHIN 2 BLOCKS OF THIS PROPOSED DEVELOPMENT. THIS AREA IS ALREADY TO CONGESTED. I AM AGAINST THIS DEVELOPMENT.

Signature

7/4/09
Date

ORDINANCE NO. 3030

ORDINANCE APPROVING THE PLANNING COMMISSION'S RECOMMENDATION FOR PRELIMINARY APPROVAL OF THE CAMPUS COMMONS SUBDIVISION WITH CONDITIONS.

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

SECTION 1: Council hereby finds that the Planning Commission held a public hearing on October 14, 2008, the purpose of which was to accept public comment on PC-23-2008 the proposed Preliminary Campus Commons Subdivision application.

SECTION 2: The Planning Commission, after a public hearing and discussion, voted to approve a motion recommending approval of the Preliminary Campus Commons Subdivision application with conditions.

SECTION 3: Council hereby accepts the action of the Planning Commission and accepts the recommendation report submitted by the Planning Commission and the applicant's application and all documents filed by the applicant and incorporates the same herein and hereby approves the application of the applicant for the Preliminary Campus Commons Subdivision, subject to the following conditions:

a. The maintenance of the pedestrian walking path and retention areas are the sole responsibility of the property owner and its successors and that Homeowners Association Covenants are recorded with the Final Development Plan, and acceptable to the City's legal Counsel.
b. A pedestrian path is provided from the edge of the existing Campus Courts parking lot, westward to Poplar Street.
c. Vehicular ingress/egress to the existing Campus Courts Apartments shall be accessed only from Campus Avenue and shall not be permitted from Poplar Street, unless the Campus Avenue curb cut is eliminated.
d. Vehicular ingress/egress to D18 shall only be accessed from Wooster Place and shall not be permitted from Campus Avenue.
e. The proposed pedestrian walking path(s) is paved in accordance with the City of Oxford's sidewalk standards.
f. The tree plan presented is submitted as part of the Final Development Plan, in accordance with the City of Oxford Chapter 935.05 Official Street Tree Species List and Street Tree Plan.

g. As presented, the project shall be completed in three phases, each phase to be completed within two years (Phase 1, Rose Street Extension and Lots D1-D6 by 2010; Phase 2, Bern Street Extension and Lots D7-D14 and S1 by 2012; and Phase 3, Wooster Place Extension and Lots D15-D20 and S2 by 2014).
Furthermore, the infrastructure improvements as presented, regarding the abandonment and relocation of an existing 12" sanitary sewer line going through the parking lot of Campus Courts Apartments is completed during Phase 1.

H. The full connectivity of Poplar Street from the northern property line to Central Avenue shall be complete within 2 years from the start of Phase 2.

I. Perpetual easements to the drainage basins are granted to the Homeowners Association and acceptable to the City's Legal Counsel.

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

Prudence G. Dawson
MAYOR

ADOPTED: November 18, 2008

ATTEST:

Mary Ann Eaton
DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW(STAFF)

fIRST
first financial wealth resource

Another step on the path to success

ACT AS AGENT LETTER

May 20, 2009

Oxford Planning Commission
And Oxford City Council
Oxford, Ohio 45056

Dear Sirs:

Please let this letter serve as our authorization for Robert E. Broestl, PE and Michael J. Stegman, legal counsel, to act as our Agents for the Campus Commons Subdivision Application process. Mr. Broestl and Mr. Stegman will be representing First Financial Bank, Trustee for the Paul W. Baer Trust Properties, LLC, Trust Under Will.

Sincerely,

Kathy D. Carmack

Kathy D. Carmack
First Vice President/Trust Officer
First Financial Bank

Case No.: PC-10-09
Date filed: 5/28/09

Final Subdivision Application

City of Oxford, Ohio

REQUIRED INFORMATION

Name of Applicant:	Paul W. Baer Trust Properties, LLC / Robert Broestl, PE	
Mailing Address:	30 Park Terrace Court Walnut Creek, CA 94597	
Telephone Number(s):	925-685-4569	
Name of Subdivision:	Campus Commons (Phase I)	
Date of Planning Commission preliminary approval: 10/14/2008		
Date of City Council preliminary approval: 11/18/08		
Zoning District:	R2MS	
Number of Lots:	9 (7 duplex lots, Campus Courts, Residual Lot)	
Total Acreage:	5.434 Acres	
Surveyor/Engineer:	David Douglas Smith, PS	Robert Broestl, PE
Address:	Bayer Becker 318 S. College Avenue Oxford, OH 45056	30 Park Terrace Court Walnut Creek, CA 94597
Phone Number:	513-523-4270	925-685-4569

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.
o) The name of the proposed subdivision and the name of the surveyor, engineer and owner at the time of subdivision.
p) The names and record owners of all adjoining subdivisions and the names of recorded owners of adjoining parcels of un-subdivided land.
q) North arrow, scale and date.
r) The seal, registry number and signature of the public surveyor who prepared the plat.
s) Any portion of the floodplain as delineated by the Flood Insurance Rate Map (FIRM) Community Panel Number 390731 0001- 0003, revised January 3, 1997, must be clearly illustrated and labeled on the plat.

A list of the names, mailing addresses and parcel numbers of all property owners within 200 feet of the site, including those across streets, roads, alleys and highways. NOTE: The Butler County website (www.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.

Submit this application, required copies of the preliminary plan containing all required information and the required fee **($400.00 PLUS $100.00 PER LOT),** made payable to the City of Oxford, to the office of the Planning Director, Municipal Building, 101 East High Street, Oxford, Ohio 45056. Any questions should be directed to the Planning Department at (513) 524-5204. All required information must be submitted at least fourteen (14) days in advance of the Planning Commission meeting at which action is requested.

NOTE: Incomplete applications will not be processed.

SIGNATURE OF APPLICANT: Robt Broestl **Date:** 5/27/2009

PRINTED NAME: **Robert Broestl**

FEE / RECEIPT

$400.00 PLUS $100.00 PER LOT Fee Paid / Receipt Number: $1,200.00 Pd 866557

Memorandum

Date: May 26, 2009

To: City of Oxford Planning Department

From: Robert Broestl, PE

Re: Baer Family Trust
Final Subdivision Plan for Campus Commons Phase 1

The City of Oxford City Council gave preliminary approval of the Campus Commons subdivision on November 18, 2008 (Ordinance No. 3030), with the following conditions:

a. The maintenance of the pedestrian walking path and retention areas are the sole responsibility of the property owner and its successors and that the Homeowners Association Covenants are recorded with the Final Development Plan, and acceptable to the City's Legal Counsel.

b. A pedestrian path is provided from the edge of the existing Campus Courts parking lot, westward to Poplar Street.

c. Vehicular ingress/egress to the existing Campus Courts Apartments shall be accessed only from Campus Avenue and shall not be permitted from Poplar Street, unless the Campus Avenue curb cut is eliminated.

d. Vehicular ingress/egress to D18 shall only be accessed from Wooster Place and shall not be permitted from Campus Avenue.

e. The proposed pedestrian walking path(s) is paved in accordance with the City of Oxford's sidewalk standards.

f. The tree plan presented is submitted as part of the Final Development Plan, in accordance with the City of Oxford Chapter 935.05 Official Street Tree Species List and Street Tree Plan.

g. As presented, the project shall be completed in three phases, each phase to be completed within two years (Phase 1, Rose Street Extension and Lots D1-D6 by 2010; Phase 2, Bern Street Extension and Lots D7-D14 and S1 by 2012; and Phase 3, Wooster Place Extension and Lots D15-D20 and S2 by 2014). Furthermore, the infrastructure improvements as presented, regarding the abandonment and relocation of an existing 12" sanitary sewer line going through the parking lot of Campus Courts Apartments is completed during phase 1.

h. The full connectivity of Poplar Street from the northern property line to Central Avenue shall be complete within two years from the start of Phase 2.

i. Perpetual easements to the drainage basins are granted to the Homeowners Association and acceptable to the City's Legal Counsel.

Phase 1 of the Campus Commons Subdivision is located within the City of Oxford Mile Square and is located between S. Campus Avenue on the east and the unimproved right of way for S. Poplar Street on the west. The land to be developed consists of two separate parcels. Campus Courts Apartments straddles the lot line of the two parcels. The combined land area of the two parcels in the Final Plat for Phase 1 equals 5.434 acres. The area set aside for the Campus Courts Apartments parcel is 2.36 acres.

The topography of the land is fairly flat, sloping from the northwest to the southeast. A majority of the land consists of grassy fields with trees around the property edges. There are no water courses flowing through or around the property. Existing utilities (sanitary sewer, water and storm drain) are located in the streets and easements directly adjacent to the property.

The proposed development for Phase 1 consists of 7 duplex lots with 75 foot minimum widths with 7,500 square foot minimum lot area. The proposed 30 foot wide roads in a 50 foot right of way match or exceed the character of the existing local roads surrounding the development. Rose Avenue will be extended to its intersection with S. Campus Avenue. Phase 1 will dedicate 20 feet of property along the western property line for S. Poplar Street from the southern property line to the projected extension of Bern Street. Poplar Street will be constructed from Central Avenue north to approximately 170' north of the Rose Avenue/Poplar Street intersection.

The existing sanitary sewer flows toward the development from the west down Wooster Place, Oberlin Court (by easement), Linden Drive, and Rose Avenue to a sanitary sewer main located in the existing S. Poplar Street right of way. The sanitary sewer is collected in a single pipe that flows through the Campus Courts Apartments' parking lot to the sanitary sewer main in S. Campus Avenue. Phase 1 will install a new 18" sewer main in Rose Avenue and upsize the sanitary sewer main in S. Poplar Street from a 12" to an 18" line. The sewer flows currently flowing through the Campus Courts Apartments' parking lot will be rerouted through the new sewer line in Rose Avenue to connect to the sewer main located in S. Campus Avenue. The sewer line through the Campus Court Apartment parking lot will be capped and abandoned up to the first service lateral from the apartments.

Existing water mains currently exist in the S. Poplar right of way, and S. Campus Avenue. Phase 1 will utilize these water mains to connect new water mains through the project along with the necessary number of fire hydrants to provide fire protection.

The storm water management plan for Phase 1 includes the construction of one detention basin that will contain the post development storm water run-off flows and meter the flow out to the predevelopment level. The basin is sized to contain the storm water run-off from a 100 year storm. Since the storm water run-off flows will be metered to match the existing flows from the undeveloped land the existing storm drain pipes should be adequately sized to accept the metered flows from the development. The land where the basin is to be constructed is shown on the Final Plat as a storm drain easement to the Home Owners Association for the operation and maintenance of the storm water detention basin.

FINAL SUBDIVISION APPLICATION

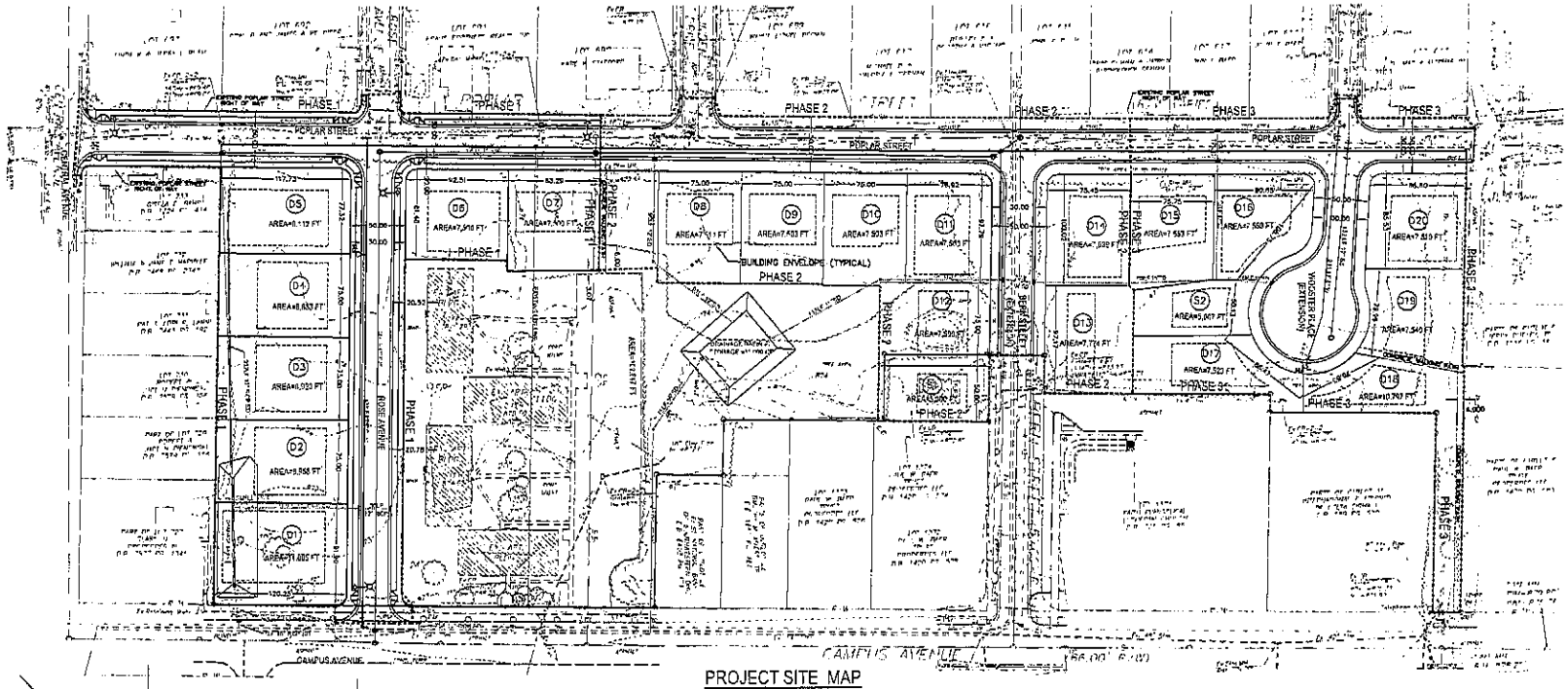
CAMPUS COMMONS SUBDIVISION PHASE 1

COMPOSED OF 5.434 TOTAL ACRES (236,705.04 SQUARE FEET)

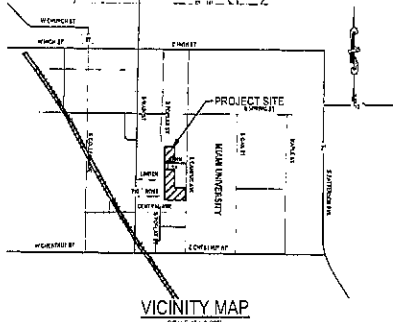
OXFORD, OHIO

MAY 2009

SCALE 1" = 50'



PROJECT SITE MAP



VICINITY MAP

PRELIMINARY CAMPUS COMMONS SUBDIVISION APPROVED BY THE CITY COUNCIL ON NOVEMBER 18, 2008 ORDINANCE NO. 3030 SUBJECT TO THE FOLLOWING CONDITIONS:

A. THE MAINTENANCE OF THE PEDESTRIAN WALKING PATH AND THE RETENTION AREAS ARE THE SOLE RESPONSIBILITY OF THE PROPERTY OWNER AND ITS SUCCESSORS AND THAT HOMEOWNERS ASSOCIATION COVENANTS ARE RECORDED WITH THE FINAL DEVELOPMENT PLAN AND ACCEPTABLE TO THE CITY'S LEGAL COUNCIL.
B. A PEDESTRIAN PATH IS PROVIDED FROM THE EDGE OF THE EXISTING CAMPUS COURTS PARKING LOT, WESTWARD TO POPLAR STREET.
C. VEHICULAR INGRESS/EGRESS TO THE EXISTING CAMPUS COURTS APARTMENTS SHALL BE ACCESSED ONLY FROM CAMPUS AVENUE AND SHALL NOT BE PERMITTED FROM POPLAR STREET UNLESS THE CAMPUS AVENUE CURB CUT IS ELIMINATED.
D. VEHICULAR INGRESS/EGRESS TO DIA SHALL ONLY BE ACCESSED FROM WORCESTER PLACE AND SHALL NOT BE PERMITTED FROM CAMPUS AVENUE.
E. THE PROPOSED PEDESTRIAN WALKING PATH(S) IS PAVED IN ACCORDANCE WITH THE CITY OF OXFORD'S SIDEWALK STANDARDS.
F. THE TREE PLAN PRESENTED IS PART OF THE FINAL DEVELOPMENT PLAN IN ACCORDANCE WITH THE CITY OF OXFORD CHAPTER 908.05 OFFICIAL STREET TREE SPECIES LIST AND STREET TREE PLAN.
G. AS PRESENTED, THE PROJECT SHALL BE COMPLETED IN THREE PHASES. EACH PHASE TO BE COMPLETED WITHIN TWO YEARS | PHASE 1, ROSE STREET EXTENSION AND LOTS D1-D5 BY 2010; PHASE 2, IRON STREET EXTENSION AND LOTS D7-D14 AND S1 BY 2012; AND PHASE 3, WORCESTER PLACE EXTENSION AND LOTS D15-D20 AND S2 BY 2014. FURTHERMORE, THE INFRASTRUCTURE IMPROVEMENTS AS PRESENTED REGARDING THE ABANDONMENT AND RELOCATION OF AN EXISTING 12" SANITARY SEWER LINE GOING THROUGH THE CAMPUS COURTS APARTMENTS IS COMPLETED DURING PHASE 1.
H. THE FULL CONNECTIVITY OF POPLAR STREET FROM THE NORTHERN PROPERTY LINE TO CENTRAL AVENUE SHALL BE COMPLETED WITHIN 2 YEARS FROM THE START OF PHASE 2.
I. PERPETUAL EASEMENTS TO THE DRAINAGE BASINS ARE GRANTED TO THE HOMEOWNERS ASSOCIATION AND ACCEPTABLE TO THE CITY'S LEGAL COUNCIL.

OWNER

PAUL W. BAER TRUST PROPERTIES, LLC
BY: FIRST FINANCIAL BANK, N.A., TRUSTEE OF THE PAUL W. BAER TESTAMENTARY. ITS SOLE MEMBER

ROBERT BROESTL
CIVIL ENGINEERING & LAND PLANNING
PHONE (937) 685-4569

BY	DATE	REVISION

CAMPUS COMMONS – PHASE 1

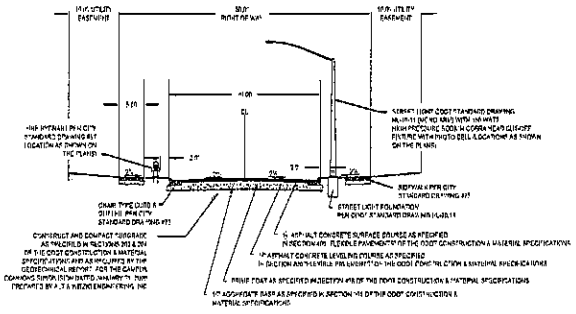
TITLE SHEET

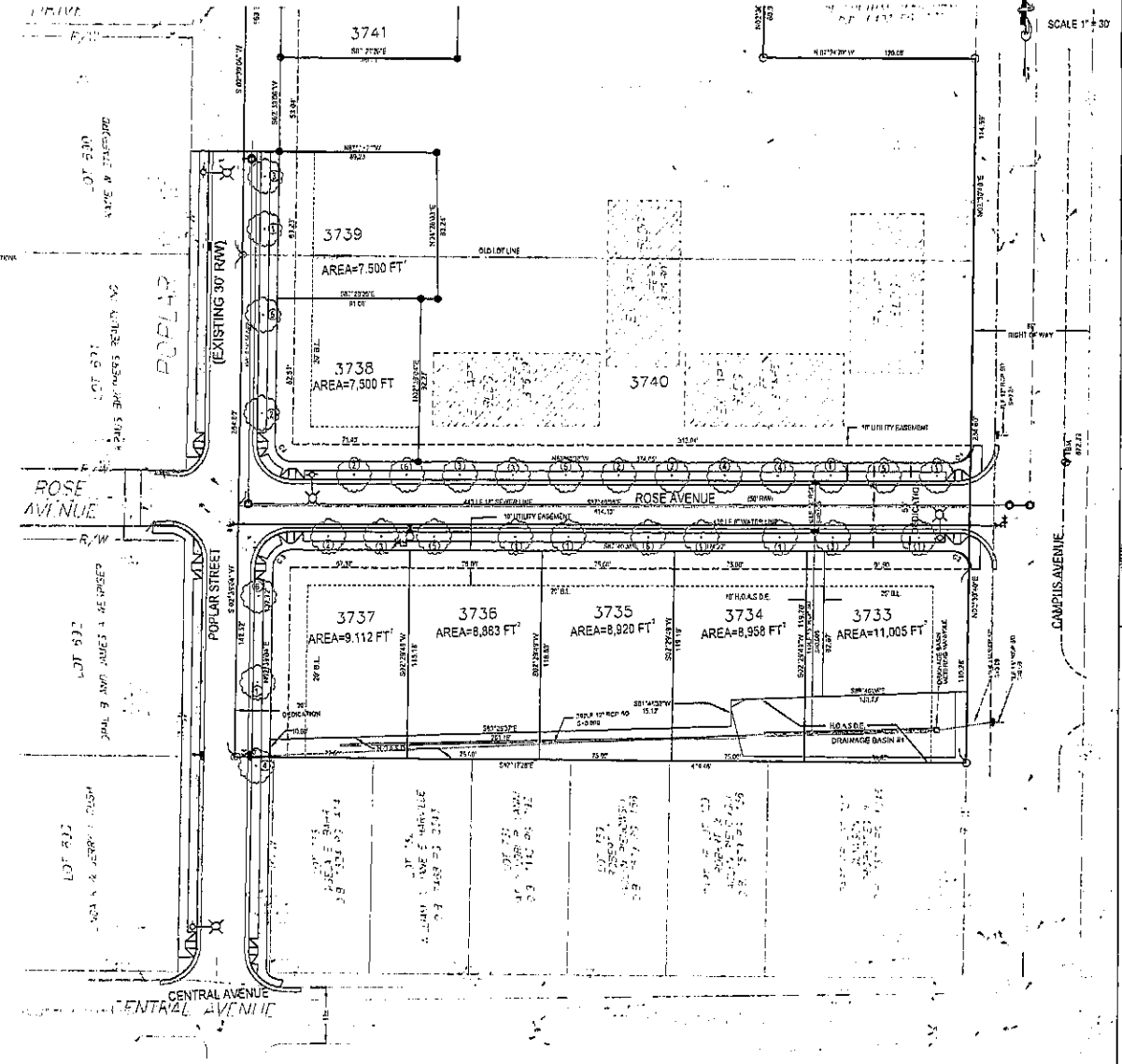
OXFORD, OH — BUTLER COUNTY

MAY 2009

1/2

JOB# 2201





CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	CHORD DIRECTION
C1	13.56	15.00	14.12	N47°35'51"E
C2	15.70	15.00	14.77	N42°24'09"W
C3	13.56	15.00	14.10	S47°28'13"W
C4	15.77	15.00	14.18	S42°24'09"E

LEGEND

- PROPERTY LINE (P.L.)
- RIGHT OF WAY (R/W)
- CENTER LINE (C.L.)
- UTILITY EASEMENT (U.E.)
- BUILDING LINE (B.L.)
- H.O.A. & STORM DRAIN EASEMENT
- FOUND 5/8" IRON PIN
- SET 5/8" IRON PIN WITH CAP
- H.O.A. HOME OWNERS ASSOCIATION
- R/W RIGHT OF WAY
- S.D.E. STORM DRAIN EASEMENT
- LOT NUMBER

EXISTING	PROPOSED	
		WATER VALVE
		GAS VALVE
		UTILITY POLE
		LIGHT
		PARKING METER
		POST
		DECIDUOUS TREE
		CONIFEROUS TREE
		ORNAMENTAL TREE
		TELEPHONE RISER
		FIELD INLET
		CURB INLET
		MANHOLE
		FIRE HYDRANT
		SECURITY LIGHT
		FENCE LINE
		WATER LINE
		GAS LINE
		STORM LINE
		SANITARY LINE
		TREE LINE

Number	Tree Name - Common	Latin Name
1	Tataricum Maple	Acer Tataricum
2	Amur Maple	Acer ginnala
3	Prairiefire Crabapple	Malus 'Prairiefire' (tree form)
4	Centurion Crabapple	Malus 'Centzam' (tree form)
5	Ivory Silk Tree Lilac	Syringa reticulata 'Ivory Silk'
6	Shadblow Serviceberry	Amelanchier arborea

Tree Planting

I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THAT THE ACCOMPANYING PLAT IS THE CORRECT RETURN OF A SURVEY MADE UNDER MY DIRECTION FOR CAMPUS COMMONS PHASE 1. MONUMENTS HAVE BEEN SET AND THEIR LOCATION AND SIZE ARE SHOWN ON THE PLAT AND THAT THE CITY OF OXFORD SUBDIVISION REGULATIONS HAVE BEEN COMPLIED WITH TO THE BEST OF MY KNOWLEDGE.

