

April 24, 2016

Jung-Han Chen
Community Development Director
City of Oxford
101 E. High Street
Oxford OH 45056

**RE: City Of Oxford, Ohio
Ordinance #3221
Section 3; Articles 1, 7, 8
Out Lot Final Submission**

Dear Jung Han,

We are pleased to submit the final phase of the above captioned development known as Ordinance 3221 for Miami Preserve and Bishop Square. Per the above captioned Sections and Articles, the Applicant is responsible to submit and gain design approval from Planning Commission and City Council for the two westernmost outparcels prior to building permit submission.

Applicant has reached preleasing requirements to gain financing approval and hereby requests City Planning Staff, Planning Commission and City Council approve its attached submission. The attached buildings and site plans are mostly identical to the presentation and submission made by Applicant to City Council as part of its Final Development Plan per Section 3 Article 1 of the approved Ordinance.

Additionally, comments regarding circulation for vehicles, bicycles, pedestrians and barrier free access have been incorporated into the site as described in Section 7 of the approved Ordinance. All requested aspects of the approved site plans submitted herein, are identical to those presented in the Final Development Plan of the Ordinance.

Applicant's building design and uses being submitted herein comply with Section 8 of the approved Ordinance. Buildings being submitted hereby substantially conform to the perspectives and aerial views. Applicant is also requesting that Staff, Commission and Council now approve Applicants request for drive-throughs that were not originally requested but are allowed under Section 1143.12 General Business District of Oxford's Adopted City Code as a conditional use. Vehicular drive-through circulation being submitted in this request is identical to all aspects of the Final Approved Development Plan approved in Ordinance 3221.

We look forward to discussing your comments and the opportunity to present to Planning Commission and Council.

Respectfully Submitted,



Robert Fiorita, Applicant

ORDINANCE NO. 3221

ORDINANCE APPROVING THE PLANNING COMMISSION'S RECOMMENDATION FOR FINAL PLAN APPROVAL OF THE PLANNED DEVELOPMENT AT THE FORMER WAL-MART SITE (419 SOUTH LOCUST STREET) TO ALLOW A DEVELOPMENT WITH COMMERCIAL AND RESIDENTIAL USES 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 May 14, 2013 in accordance with Section 1145 of the Codified Ordinances of the City of Oxford, on the application of Robert Fiorita, Applicant, Agent, Architect, for approval of a Final Planned Development at the former Wal-Mart site, at the corner of South Locust and West Spring Street (419 South Locust Street) to allow a Planned Development with commercial and residential uses.

SECTION 2: The Planning Commission, after due deliberation found the application satisfies the code requirements in Chapter 1145 of the Oxford Zoning Code and recommended approval of the Final Planned Development application for the former Wal-Mart site (419 South Locust Street) with conditions.

SECTION 3: Council hereby accepts the recommendation of the Planning Commission and further approves the Final Planned Development application for the former Wal-Mart Site, at the corner of South Locust and West Spring Street (419 South Locust Street) to allow a development with commercial and residential uses based on the submittals of the applicant that are attached hereto and incorporated herein by reference as Exhibit "A" and made a part of this approval with the following conditions:

1. All aspects of the presentation made by the applicant on May 14, 2013 shall be included as part of the final development approval. The construction of all of the proposed buildings for this development shall substantially reflect the renderings presented by the applicant to the Planning Commission on May 14, 2013.
2. Off-site sanitary improvements shall be made by the City, according to the terms of a cost-sharing agreement to be finalized between the City and the Developer.
3. A marked crosswalk with signage shall be provided at the developer's expense connecting the north side of Wells Mill Drive to the southwest corner of the project, in accordance with City standards. The City Engineer may require, at the developer's expense, additional off-site signage to increase awareness and safety of this marked crosswalk.

4. The proposed sidewalk along Locust Street and associated ramps/crosswalks shall be aligned with other off-site pedestrian facilities.
5. Earthen mounds, as required by the previous Ordinance, (2958) are waived.
6. The 12 parcels shall be consolidated and combined to a maximum of three lots contingent on review and approval of the City Attorney. The residential portion of the site shall be approximately 7.6 acres and the commercial portion shall be approximately 4 acres. The approval of this Final Planned Development shall be effective upon agreement between the Lane Public Library Board of Directors and New Village Communities, LLC to locate a new library building within the Planned Development. No building permits for any structures on the site will be issued until such agreement between the Lane Public Library Board of Directors and New Village Communities, LLC is signed and a copy filed with the City Clerk. The construction of the library building and the two-story commercial building shall be in concurrence with the construction of residential development. No occupancy of any residential dwellings on the site shall be granted until there is substantial completion of the two-story commercial structure exterior shell, the library building exterior shell, and the commercial area site improvements.
7. The internal circulation pattern for all modes shall be made safe and continuous for pedestrian, vehicular, bicycle and wheelchair traffic through direct alignment of different sidewalk segments and connection through ADA compliant ramps and crosswalk markings. These include, but are not limited to:
 - a. East/West connection between North Locust Street entrance and Spring Street entrance, along the northern facades of the northern two commercial buildings.
 - b. East/West connection between the southern Locust Street entrance and the proposed library will be provided along the southern facades of the southern two commercial buildings.
 - c. North/South connection between the westernmost two commercial sites, along with the western facades.
8. The layout and construction of the two westernmost outbuildings shall substantially conform with the perspective aerial and ground views presented to the Planning Commission on May 14, 2013 and is subject to Planning Commission and/or City Council review and approval at a future date prior to the construction. No drive-through for these two outbuildings are approved for this Final Planned Development at this time.

All site improvements, including parking spaces shown on the plan submitted to the Planning Commission on May 14, 2013 shall be constructed and completed at the same time and the pads for the two westernmost outbuildings shall be curbed and grassed for future commercial tenant build-outs.

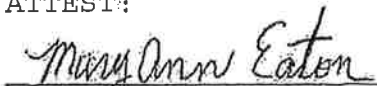
9. The pedestrian path to Spring Street shall be constructed as presented to the Planning Commission on May 14, 2013.
10. Landscaping improvements shall be installed as presented by the developer to the Planning Commission on May 14, 2013 and the requirement for tree islands at every 7 spaces is waived.
11. The number and size of freestanding signs will conform to the signs proposed and will be limited to property identification. Other signage shall also be limited to that which was presented to the Planning Commission on May 14, 2013.
12. The existing fence along the southern property line shall be maintained and repaired or replaced when necessary.
13. The northern entrance on Locust Street shall be upgraded, including signal, signage, crosswalks, lane markings, and striping on street, to meet City standards at the developer's expense.
14. The modifications proposed in the Traffic Impact Study related to vehicular striping and signal timing shall be approved by the City Engineer and at the developer's expense.
15. The developer shall coordinate with the City of Oxford and the Butler County Regional Transit Authority in locating potential bus stops within and adjacent to the site.
16. The overnight parent-unit shall not be allowed.

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


MAYOR

ADOPTED: June 18, 2013

ATTEST:


CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

1143.12 GB GENERAL BUSINESS DISTRICT.

(a) Purpose. This district is intended to provide for a variety of retail, service and administrative establishments required to satisfy the needs of the overall community. This district is also intended to accommodate retail trade establishments in the community that cannot be practically provided for in a neighborhood commercial district development. This district is only appropriate within areas that are presently served, or will be served upon development, with both central water and sewer.

(b) Uses.

(1) Permitted uses.

A. Retail services

1. Apparel and jewelry.
2. Books, stationery, newspapers, magazines, office equipment and office supply stores.
3. Department stores.
4. Drug stores selling health and personal care aids.
5. Food products, including groceries, meat, fish, baked goods, confectionary, and beverages.
6. Flowers, potted plants, and garden supplies.
7. Hardware, paint, home furnishings, and other home improvement products.
8. Optical aids.
9. Photography, bicycles, gifts and toys, pets, music, sporting goods, and other hobby and craft supplies.
10. Restaurants, not including drive-in or fast food.
11. Sales of new and used motor vehicles by dealerships holding franchises authorized by manufacturers for the sale of new vehicles.

B. Personal and professional services.

1. Accounting, advertising, architectural, auditing, bookkeeping, legal, and medical offices, and offices for other similar professional service providers.
2. Banks, credit agencies, investment firms, real estate, insurance offices, and other similar establishments engaged primarily in financial services.
3. Barber and beauty shops.
4. Cleaners, including dry cleaning and Laundromats.
5. Home improvement services, including carpentry, electrical, heating, plumbing, and decorating.
6. Offices for nonprofit, charitable, labor, and other service organizations.
7. Repair establishments for bicycles, household appliances, locksmiths, shoes, and motor vehicles (if no gasoline is sold and repair work is done inside).
8. Theaters, not including drive-ins.
9. Other similar personal and professional services, such as employment agencies, travel bureaus, and ticket offices.

C. Accessory buildings incidental to the principal use.

(2) Conditional uses. The following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.

A. Retail services.

1. Automobile service stations selling gasoline.
2. Bars and establishments serving alcohol.
3. Banks with drive-through facilities.
4. Building supplies, garden supplies.
5. Drive-in and fast-food restaurants.
6. Sales of motorcycles and used motor vehicles, rental and service of motor vehicles, sales and rental of boats and marine equipment, and sales and rental of trailers.
7. Temporary or outdoor sales of plants and garden supplies.

B. Personal and public services.

1. Animal hospitals or kennels.
2. Bowling alleys.
3. Cultural institutions, including libraries, art galleries and museums.
4. Hotels and motels.
5. Places of worship.
6. Funeral homes.
7. Indoor skating rinks, arcades, and similar recreational uses.
8. Instructional studios.
9. Night clubs, discotheques, and other entertainment facilities.