DAVID DOUGLAS SMITH (WILL SIGN FINAL PLAT AS SURVEYOR OF RECORD)
PROFESSIONAL SURVEYOR #7421 IN OHIO

THE UNDERSIGNED BEING THE OWNER OF 5.434 TOTAL ACRES OF LAND IN OUTLOTS 632 & 633 OF THE CITY OF OXFORD, BUTLER COUNTY, OHIO, DO HEREBY ASSENT TO AND ADOPT THE ACCOMPANYING PLAT OF SUBDIVISION TO BE KNOWN AS CAMPUS COMMONS PHASE 1, AND DO HEREBY PERPETUALLY RELEASE TO THE CITY OF OXFORD THE SHOWN RIGHT OF WAY, STREETS FOR THE CONSTRUCTION, MAINTENANCE AND OPERATION OF ROADWAY, PUBLIC UTILITIES POLES, WIRES, CONDUITS AND NECESSARY ATTACHMENTS IN CONNECTION THEREWITH FOR THE TRANSMISSION OF ELECTRICITY, TELEPHONE AND CABLE; AND FOR THE PURPOSES FOR THE CONSTRUCTION AND MAINTENANCE OF PIPE LINES FOR SUPPLYING GAS, IN ACCORDANCE WITH THE LINES SHOWN SUCH CASES MADE AND PROVIDED IN STREETS AND ROADWAYS AS SHOWN ON SAID PLAT, AND DECLARES THE SAME TO BE FREE AND UNENCUMBERED. THE TITLE ACQUIRED BY DEED BOOK ____, PAGE ____.

ROBERT BROESTL
CIVIL ENGINEERING & LAND PLANNING
PHONE (925) 685-1569

BY	DATE	REVISION

CAMPUS COMMONS – PHASE 1
PHASE 1 PROJECT PLANS
BUTLER COUNTY
OXFORD, OH

MAY 2009
2/2
JOB# 19301

FINAL RECORD PLAT

OF

CAMPUS COMMONS, PHASE 1

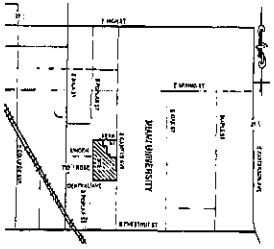
PART OUTLOTS #26 & #35

CITY OF OXFORD, BUTLER COUNTY

OHIO

COMPOSED OF 5.434 TOTAL ACRES

MAY 2009

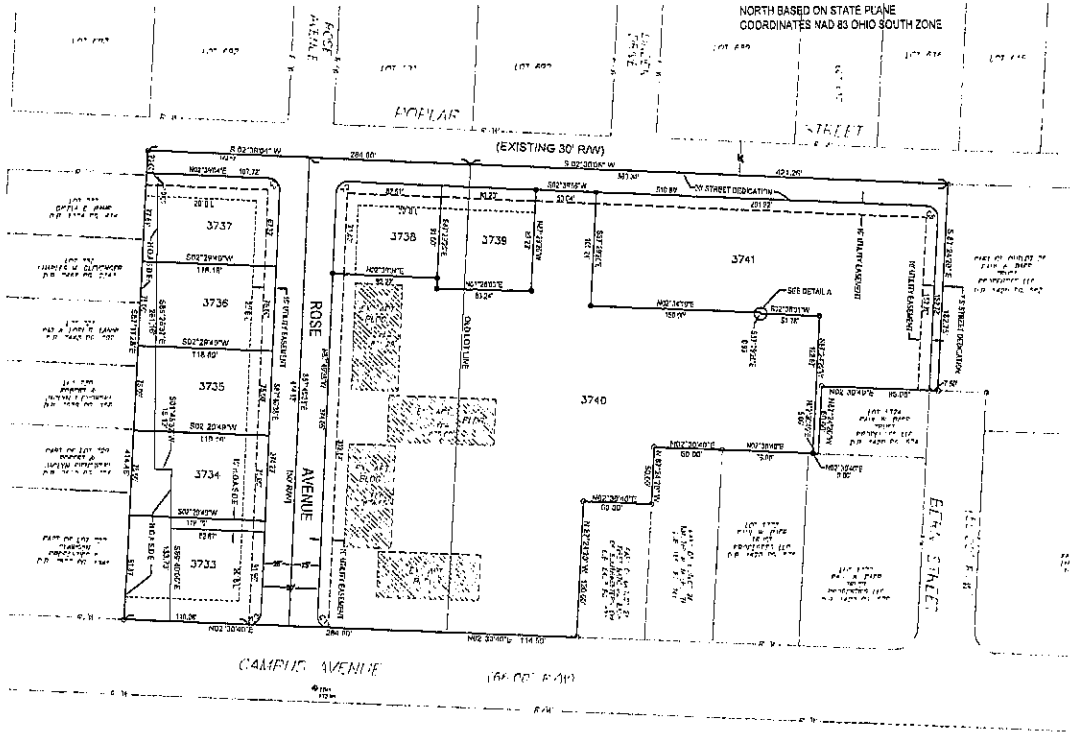


VICINITY MAP

SCALE 1"=1,000'

LOT NUMBER	FEMA 1ST FLOOR ELEVATION	MINIMUM OPEN ELEVATION	MINIMUM BUILDING DRAIN (SAN. SEWER)	LOT AREA (ACRE)	LOT AREA (SQ. FT.)
3733	N/A	N/A	867.0	0.253	11,005.02
3734	N/A	N/A	867.1	0.205	8,958.33
3735	N/A	N/A	867.2	0.205	8,920.42
3736	N/A	N/A	867.3	0.204	8,882.52
3737	N/A	N/A	867.4	0.209	9,111.75
3738	N/A	N/A	867.4	0.172	7,500.25
3739	N/A	N/A	867.8	0.172	7,500.25
3740	N/A	N/A	N/A	2.361	102,846.79
3741	N/A	N/A	N/A	0.845	36,823.52

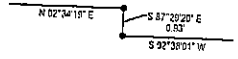
NORTH BASED ON STATE PLANE COORDINATES NAD 83 OHIO SOUTH ZONE



CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	CHORD DIRECTION
C1	15.68	10.00	14.12	N42°25'01"E
C2	15.74	10.00	14.17	N48°34'59"W
C3	15.65	10.00	14.10	S47°29'13"W
C4	15.77	10.00	14.19	S42°30'47"E
C5	15.70	10.00	14.14	S47°37'23"W

LEGEND

- PROPERTY LINE (P.L.)
- RIGHT OF WAY (R.W.)
- CENTER LINE (C.L.)
- UTILITY EASEMENT (U.E.)
- BUILDING LINE (B.L.)
- H.O.A. STORM DRAIN EASEMENT (H.O.A.S.D.E.)
- ○ FOUND 5/8" IRON PIN
- ● SET 5/8" IRON PIN WITH CAP
- H.O.A. HOME OWNERS ASSOCIATION
- R/W RIGHT OF WAY
- S.D.E. STORM DRAIN EASEMENT



DETAIL A

NTS

BENCHMARK:
MARKER LOCATED IN BASE OF POWER POLE ON THE EASTERN SIDE OF CAMPUS AVENUE:
ELEVATION 872.69'

TOTAL LINEAR FEET OF DEDICATED STREETS:
1,302.74'

TOTAL AREA OF DEDICATED STREETS:
0.807 ACRES

I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THAT THE ACCOMPANYING PLAT IS THE CORRECT RETURN OF A SURVEY MADE UNDER MY DIRECTION FOR CAMPUS COMMONS PHASE 1. MONUMENTS HAVE BEEN SET AND THEIR LOCATION AND SIZE ARE SHOWN ON THE PLAT AND THAT THE CITY OF OXFORD SUBDIVISION REGULATIONS HAVE BEEN COMPLIED WITH TO THE BEST OF MY KNOWLEDGE.

DAVID DOUGLAS SMITH
PROFESSIONAL SURVEYOR # 7121 IN OHIO

50 25 0 50 100 150

SCALE 1" =50'

ROBERT BROESTL
CIVIL ENGINEERING & LAND PLANNING
PHONE (925) 895-1569

BY	DATE	REVISION

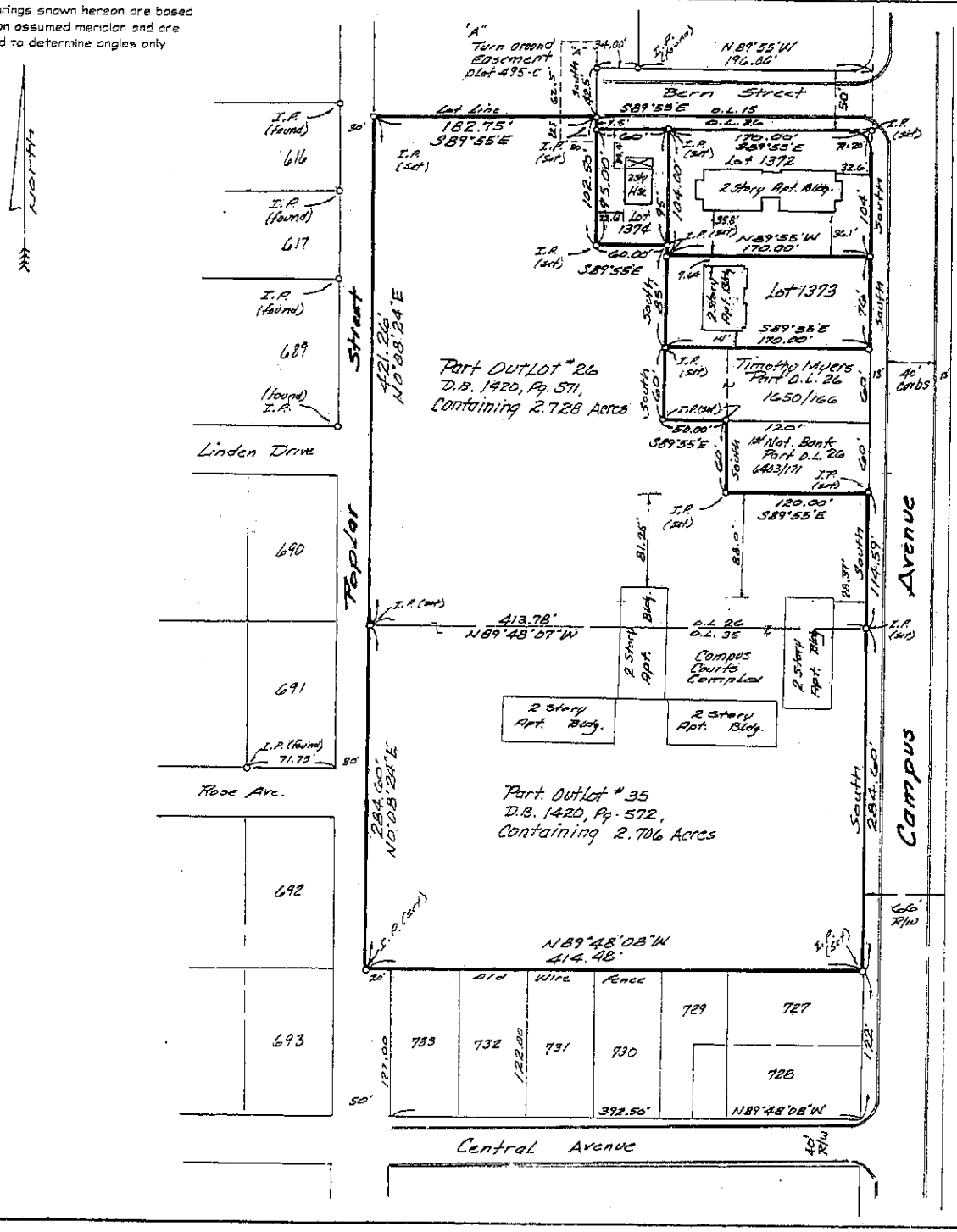
CAMPUS COMMONS – PHASE 1
FINAL RECORD PLAT
OXFORD, OH
BUTLER COUNTY

MAY 2009

3/3

Bearings shown hereon are based on an assumed meridian and are used to determine angles only

Volume _____ Page _____.
Butler County Engineer's
Record of Land Surveys.



NOTES
1) Source documents are as shown hereon.
2) Occupation in general fits Survey except as shown.
3) Monumentation found is in good condition.
4) —○— Indicates 5/8" iron rod with I. D. cap [set] unless otherwise noted.
5. Subject to all easements and restrictions of record.

PLAT OF SURVEY

~~Lots 1372, 1373, 1374~~
Part Outlots 26, 35
City of Oxford
Butler County, Ohio

For: Paul W. Baer Trust
Date: June 27, 2005 Rev: 1/27/06
Scale: 1" = 60'

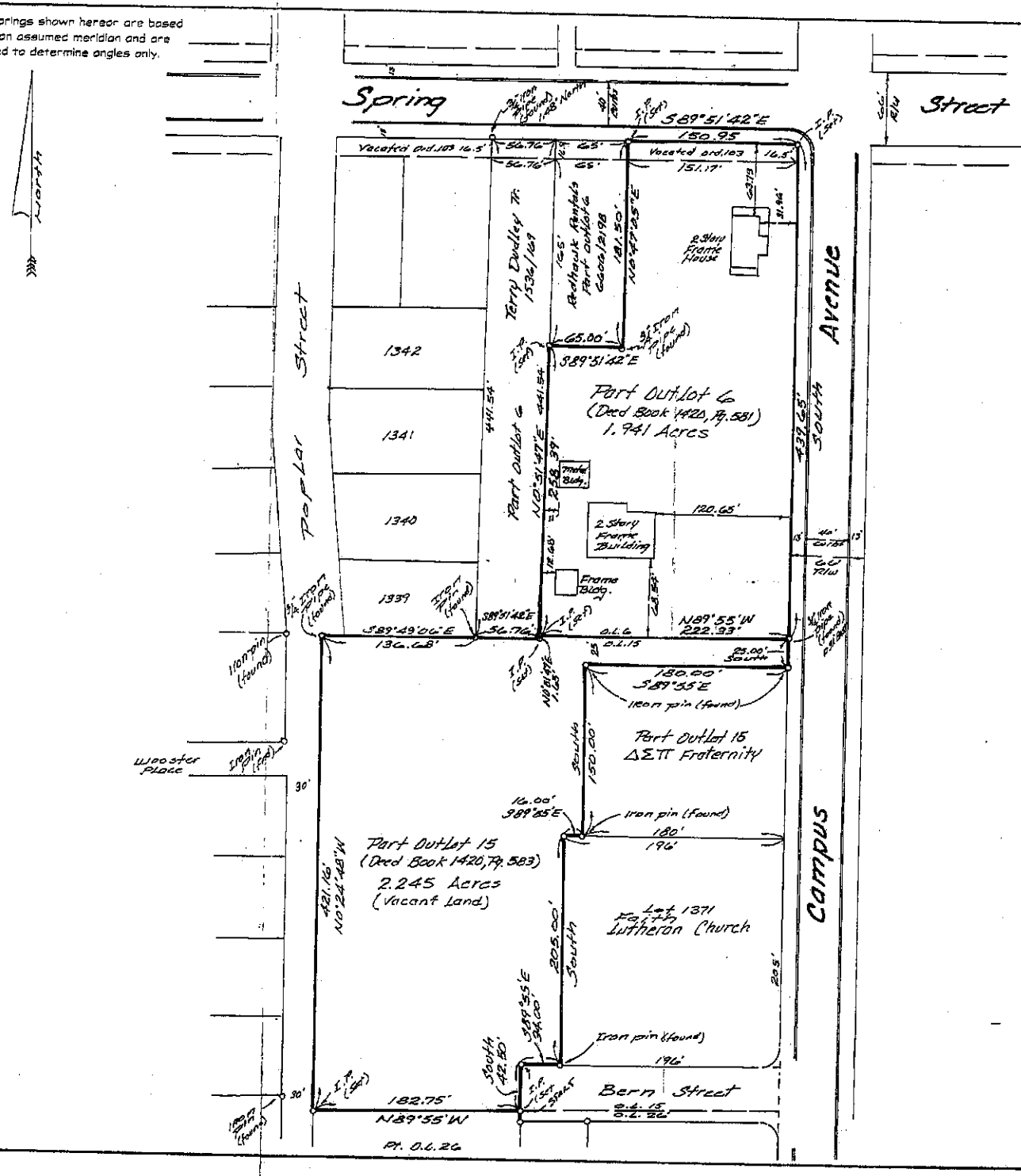
By: Brosey Surveying Company
Hamilton, Ohio.

I certify that the hereon platted property was measured to acceptable Survey Standards only.

Daniel R. Brosey
Registered Surveyor, 6492 in Ohio

STATE OF OHIO
DANIEL R. BROSEY
6492
REGISTERED
PROFESSIONAL SURVEYOR

Bearings shown hereon are based on an assumed meridian and are used to determine angles only.



Volume _____ Page _____.
Butler County Engineer's
Record of Land Surveys.

NOTES

1) Source documents are as shown hereon.
2) Occupation in general fits Survey except as shown.
3) Monumentation found is in good condition.
4) —o— Indicates 5/8" iron rod with I. D. cap [set] unless otherwise noted.
5) Subject to all easements & restrictions of record.

PLAT OF SURVEY

Part Outlots 6 & 15
City of Oxford
Butler County, Ohio

For: Paul W. Baer Trust
Date: June 22, 2005
Scale: 1" = 60

0' 60' 120'

By: Brosey Surveying Company
Hamilton, Ohio.

I certify that the hereon platted property was measured to acceptable Survey Standards only.

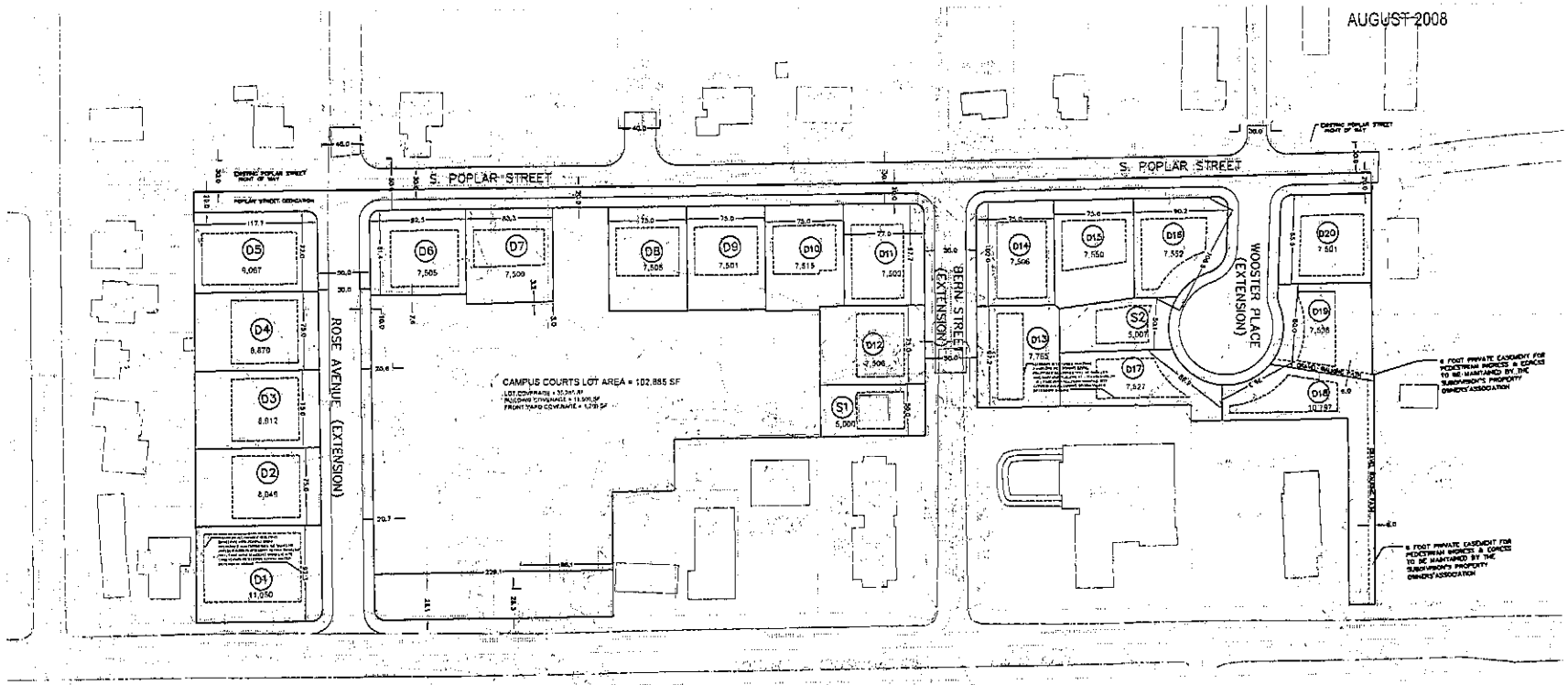
Daniel R. Brosey
Registered Surveyor, 6492 in Ohio

STATE OF OHIO
DANIEL R. BROSEY
6492
REGISTERED
PROFESSIONAL SURVEYOR

PRELIMINARY SUBDIVISION PLAN
LOT & STREET LAYOUT
CAMPUS COMMONS

AUGUST 2008

SCALE 1"=50'



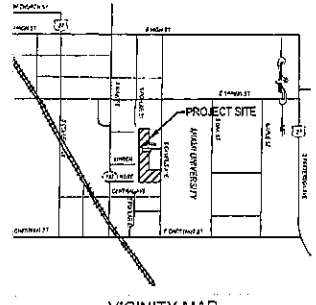
PRELIMINARY SUBDIVISION PLAN

(20) DUPLEX LOTS (75' MIN. WIDTH & 7,500 SF MIN. AREA)
(2) SINGLE FAMILY LOT (50' MIN. WIDTH & 5,000 SF MIN. AREA)

TOTAL LAND AREA	340,203.6 SQUARE FEET (7.81 ACRES)
LESS CAMPUS COURTS	102,885.0 SQUARE FEET (2.36 ACRES)
	237,318.6 SQUARE FEET (5.45 ACRES)

PROJECT PHASING

PHASE 1 - LOTS D1 THROUGH D5
PHASE 2 - LOTS D7 THROUGH D14 INCLUDING LOT S1
PHASE 3 - LOTS D15 THROUGH D20 INCLUDING LOT S2



VICINITY MAP
SCALE 1" = 1,000'

Approved Preliminary Plan

ROBERT BROESTL
CIVIL ENGINEERING & LAND PLANNING
PHONE (97[illegible] 1589

STATE OF OHIO
ROBERT L. BROESTL
E-61405
REGISTERED

PROPOSED RESIDENTIAL SUBDIVISION
CAMPUS COMMONS
PAUL W. BAER TRUST PROPERTIES LLC
OXFORD, OH BUTLER COUNTY

AUGUST 25, 2008

1
3

BY | DATE | REVISION

Exhibit A

BY-LAWS (CODE OF REGULATIONS) OF CAMPUS COMMONS HOME OWNERS ASSOCIATION, INC.

ARTICLE I

NAME AND LOCATION

The name of the Association is Campus Commons Home Owners Association, Inc. ("the Association"), which corporation, not-for-profit, is created pursuant to the provisions of Chapter 1702 of the Ohio Revised Code. The principal office of the Association shall be as set forth in its Articles of Incorporation ("the Articles"), and the place of meetings of Members and of the Directors of the Association shall be at such place in Butler County, Ohio as the Board of Directors ("the Board"), may from time to time designate.

ARTICLE II

DEFINITIONS

All of the terms used herein shall have the same meanings as set forth in the Articles of the Association and in the Declaration of Covenants, Easements, Restrictions and Assessment Lien (the "Declaration") encumbering the Lots.

ARTICLE III

MEMBERS

Section 1. Composition. Each owner of a Lot, as that term is defined in the Articles, is a Member of the Association. Paul W. Baer Trust Properties LLC, an Ohio limited liability company (the "Declarant"), is the sole initial Member.

Section 2. Annual Meetings. Regular annual meetings of the Members shall be held in the first calendar quarter of each year hereafter, on a date and at an hour established from time to time by the Board.

Section 3. Special Meetings. Special meetings of the Members may be called at any time by the president or by the Board, or upon written request of Members entitled to exercise one-fourth (1/4) or more of the voting power of Members.

Section 4. Notice of Meetings. Written notice of each meeting of Members shall be given by, or at the direction of, the secretary or person authorized to call the meeting, by mailing a copy of such notice, postage prepaid, at least five days before such meeting, to each Member entitled to vote at such meeting, addressed to the Member's address last appearing on the books of the Association, or

supplied by such Member to the Association for the purpose of notice, or by delivering a copy of that notice at such address at least five (5) days before the meeting. The notice shall specify the place, day and hour of the meeting, and, in the case of a special meeting, the purpose of the meeting.

Section 5. Quorum. The Members present, in person or by proxy, at any duly called and noticed meeting of Members, provided such Members represent a majority of the voting power of all Members of the Association, shall constitute a quorum for such meeting. Members entitled to exercise a majority of the voting power of Members represented at a meeting may, at any time, adjourn such meeting. If any meeting is so adjourned, notice of such adjournment need not be given if the time and place to which such meeting is adjourned are fixed and announced at such meeting.

Section 6. Proxies. At any meeting of Members, a Member may vote in person or by proxy. All proxies shall be in writing and filed with the secretary prior to the meeting. Every proxy shall be revocable and shall automatically cease upon conveyance by a Member of his, her or its Lot.

Section 7. Voting Power. Except as otherwise provided in the Articles, the Declaration, or by law, a majority of the voting power of Members voting on any matter that may be determined by the Members at a duly called and noticed meeting shall be sufficient to determine that matter. The rules of Roberts Rules of Order shall apply to the conduct of all meetings of Members except as otherwise specifically provided in the Articles, Declaration, or by law.

Section 8. Action In Writing Without Meeting. Any action that could be taken by Members at a meeting may be taken without a meeting with the affirmative vote or approval, in a writing or writings, of all Members.

Section 9. Voting Power Prior to Turnover Date. Notwithstanding any provision of these By-Laws or the Articles to the contrary, all voting power of Members of the Association shall be vested in the Declarant until the "Turnover Date" provided for in the Declaration.

ARTICLE IV

BOARD OF DIRECTORS

Section 1. Initial Directors. The initial Directors shall be the following three persons, each of whom shall serve until his or her successor is elected or until earlier resignation, removal from office, death or incompetency:

_____

_____

_____

Section 2. Number and Term. The number of directors shall not be fewer than three or more than five, as determined by the Members. The directors, other than the first Board of Directors

provided above, shall be elected at the annual meeting of the Members, and each director elected shall serve until the next succeeding annual meeting and until his or her successor shall have been elected and qualified.

Section 3. Removal. Any Director may be removed from the Board with or without cause, by a majority vote of the Members. In the event of the death, resignation or removal of a Director that Director's successor shall be selected by the remaining Members of the Board and shall serve until the next annual meeting of Members, when a Director shall be elected to complete the term of such deceased, resigned or removed Director.

Section 4. Nomination. Nominations for Directors to be elected by the Members shall be made by a nominating committee. Nominations may also be made from the floor at the meetings. The nominating committee shall consist of a chairman, who shall be a Member of the Board, and two or more Members appointed by the Board. The nominating committee shall make as many nominations for election to the Board as it shall, in its discretion, determine, but no less than the number of vacancies that are to be filled.

Section 5. Election. Election to the Board by the Members shall be by secret written ballot. At such elections, the Members or their proxies may cast, in respect to each vacancy, such voting power as they are entitled to exercise under the provisions of the Articles. The persons receiving the largest number of votes shall be elected, and likewise, those receiving the largest number of votes shall be elected to the longest terms (if applicable).

Section 6. Compensation. Unless otherwise determined by the Members at a meeting duly called and noticed for such purpose, no Director shall receive compensation for any service rendered to the Association as a Director. However, any Director may be reimbursed for his or her actual expenses incurred in the performance of duties.

Section 7. Regular Meetings. Regular meetings of the Board shall be held no less than quarterly, without notice, on such date and at such place and hour as may be fixed from time to time by resolution of the Board.

Section 8. Special Meetings. Special meetings of the Board shall be held when called by the president of the Board, or by any two Directors, after not less than three days notice to each Director.

Section 9. Quorum. The presence at any duly called and noticed meeting, in person or by proxy, of Directors entitled to cast a majority of the voting power of Directors shall constitute a quorum for such meeting.

Section 10. Voting Power. Except as otherwise provided in the Articles, the Declaration, or by law, the vote of a majority of the Directors voting on any matter that may be determined by the

Board at a duly called and noticed meeting (if applicable) at which a quorum is present shall be sufficient to determine that matter.

Section 11. Action In Writing Without Meeting. Any action that could be taken by the Board at a meeting may be taken without a meeting with the affirmative vote or approval in a writing or writings signed by all of the Directors.

Section 12. Powers. The Board shall exercise all powers and authority, under law, and under the provisions of the Declaration or these Articles, that are not specifically and exclusively reserved to the Members by law or by other provisions thereof, and without limiting the generality of the foregoing, the Board shall have the right, power and authority to:

(a) Take all actions deemed necessary or desirable to comply with all requirements of law, the Articles, and the Declaration;

(b) Obtain insurance coverage in amounts deemed by such Directors to be appropriate;

(c) Enforce the covenants, conditions and restrictions set forth in the Declaration;

(d) Repair, maintain, and replace the Pedestrian Paths, Storm Water Detention Facilities and Subdivision Sign(s), as defined in the Declaration;

(e) Establish, enforce, levy and collect assessments as provided in the Articles and Declaration;

(f) Declare the office of a Member of the Board to be vacant in the event such Director shall be absent from three consecutive regular meetings of the Board;

(g) Authorize the officers to enter into one or more agreements necessary or desirable to fulfill the purposes and objectives of the Association and to facilitate the efficient operation of the Association. The terms of any such agreements shall be as determined by the Board to be in the best interest of the Association, subject, in all respects, to the provisions of the Articles, Declaration, and these By-Laws;

(h) Cause funds of the Association to be invested in such reasonable investments as the Board may from time to time determine;

(i) Do all things and take all actions permitted to be taken by the Association by law, or the Articles, the Declaration, or these By-Laws, not specifically reserved thereby to others.

Section 13. Duties. It shall be the duty of the Board to:

(a) Cause to be kept a complete record of all its acts and corporate affairs and to present a statement thereof to the Members at each annual meeting of Members, or at any special meeting when such statement is requested in writing by Members representing one-half (1/2) or more of the voting power of Members;

(b) Supervise all officers and agents of the Association and see that their duties are properly performed;

(c) As more fully provided in the Articles, the Declaration, and these By-Laws, to:

(i) Fix the amount of assessments against each Lot;

(ii) Give written notice of each assessment to every Member subject thereto within the time limits set forth therein; and

(iii) Bring such actions as the Board deems appropriate and establish a lien against any property for which assessments are not paid within a reasonable time, or against the Member(s) personally obligated to pay the same, or both;

(d) Issue, or to cause an appropriate representative to issue, upon demand by any person, a certificate setting forth whether or not any assessment has been paid;

(e) Procure and maintain insurance as provided in the Articles, the Declaration, and these By-Laws and as the Board deems advisable;

(f) Cause the property subject to the Association's jurisdiction to be maintained within the scope of authority provided in the Articles, the Declaration, and these By-Laws;

(g) Cause the restrictions created by the Declaration to be enforced; and

(h) Take all other actions required to comply with all requirements of law, the Articles, the Declaration, and these By-Laws

ARTICLE V

OFFICERS

Section 1. Enumeration of Offices. The officers of this Association shall be a president, a secretary, a treasurer and such other officers as the Board may from time to time determine. No officer need be a Member of the Association nor need any officer be a Director. The same person may hold more than one office.

Section 2. Selection and Term. Except as otherwise specifically provided in the Articles or by law, the officers of the Association shall be selected by the Board, from time to time, to serve until the Board selects their successors.

Section 3. Special Appointments. The Board may elect such other officers as the affairs of the Association may require, each of whom shall hold office for such period, have such authority, and perform such duties as the Board may, from time to time, determine.

Section 4. Resignation and Removal. Any officer may be removed from office, with or without cause, by the Board. Any officer may resign at any time by giving written notice to the Board, the president, or the secretary. Such resignation shall take effect on the date of receipt of such notice or at any later time specified therein, and the acceptance of such resignation shall not be necessary to make it effective.

Section 5. Duties. The duties of the officers shall be as the Board may from time to time determine. Unless the Board otherwise determines, the duties of the officers shall be as follows:

(a) President. The president shall preside at all meetings of the Board, shall have the authority to see that orders and resolutions of the Board are carried out, and shall sign all legal instruments on behalf of the Association.

(b) Secretary. The secretary shall record the votes and keep the minutes and proceedings of meetings of the Board and of the Members, serve notice of meetings of the Board and of the Members, keep appropriate current records showing the names of Members of the Association together with their addresses, and shall act in the place and stead of the president in the event of the president's absence or refusal to act.

(c) Treasurer. The treasurer shall assume responsibility for the receipt and deposit in such bank accounts and investment of funds in such vehicles as the Board directs, the disbursement of such funds as directed by the Board, the keeping of proper books of account, the preparation of an annual budget and a statement of income and expenditures to be presented to the Members at annual meetings, and the delivery or mailing of a copy of each to each of the Members.

ARTICLE VI

COMMITTEES

The Board shall appoint a nominating committee and may appoint such other committees as it deems appropriate in carrying out its purposes.

ARTICLE VII

BOOKS AND RECORDS

The books, records and financial statements of the Association shall be available during normal business hours or under other reasonable circumstances, upon request to the Association, for inspection by Members and the holders and insurers of first mortgages on Lots. Likewise, during normal business hours or under other reasonable circumstances, the Association shall have available for inspection by Members, holders, insurers and guarantors of first mortgages on Lots, and prospective purchasers, current copies of the Articles, the Declaration, and these By-Laws, and any rules and regulations promulgated by the Board.

ARTICLE VIII

AUDITS

The Board shall cause the preparation and furnishing of an audited financial statement for the immediately preceding fiscal year, within a reasonable time following request (provided that no such statement need be furnished earlier than ninety days following the end of such fiscal year), in the following circumstances:

1. To each requesting Member, at the expense of the Association, upon the affirmative vote of Members exercising a majority of the voting power of Members; and

2. Upon the request of the holders of fifty-one percent (51%) or more of the first mortgagees on Lots, provided the audit, if an audited statement is not already available, shall be prepared at the expense of such holders.

ARTICLE IX

FISCAL YEAR

Unless otherwise changed by the Board, the fiscal year of the Association shall begin on the first day of January and end on the 31st day of December of every year, except that the first fiscal year shall begin on the date of incorporation of this Association.

ARTICLE X

AMENDMENTS

These By-Laws may be amended by the vote of Members holding seventy-five percent (75%) of the voting power of the Members.

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council
Originating Department

Council Meeting Of: September 1, 2009

Mary Ann Eaton
Prepared By

Account Code No. #: N/A

Budgeted Amount: N/A

August 26, 2009
Date Prepared

-

Agenda Title: Ordinance Repealing Oxford Code Of Ordinances 146, Finance Commission.

Recommendation:

Discussion:

As requested by Vice Mayor Bogard.

Approved By:

	Initial	Date
Department Head:		
City Attorney:		
City Manager:		8/26/09

ORDINANCE NO.

ORDINANCE REPEALING OXFORD CODE OF ORDINANCES CHAPTER 146, FINANCE COMMISSION.

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

SECTION 1: After reviewing the mission, functions and responsibilities of the Finance Commission, which was established on June 5, 2007 by Ordinance No. 2959, the members of the Finance Commission recommend that Chapter 146 of the Oxford Code of Ordinances be repealed, thereby discontinuing the Finance Commission.

SECTION 2: The Finance Commission believes that the financial structure, policies and operations of the Finance Department are sound and that the City has an excellent financial reporting record. The Finance Commission believes the City does not need a Finance Commission to oversee functions that are the inherent responsibility of City Council, as fiscal overseer of the finances of the City of Oxford.

SECTION 3: City Council hereby accepts the recommendation of the Finance Commission and repeals Chapter 146, Finance Commission of the Oxford Code of Ordinances effective December 31, 2009.

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

_____
MAYOR

ADOPTED:

ATTEST:

_____
CLERK OF COUNCIL

INTRODUCED BY: KEN BOGARD

PREPARED BY: STAFF(LAW)

August 7,2009
To: Oxford City Council
Douglas Elliott, City Manager
Joe Newlin, Finance Director
Finance Commission
From: Ken Bogard, Chair, Finance Commission
Re:Discontinuance of the Finance Commission

After reviewing the mission, functions, and responsibilities of the Finance Commission which was established on June 5, 2007, the members of the Finance Commission are recommending that the commission be discontinued.

A little history on it's estabishment is helpful in understanding the recommendation. The ordinance to establish the commission was proposed by Harlita Robinson, Finance Director (4/3/06-2/15/08), as another level of oversight to assist City Council in better understanding the city's financial system and policies. After approval of the ordinance, the commission met several times to review the Finance Department's policies, structure, and communication links. At the same time , the Finance Department was going through changes in financial software (purchasing, budgeting, procurement, etc) and financial procedures within the City's departments.

In reviewing the Duties of the Finance Commission, many of the responsibilities were not performed by the commission as outlined in the Administrative Code 146.03 (a) through (h); see attached page. Each member of the commission brought some experience to the function but the scope of the responsibilities were beyond some of our experiences.We were in the beginning stages of the process when Harilita was hired as Finance Director in Forest Park, Ohio
The appointment of Joe Newlin as the new Finance Director was approved by City Council on April 15, 2008 and he started May 19. Since that time, the commission met to discuss suggested periodic reports to be sent to Council keeping them informed of the financial status of the city. Alas, budget preparation time was upon us and Joe Newlin was in the throes of his first budget for the city and all the interviews and processes that go into that effort. The Commission did not get involved in the process and in reviewing the budget document prior to Council involvment(item g), understandbly so.

The Finance Commission believes that the financial structure, policies, and operations are handled very well within the current structure and the city has had an excellent financial reporting record for several years (CAFR). We are very fortunate to be financially sound. Members of Council, staff, legal counsel always have the avenue to request or make rec-comendations for financial improvements in the system taking into account federal, state, and county requirements which also responds to the public citizenry.

We, the Finance Commission believe at this point of time that we do not need another commission to oversee the functions that are the inherent responsibility of the City Council which is fulfilling its responsibility as the fiscal observer and overseer of the financial picture of the

City of Oxford.

ORDINANCE NO. 2959

AN ORDINANCE ADOPTING NEW CHAPTER 146 FINANCE COMMISSION OF THE OXFORD CODE OF ORDINANCES TO CREATE A FINANCE COMMISSION.

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

SECTION I: The City Manager and Finance Director recommend adopting Chapter 146 to create a Finance Commission

SECTION II: Council for the City of Oxford, Ohio, hereby accepts the recommendation of the City Manager and Finance Director and hereby adopts new Chapter 146 Finance Commission of the Oxford Code of Ordinances to read as follows:

Chapter 146 Finance Commission

Section 146.01 Purpose.

The Finance Commission is for the purpose of providing recommendations to assist City Council in monitoring the financial environment of the City by reviewing internal controls, policies, and legislation presented to City Council that pertain to audit, municipal finance, budget, debt, and financial reporting.

Section 146.02 Membership

(a) The Finance Commission shall consist of five (5) members, two of whom are members of Council with the first appointee serving as the Chair and the second appointee serving as Vice-Chair. Two finance professionals with at least five years experience in auditing or financial accounting shall be appointed by the City Manager and approved by City Council. The fifth member of the Commission shall be a community representative with knowledge of or the ability to comprehend accounting or finance and shall be a resident of the City of Oxford and appointed by City Council. No professional or community member of the Commission shall have a financial or contractual interest in the City of Oxford in accordance with the ethics provisions of the Ohio Revised Code.

(b) The appointed members' terms shall be three years overlapping terms. The first Commission shall have the following terms of office: the representatives of City Council will have one representative with a one year term as Vice-Chair and one with a three year term as Chair. The finance professionals shall have one representative with a two year term and one representative with a three year term and the appointed City resident will have a two year term.

Section 146.03 Duties of the Finance Commission

The duties of the Finance Commission shall be:

(a) To assist City Council in fulfilling oversight responsibilities as they relate to the audit, budget, financial reporting, and the internal control structure for those processes.

(b) To maintain by way of meetings, direct lines of communication between the Commission, financial management, the independent accountants, and internal auditors. Also by way of public sessions to review the capital improvement plan and the operating budget. To review financial policies relating to compliance with laws and regulations, ethics, conflict of interests, the investigation of misconduct and fraud, and an analysis of appropriateness.