C. Other uses.

1. Community-Oriented Residential Social Service Facilities (CORSSF's).
2. Shared Housing and Congregate Housing for the elderly.
3. Government owned and/or operated parks and recreation facilities.
4. Bed and breakfast homes.
5. Publicly owned and operated neighborhood recreation centers.
6. Day care facilities, including Day Care for child, Day Care Center for child, Day Care Home Type A family, and Day Care Home Type B family.
7. Schools: primary, intermediate, and secondary, both public and private.
8. Mini-Warehouse (Self-Storage Units)
9. Business Incubator

(c) Site Development Regulations. (Unless superseded by Conditional Use Requirements)

(1) Lot requirements. No minimum lot size or lot width is specified, however, lot size and width shall be adequate to provide for parking, access drive spacing, yard space and screening requirements. Any proposed development for over 1 acre shall submit a concept review to the Planning Commission for discussion purposes.

(2) A. Yard requirements (minimum).

Front yard Rear yard Side yard

35 feet 25 feet 0 feet

When a side or rear lot line abuts residential district lot lines, the minimum side or rear transitional setback distance shall be 25 feet in depth and shall be screened from the residential district by a dense evergreen hedge a minimum of 6 feet tall at planting and that will maintain at least 90 percent opacity over time. Existing vegetation may be considered as long as the anticipated overall opacity effect can be achieved. Alternatively, different types of screenings may be utilized subject to review and approval by the Zoning Administrator if the alternative material can achieve the overall 90% opacity effect.

B. Maximum front yard setback. A maximum front yard setback of 150 feet; and at least 75% of the façade of the principal building must be setback no more than 150 feet from the front lot line.

(3) Structural requirements.

Maximum building height 45 feet

(d) Supplementary regulations.

(1) All merchandise, new and used, with the exception of boat, automobile, truck or farm implements and plants and garden supplies, shall be stored within a completely enclosed building. Displays of boats, automobiles, tractors, recreational trailers and/or mobile homes shall conform to the requirements as defined in Section 1141.03 (e)

(2) Landscaping: The required front yard, with the exception of the area used for vehicle access shall be landscaped with trees, shrubs and ground cover. A minimum of 1 tree for every 25 linear feet of frontage shall be planted in this area provided that the placement of the trees does not interfere with sight distance entering or leaving the site. Each tree shall be a minimum of 6 feet tall and have a minimum 2-inch diameter at breast height (DBH).

A. A minimum of 50% of the trees shall be hardwood type, as listed on the City's Tree List maintained by the Environmental Commission.

B. All landscaping material must be maintained in good condition. Any missing or dead materials must be replaced in a timely manner.

(3) The building should be oriented so that the principal building entrance faces the principal street or the street providing main access to the site. The entrance must be connected to the street and adjacent parking with clearly marked sidewalks/walkways. The building façades facing the street must adhere to the façade treatment as outlined in the following sections. In no instance, shall the rear of the building face the public right-of-way.

(4) Building facades that are oriented toward a right-of-way shall be provided for visual relief as follows:

A. Windows and transparent doors must occupy a minimum of 60% of the entire building wall area measured between 2.5 and 7 feet in height above grade along

the entire front façade. Glass block, opaque or darkly tinted glass is not considered to be transparent.

B. Building façades must have different articulation in height and setback. Different horizontal articulations with material, color and opening shall also be utilized when building elevation is higher than 14 feet. Preferred materials include brick, stone, glass or wood.

(5) Each development is required; where appropriate, to provide adequate space (including easements) for alternative modes of transportation such as bike paths, multi-use paths, bus stops and turnarounds. Each development is also required to provide bicycle rack space at a rate of 3 per 10,000 square feet of gross floor area.

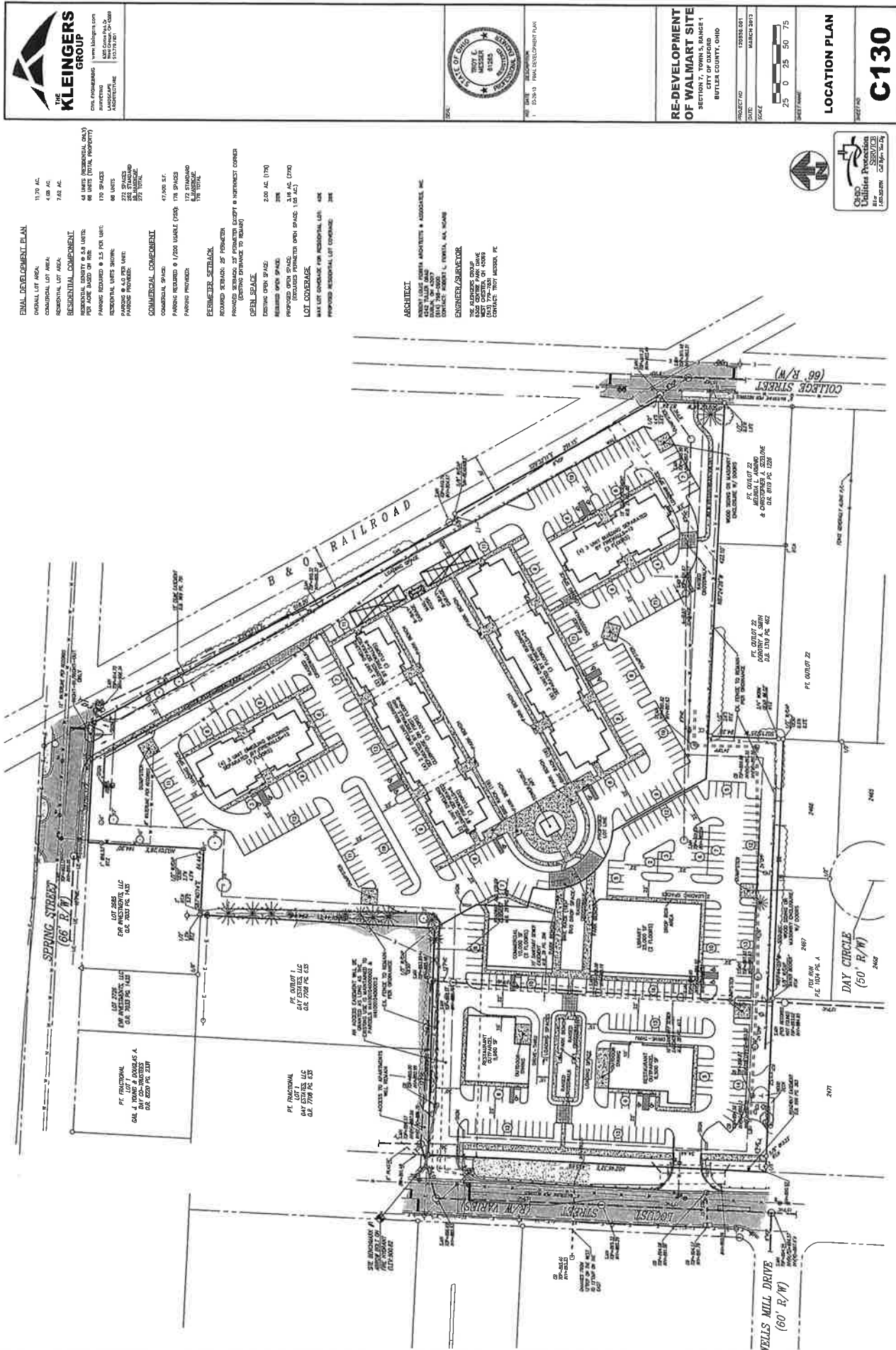
(6) The front façade of the principal structure shall be finished, utilizing at least 50% natural materials including brick, stone, masonry, glass, or wood. No aluminum or vinyl siding shall be used in finishing or utilized on the front façade of the building.

(7) A. All utility boxes must be screened with appropriate landscaping material such that they are not visible from a right-of-way or other publicly accessible area.

B. All refuse collection and recycling containers must be enclosed or screened so as not to be visible from a right-of-way or other publicly accessible area. The structure surrounding the container(s) must be enclosed on all sides, one of which includes a gate or door that can be secured. The enclosure may consist of wood or masonry walls. Containers shall not be located in any front yard. The exterior perimeter of the enclosure(s) must be landscaped, excluding the access point.

(Ord. 3294. Passed 12-16-14.)