(c) To conduct periodic reviews of current legislation that impacts forecasting of future estimated resources.

(d) To coordinate annual reviews of compliance with financial policies and Ohio Revised Code through the City's independent accountants.

(e) To define reporting requirements for the Commission and City Council.

(f) To review the assumptions behind the development of the proposed budget and engagement letter for the annual audit. If provided, to review the management letter from the independent auditor and advise City Council of the status of the internal control structure and make recommendation of corrective actions, when required.

(g) To review the budget document and the comprehensive annual financial report and make recommendations for improvements, when necessary.

(h) To assess the performance of the Finance Department.

Section 146.04 Meetings

The Finance Commission shall meet at least quarterly in each calendar year and as many additional times as the majority of members deems necessary. All meetings of the Finance Commission shall be public and the dates and attendance of the meetings shall be published by the Clerk of Council in the City Record. The Chair, however, may hold executive sessions in accordance with the provisions of the Ohio Revised Code. A simple majority of the members shall constitute a quorum for the transaction of business. Any member who is absent for three consecutive duly-called meetings shall be removed by the Chair from the Finance Commission. In the event that a vacancy occurs during the term of any member, the appropriate appointing authority shall name a successor to serve the unexpired term. The members of the Finance Commission may request that members of the other departments of the City be present at the meetings, as well as representatives

of the independent auditor. The Finance Commission shall keep minutes of its meetings, a copy of which shall be kept on file with the Clerk of Council and available for public inspection.

SECTION III: This ordinance shall take effect at the earliest time allowed by law.

_____
MAYOR

ADOPTED: June 5, 2007

ATTEST:

_____
DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: JEROME CONLEY

PREPARED BY: LAW (STAFF)

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott, Jr.

Police
Originating Department

Council Meeting Of: September 1, 2009

Steve Schwein
Prepared By

Account Code No. #: N/A

Budgeted Amount: N/A

August 28, 2009
Date Prepared

Agenda Title: An Ordinance Adopting New Chapter 550, Section 550.01 of the Oxford Code of Ordinances Establishing the Creation of an Alcohol Education Program.

Recommendation: Adopt the Ordinance.

Discussion: OPD has utilized an Alcohol Education Program (AEP) for approximately the past decade. The program has had the full support of the Prosecutor's Office as well as the Area I Judge. The advantages of the program to the City of Oxford include reduced numbers of court appearances by Officers at overtime rate; and, revenue derived from the program assist in the purchase of specialized equipment and the funding of extra patrols, and the potential for workers in the Community Service arena. Benefits to the Prosecutor's Office and Area I Court include a substantial reduction in costly jury and bench trials resulting in a much shorter docket (time and personnel cost savings). These are cases which would, save this program, clog and cause a backlog in the criminal justice system. Benefits to those arrested include a one time opportunity to salvage a clean arrest record after having made a bad choice, and be provided with an education/counseling opportunity that perhaps could curb an emerging pattern of life-long bad choices with regard to alcohol over consumption.
While this program has worked well for years, and while a challenge to the program was decided favorably in the program's behalf, it is the opinion of the Prosecutor, the Judge, and the Law Director that the program is best offered and administered by the City of Oxford and formalized and codified by this ordinance. There are no additional personnel costs to the City of Oxford as a result of enacting this law.

Approved By:

	Initial	Date
Department Head:	SDS	8/28/09
City Attorney:		
City Manager:		8/29/09

ORDINANCE NO. _____

AN ORDINANCE ADOPTING NEW CHAPTER 550, SECTION 550.01 OF THE OXFORD CODE OF ORDINANCES ESTABLISHING THE CREATION OF AN ALCOHOL EDUCATION PROGRAM

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

SECTION I: Municipal officials and residents have experienced the increasing frequency of offenders committing criminal acts including, but not limited to, underage consumption of alcohol, public intoxication and open containers of alcohol; and that these activities negatively impact the quality of life for all citizens of the City and cost the City and citizens tens of thousands of dollars dealing with the impact of such activities.

SECTION II: Council wishes to implement an Alcohol Education Program to provide eligible offenders who commit misdemeanor alcohol-related crimes with an alternative to being charged and having the matter adjudicated. An Alcohol Education Program will (1) emphasize restorative justice and reduce the cost and caseload burden on the justice system, (2) provide a source of funding to combat the problems noted in Section I, and (3) provide individuals exhibiting potentially life-threatening behaviors and developing life-style problems with intervention of an educational and constructive rather than punitive nature.

SECTION III: Council hereby adopts new Chapter 550, Section 550.01, "Alcohol Education Program" of the Oxford Code of Ordinances to read as follows:

Chapter 550. Alcohol Education Program

Section 550.01 Alcohol Education Program

The City of Oxford Prosecutor, at his or her discretion, can offer the opportunity to apply to the Alcohol Education Program to an individual who is at least eighteen (18) years old and has been charged with any of the following violations:

(a) 509.03 Disorderly Conduct/Public Intoxication
(b) 521.08 Littering (with alcohol involved)
(c) 525.02 Falsification (with alcohol involved)
(d) 525.07 Obstructing Official Business (with alcohol involved)
(e) 529.02 Sales to and use by underage persons

(f) 529.06 Low-Alcohol Beverages; Sale to and purchase by underage persons prohibited
(g) 529.07 Open container prohibited
(h) 529.21 Purchase by Minor, Misrepresentation

Once the City Prosecutor offers the charged individual the opportunity to apply to the Alcohol Education Program, the charged individual can submit an application to the Chief of Police. The application must include a comprehensive list of the charges the individual seeks to have dismissed as a result of completing the Alcohol Education Program. The Chief of Police will use his or her discretion to decide whether to approve the application and allow the charged individual to participate in the Alcohol Education Program. When making this decision, the Chief of Police shall consider the following factors:

(1) the specific facts and circumstances surrounding each particular case;
(2) whether the offense was the result of circumstances likely to reoccur;
(3) whether the accused has a history of prior delinquency or criminal activity;
(4) whether the accused led a law-abiding life for a substantial time before commission of the alleged offense;
(5) whether there exists substantial grounds tending to excuse or justify the alleged offense; and
(6) any other information deemed relevant to the decision.

(A) An accused who enters the Alcohol Education Program shall do all of the following:

(1) Waive, in writing and contingent upon the accused's successful completion of the program, the accused's right to a speedy trial and all hearings; and

(2) Agree, in writing, to the tolling while in the Alcohol Education Program of all periods of limitation established by statutes or rules of court, that are applicable to the offense with which the accused is charged and to the conditions of the Alcohol Education Program established by the City of Oxford.

(3) Agree that no guarantee can be given that all charges will be dismissed.

(B) The conditions of the program may consist of, but not be limited to not more than 20 hours of community service work; restitution; and other types of programs related to the offense committed by the accused. And, successful completion of an Alcohol Education Program approved by the Chief of Police.

(C) In the event that an accused is assigned to community service work as part of the Alcohol Education Program, the Chief of Police may allow, based on exigent circumstances, an accused to pay $15.00 per community service hour to satisfy the community service requirements.

Funds derived from the payment of $15.00 per community service hour shall be payable to the Law Enforcement Trust Fund.

(D) A fee of Three-Hundred and Fifty dollars ($350.00) will be assessed to program participants to defer the cost and expense incurred by the operation of and participation in the Alcohol Education Program. In case of economic hardship the Chief of Police may use his or her discretion to waive any portion of this fee. Funds derived from the Program Fee, less the cost of tuition to attend the Alcohol Education Program, shall be payable to the Enforcement and Education Fund.

(E) The Chief of Police shall notify the City Prosecutor that the Applicant has successfully completed the program and will make a recommendation to have all or specific charges dismissed.

(F) Successful completion of the Alcohol Education Program the City Prosecutor shall drop the charges he or she feel are appropriate. The accused may still continue to be charged with other charges not specifically Alcohol related.

(G) The Alcohol Education Program has no effect or impact on any disciplinary or legal matters brought against the accused by Miami University.

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

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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

Budgeted Amount: N/A

Steve Schwein
Prepared By

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:

	Initial	Date
Department Head:	SDS	8/13/09
City Attorney:		
City Manager:		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:

Offense	**Initial Civil Fine**	**If Delinquent**	**If Sent for Collection**
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)

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Community Development Department
Originating Department

Council Meeting Of: August 18, 2009

Account Code No. #:

Jung-Han Chen
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:		**Initial**	**Date**
	Department Head:	JHC	8/12/09
	City Attorney:		
	City Manager:		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)

File# 2003-00014053
BK 8096 PG 1522

Order No. 28270285 CLN

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 6063, 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" RBBAR 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 LEGTH OF 2554.78 FEET, TO A MAGANIL 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 AN DJACK 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, 6.304 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: 00000726437@ Type: OFF
Kind: DEED
Page 3 of 3
File# 2009-00014083
BK8096 PG1523

R1B
McKee Ave
R1A
Proposed R1A Zoning
Booth Rd
Millwhite Oxford Rd
R1A

Certification of Action
Oxford Planning Commission
Recommendation to City Council

Report Date	August 18, 2009
Case Number	PC-13-2009
Applicant Information	SHP Leading Design, Architects, Applicant Talawanda School District, Owner
Requested Action	Zoning Map Amendment
Summary of Request	Request for a Zoning Map Amendment from A-1 (County Zoning) to R1A (Single Family Low Density Residential) District
Public Hearing Information	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.
Commission Action	The Planning Commission voted 5-0-0 recommending approval of the Zoning Map Amendment.
Commission Findings and Conclusions	After Public Hearing and discussion, the Planning Commission voted to recommend approval of the Zoning Map Amendment.
Exhibits Submitted to the Commission	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

CF.2.1. 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: 7/1/2009

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:

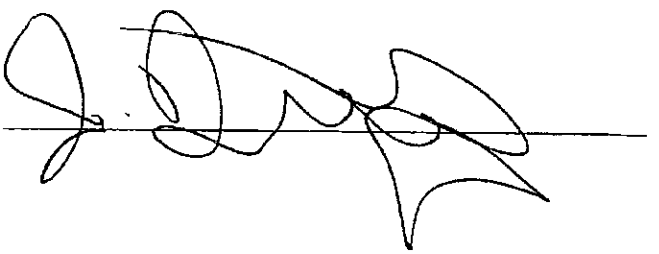
PC-13-2009 **ZONING MAP AMENDMENT** – Talawanda High School, 4135 Millville-Oxford Road from A-1 (Township Zoning) to R1-A (Single-Family Low Density Residential), **SHP Leading Design, Architects, Applicant**

_____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: 

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 7/1/2009

To: Fire Department Engineering Division Police Department Economic 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: A. Spencer 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

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Case #: PC-13-2009

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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: _____

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 7/1/2009

To: Fire Department Engineering Division Police Department Economic Development

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Description:

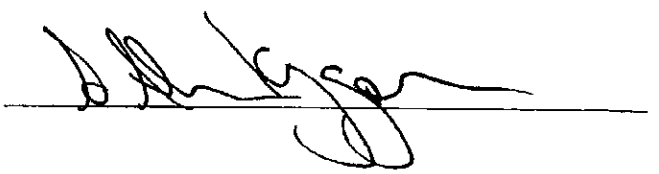
PC-13-2009 **ZONING MAP AMENDMENT** – Talawanda High School, 4135 Millville-Oxford Road from A-1 (Township Zoning) to R1-A (Single-Family Low Density Residential), **SHP Leading Design, Architects, Applicant**

_____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,

M Davis

Owner/ Trustee:

6/24/09

Date:

Company Name & Address:

TALAWANDA SCHOOL DISTRICT

CFO/TREASURER

Case No.: PC-13-09
Date filed: 6/26/09

Zoning Map Amendment Application

City of Oxford, Ohio

REQUIRED INFORMATION

Name of Applicant: SHIP HEADING 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: 154 (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.

bayer becker

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 ½" rebar found, said point being the **True Point of Beginning;**

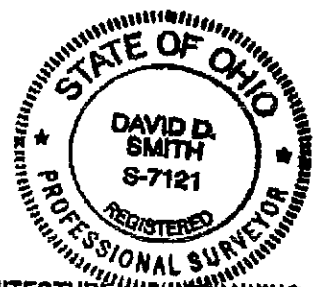
Thence with the west line of the lands of Arrowhead Crossing, Ltd., as recorded in deed book 6055 page 2096 of the Butler county Recorder's Office, S 02°17'31" W a distance of 184.97 feet to a 5/8" rebar set;

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.



CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Community Development Department
Originating Department

Council Meeting Of: August 18, 2009

Account Code No. #:

Jung-Han Chen
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**

Recommendation:	**Approve with Conditions**

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:		**Initial**	**Date**
	Department Head:	JRC	8/12/09
	City Attorney:		
	City Manager:	DMB	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.
c. Crop farming of a portion of the land shall be allowed to continue per the terms of the pre-annexation agreement.

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

Report Date August 12, 2009

Case Number PC-12-2008

Applicant Information SHP Leading Design, Applicant/Architect
Talawanda School District, Owner

Requested Action Conditional Use Permit

Summary of Request To permit a public school in a R1A (Single-Family Low Density Residential) District

Public Hearing Information 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.

Commission Action The Planning Commission voted 5-0-0 recommending approval of the Conditional Use Permit with two conditions at the August 11, 2009 meeting.

Commission Findings and Conclusions 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..

Exhibits Submitted to the Commission

1. Documents Received from the Applicant at the August 11, 2009 Planning Commission Meeting
    a. Letter responding to Engineering Comments from Kleingers & Associates Dated 8/6/2009
    b. Most Current Site Plan Submitted 8/11/2009
2. Conditional Use Application
    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. Comments Received From Staff As a Result of Their Review of the Conditional Use Application
    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

KLEINGERS & ASSOCIATES

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 where 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 as 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.

KLEINGERS & ASSOCIATES

Building Better Communities

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.

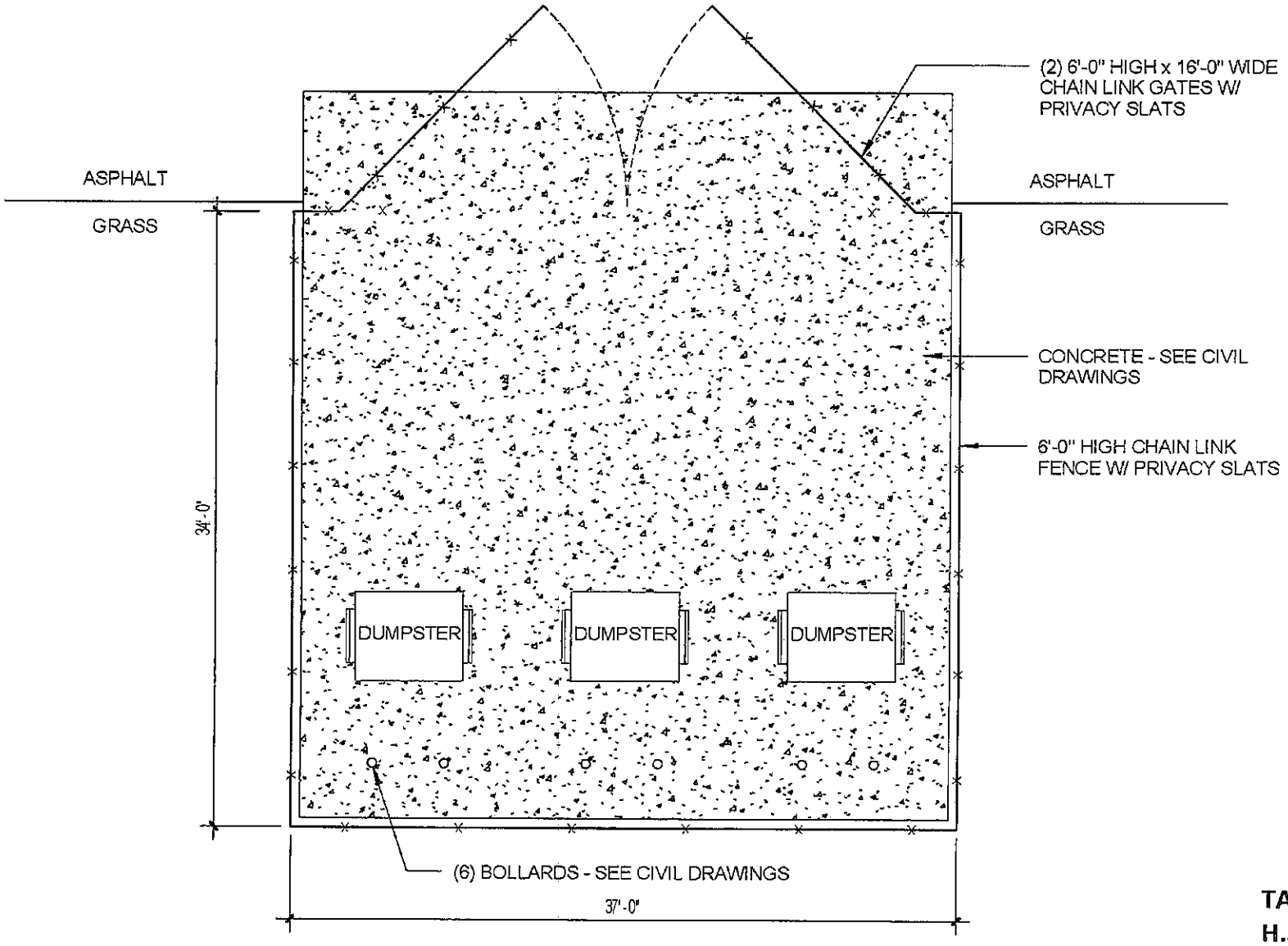
Sincerely,
KLEINGERS & ASSOCIATES INC.

Michelle L. Smith, LEED AP
Project Designer

Enclosures

CC: File

H:\Engineering2009-2010\P\090081\Documents\Correspondence\000\City of Oxford\OUT\2009-08-06 city of oxford reponse letter.doc