NEW VILLAGE CONSTRUCTION
4242 TULLER ROAD, SUITE A
DUBLIN, OHIO 43017

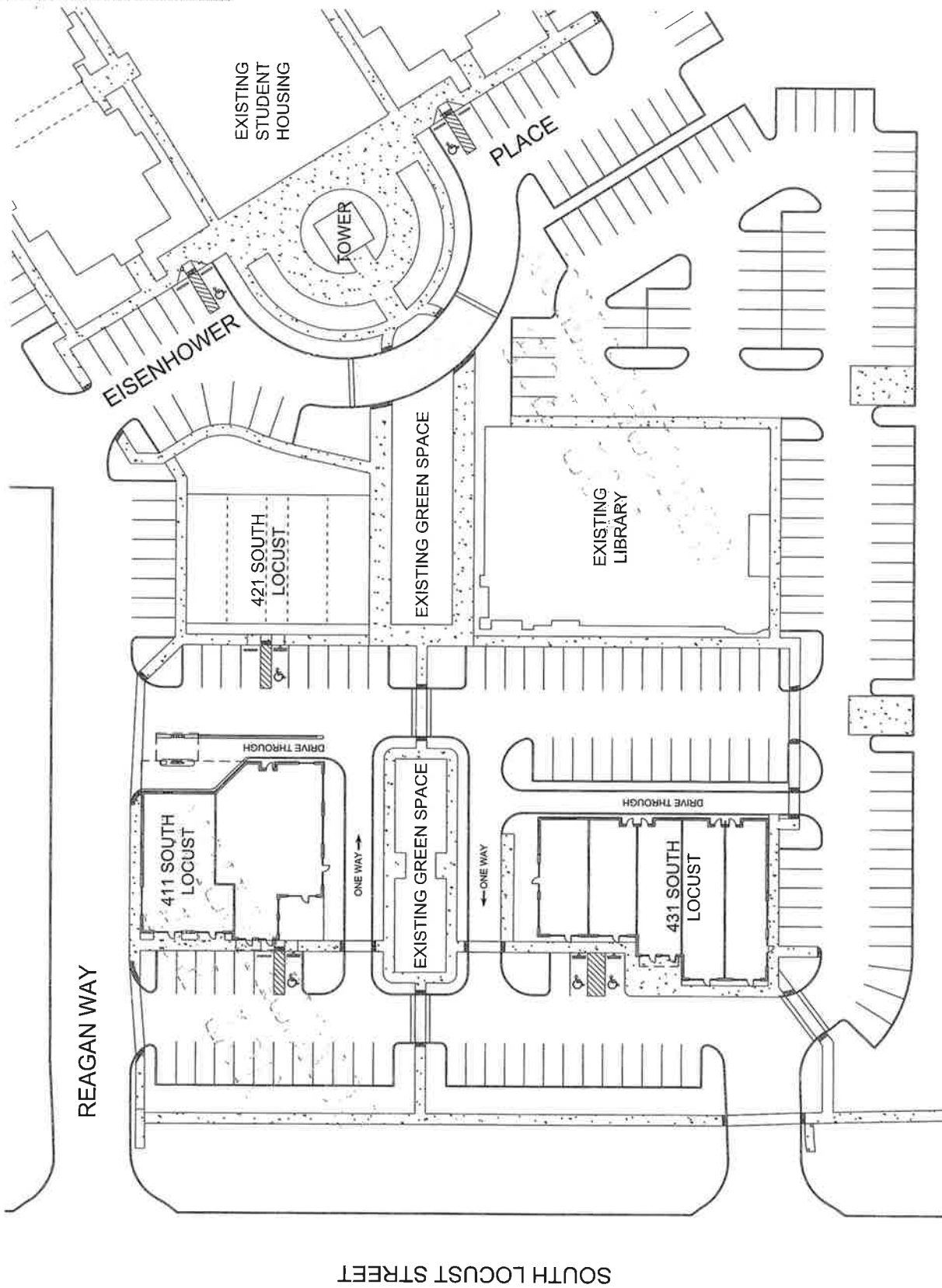
ROBERT LOUIS
FIORITA
ARCHITECT
& ASSOCIATES
INCORPORATED

BISHOP SQUARE - OVERALL SITE PLAN
411 & 431 SOUTH LOCUST STREET

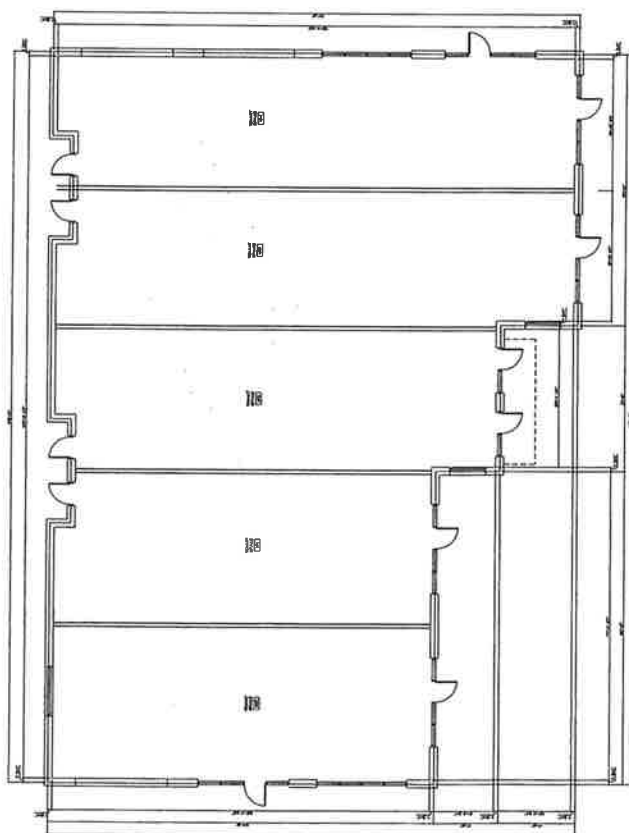
DATE	06-25-2011
BY	WJ
CHECKED BY	WJ
DATE	
BY	
CHECKED BY	
DATE	
BY	
CHECKED BY	
DATE	

STAGE
PRELIM

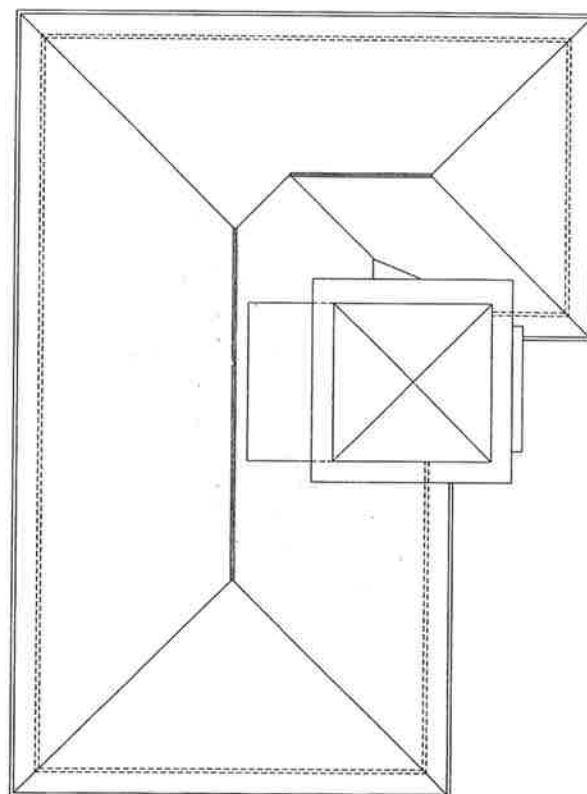
SHEET NUMBER
A100







TYPICAL BAY LAYOUT FLOOR PLAN



ROOF PLAN

NEW VILLAGE CONSTRUCTION
4242 TULLER ROAD, SUITE A
DUBLIN, OHIO 43017

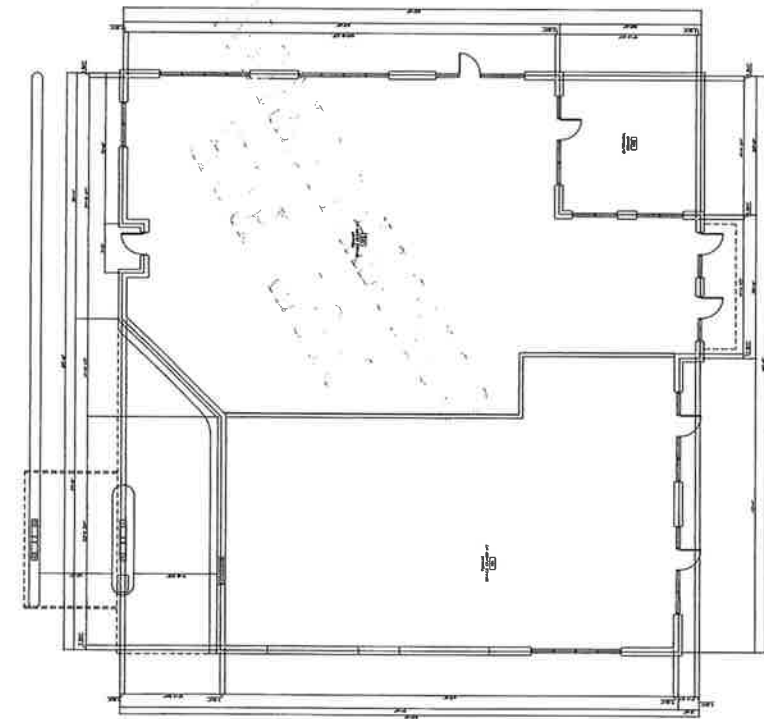
ROBERT LOUIS
LOUIS
FLOTTA
ARCHITECT
& ASSOCIATES
INCORPORATED

BISHOP SQUARE - NORTH OUT LOT
411 SOUTH LOCUST STREET

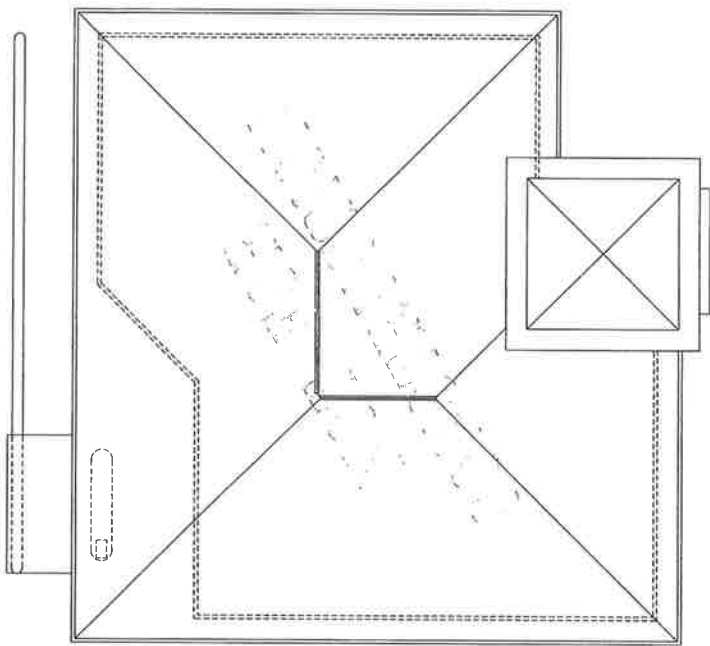
DATE	06-25-2017
REV	NO
DATE	
REV	
DATE	
REV	
DATE	
REV	

SHEET TYPE
PRELIM

SHEET NAME
A301



TYPICAL BAY LAYOUT FLOOR PLAN



ROOF PLAN

NEW VILLAGE CONSTRUCTION
4242 TULLER ROAD, SUITE A
DUBLIN, OHIO 43017

ROBERT
LOUIS
FIORITA
ARCHITECT
& ASSOCIATES
INCORPORATED

BISHOP SQUARE - NORTH OUT LOT
411 SOUTH LOCUST STREET

DATE	BY	DATE
04-25-2015		
05-14-2015		
06-11-2015		
07-08-2015		
08-05-2015		
09-02-2015		
10-01-2015		
11-01-2015		
12-01-2015		
01-01-2016		
02-01-2016		
03-01-2016		
04-01-2016		
05-01-2016		
06-01-2016		
07-01-2016		
08-01-2016		
09-01-2016		
10-01-2016		
11-01-2016		
12-01-2016		
01-01-2017		
02-01-2017		
03-01-2017		
04-01-2017		
05-01-2017		
06-01-2017		
07-01-2017		
08-01-2017		
09-01-2017		
10-01-2017		
11-01-2017		
12-01-2017		
01-01-2018		
02-01-2018		
03-01-2018		
04-01-2018		
05-01-2018		
06-01-2018		
07-01-2018		
08-01-2018		
09-01-2018		
10-01-2018		
11-01-2018		
12-01-2018		
01-01-2019		
02-01-2019		
03-01-2019		
04-01-2019		
05-01-2019		
06-01-2019		
07-01-2019		
08-01-2019		
09-01-2019		
10-01-2019		
11-01-2019		
12-01-2019		
01-01-2020		
02-01-2020		
03-01-2020		
04-01-2020		
05-01-2020		
06-01-2020		
07-01-2020		
08-01-2020		
09-01-2020		
10-01-2020		
11-01-2020		
12-01-2020		
01-01-2021		
02-01-2021		
03-01-2021		
04-01-2021		
05-01-2021		
06-01-2021		
07-01-2021		
08-01-2021		
09-01-2021		
10-01-2021		
11-01-2021		
12-01-2021		
01-01-2022		
02-01-2022		
03-01-2022		
04-01-2022		
05-01-2022		
06-01-2022		
07-01-2022		
08-01-2022		
09-01-2022		
10-01-2022		
11-01-2022		
12-01-2022		
01-01-2023		
02-01-2023		
03-01-2023		
04-01-2023		
05-01-2023		
06-01-2023		
07-01-2023		
08-01-2023		
09-01-2023		
10-01-2023		
11-01-2023		
12-01-2023		
01-01-2024		
02-01-2024		
03-01-2024		
04-01-2024		
05-01-2024		
06-01-2024		
07-01-2024		
08-01-2024		
09-01-2024		
10-01-2024		
11-01-2024		
12-01-2024		
01-01-2025		
02-01-2025		
03-01-2025		
04-01-2025		
05-01-2025		
06-01-2025		
07-01-2025		
08-01-2025		
09-01-2025		
10-01-2025		
11-01-2025		
12-01-2025		
01-01-2026		
02-01-2026		
03-01-2026		
04-01-2026		
05-01-2026		
06-01-2026		
07-01-2026		
08-01-2026		
09-01-2026		
10-01-2026		
11-01-2026		
12-01-2026		
01-01-2027		
02-01-2027		
03-01-2027		
04-01-2027		
05-01-2027		
06-01-2027		
07-01-2027		
08-01-2027		
09-01-2027		
10-01-2027		
11-01-2027		
12-01-2027		
01-01-2028		
02-01-2028		
03-01-2028		
04-01-2028		
05-01-2028		
06-01-2028		
07-01-2028		
08-01-2028		
09-01-2028		
10-01-2028		
11-01-2028		
12-01-2028		
01-01-2029		
02-01-2029		
03-01-2029		
04-01-2029		
05-01-2029		
06-01-2029		
07-01-2029		
08-01-2029		
09-01-2029		
10-01-2029		
11-01-2029		
12-01-2029		
01-01-2030		
02-01-2030		
03-01-2030		
04-01-2030		
05-01-2030		
06-01-2030		
07-01-2030		
08-01-2030		
09-01-2030		
10-01-2030		
11-01-2030		
12-01-2030		
01-01-2031		
02-01-2031		
03-01-2031		
04-01-2031		
05-01-2031		
06-01-2031		
07-01-2031		
08-01-2031		
09-01-2031		
10-01-2031		
11-01-2031		
12-01-2031		
01-01-2032		
02-01-2032		
03-01-2032		
04-01-2032		
05-01-2032		
06-01-2032		
07-01-2032		
08-01-2032		
09-01-2032		
10-01-2032		
11-01-2032		
12-01-2032		
01-01-2033		
02-01-2033		
03-01-2033		
04-01-2033		
05-01-2033		
06-01-2033		
07-01-2033		
08-01-2033		
09-01-2033		
10-01-2033		
11-01-2033		
12-01-2033		
01-01-2034		
02-01-2034		
03-01-2034		
04-01-2034		
05-01-2034		
06-01-2034		
07-01-2034		
08-01-2034		
09-01-2034		
10-01-2034		
11-01-2034		
12-01-2034		
01-01-2035		
02-01-2035		
03-01-2035		
04-01-2035		
05-01-2035		
06-01-2035		
07-01-2035		
08-01-2035		
09-01-2035		
10-01-2035		
11-01-2035		
12-01-2035		
01-01-2036		
02-01-2036		
03-01-2036		
04-01-2036		
05-01-2036		
06-01-2036		
07-01-2036		
08-01-2036		
09-01-2036		
10-01-2036		
11-01-2036		
12-01-2036		
01-01-2037		
02-01-2037		
03-01-2037		
04-01-2037		
05-01-2037		
06-01-2037		
07-01-2037		
08-01-2037		
09-01-2037		
10-01-2037		
11-01-2037		
12-01-2037		
01-01-2038		
02-01-2038		
03-01-2038		
04-01-2038		
05-01-2038		
06-01-2038		
07-01-2038		
08-01-2038		
09-01-2038		
10-01-2038		
11-01-2038		
12-01-2038		
01-01-2039		
02-01-2039		
03-01-2039		
04-01-2039		
05-01-2039		
06-01-2039		
07-01-2039		
08-01-2039		
09-01-2039		
10-01-2039		
11-01-2039		
12-01-2039		
01-01-2040		
02-01-2040		
03-01-2040		
04-01-2040		
05-01-2040		
06-01-2040		
07-01-2040		
08-01-2040		
09-01-2040		
10-01-2040		
11-01-2040		
12-01-2040		
01-01-2041		
02-01-2041		
03-01-2041		
04-01-2041		
05-01-2041		
06-01-2041		
07-01-2041		
08-01-2041		
09-01-2041		
10-01-2041		
11-01-2041		
12-01-2041		
01-01-2042		
02-01-2042		
03-01-2042		
04-01-2042		
05-01-2042		
06-01-2042		
07-01-2042		
08-01-2042		
09-01-2042		
10-01-2042		
11-01-2042		
12-01-2042		
01-01-2043		
02-01-2043		
03-01-2043		
04-01-2043		
05-01-2043		
06-01-2043		
07-01-2043		
08-01-2043		
09-01-2043		
10-01-2043		
11-01-2043		
12-01-2043		
01-01-2044		
02-01-2044		
03-01-2044		
04-01-2044		
05-01-2044		
06-01-2044		
07-01-2044		
08-01-2044		
09-01-2044		
10-01-2044		
11-01-2044		
12-01-2044		
01-01-2045		
02-01-2045		
03-01-2045		
04-01-2045		
05-01-2045		
06-01-2045		
07-01-2045		
08-01-2045		
09-01-2045		
10-01-2045		
11-01-2045		
12-01-2045		
01-01-2046		
02-01-2046		
03-01-2046		
04-01-2046		
05-01-2046		
06-01-2046		
07-01-2046		
08-01-2046		
09-01-2046		
10-01-2046		
11-01-2046		
12-01-2046		
01-01-2047		
02-01-2047		
03-01-2047		
04-01-2047		
05-01-2047		
06-01-2047		
07-01-2047		
08-01-2047		
09-01-2047		
10-01-2047		
11-01-2047		
12-01-2047		
01-01-2048		
02-01-2048		
03-01-2048		
04-01-2048		
05-01-2048		
06-01-2048		
07-01-2048		
08-01-2048		
09-01-2048		
10-01-2048		
11-01-2048		
12-01-2048		
01-01-2049		
02-01-2049		
03-01-2049		
04-01-2049		
05-01-2049		
06-01-2049		
07-01-2049		
08-01-2049		
09-01-2049		
10-01-2049		
11-01-2049		
12-01-2049		
01-01-2050		
02-01-2050		