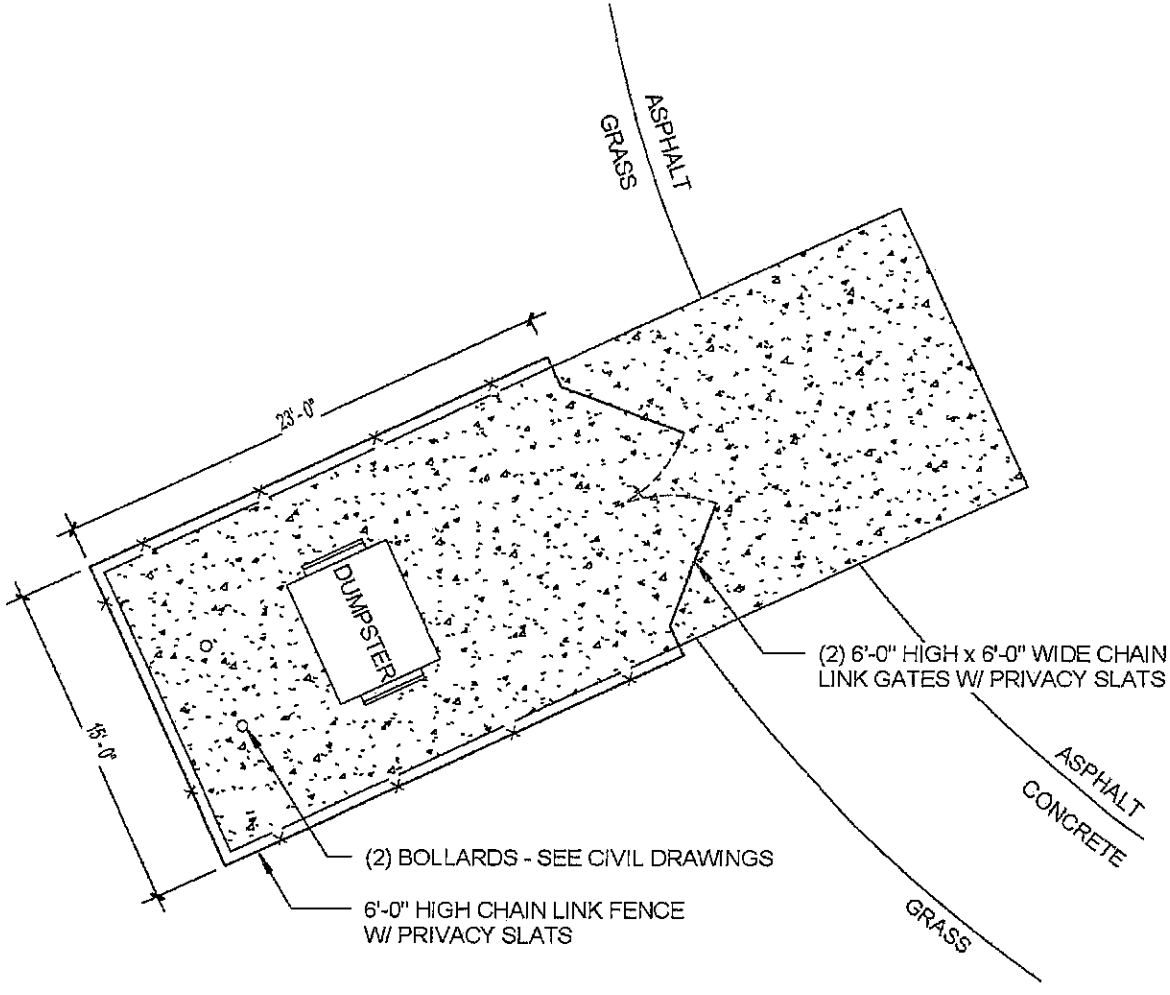


SOUTH DUMPSTER ENCLOSURE

TALAWANDA H.S. PARTIAL SITE PLAN

SCALE: N.T.S

8.11.09

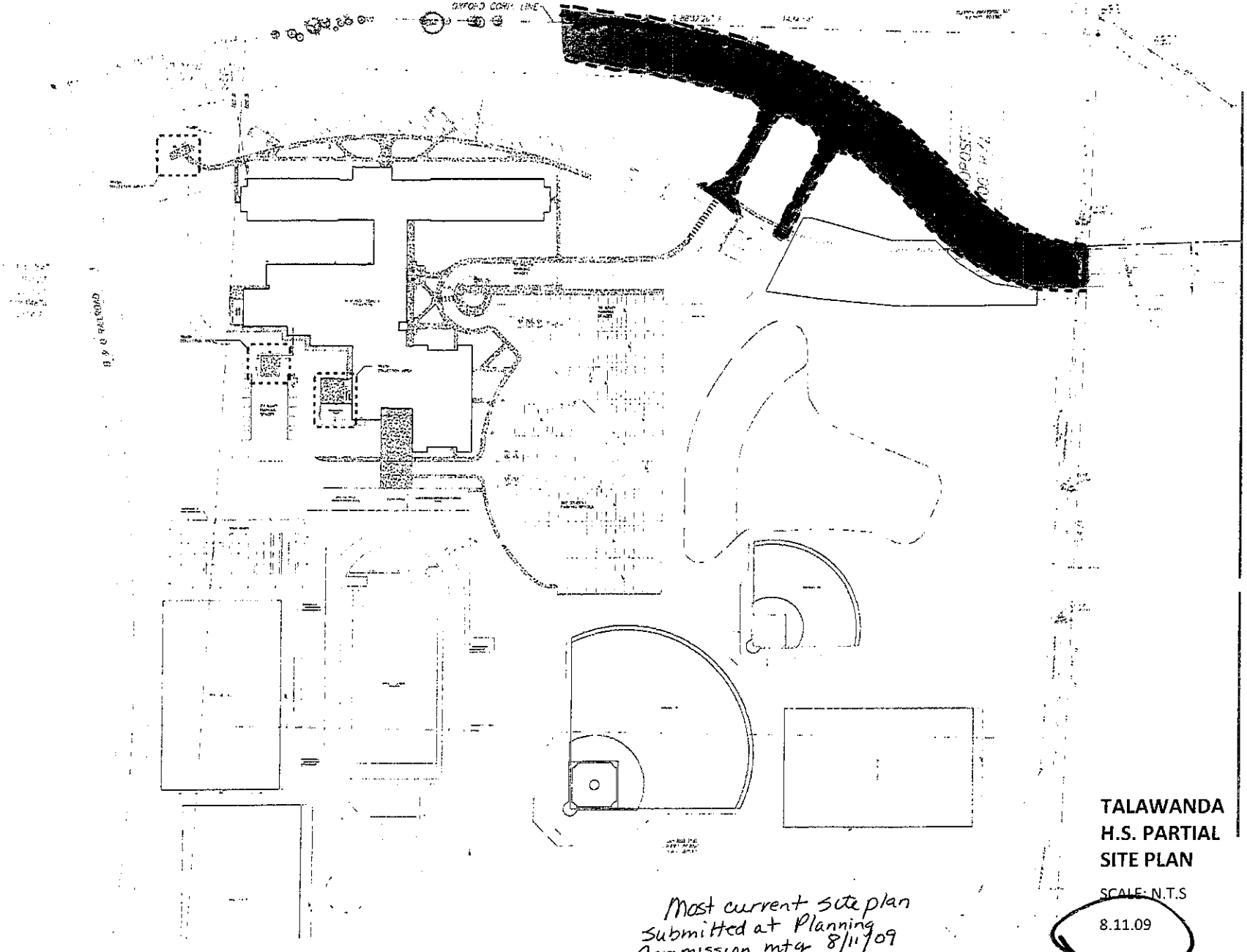


NORTH DUMPSTER ENCLOSURE

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,

6/24/09

Owner/ Trustee: **Date:**

Company Name & Address:

TALAWANDA SCHOOL DISTRICT

CFO/TREASURER

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 JANNIGEN
(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: FARMLAND

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 distribute 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 JANNIGEN
Printed Name

Date: 6/24/09

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 it 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 CONCRENS
(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, ad that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning distribute 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

bayer becker

316. 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 ½" 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.

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 1068.41 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 LEGTH OF 2554.78 FEET, TO A MAGANIL 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 AN DJACK 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.

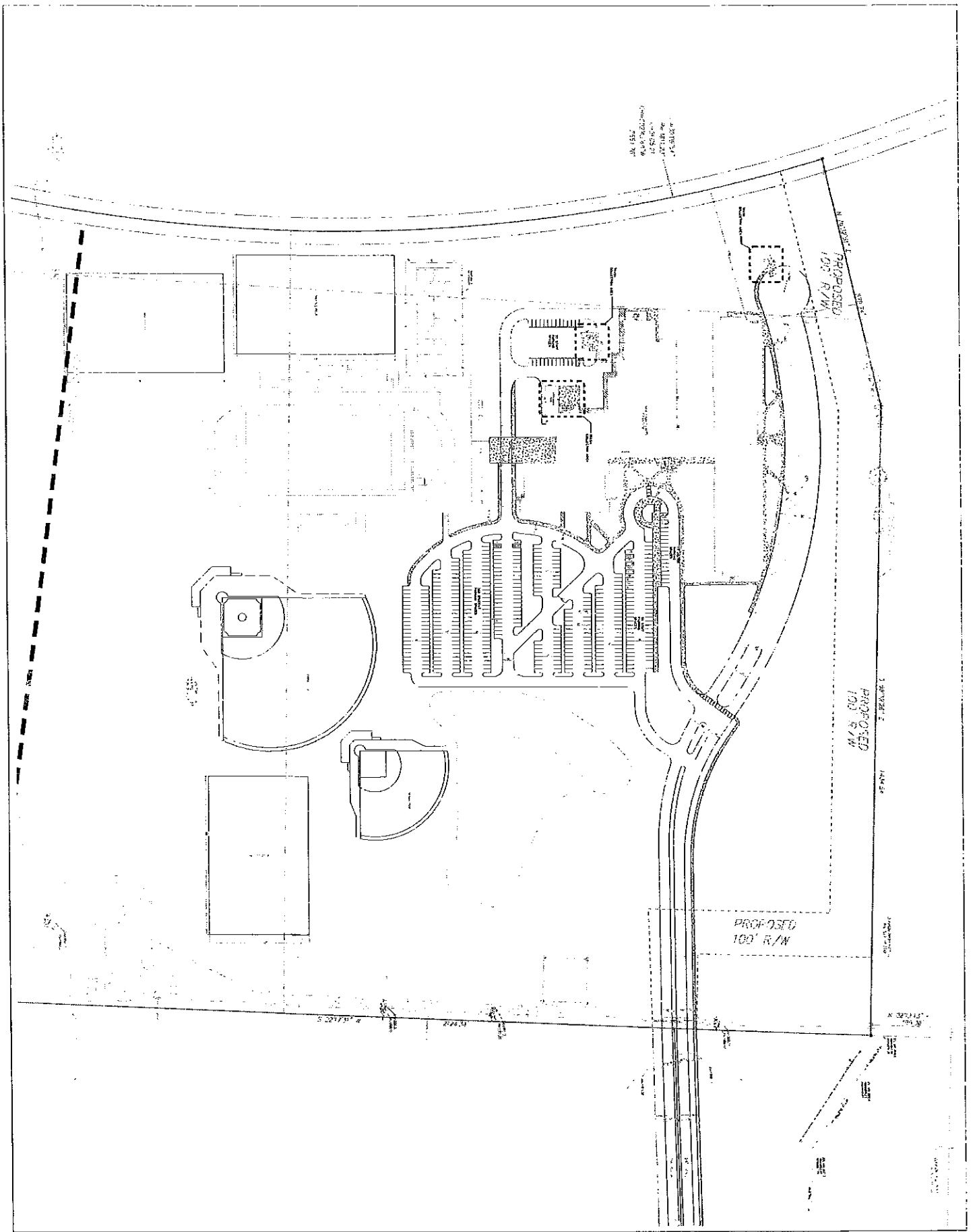
THIS DESCRIPTION WAS PREPARED BY DAVID DOUGLAS SMITH, REGISTERED OHIO SURVEYOR #7121.

TEXCA-06/14/05-dr

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# 2009-00014083
BK 8096 PG 1523

Millville-Oxford Rd
Millville-Oxford Rd
Millville-Oxford Rd
Miami Western Dr
Redbody Ct
Indian Tribe Dr
Red Cloud Ct
Western Dr
Broom Rd



C101

LOCATION PLAN
SCALE 1:75

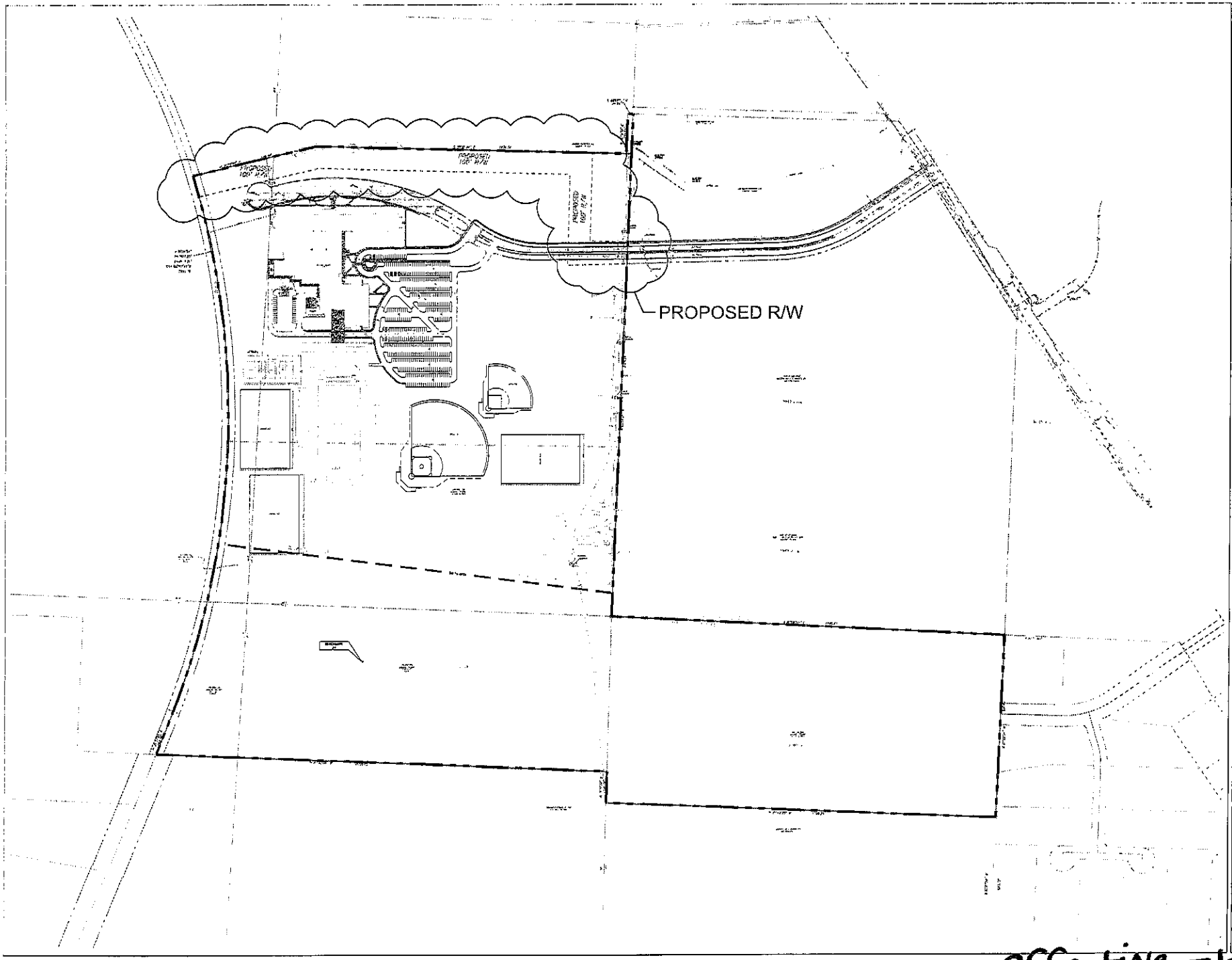
NO	DATE	CONDITIONAL USE
1	JULY 27, 2009	

ISSUANCES

TALAWANDA HIGH SCHOOL
CONDITIONAL USE
MILLVILLE-OXFORD RD. OXFORD, OH 45056

TALAWANDA SCHOOL DISTRICT
131 W. CHESTNUT ST. OXFORD, OH 45056

SHP
LEADING DESIGN
1900 Momentum Place Suite 400
Cincinnati, Ohio 45202 513-381-2112
62 Williams Avenue
Hamilton, Ohio 45013 513-863-3441
250 Civic Center Drive Suite 320
Columbus, Ohio 43215 614-233-2121



SHP LEADING DESIGN

TALAWANDA HIGH SCHOOL
CONDITIONAL USE
KILLVILLE-OXFORD RD. OXFORD, OH 45056

TALAWANDA SCHOOL DISTRICT
131 W. CHESTNUT ST. OXFORD, OH 45056

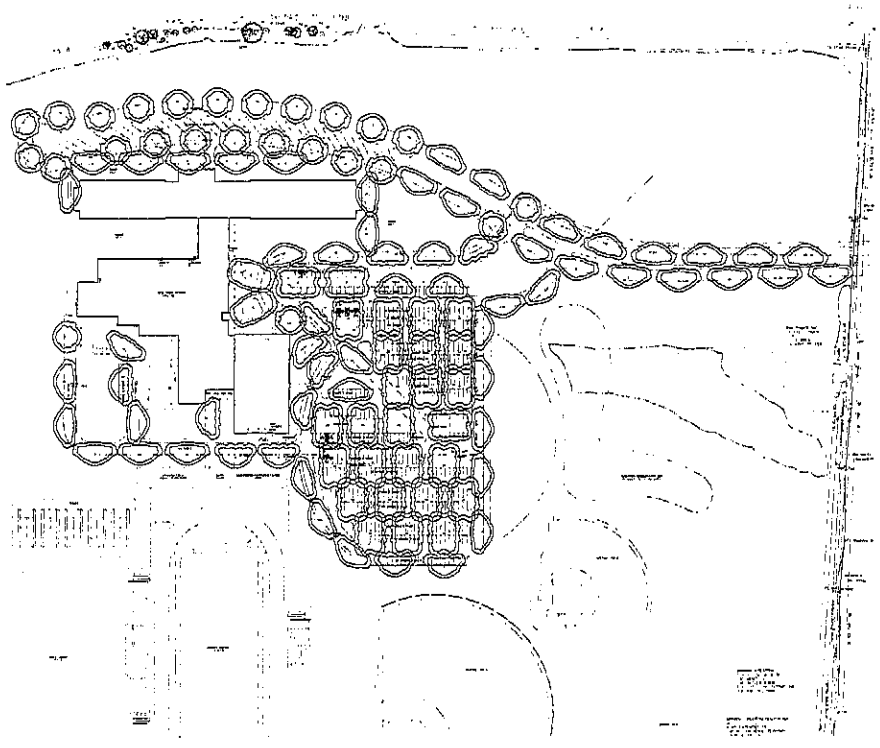
ISSUANCES

LOCATION PLAN
SCALE 1:150

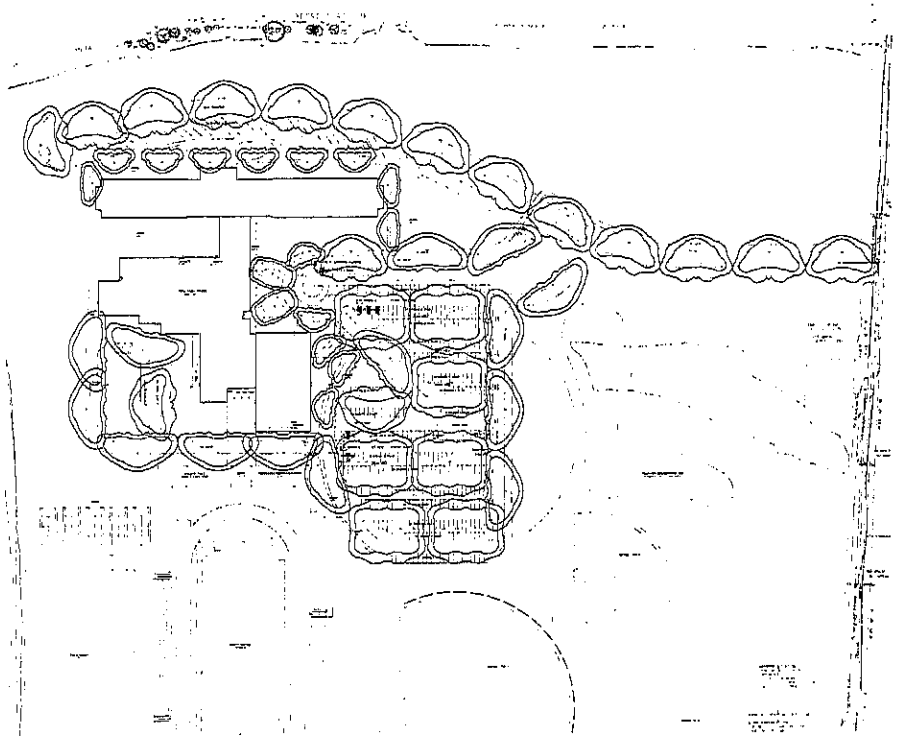
CONDITIONAL USE
DATE JULY 27, 2009
COMM NO. 2004065.00

C102

effective 7/27/09



LIGHTING LAYOUT - 16' POLES, 115 TOTAL



LIGHTING LAYOUT - 30' AND 16' POLES, 53 TOTAL

SHP LEADING DESIGN
1456 Hardscrabble Road
Columbus, Ohio 43235
614-540-6455
22 E. 4th Street, Suite 1900
Cincinnati, Ohio 45202
513-381-2112
Suite 100
5321 Corporate Blvd.
Baton Rouge, LA 70808
225-408-3660

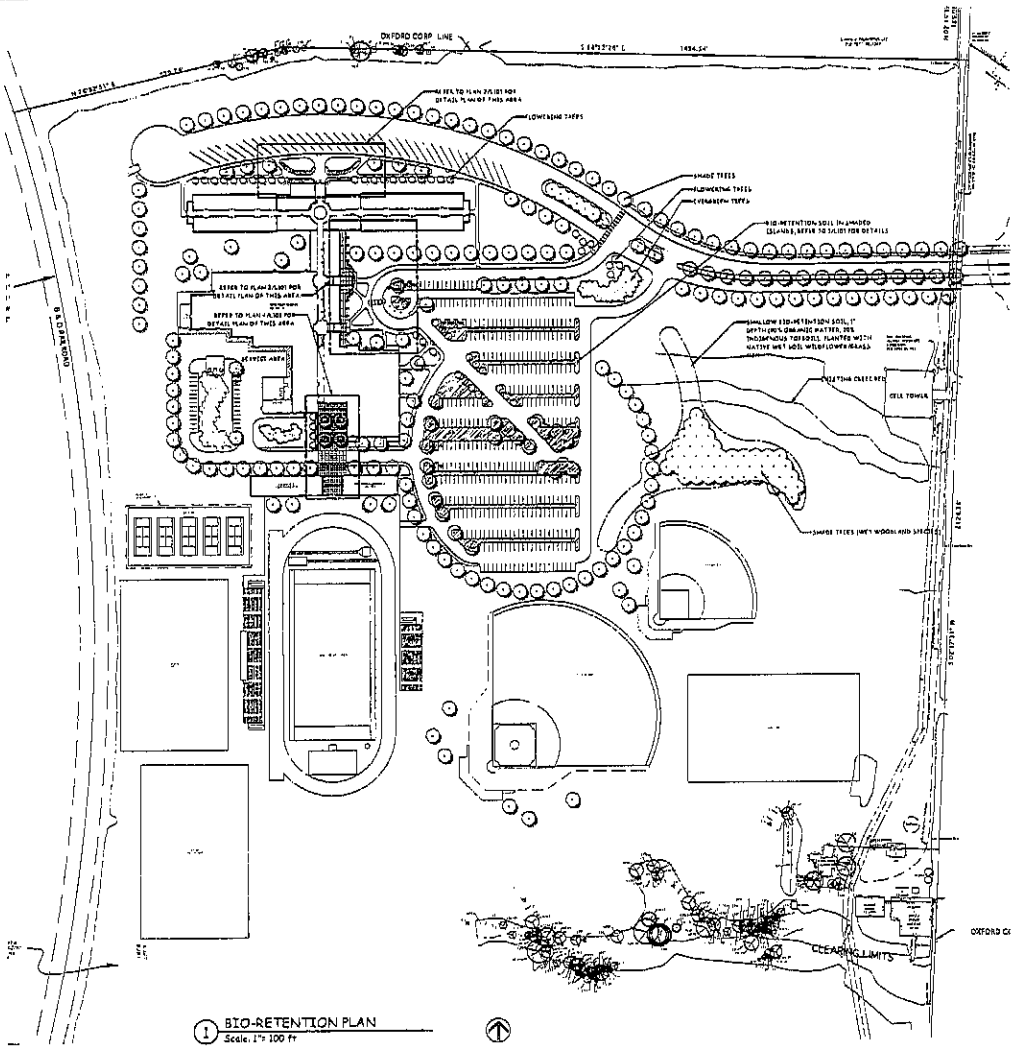
TALAWANDA HIGH SCHOOL
CONDITIONAL USE
MILLVILLE-OXFORD RD. OXFORD, OH 45056
TALAWANDA SCHOOL DISTRICT
131 W. CHESTNUT ST. OXFORD, OH 45056

ISSUANCES

LIGHTING PLAN
SCALE 1"=100'-0"

CONDITIONAL USE
DATE JUNE 23, 2008
COMM NO. 2YW005.00

E100



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

WETSOIL WILDFLOWER/GRASS MIX

Grass mix grass like
Flower mixtures - Virginia Wild Rye
Andropogon gerardii - Big Bluestem
Panicum virgatum - Switchgrass
Elymus virginicus - Virginia Wildrye
Juncus effusus - Soft Rush
Scirpus atrovirens - Dark Green Bulrush
Scirpus cyperinus - Woolgrass

Forbs (wildflowers)
Asclepias incarnata - Swamp Milkweed
Aster novae-angliae - New England Aster
Eupatorium maculatum - Spotted Joe Pye
Eupatorium perfoliatum - Common Boneset
Helianthus grosseserratus - Sawtooth Sunflower
Liatris spicata - Dense Blazing Star
Mentha arvensis - Wild Mint
Veronia fasciculata - Western Ironweed
Vernonia altissima - Tall Ironweed
Zizia aurea - Golden Alexanders

15 Lbs Per Acre Broadcast
10 Lbs Per Acre Drilled

Note: PROVIDE 10'-0" OUTFLOWS INTO BIO-RETENTION AREAS, 8" DEPTH OF WASHED 1 1/2" TO 3" RIVER STONE WITH GEOTEXTILE FILTER UNDERLAYMENT

PLANTING NOTES

1. ALL PLANTS SHALL BE BALLED AND BURLAPPED UNLESS OTHERWISE STATED IN THE PLANT LIST. SYNTHETIC OR TREATED BURLAP SHALL NOT BE USED IN BALLING AND BURLAPPING ANY PLANTS ON THIS PROJECT.