NEW VILLAGE CONSTRUCTION
4242 TULLER ROAD, SUITE A
DUBLIN, OHIO 43017

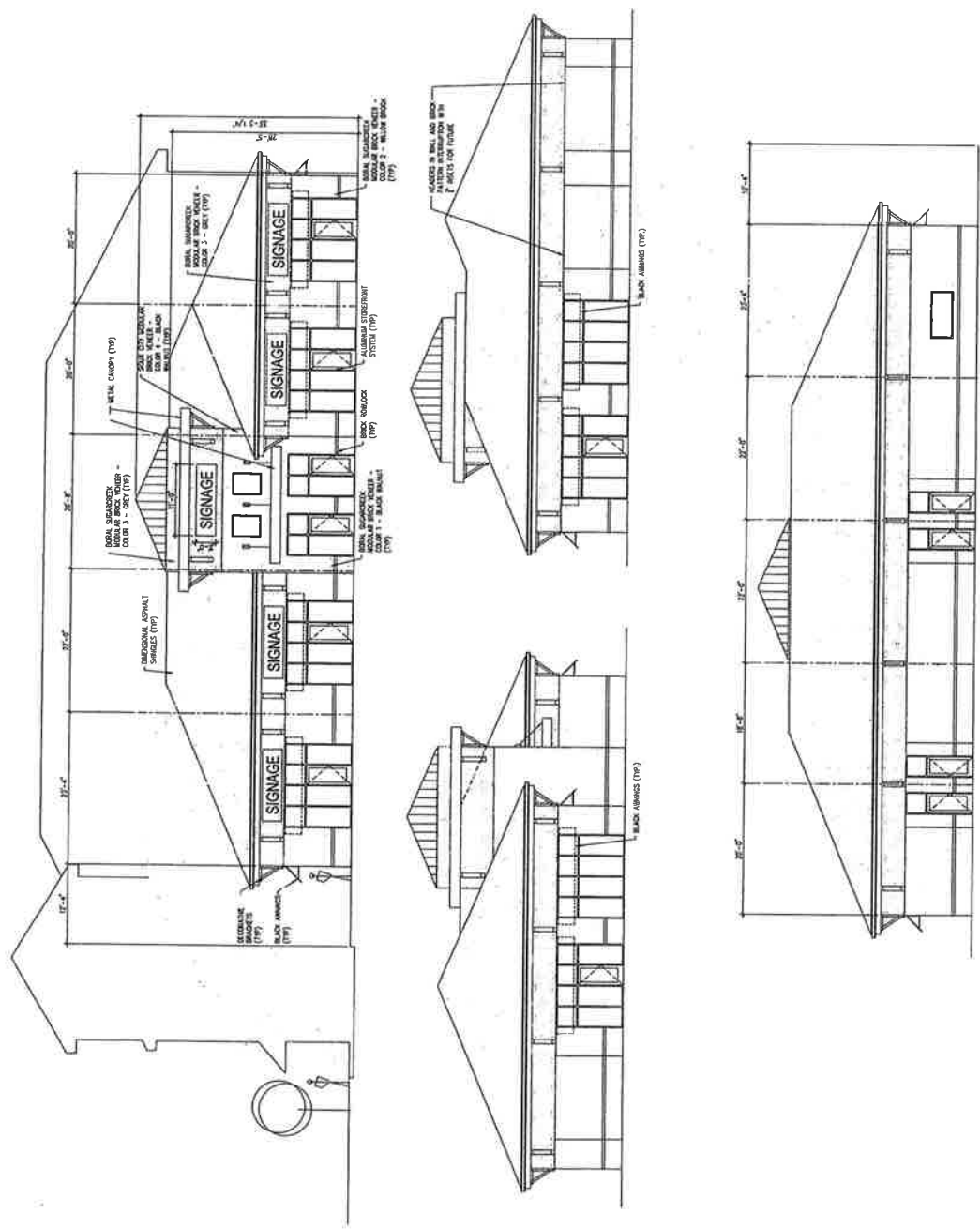
ROBERT
LOUIS
FLORITA
ARCHITECT
& ASSOCIATES
INCORPORATED

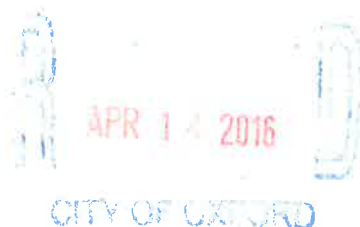
BISHOP SQUARE - SOUTH OUT LOT
431 SOUTH LOCUST STREET

DATE	11-20-2013
BY	RL
DATE	
BY	
DATE	
BY	
DATE	
BY	
DATE	
BY	

PRELIM.

SHEET NUMBER
A401





April 13, 2016

VIA EMAIL

Sam Perry, AICP
Planner
City of Oxford
Community Development Department
101 East High Street
Oxford, OH 45056
(sperry@cityofoxford.org)

Re: Ohio Valley Goodwill Lot Consolidation

Dear Mr. Perry:

Please be advised the Keith Koerner of Ohio Valley Goodwill and/or Eric Landen, Esq. or Kelly Kremer, Paralegal of Frost Brown Todd LLC has permission to represent our interest with the City of Oxford and act on our behalf with respect to the consolidation of the following parcels located on S. Locust Street and W. Collins Street in the City of Oxford:

- H4100004000036
- H4100004000037
- H4100004000038
- H4100004000039
- H4100004000189

Please feel free to contact me should you have any questions or need further information.

Sincerely,

Joseph S. Byrum
President & CEO

cc: Eric E. Landen, Esq. (elanden@fbtlaw.com)

10600 Springfield Pike
Cincinnati, Ohio 45215
(513) 771-4800
www.cincinnati goodwill.org

An Equal Opportunity Employer and Services Provider
Accredited by the Commission on Accreditation of Rehabilitation Facilities
A United Way Agency



Internal Use Only:	
Case No.	PC-2007-07-ADM
Date Filed	4/14/16

Lot Split/Consolidation Application

Requested Action

Choose One

☐

Lot Split (\$20)

☒

Lot Consolidation (\$20)

☐

Lot Split & Consolidation (\$40)

Applicant Information

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

Name * Eric E. Landen, Esq., Frost Brown Todd LLC

Mailing Address * 3301 E. Fourth Street, Suite 3300

City, State & Zip Code * Cincinnati, OH 45202

Telephone Number(s) * 513-651-6800

Email Address elanden@fbtlaw.com

Surveyor Information

Name * Terry Kohler, American Land Surveys

Mailing Address * 2008 Glenn Parkway

City, State & Zip Code * Batavia, OH 45103

Telephone Number(s) * 513-735-4200

Email Address tnk@americansurveys.com

Location and Lot Information

Location of Property * 201 & 203 S. Locust Street and W. Collins Street, Oxford

Legal Description * See attached

Zoning District * _____ Number of Lots * 5 Total Area * 1.161 Acres

Submission Requirements and Documentation

From Chapter 1101 Subdivision Regulations, Attachment G¹.

No.	Required Item Description	Have	Need
1	8 plats (4 on 8.5" x 11" and 4 on 24" x 36" Bond Paper) 1 Mylar for County	☐	☐
2	Electronic version of all documentation submitted (PDF preferred)	☐	☐
3	Digital copy in Auto CAD format submitted on a CD. Shall utilize the NAD-83 Ohio South State Plane Coordinate System for horizontal control and the NAVD-1988 for vertical control. All subdivision boundary corners shall also be tied to the NAD-83 Ohio South State Plane Coordinate System and labeled with a northing and easting, as well as centerline intersections, temporary turn-around center points and easement centerline that does not follow a lot line. AutoCAD layouts shall be provided allowing for the reproduction of a complete set of plans as needed.	☐	☐

No.	Required Item Description	Have	Need
4	The name, mailing address, and telephone number of the applicant and owner.	☐	☐
5	Letter of Agency (A statement from the owner that the applicant is entitled to apply on his or her behalf)	☐	☐
6	Attach a written, detailed description of the request.	☐	☐
7	Metes and bounds description of the property (Legal Description).	☐	☐
8	Vicinity Map	☐	☐
9	The zoning district in which the site is located.	☐	☐
10	Required Fee.	☐	☐
11	Number of proposed lots.	☐	☐
12	Plat shall show the following:	☐	☐
12	A. The seal, registry number and signature of the registered surveyor and professional engineer who prepared the plat.	☐	☐
12	B. The location of all present property lines, streets, alleys, rights-of-way, buildings, easements, lakes, watercourses and drainage ways.	☐	☐
12	C. Size of the tract in acres and square feet and the boundary lines along with the linear measurements.	☐	☐
12	D. The names and boundaries of all adjoining subdivisions and the names of recorded owners of adjoining parcels including mailing addresses and parcel numbers within 200 feet of the site.	☐	☐
12	E. North point, scale and date.	☐	☐
12	F. Any portion of the floodplain as delineated by the Flood Insurance Rate Map (FIRM) must be clearly illustrated and labeled on the plat.	☐	☐
12	G. Exact location shall be shown for all buildings, septic tanks, wells or similar features with respect to existing or proposed lot lines or right-of-ways lines.	☐	☐
12	H. Other information as deemed necessary by staff in order to create building sites and promote the public health, safety and welfare.	☐	☐
12	I. Notification will be sent to direct abutters within two business days of the application filing. This notification will include comment forms.	☐	☐
12	J. Any existing building(s) to remain or to be razed.	☐	☐
13	Turn In proof of recording to City of Oxford Community Development Department	☐	☐

Fees & Receipt

The fees are:

- Lot Split – \$20
- Lot Consolidation – \$20
- Lot Split & Consolidation – \$40

Write a check payable to **City of Oxford**. You may also pay in-person using Visa, MasterCard, and Discover.

Sign and Date

Applicant Signature *

Date *


 4/13/2016

Submit Application, Plans and Documentation, and Fees

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

Send or drop off this application with the original and required copies of the plat and a check for fee and postage charges made payable to **City of Oxford**, to Community Development Director, 101 East High Street, Oxford, OH 45056.

Last Revised: Friday, March 21, 2014

PC-lot-split-consolidation-application.docx

LEGAL DESCRIPTION

Situated in the City of Oxford, Butler County, Ohio and being all of new Lot 3818, formally part of Lots 448, 449, 450, 451 and all that part of Collins Street vacated by Ordinance #103 on May 11, 1853, and all of Lot 2803 as shown on the recorded plat of the City of Oxford, Butler County, Ohio and being more particularly described as follows:

Beginning at a railroad spike set at the northwest corner of Lot 3818 at the intersection of the east right of way line of South Locust Street (66.00 foot right of way) and the south right of way line of Collins Street (66.00 foot right of way);

Thence along the north line of Lots 3818 and the south line of Collins Street South $87^{\circ} 31' 31''$ East, 193.17 feet to the northeast corner of Lot 3818 at the intersection of the south right of way line of Collins Street and the southwest right of way line of Union Street (25.00 foot right of way) referenced by a MAG nail found 0.20 feet south of said corner;

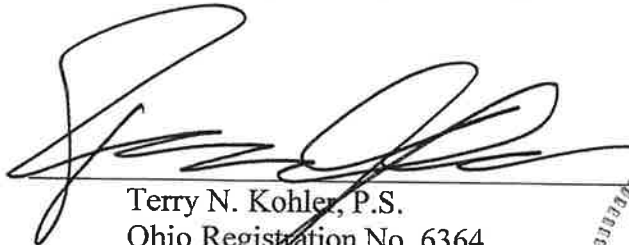
Thence along the northeast line of Lots 3818 and the southwest right of way line of Union Street South $28^{\circ} 51' 10''$ East, 233.32 feet to the southeast corner of Lot 3818 referenced by a concrete monument with MAG nail found 0.24 feet north of and 0.26 feet west of said corner;

Thence leaving said right of way line and along the south line of Lot 3818 North $87^{\circ} 31' 43''$ West, 314.33 feet to the southwest corner of Lot 3818 in the east right of way line of South Locust Street referenced by a concrete monument with MAG nail found 0.98 feet west of said corner;

Thence along the west line of Lot 3818 and the east right of way line of South Locust Street North $2^{\circ} 25' 54''$ East, 199.32 feet to the place of beginning.

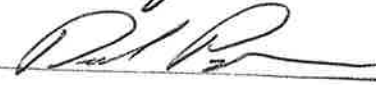
Containing 1.161 acres, or 50,573.16 sq. ft., and being all the property conveyed to Hamilton Tours, Inc., in Deed Volume 1797, Page 156. Bearings are based on a survey by DDS Surveying, Inc. dated August 16, 2006 and recorded in Volume 50, Page 53 of the Butler County Engineers Record of Land Surveys.

This description is based on an actual field survey performed by American Land Surveys, Inc. in January 2014 under the direct supervision of Terry N. Kohler, Ohio Registered Surveyor No. 6364.

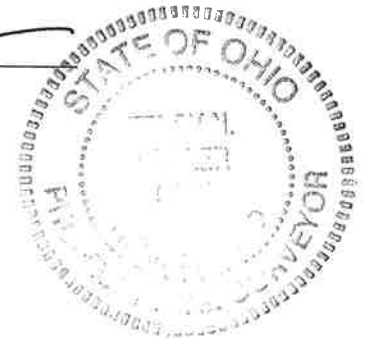


Terry N. Kohler, P.S.
Ohio Registration No. 6364

REVIEWED & APPROVED

BY: 

DATE: 4/22/16



ALS Job No.: 7165.01
April 11, 2016

LEGAL DESCRIPTION

Situated in the City of Oxford, Butler County, Ohio and being all of new Lot 3818, formally part of Lots 448, 449, 450, 451 and all that part of Collins Street vacated by Ordinance #103 on May 11, 1853, and all of Lot 2803 as shown on the recorded plat of the City of Oxford, Butler County, Ohio and being more particularly described as follows:

Beginning at a railroad spike set at the northwest corner of Lot 3818 at the intersection of the east right of way line of South Locust Street (66.00 foot right of way) and the south right of way line of Collins Street (66.00 foot right of way);

Thence along the north line of Lots 3818 and the south line of Collins Street South $87^{\circ} 31' 31''$ East, 193.17 feet to the northeast corner of Lot 3818 at the intersection of the south right of way line of Collins Street and the southwest right of way line of Union Street (25.00 foot right of way) referenced by a MAG nail found 0.20 feet south of said corner;

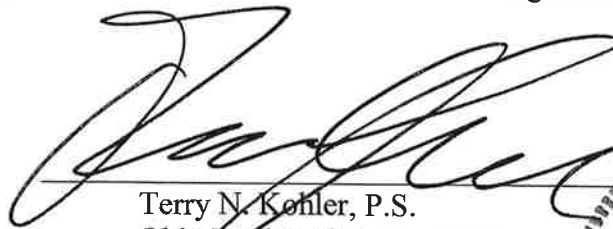
Thence along the northeast line of Lots 3818 and the southwest right of way line of Union Street South $28^{\circ} 51' 10''$ East, 233.32 feet to the southeast corner of Lot 3818 referenced by a concrete monument with MAG nail found 0.24 feet north of and 0.26 feet west of said corner;

Thence leaving said right of way line and along the south line of Lot 3818 North $87^{\circ} 31' 43''$ West, 314.33 feet to the southwest corner of Lot 3818 in the east right of way line of South Locust Street referenced by a concrete monument with MAG nail found 0.98 feet west of said corner;

Thence along the west line of Lot 3818 and the east right of way line of South Locust Street North $2^{\circ} 25' 54''$ East, 199.32 feet to the place of beginning.

Containing 1.161 acres, or 50,573.16 sq. ft., and being all the property conveyed to Hamilton Tours, Inc., in Deed Volume 1797, Page 156. Bearings are based on a survey by DDS Surveying, Inc. dated August 16, 2006 and recorded in Volume 50, Page 53 of the Butler County Engineers Record of Land Surveys.

This description is based on an actual field survey performed by American Land Surveys, Inc. in January 2014 under the direct supervision of Terry N. Kohler, Ohio Registered Surveyor No. 6364.


Terry N. Kohler, P.S.
Ohio Registration No. 6364

ALS Job No.: 7165.01
April 11, 2016

REVIEWED & APPROVED

BY: 

DATE: 4/22/16 24



CONSOLIDATION PLAT

NEW LOT 3818 - 1.161 ACRES
OLD PARCEL 36 OR LOT 448 - 0.117 ACRES
OLD PARCEL 37 OR LOT 449 - 0.149 ACRES
OLD PARCEL 38 OR LOT 450 - 0.163 ACRES
OLD PARCEL 39 OR LOT 451 - 0.181 ACRES
OLD PARCEL 189 OR LOT 2803 - 0.551 ACRES
INCLUDED IN ABOVE ALL THAT PART OF COLLINS STREET VACATED BY ORDINANCE #103 ON MAY 11, 1853,
CITY OF OXFORD, BUTLER COUNTY
OHIO

THIS PLAT MADE PURSUANT
TO SECTION 5713 OF THE OHIO
REVISED CODE

DEED BOOK
PAGE

APPROVED BY THE OXFORD PLANNING COMMISSION
THIS 2nd DAY OF April, 2015

Patricia A. Smith
PLANNING COMMISSION
Terry N. Kohler
PLANNING DIRECTOR

REFERENCE BASED ON SURVEY BY GOS
SURVEYING, INC. DATED 6/16/2006
RECORDED IN VOL. 50, PG. 55

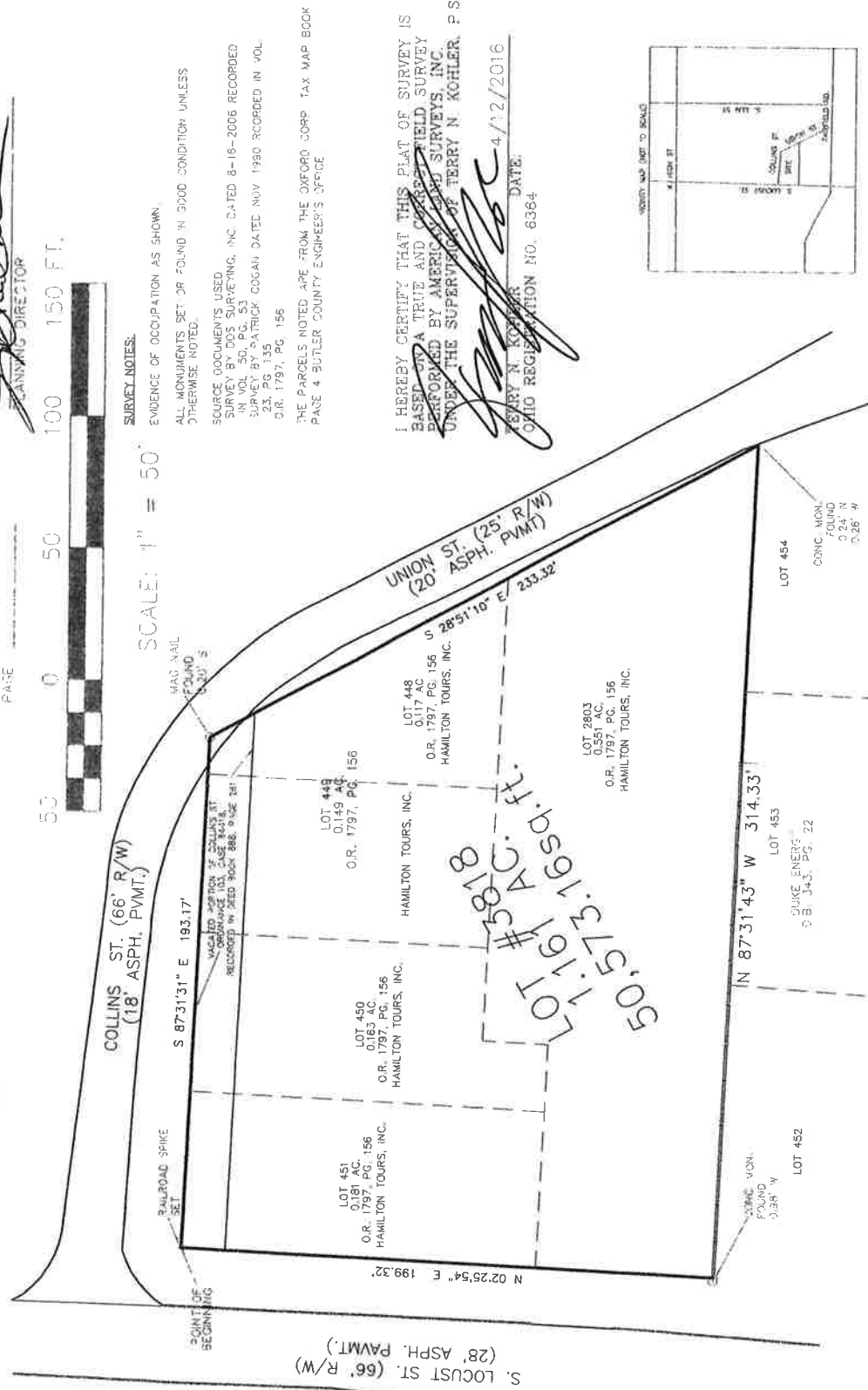


COLLINS ST. (66' R/W)
(18' ASPH. PAVMT.)