2. ALL PLANT MATERIALS SHALL MEET OR EXCEED THE SIZES GIVEN IN THE PLANT LISTS AND SHALL HAVE A HABIT OF GROWTH THAT IS NORMAL FOR THE SPECIES AND A WELL-BRANCHED STRUCTURE. THEY SHALL BE SOUND, HEALTHY AND VIGOROUS, WITH BALANCED ROOT AND TOP GROWTH. PLANTS SHALL BE FREE OF DISEASE, INSECTS, EGGS LARVAE AND DEFECTS SUCH AS KNOTS, SUNSCALD, INJURIES, ABRASIONS, OR DISFIGUREMENT. ALL MEASUREMENTS SUCH AS CALIPER, HEIGHT, SPREAD AND QUALITY DESIGNATIONS MUST BE IN ACCORDANCE WITH THE LATEST EDITION OF AMERICAN STANDARD FOR NURSERY STOCK ANSI Z60.1. PLANT MATERIALS FOR THIS PROJECT MUST COME FROM NURSERIES LOCATED IN ZONES 5A TO 6A AS SET FORTH IN THE MOST RECENT USDA PLANT HARDINESS ZONE CHART AND WITH A SIMILAR SOIL TYPE OF CLAY LOAM.

3. ALL PLANTS AND PLANTINGS ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT AND SHALL BE INSTALLED ONLY AS SHOWN ON THE DRAWINGS OR AS DIRECTED BY THE LANDSCAPE ARCHITECT.

4. SUBSTITUTIONS WILL NOT BE PERMITTED AFTER THE CONTRACT IS AWARDED. SUBMIT PROOF IN WRITING THAT A PLANT IS NOT OBTAINABLE AND PROPOSED SUBSTITUTION LIST FOR APPROVAL BY THE LANDSCAPE ARCHITECT FOR USE OF THE NEAREST EQUIVALENT OBTAINABLE SIZE OR VARIETY OF PLANT HAVING THE SAME ESSENTIAL CHARACTERISTICS.

5. SHOULD THE LANDSCAPE CONTRACTOR ENCOUNTER UNSATISFACTORY SURFACE OR SUBSURFACE DRAINAGE CONDITIONS, TOPSOIL DEPTH, HARD PAN, UTILITY LINES, CONSTRUCTION DEBRIS OR OTHER CONDITIONS THAT WILL ADVERSELY AFFECT THE HEALTH AND VIGOR OF THE PLANTS, HE MUST ADVISE THE LANDSCAPE ARCHITECT OF THE CONDITIONS PRIOR TO INSTALLING THE PLANTS AND NOT INSTALL PLANTS UNTIL RECEIVING WRITTEN AUTHORIZATION FROM THE LANDSCAPE ARCHITECT. OTHERWISE THE LANDSCAPE CONTRACTOR WARRANTS THAT THE PLANTING AREAS ARE SUITABLE FOR PROPER GROWTH AND DEVELOPMENT OF THE PLANTS TO BE INSTALLED.

6. PERFORM PERCOLATION TESTS FOR BED AREAS AND TREES IN LAWN AREAS, PRIOR TO PLANTING. PERCOLATION TEST SHALL BE PERFORMED BY SOAKING A HOLE TO THE DEPTH OF THE ROOTBALL, FILL THE HOLE WITH WATER. THE WATER SHOULD DRAIN THROUGH THE HOLE WITHIN 24 HOURS. PERFORM THE PERCOLATION TEST A MINIMUM OF (3) TIMES IN EACH BED AND AT (3) TREE LOCATIONS. TREE LOCATIONS SHALL BE RANDOM THROUGHOUT THE SITE. SHOULD THE TESTS REPEATEDLY FAIL, CONTACT LANDCARE ARCHITECT FOR DIRECTION. SHOULD THE LANDSCAPE CONTRACTOR ELECT NOT TO REPORT POOR DRAINAGE CONDITIONS, IT REMAINS THEIR RESPONSIBILITY TO WARRANTY AND REPLACE ALL RESULTING DEAD PLANTS.

7. PLACE TWO INCHES OF PEAT OR MUSHROOM COMPOST OVER ALL PLANTING BEDS AND THOROUGHLY INCORPORATE IN THE SOIL TO A DEPTH OF TWELVE INCHES. REMOVE ALL UNDESIRABLE MATERIAL LARGER THAN TWO INCHES IN ANY DIMENSION AND DISPOSE OF OFF THE SITE DURING THIS OPERATION. REMOVE ANY ROCK OR UNDERGROUND OBSTRUCTION TO THE DEPTH NECESSARY FOR PLANTING AS SPECIFIED, UNLESS OTHER PLANTING LOCATIONS ARE ACCEPTED BY THE LANDSCAPE ARCHITECT. ADD AN ADDITIONAL TWO INCHES OF COMPOST TO EDUCATIONAL BEDS AS A MULCH IN THE COURTYARD AREAS.

8. BED AREAS, INCLUDING TREE CIRCLES ARE TO BE MULCHED WITH 3" OF SHREDDED HARDWOOD BARK MULCH. SUBMIT SAMPLE FOR REVIEW BY LANDSCAPE ARCHITECT. PROVIDE A SMOOTH SHOVEL CUT EDGE TO ALL BED LINES AS SHOWN ON THE DRAWINGS. APPLY PRE-EMERGENT HERBICIDE IN ACCORDANCE WITH MANUFACTURERS SPECIFICATIONS AND RATES TO ALL BED AREAS AND TREE CIRCLES PRIOR TO PLACING MULCH.

10. FINISH GRADING: THE FINISH SURFACE SHALL BE SMOOTH AND FREE OF BUMPS, DEPRESSIONS, OTHER IRREGULARITIES OR FOREIGN MATERIALS.

11. PLANTING PITS FOR TREES AND SHRUBS SHALL BE DUG THREE TIMES IN DIAMETER THE SPREAD OF THE ROOTS, (OR A MIN. 3' RADIUS) IN A PLANTING PIT) AND HAVE A DEPTH EQUAL TO THE HEIGHT OF THE ROOTBALL OR CONTAINER WITH SLOPED SIDES AND FLAT BOTTOMS. ANY HEAVY CLAY OR OTHER SOIL UNSUITABLE FOR PLANTING ENCOUNTERED IN THE HOLES SHALL BE REMOVED FROM THE SITE, UNLESS DISPOSITION ON THE PROJECT SITE IS DIRECTED BY THE GENERAL CONTRACTOR OR CONSTRUCTION MANAGER. NO MORE THAN 1" OF BACKFILL SHALL BE PLACED ON TOP OF THE ROOTBALL.

12. ALL CORDS AND BINDINGS SHALL BE CUT FROM PLANTS PRIOR TO BACKFILLING. THE TOP 1/2 OF WIRE BASKET AND TOP 1/3 OF BURLAP SHALL BE REMOVED FROM THE ROOTBALL OF TREES AND SHRUBS, PRIOR TO BACKFILLING.

13. ALL PLANTS, TREES, SHRUBS AND VINES SHALL BE GUARANTEED BY THE LANDSCAPE CONTRACTOR FOR A PERIOD OF ONE YEAR AFTER FORMAL ACCEPTANCE OF THE PLANTING BY THE OWNER. FOR FINAL ACCEPTANCE AN INSPECTION WILL BE MADE BY THE OWNER AND LANDSCAPE ARCHITECT UPON WRITTEN OR VERBAL NOTICE REQUESTING SUCH INSPECTION, SUBMITTED BY THE LANDSCAPE CONTRACTOR AT LEAST TEN (10) DAYS PRIOR TO THE ANTICIPATED DATE. FINAL ACCEPTANCE WILL BE GIVEN WHEN THE LANDSCAPE CONTRACTOR HAS COMPLETED ALL PUNCH LIST ITEMS FOUND IN THE FINAL ACCEPTANCE INSPECTION. MATERIAL SHALL BE ALIVE AND IN SATISFACTORY GROWTH AS DETERMINED BY THE LANDSCAPE ARCHITECT AT THE BEGINNING AND END OF THE GUARANTEE PERIOD. THE LANDSCAPE CONTRACTOR SHALL CHECK THE PLANTINGS REGULARLY DURING THE GUARANTEE PERIOD. SHOULD THE LANDSCAPE CONTRACTOR FIND THE PLANT MATERIAL IS NOT RECEIVING THE PROPER MAINTENANCE AT ANY TIME PRIOR TO THE END OF THE GUARANTEE PERIOD, HE SHOULD ADVISE THE LANDSCAPE ARCHITECT AND THE OWNER IMMEDIATELY IN WRITING SO CORRECTIVE MEASURES MAY BE INITIATED. REPLACEMENT: AT THE END OF THE GUARANTEE PERIOD, AN INSPECTION WILL BE MADE BY THE OWNER AND LANDSCAPE ARCHITECT UPON WRITTEN OR VERBAL NOTICE REQUESTING SUCH INSPECTION, SUBMITTED BY THE LANDSCAPE CONTRACTOR AT LEAST TEN (10) DAYS PRIOR TO THE ANTICIPATED DATE. ANY PLANT REQUIRED UNDER THIS CONTRACT THAT IS DEAD OR NOT SATISFACTORY IN GROWTH AS DETERMINED BY THE LANDSCAPE ARCHITECT SHALL BE REMOVED FROM THE SITE THESE AND ANY PLANTS MISSING DUE TO THE LANDSCAPE CONTRACTOR'S NEGLIGENCE, SHALL BE REPLACED AS SOON AS CONDITIONS PERMIT DURING THE NORMAL PLANTING SEASON. IF REPLACEMENTS ARE PLANTED WHILE THEY ARE DORMANT, THEY MUST FULLY LEAF OUT THE FOLLOWING SPRING TO MEET THE REQUIREMENTS OF THIS PROJECT.

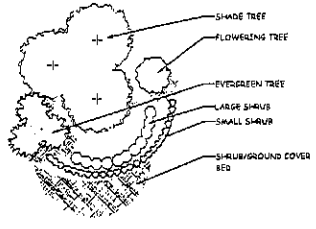
14. THE LANDSCAPE CONTRACTOR SHALL REMOVE FROM THE PROJECT SITE ALL EXCESS MATERIAL, DEBRIS, EQUIPMENT AND RELATED ITEMS PERTINENT TO THE WORK UNDER THIS CONTRACT UNLESS DISPOSITION ON THE PROJECT SITE IS DIRECTED BY THE GENERAL CONTRACTOR OR CONSTRUCTION MANAGER.

15. SUBMIT PRIOR TO FINAL ACCEPTANCE THREE (3) SETS OF TYPEWRITTEN INSTRUCTIONS RECOMMENDING PROCEDURES TO BE ESTABLISHED BY THE OWNER FOR MAINTENANCE OF LANDSCAPE WORK FOR ONE FULL YEAR.

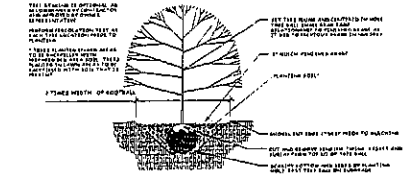
16. SEED AREAS LABELED LAWN ON THE LANDSCAPE PLANS AND ALL DISTURBED AREAS. AREAS TO BE SEEDED SHALL BE DISKED, ROLLED AND DRAGGED WITH A HARLEY ROCK RAKE TO PREPARE A SUITABLE GROWING MEDIUM AND BROUGHT TO THE FINISHED GRADE WITH AN ALLOWANCE FOR SETTLEMENT. AREAS, WHERE AGGREGATES AND OTHER MATERIALS HAVE BEEN STOCKPILED SHALL BE CLEANED UP PRIOR TO PLACEMENT OF TOPSOIL.

17. REFER TO SPECIFICATION 329200 FOR SEED MIX. BROADCAST ALL SEED MIXES AT A RATE OF 8LBS. PER 1000 SF. LANDSCAPE CONTRACTOR TO USE ONLY CULTIVARS THAT FALL IN THE TOP 5 OR 10 PERCENT OF THE NTEP (NATIONAL TURFGRASS EVALUATION PROGRAM) TEST RESULTS. SUBMIT PROPOSED MIX. BALED STALKS OF RYE, OATS OR WHEAT, REASONABLY FREE OF NOXIOUS WEEDS AND WEED SEEDS OR OTHER MATERIAL DETRIMENTAL TO PLANT GROWTH, TO BE BROADCAST FOR MULCH OF SEEDED AREAS; CRIMP MULCH AFTER APPLICATION. BEFORE BROADCASTING SEED, ALL SOFT SPOTS AND INEQUALITIES IN GRADE SHALL BE CORRECTED AND FERTILIZER SHALL BE SPREAD AND RAKED IN AND WATERED THOROUGHLY. SEED MAY BE APPLIED BY HYDROSEEDING METHODS. EROSION CONTROL MAT SHALL BE PLACED OVER ALL SWALE AREAS AND SLOPES OF 2:1 AND GREATER, IN PLACE OF STRAW MULCH.

LEGEND



Plant List			
Common Name	Qty.	Scheduled Size	Remarks
Evergreen Trees	106	7' Ht.	
Trees	275	2 1/2" Cal.	Street Trees limbed up to 6' Ht.
Flowering Trees	55	2" Cal.	Specimen Quality
Large Shrubs	50	4' Ht.	
Small Shrubs	150	18" Spr. / 3 Gal.	
Ornamental Grasses	200	1 Gal.	
Bio-Retention Area	150,000 SF	15lbs/acre	Native wildflower and grass mix



2 Tree Planting Detail
Scale: 1/4" = 1'-0"

SHP LEADING DESIGN
6 East Fourth Street, Suite 1000, Cincinnati, Ohio 45202, 513.381.2112
250 East Center Drive, Suite 300, Dayton, Ohio 45324, 937.223.2124
www.shpcom

TALAWANDA HIGH SCHOOL
TALAWANDA SCHOOL DISTRICT
MILLVILLE-OXFORD RD. OXFORD, OH 45056

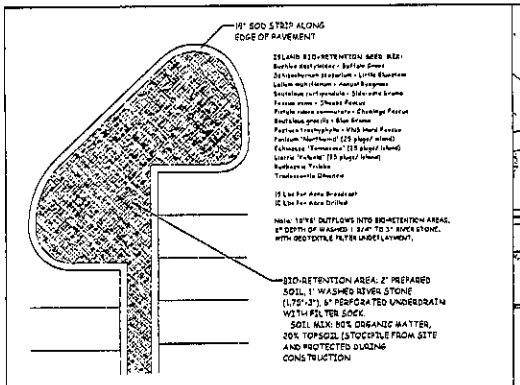
TALAWANDA SCHOOL DISTRICT
131 W. CHESHUT ST. OXFORD, OH 45056

ISSUANCES
04-03-2009 SCHEMATIC DESIGN
06-26-2009 DESIGN DEVELOPMENT

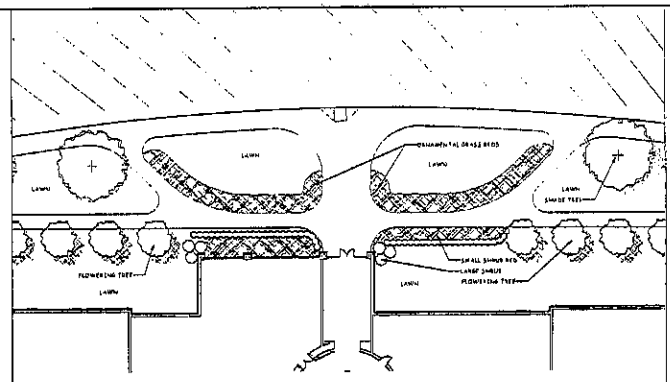
TREE PLANTING PLAN

DESIGN DEVELOPMENT
DATE 06-26-2009
COMM NO. 2006065.00

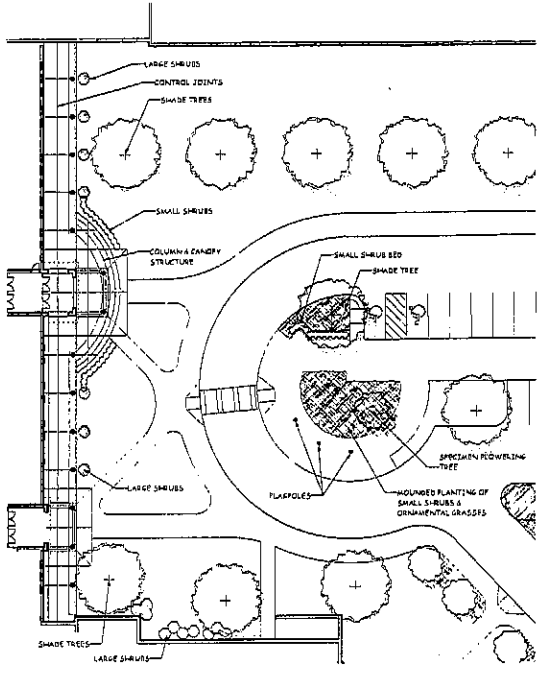
L100



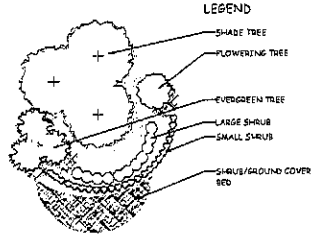
1 BIO-RETENTION ISLAND DETAIL
Scale: 1" = 10 ft

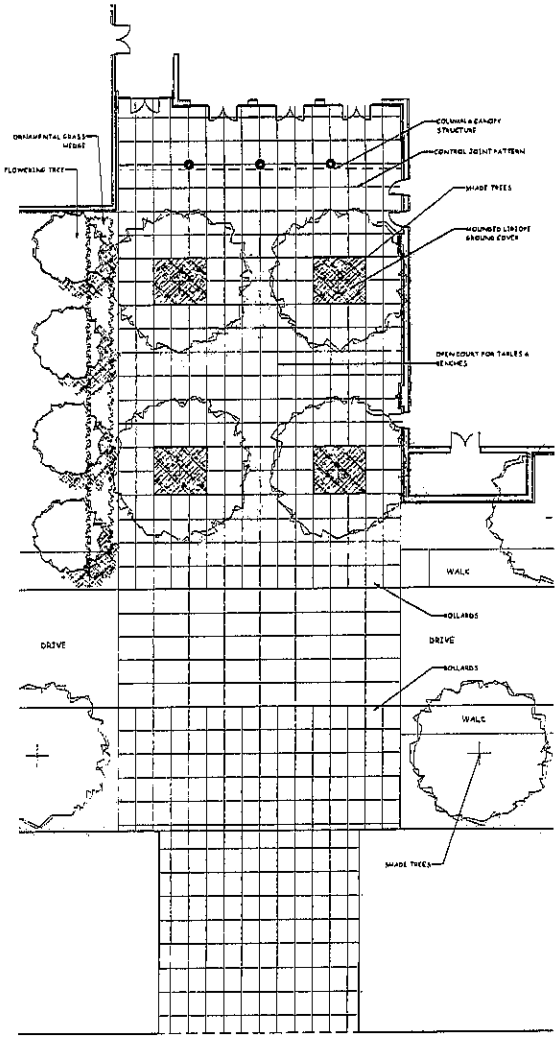


3 BUS ENTRANCE PLANTING PLAN
Scale: 1" = 20 ft



2 MAIN ENTRANCE PLANTING & PVMT PLAN
Scale: 1" = 20 ft





4 COURTYARD PLAN
Scale: 1" = 10 ft

SHP LEADING DESIGN
2 East Main Street Suite 400 Xenia, Ohio 45385 937.775.1170
2 Miami Avenue Hamilton, Ohio 45013 513.844.4444
250 East Broad Street Suite 1400 Columbus, Ohio 43215 614.255.3124
www.shpcom

TALAWANDA HIGH SCHOOL
TALAWANDA SCHOOL DISTRICT
XENIA, OHIO
TALAWANDA SCHOOL DISTRICT
131 W. CHESNUT ST. OXFORD, OH 45056