SCALE: 1" = 50'

SURVEY NOTES:
EVIDENCE OF OCCUPATION AS SHOWN.
ALL MONUMENTS SET OR FOUND IN GOOD CONDITION UNLESS
OTHERWISE NOTED.
SOURCE DOCUMENTS USED:
SURVEY BY GOS SURVEYING, INC. DATED 8-19-2006 RECORDED
IN VOL. 50, PG. 55.
SURVEY BY PATRICK COGAN DATED NOV. 1990 RECORDED IN VOL.
23, PG. 135.
O.R. 1797, PG. 156
THE PARCELS NOTED ARE FROM THE OXFORD CORP. TAX MAP BOOK
PAGE 4 BUTLER COUNTY ENGINEER'S OFFICE

S. LOCUST ST. (66' R/W)
(28' ASPH. PAVMT.)



I HEREBY CERTIFY THAT THIS PLAT OF SURVEY IS
BASED ON A TRUE AND CORRECT FIELD SURVEY
PERFORMED BY AMERICAN LAND SURVEYING, INC.
UNDER THE SUPERVISION OF TERRY N. KOHLER, P.S.
TERRY N. KOHLER
DATE: 4/12/2016
OHIO REGISTRATION NO. 6364



DRAWN: MJN
CHECKED: TNK
DATE: 4/12/16
SCALE: 1" = 50'
JOB NO.: 7165-01
SHEET 1
OF 1 SHEET

AMERICAN LAND SURVEYING
200 TECHNICENTER DRIVE
SUITE 107
MILFORD, OHIO 45150
(513) 735-4200



City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2016-06

Date – May 10, 2016

APPLICATION

Applicant: Scott Webb, Architect/Applicant
Action Request: **Combined Preliminary and Final Planned Development to amend an approved Planned Development, 5262 Brown Road, Hawk's Landing, formerly known as University Commons**

DESCRIPTION

This application is to amend an existing approved Planned Development that was approved in 1993, via Ordinance #2313. The proposal is to renovate four (4) buildings #A, E, F, and G, a total of 48 units to divide each 4-bedroom unit into two dwelling units: one-bedroom units and two-bedroom units. Therefore, the number of dwelling units will increase from 48 units to 96 units, while the total occupancy will be reduced from 192 to 144. The renovation also includes a small bath to each unit.

ZONING CODE

Chapter 1145 Planned Development Chapter governs the amendment of an approved PUD, specifically Chapter 1145.10 Changes to a Planned Development.

COMPREHENSIVE PLAN

The proposal is consistent with redevelopment focus in rental housing.

AGENCY REVIEWS

Police:	Reviewed with no comments
Engineering:	Reviewed with no comments
Fire:	Reviewed with no comments
Econ. Dev.	Reviewed with no comments

DECISION CRITERIA

A copy of the Amendment Decision Criteria is attached.

ANALYSIS

The proposal is to renovate and reconfigure existing apartment buildings in Hawk's Landing to subdivide some dwelling units from 4- bedroom into two- dwelling types: one bedroom units and two bedroom units. The buildings that are slated to be renovated are labeled Building A, E, F, G. See attached drawing.

The current configuration is that each building contains 12 dwelling units. There will be an additional bathroom added to each newly divided dwelling unit.

This project was approved by the City Council in 1993 via Ordinance 2313, as a Planned Development project for approving 120 multiple units and one duplex unit (2 units) for a total of 122 units. The proposal, as presented, will increase the number of dwellings from 122 to 170.

Chapter 1145 Planned Development governs the amendment to an approved Planned Development. There are two types of amendments to an approved plan: minor and major. The differences between minor and major based on the following criteria:

- (1) The changes do not change the use.
- (2) The magnitude will not substantially alter the appearance of the development from off of the site.

- (3) There will be no substantial or detrimental effect to the provision of public services to the site or general vicinity.
- (4) There will not be substantial or detrimental increase in potential demand of public or private utilities.
- (5) They are not of a scope, scale, or character that would cause a negative impact on adjoining properties and neighborhood.
- (6) They are not contrary to and in no way diminishing the intent of the original approval.

It would appear that the proposal could meet the threshold of being considered to be a minor amendment since the proposed scope of work should not substantially alter the character or the appearance of the development. However, Ordinance #2313 was very specific about the number of dwelling units on site. Any changes/amendments to the Ordinance cannot be approved by the Planning Commission alone. It must be approved by the City Council via legislative action. This is the reason it is considered to be a major amendment. Furthermore, the changes to the development is considered to be relatively small scale and is planned to be accomplished as a single phase, it is procedurally permissible to file a combined Planned Development for a small, single phase development, per 1145.06.

RECOMMENDATION

Staff recommends that the Planning Commission concur with the changes and forward to City Council for legislation.

SUBMITTED

BY:


Jung-Han Chen
Community Development Director

DATE: April 25, 2016

ATTACHMENT

1145.06 PLANNING COMMISSION AND COUNCIL REVIEW

(b) General Decision Standards. All planned developments shall satisfy these general decision standards:

- (1) The proposed planned development is in fact permitted in the zoning districts in which it is proposed.
- (2) If the application is for the same site where a planned development application has been denied within one year, the plan is substantially different from the application so denied.
- (3) The uses and site plan will satisfy the general intent of this Zoning Code.
- (4) The uses and site plan will be compatible with the general intent of the Comprehensive Plan.
- (5) The size and shape of the site are sufficient for the proposed planned development.
- (6) The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.
- (7) The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.
- (8) Accessory uses will be directly related to the operation of the principal uses and will not be operated independent of the principal uses.
- (9) The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.
- (10) Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
- (11) The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.
- (12) The site is designed so that on-site traffic and traffic accessing the site will not adversely impact the movement or safety of all modes of traffic on adjacent public streets.
- (13) Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

(c) Additional Final Plan Decision Standards

- (1) The final planned development shall substantially conform to the preliminary plan.
- (2) Any substantial changes from the preliminary plan improve the plan or were requested by Planning Commission or Council as a part of the preliminary plan approval process.
- (3) If the final plan seeks approval of only a portion of the approved preliminary plan, the elements of the proposed phase are sufficient to stand alone if the remainder of the planned development is abandoned.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: April 15, 2016

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

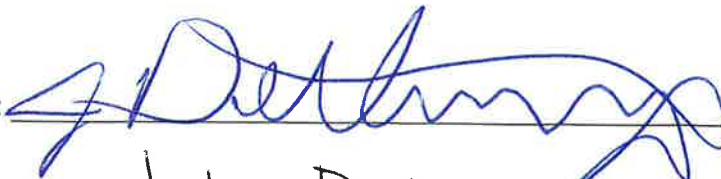
PC-2016-06 COMBINED PRELIMINARY AND FINAL PUD, 5262 Brown Road, Hawk's Landing,
formerly known as University Commons, to amend an approved PUD, Scott Webb,
Applicant/Architect

 X Review Revisions Other

Please return no later than: 4/29/16 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:



Date:

4-25-16

John Detherage

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: April 15, 2016

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2016-06 COMBINED PRELIMINARY AND FINAL PUD, 5262 Brown Road, Hawk's Landing,
formerly known as University Commons, to amend an approved PUD, **Scott Webb,**
Applicant/Architect

 X Review Revisions Other

Please return no later than: **4/29/16** 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:



Date:

4-20-16

VICTOR POPESCU

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: April 15, 2016

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2016-06 COMBINED PRELIMINARY AND FINAL PUD, 5262 Brown Road, Hawk's Landing,
formerly known as University Commons, to amend an approved PUD, **Scott Webb,**
Applicant/Architect

 X Review Revisions Other

Please return no later than: **4/29/16** 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: _____



Date: 4/20/16

John A. Jones

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: April 15, 2016

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

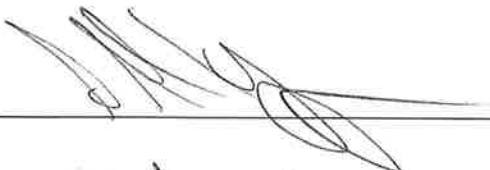
PC-2016-06 COMBINED PRELIMINARY AND FINAL PUD, 5262 Brown Road, Hawk's Landing,
formerly known as University Commons, to amend an approved PUD, **Scott Webb,**
Applicant/Architect

 X Review Revisions Other

Please return no later than: **4/29/16** 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:  Date: 4-18-16

G. Mark Ryan
PRINTED NAME



PC-2016-06 **Surrounding** **Property Owners** **Notifications Map**

Legend

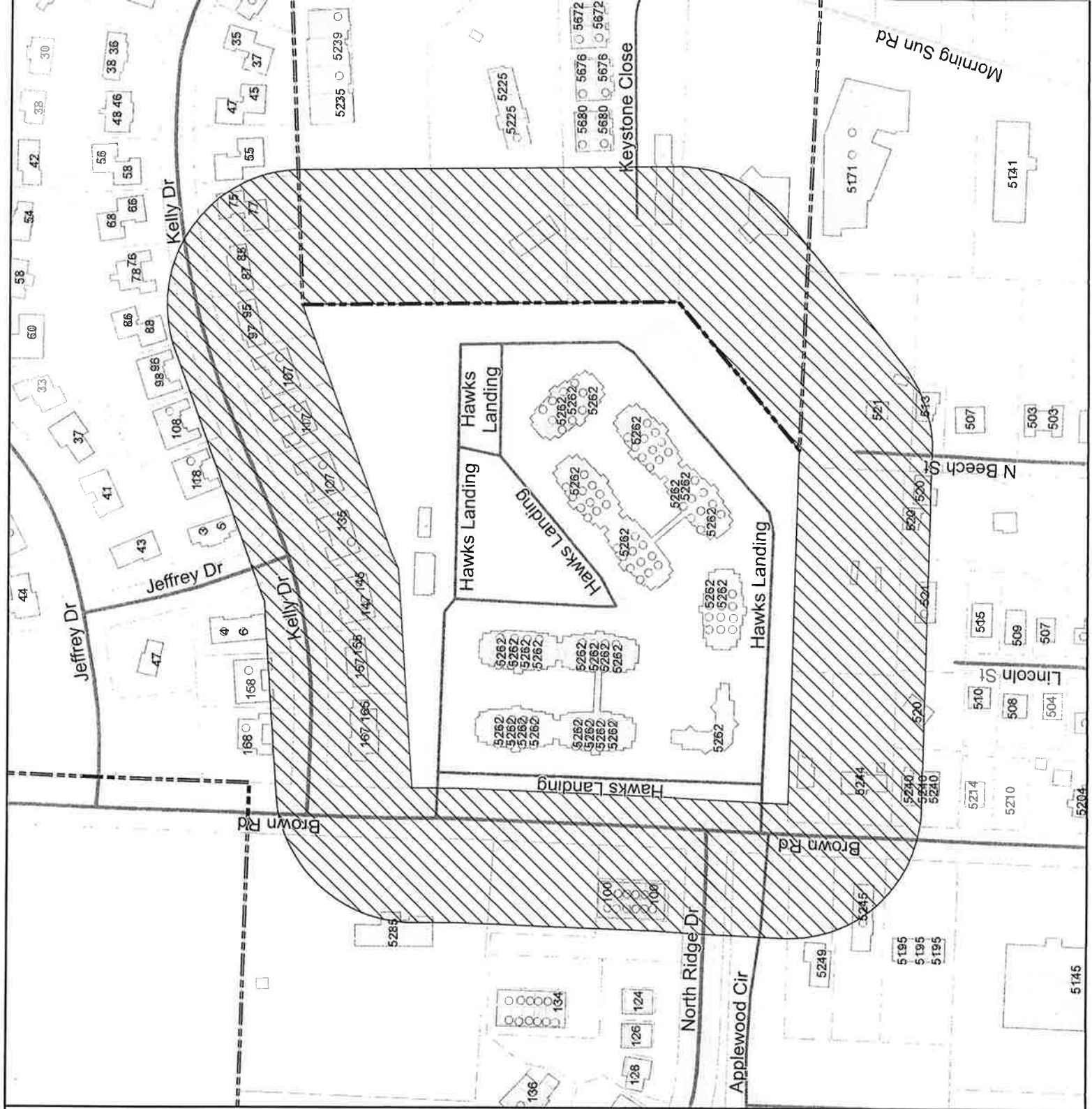
-  Subject Parcel
-  200 Ft. Buffer
-  Oxford Corp. Limit
-  Address Point
-  Parcel
-  Building Footprint
-  Paved Roadway