ISSUANCES
04-03-2009
SCHEMATIC DESIGN
06-26-2009
DESIGN DEVELOPMENT

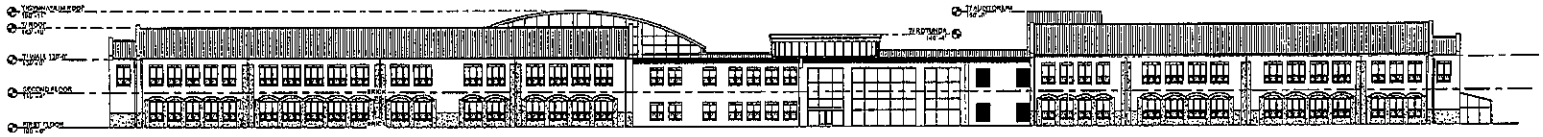
TREE PLANTING PLAN

DESIGN DEVELOPMENT

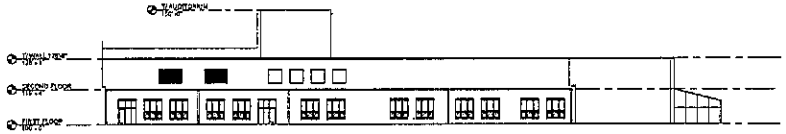
DATE 06-26-2009

COMM NO 2008065.00

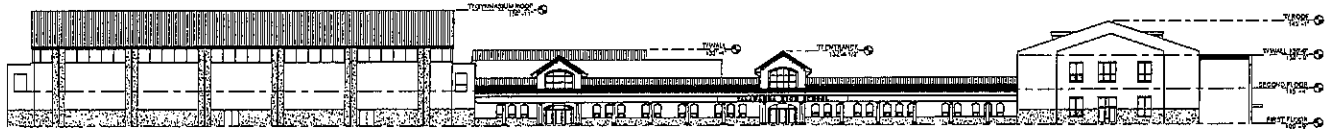
L101



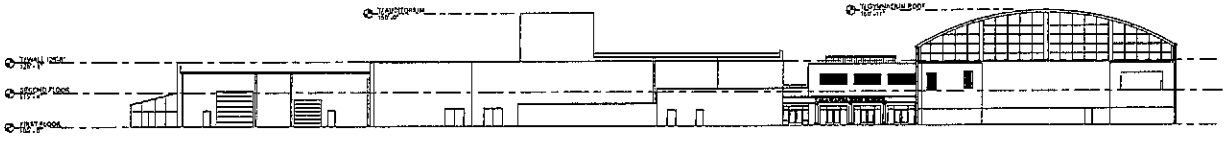
1 A200 NORTH ELEVATION - ACADEMIC WING



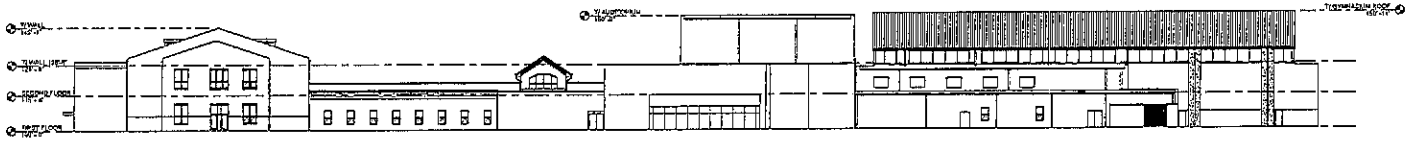
2 A200 NORTH ELEVATION - ART WING



3 A200 EAST ELEVATION - MAIN ENTRANCE



4 A200 SOUTH ELEVATION



5 A200 WEST ELEVATION

STATE OF OHIO — PRELIMINARY NOT FOR CONSTRUCTION — REGISTERED ARCHITECTS

SHP LEADING DESIGN

TALAWANDA HIGH SCHOOL
CONDITIONAL USE
MILLVILLE-OXFORD RD. OXFORD, OH 45056
TALAWANDA SCHOOL DISTRICT
131 W. CHESNUT ST. OXFORD, OH 45056

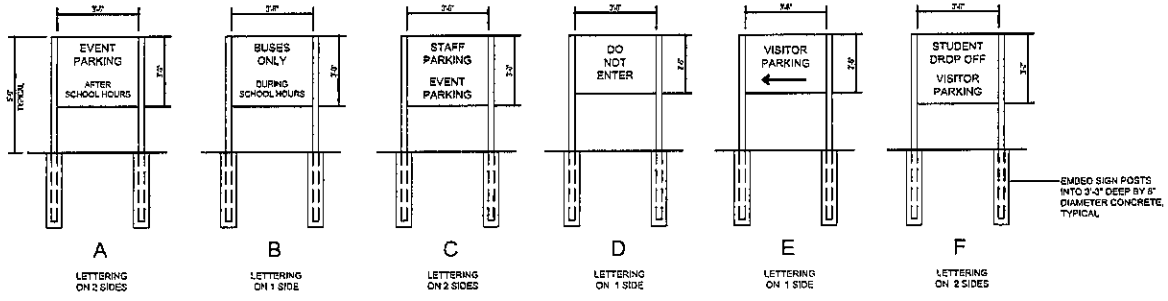
ISSUANCES

EXTERIOR ELEVATIONS

CONDITIONAL USE
DATE 05-26-2009
COMM NO. 2008065.00

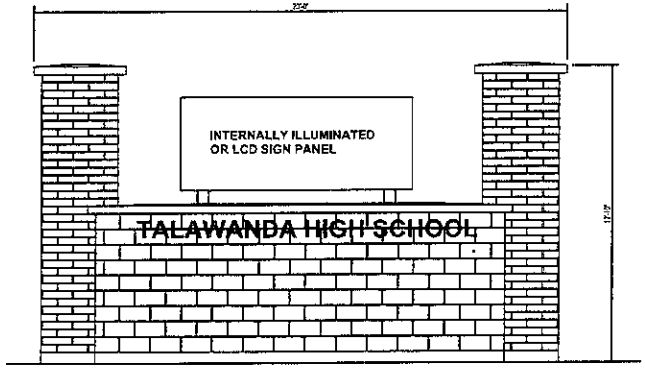
A200

6/19/2009 2:50:33 PM



POST AND PANEL SIGN TYPES

NO SCALE



ENTRY SIGN - TBD

NO SCALE

SHP LEADING DESIGN

TALAWANDA HIGH SCHOOL
CONDITIONAL USE
MELVILLE-OXFORD RD. OXFORD, OH 45056

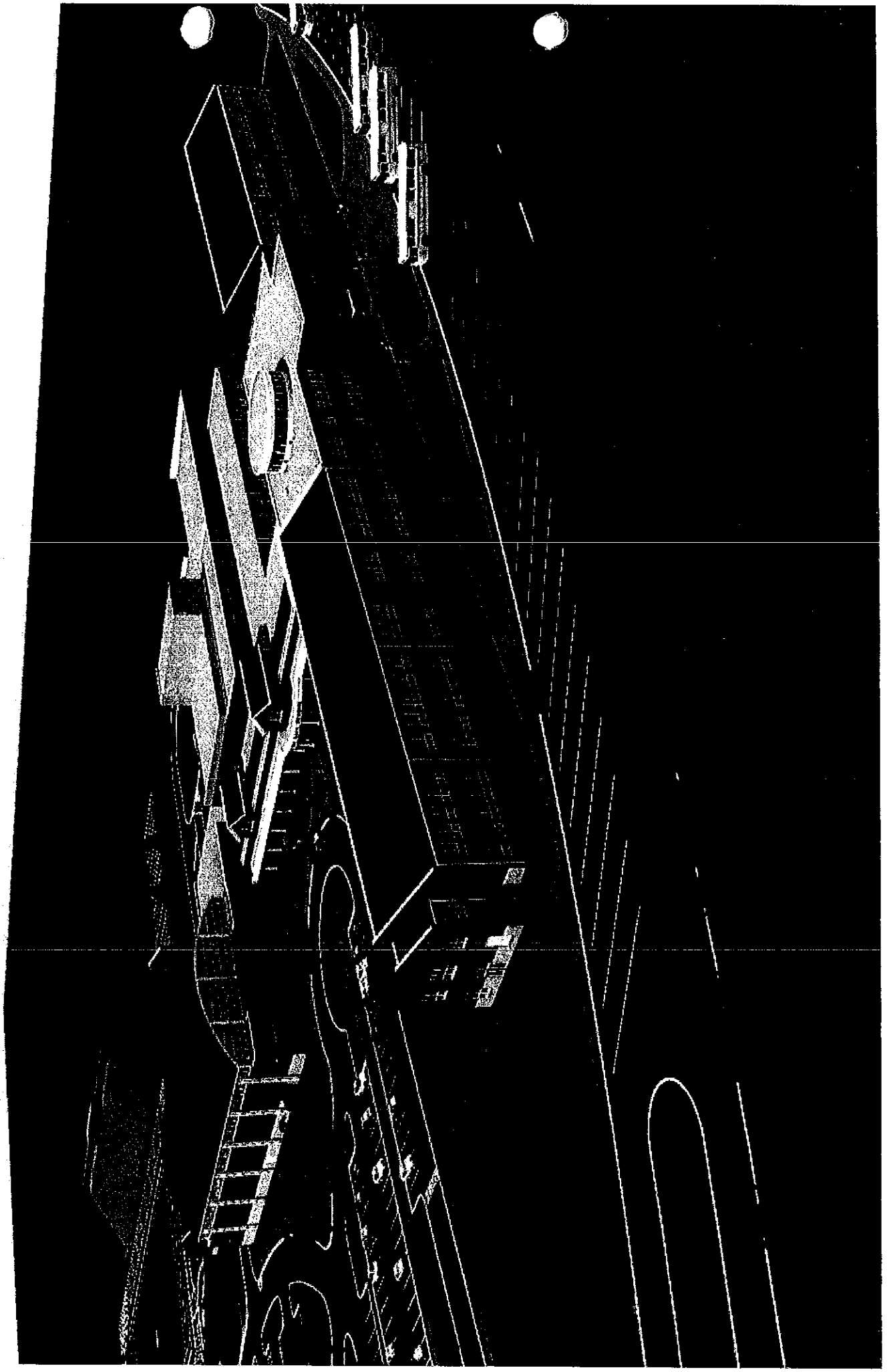
TALAWANDA SCHOOL DISTRICT
131 W. CHESTNUT ST. OXFORD, OH 45056

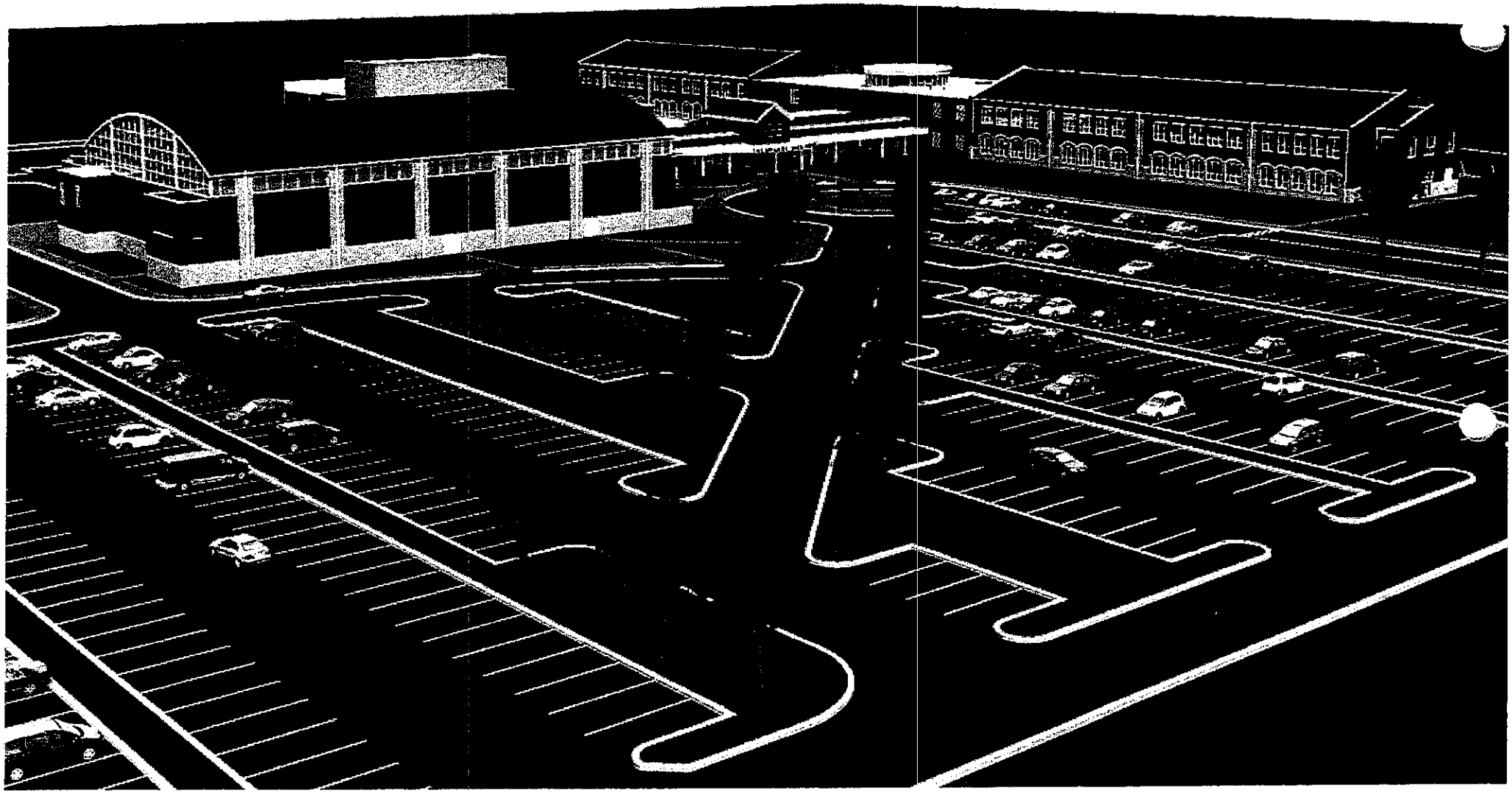
ISSUANCES

PROPOSED SIGNS
SCALE: NONE

CONDITIONAL USE
DATE JUNE 23, 2009
COMM NO. 2008065.09

C103





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 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.

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 remvoing 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 dose 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: _____ Date: 7.30.09

Have not heard from anyone to address t 103 sues.

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: T. Dews

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

Drawings are being submitted to you for the following:

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___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

SEE MEMO DATED JULY 28, 2009.

Drawings reviewed by: _____ Date: 7-28-09

CITY OF
OXFORD
HOME OF MIAMI UNIVERSITY

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

Drawings reviewed by: H. Johnson 7-22-09

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delivered 7/1/09 @ 1:50pm

CITY OF
OXFORD
HOME OF MIAMI UNIVERSITY

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.

CITY OF
OXFORD
HOME OF MIAMI UNIVERSITY

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.

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)

Drawings reviewed by: S Schwa Date: 7/27/9

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**

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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: S Schwed

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**

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

_____X___ Review _____ Revisions _____Other

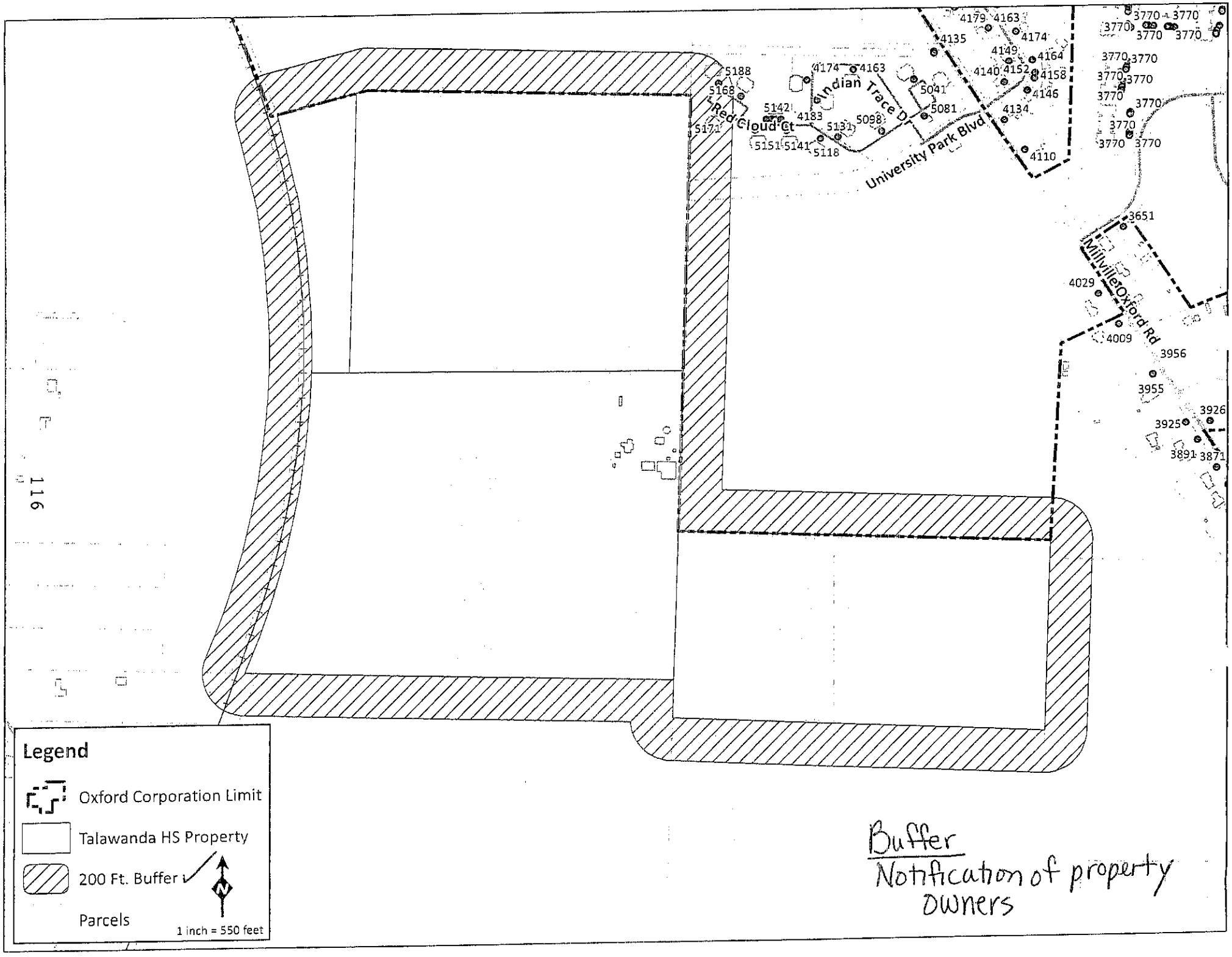
Comments or status update requested by: Lynn Taylor

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

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: _____


Red Cloud Ct
Indian Trace Dr
University Park Blvd
Millville Oxford Rd
116
Legend
Oxford Corporation Limit
Talawanda HS Property
200 Ft. Buffer
Parcels
1 inch = 550 feet
Buffer
Notification of property owners

(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:	859 sf
	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:	376 sf total (2 silos)		
	212,504 sf	212,504 sf	
	/ 6,708,240 = 3.17% Whole Site	/ 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:	9,844 sf		
	884,184 sf	884,184 sf	
	/ 6,708,240 = 13.2% Whole Site	/ 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 I 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 **Cell Tower**

§1157.06(b): 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

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.

CITY OF
OXFORD

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.

CITY OF
OXFORD
HOME OF MIAMI UNIVERSITY

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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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

SHP
LEADING DESIGN

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 and 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

4825 Montgomery Road Suite 400
Cincinnati, Ohio 45212
513.961.2112 main
513.961.5121 fax

82 Williams Avenue
Hamilton, Ohio 45015
513.863.5441 main
513.863.5993 fax

250 Civic Center Drive Suite 200
Columbus, Ohio 43215
614.228.2124 main
614.228.2150 fax

Shad Hammond Real Inc

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.

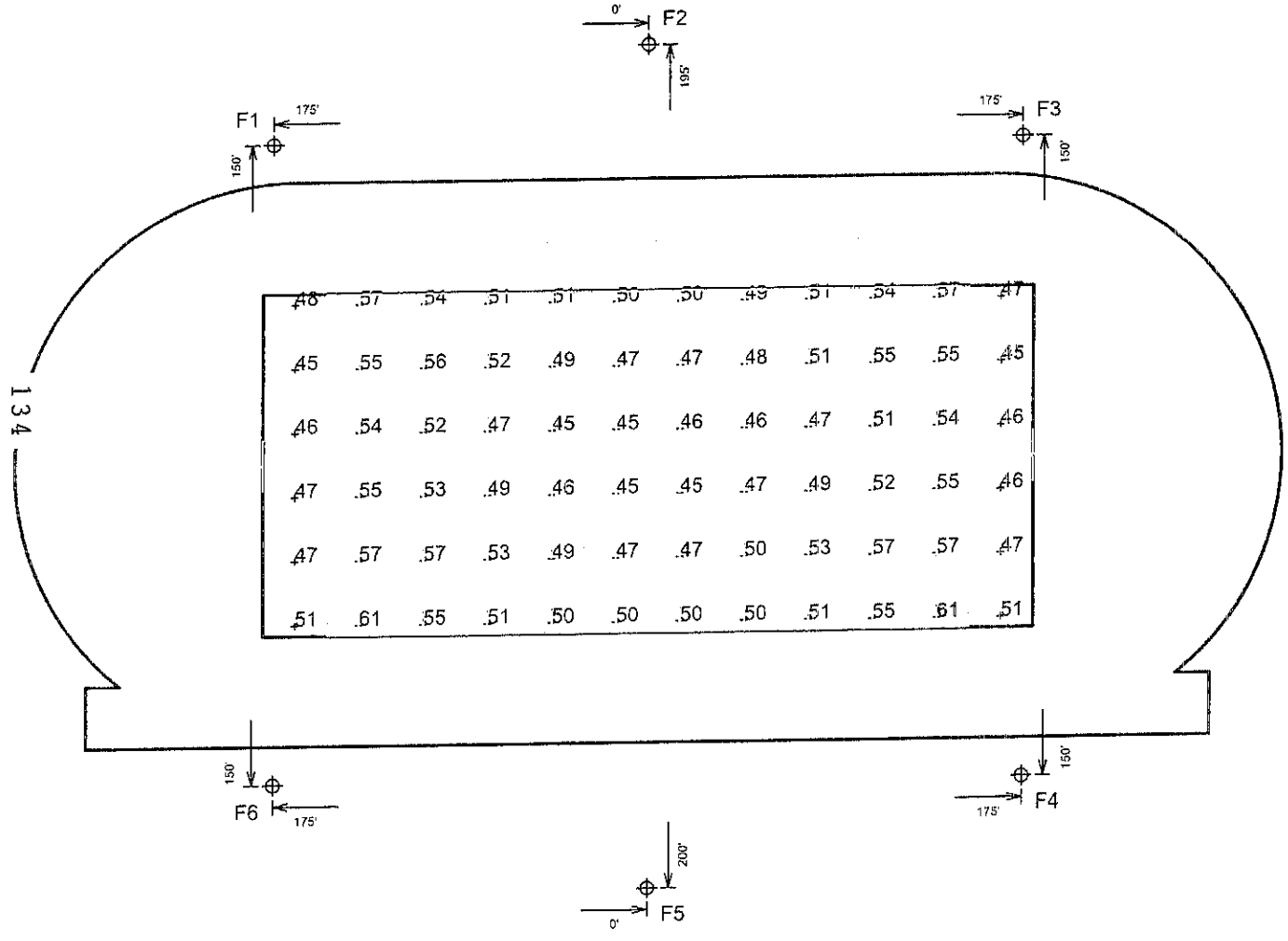
Please contact me if you have additional question.

Sincerely,
SHP Leading Design

Charlie Jahnigen, AIA, LEED AP
Vice President

EQUIPMENT LIST FOR AREAS SHOWN

Pole				Luminaires				
QTY	LOCATION	SIZE	GRADE ELEVATION	MOUNTING HEIGHT	LAMP TYPE	QTY / POLE	THIS GRID	OTHER GRIDS
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



GREEN GENERATION LIGHTING™

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

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SCALE IN FEET 1 : 80

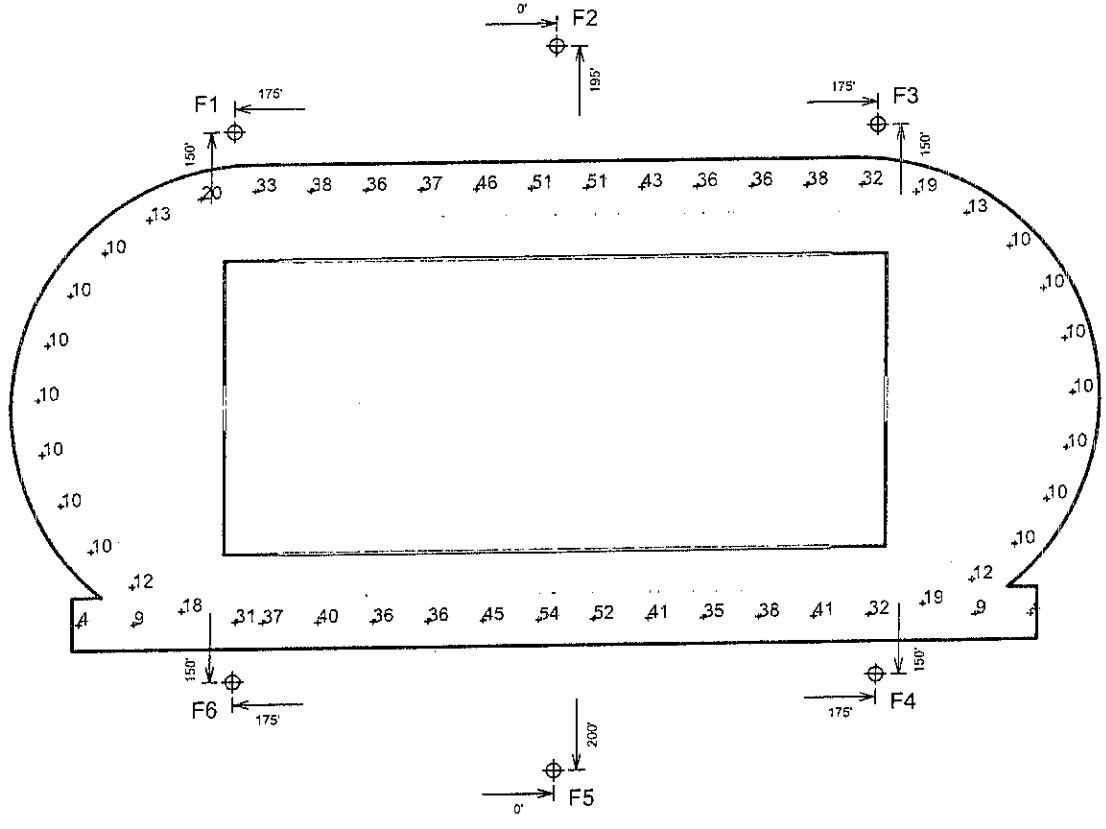
0' 80' 160'

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

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

EQUIPMENT LIST FOR AREAS SHOWN

Pole				Luminaires				
QTY	LOCATION	SIZE	GRADE ELEVATION	MOUNTING HEIGHT	LAMP TYPE	QTY / POLE	THIS GRID	OTHER GRIDS
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



SCALE IN FEET 1 : 100

0' 100' 200'

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

GREEN GENERATION LIGHTING™

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

	Entire Grid
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

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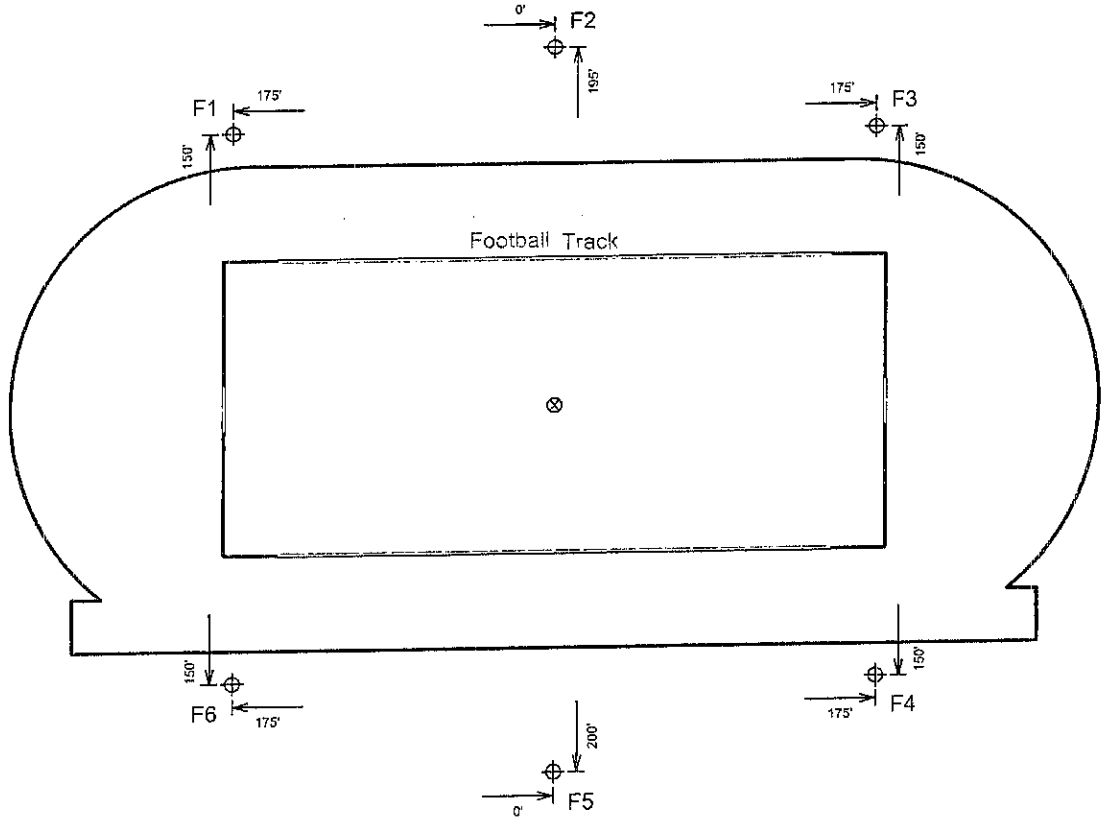

SCALE IN FEET 1 : 100

0' 100' 200'

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

MUSCO GREEN GENERATION LIGHTING™

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

Pole				Luminaires		
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
6	←TOTALS→					54

SINGLE LUMINAIRE AMPERAGE DRAW CHART

Ballast Specifications (.90 min power factor)	Line Amperage Per Luminaire (max draw)							
Single Phase Voltage	120 (60)	208 (60)	220 (60)	240 (60)	277 (60)	347 (60)	380 (60)	415 (60)	480 (60)
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

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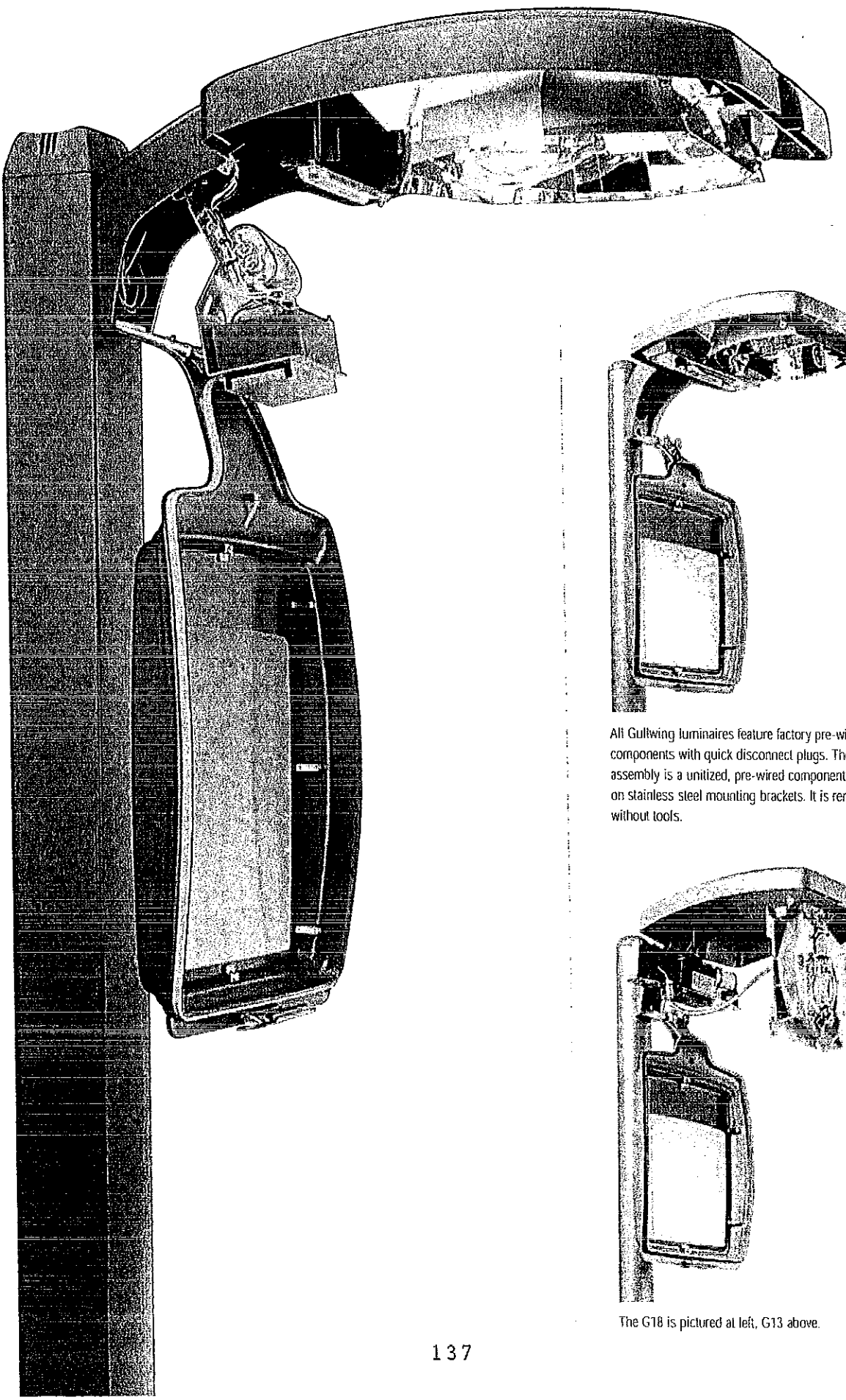
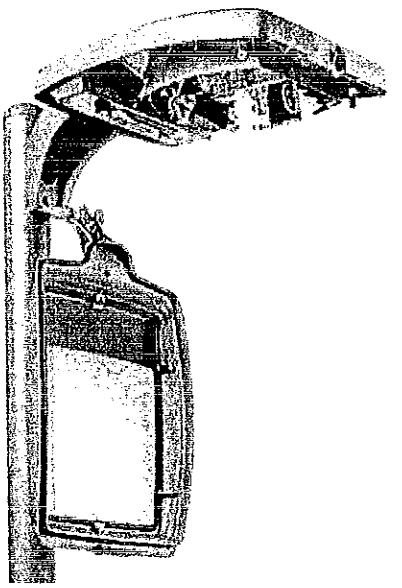
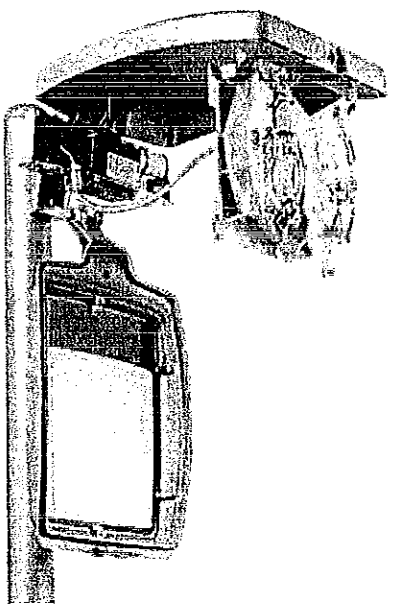




All Gullwing luminaires feature factory pre-wired electrical components with quick disconnect plugs. The ballast assembly is a unitized, pre-wired component, which hinges on stainless steel mounting brackets. It is removable without tools.



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[5]	150 HPS	277	NP	PCR
	W		50 MH[1]	347 (70W and above)	OC	POLY (100W Max)
	WS		70 MH	480	SC	HS
			100 MH			QS (100W Quartz Max)
			150 MH[3]			PTF
			175 MH			SPA
			(2) 60 CF[6]			
			(3) 42 TRF[7]			

SPA is required for square poles.

All lamps are medium base.
1. Available in 120V or 277V only.
2. Not available with 480V.
3. ANSI #M102
4. Pulse Start Metal Halide Lamp.
5. Fluorescent only.
6. 120V through 277V only. 50/60 HZ starting temperature is -22° F.
7. 120V through 277V and 347V only. Starting temperature is 0°F.

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. N/A above 400W HID)
			175 MH			RPA1
			250 MH			RPA2
			250 PSMH*			PTF2
			320 PSMH*			PTF3
			350 PSMH*			PTF4
			400 MH			SQPTF
			400 PSMH*			SG
			750 PSMH[2,4]*			
			1000 MH[2,5]			
			1000 PSMH[5]*			

*Pulse Start Metal Halide

1. Types 1 and Q are not available above 400W.
2. Furnished with sag glass lens only.
3. Venture mogul base lamps required.
4. 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.

Note 5

For 1000 Metal Halide use:

Brand	Product Code	Catalog Number
Venture	53702	MS1000W/HOR/BT37/3K
G.E.	18205	MVR1000/U/BT37
Venture	15332	MH1000W/U/BT37

For 1000 Pulse Start use:

Brand	Product Code	Catalog Number
G.E.	10389	MVR1000/U/BT37/PA
Venture	49111	MS1000W/HOR/T25/PS

WARNING: Use of other lamps voids warranty.

CONFIGURATION

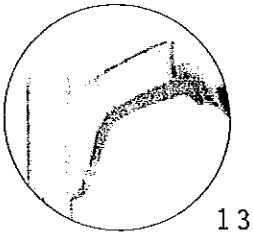
- 1 Single Fixture Assembly
- 2 Twin (Specify 90° or 180° Degrees)
- 3 Triple Assembly
- 4 Quad Assembly
- W Wall Mount, Recessed J-Box
- WS Wall Mount, Surface Conduit (splice compartment within wall canopy)

DISTRIBUTION

- 1 Type I
- 2XL Type II
- 3XL Type III
- 4XL Type IV
- Q Type V
- MTS Medium Throw with Solite® Lens (G13 only)

FINISH

- BRP Bronze Paint
- BLP Black Paint
- WP White Paint
- NP Natural Paint
- OC Optional Color Paint. Specify RAL designation ex: OC-RAL7024
- SC Special Color Paint (must supply color chip)



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.

OPTIONS

- F Fusing
- LF In-Pole Fusing
- PC Receptacle and Photocontrol
- PCR Photocontrol (Receptacle Only)
- POLY Polycarbonate Sag Lens (250W Max-G18 & 100W Max-G13)
- HS Houseside Shield
- QS Quartz Standby (Max 100W Quartz G13, 150W Quartz G18)
- PTF2 Pole Top Fitter (2 ⅛" Dia. Tenon)
- PTF3 Pole Top Fitter (3-3 ⅛" Dia. Tenon)
- PTF4 Pole Top Fitter (3 ⅞"-4" 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)

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]	•	•	•	•	•	

Example: 107 — WT — BRP — PCB

PREFIX	DISTRIBUTION	FINISH	OPTIONS
107	FT Forward Throw[2]	BRP Bronze	F Fusing (120V, 277V)
107EM	WT Wide Throw[2]	BLP Black	QS Quartz Standby
107EMR	MT Medium Throw	WP White	PCB Button Type Photocontrol
		NP Natural Aluminum	SL Solite® Diffusing Lens Solite is a registered trademark of AFG Industries
		BGP Beige	UT 5° Uptilt
		OC Optional Color *Specify RAL designation. ex. OC-RAL7024*	WS Wall Mounted Box for Surface Conduit
		SC Special Color *Color chip required*	WG Wire Guard

Configuration Chart – 107EM

Distribution	Distribution			Voltage					
107EM	FT	WT	MT	120	208	240	277	347	480
226QF[1]			•	•			•		
42TRF[1]			•	•			•		

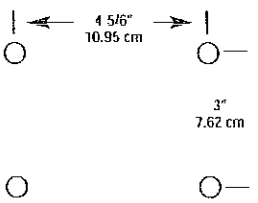
Configuration Chart – 107EMR

	Distribution			Voltage					
107EMR	FT	WT	MT	120	208	240	277	347	480
226QF[1]			•	•			•		
42TRF[1]			•	•			•		
242TRF[1]			•	•			•		

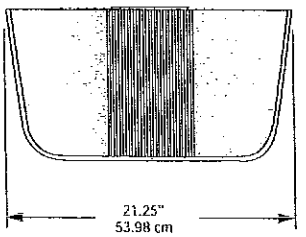
Combinations marked with a dot are available for ordering.
MH – Metal Halide, CMHE – Ceramic Metal Halide with Electronic Ballast, HPS – High Pressure Sodium, QF – Quad Fluorecent, TRF – Triple Tube Fluorescent.

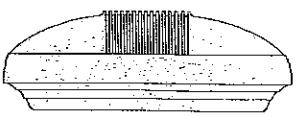
1. 26QF, 32TRF and 42TRF types feature an electronic fluorescent ballast that accepts 12V through 277V, 50hz or 60hz input.
2. Not available in fluorescent.

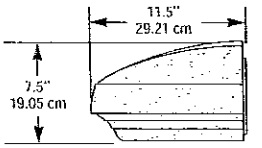
DIMENSIONS



Mounting Bracket Pattern

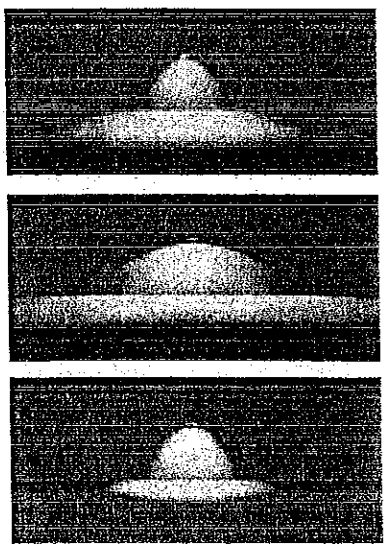




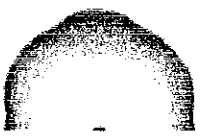


PERFORMANCE

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.

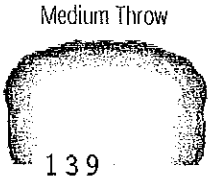


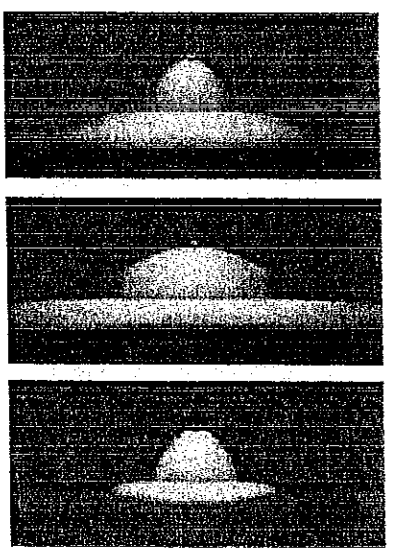
Forward Throw



Wide Throw

Medium Throw





Millville Oxford Rd
Millville Oxford Rd
Millville Oxford Rd
Prospect Dr
Indian Trace Dr
Red Cloud Ct
Connaught Road Variations

Millville Oxford Rd
Millville Oxford Rd
Millville Oxford Rd
Peacock Dr
Western Dr
Spartan Ct
Ivasan Tracy Dr
Red Cloud Ct
Concrete Valley

Millville-Oxford Rd
Millville-Oxford Rd
Millville-Oxford Rd
Peacock Dr
Misty Meadow Dr
Indian Trace Dr
Red Cloud Ct
Connections