1 inch = 200 feet

Prepared on Thursday, April 21, 2016

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



LETTER OF AGENCY

To Whom It May Concern:

Please be advised that Scott Webb, Architect has permission to represent our interest with the City of Oxford Board of Planning Commission and act on our behalf regarding a modification to an approved Planned Development at Hawk's Landing at 5262 Brown Road.

Thank-you,

Signed: Christian Elliott
Christian Elliott
MAM-Oxford, LLC
Development Manager

03/23/2016
Date:



Internal Use Only:	
Case No.	PC-2016-06
Date Filed	3/25/16

Planned Development Application

Application Type

Choose One

☐ Preliminary (\$400)

☐ Final (\$400)

☒ Preliminary & Final (\$400)

Applicant Information

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

Name * Scott Webb, Architect

Mailing Address * 103 West Walnut Street

City, State & Zip Code * Oxford, Ohio 45056

Telephone Number * 513-523-3838 Email Address scott@scottwebbarchitect.com

Owner Information

Name * MAM-Oxford LLC

Mailing Address * 431 Office Park Drive

City, State & Zip Code * Birmingham Alabama 35223

Telephone Number * 205-949-2062 Email Address CElliott@capstonemail.com

Engineer/Surveyor Information

Name * Bayer Becker

Mailing Address * 110 South College Ave.

City, State & Zip Code * Oxford, Ohio 45056

Telephone Number * 513-523-4270 Email Address ettareed@bayerbecker.com

Location and Lot Information

Name of Subdivision * Hawks Landing

Location of Property * 5262 Brown Road

Legal Description * _____

Zoning District * R3 (PUD) Total Area * 9.9778 Acres

Submission Requirements and Documentation

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

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

O. Other information as required by the Planning Commission or Council.

(7) Elevations. Elevations of proposed structures or typical elevations if structures are not yet designed.

(8) Other. Photographs of the existing site and its surroundings.

(b) Final Plan.

- (1) The same items and information as required for the preliminary plan, except that the approximations shall be refined to specific locations, dimensions, and descriptions.
- (2) A detailed traffic impact analysis, including all modes of transportation, prepared by a qualified professional engineer
- (3) Any additional description or information requested by the Planning Commission or Council during the preliminary plan approval process.
- (4) Detailed agreements, contracts, deed restrictions, and sureties that will be used to guarantee performance of the development during and after construction.

Surrounding Property Owners

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

Decision Process

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

Fees & Receipt

The required fee for preliminary and final is \$400.00 plus \$100 per acre, plus postage charge. To calculate the postage charge, multiply the number of adjoining properties by current postage rate³.

Sign and Date

Applicant Signature *

Date *

4/8/16

Submit Application, Submission Requirements and Documentation, and Fees

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

Send or drop off this application with required preliminary plans containing all required information as attachments and a check for fee and postage charges made payable to **City of Oxford**, to Community Development Director, 101 East High Street, Oxford, OH 45056.

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

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

For Staff Use Only

Fee Paid Date *

4/8/16

Receipt Number *

91966

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

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

³ The United States Postal Service: <http://www.usps.com/>

Jung-Han Chen,
Community Development Director
City of Oxford
101 East High Street
Oxford, Ohio 45056



SCOTT
WEBB

ARCHITECT

103 West Walnut Street
Oxford, Ohio 45056
(513) 523-3838

www.scottwebbarchitect.com

Re: Hawk's Landing (Formerly University Commons)
Minor Change to an Approved PUD
5262 Brown Road
Oxford, Ohio 45056

March 25, 2016

Mr. Chen,

The following represents our written request to an approved planned development per 1145.10(a) of the City of Oxford Zoning Code.

In 1993, approval was granted to Capstone Development to construct a multi-family housing development at 5262 Brown Road, formerly known as University Commons. This was approved by City Council through Ordinance #2313 in July of that year. Over the years the project has changed owners several times.

In 2013, Capstone Development repurchased the development, now known as Hawk's Landing, and discussion began about modifications to the now 20+ year old housing complex.

The development is currently comprised of 484 Beds in 120 4-bedroom apartments (+2 units in a stand-alone duplex on the site), and includes a common clubhouse. The current number of occupants on the site

The plan represented in this application is to subdivide (48) 4-bedroom units in two separate dwelling units, resulting in a 1-bedroom & 2 bedroom, and the construction of a small bath addition to each unit. This proposal results in a 48 bed reduction in occupancy on the overall site.

The original approval however was based on the number of units, and not the number of occupants. Subsequently, the change to the approved Planned Development would actually increase the number of units to 168 (+2 units in the duplex), even though the overall occupancy would be reduced by approximately 10%.

With regard to the criteria for a minor change described in 1145.10, we offer the following:

(1) Does not change the Use

The project remains a multifamily residential development.

(2) Are of a magnitude that will not substantially alter the appearance of development from off of the site

As shown on the attached site and unit plans, the interior split of the units & the minor bath addition, are not of a magnitude that would substantially alter the appearance of the development from off the site. The proposed additions are quite small, and will continue the design and material scheme represented in the existing buildings.

- (3) *Will not substantially or detrimentally affect the provision of public services to the site or general vicinity*

The proposed 10% reduction in occupancy on the site would likely reduce the need for public services to the site. This reduction in occupancy would reduce car trips, and traffic for the development & the general vicinity.

- (4) *Will not substantially or detrimentally increase potential demand on public or private utilities.*

In October of 2013, meetings were held with the City Water Department, the City Engineer and Fire Chief regard the utilities on the site. Meetings were also held with Duke Energy, regard the electrical service changes that may be required.

In each case, the site is adequately served by utilities.

In the October 2013 meetings, changes to the distribution of utilities were discussed, including changes to the water meters & the installation of new meter pits per the new City standards. In addition to these changes, the Fire Chief requested the installation of (2) additional fire hydrants on the property. The owners have agreed to provide these hydrants in the locations as requested.

- (5) *Are not of a scope, scale, or character that would cause a negative impact on adjoining properties or the neighborhood.*

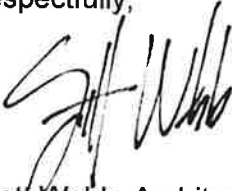
The proposed changes, resulting in a 10% reduction in occupancy, would simply decrease any negative impact on adjoining properties. Reduction of traffic accessing the site and the inclusion of additional fire hydrants, lessen the effect on adjoining properties, and make the area safer.

- (6) *Are not contrary to and in no way diminish the intent of the originally approved plan.*

The proposal described herein in no way diminishes the intent of the originally approved plan. The development remains a multi-family student housing complex, though less intensive in its use and occupancy.

If you have any questions or additional comments, please let me know.

Respectfully,

A handwritten signature in black ink, appearing to read 'Scott Webb', is written over a horizontal line.

Scott Webb, Architect

AN ORDINANCE APPROVING PLANNING COMMISSION'S APPROVAL OF THE FINAL PLANNED UNIT DEVELOPMENT ON PART-LOT 2472, 10.479 ACRES ON BROWN ROAD. (CAPSTONE DEVELOPMENT CORPORATION)

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

SECTION 1: Council finds the Planning Commission held a public hearing as prescribed by Section 1122.01 of the Codified Ordinances of the City of Oxford on June 8, 1993, on the application submitted by Capstone Development Corporation, for approval of the final planned unit development for 120 multiple family units and one duplex unit (2 units) for a total of 122 units on part-lot 2472, Brown Road, Oxford, Ohio.

SECTION 2: Oxford Planning Commission, after due deliberation, did recommend approval of the final planned unit development for 120 multiple family units and 1 duplex unit (2 units) for a total of 122 units on part lot 2472, Brown Road, subject to the following conditions:

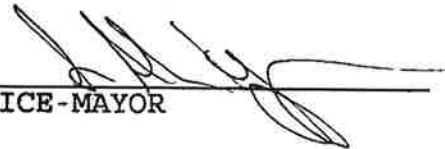
1. There be satisfactory resolution of the comments of the City Engineer, including the widening of the pavement on Brown Road, and relocation of the proposed sidewalk and proposed visual screen.

2. The final planned unit development should indicate the number of dwelling units in each dwelling and specify on the engineering drawings the total number of units. The final engineering drawings must be submitted to the City before final approval by Council

3. Acceptance by the developer of the terms of a development agreement acceptable to the City.

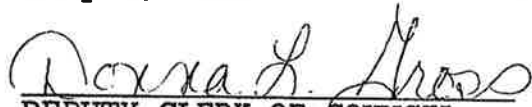
SECTION 3: Council of the City of Oxford hereby accepts and approves the action of the Planning commission approving the final planned unit development, subject to the above stated conditions.

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


VICE-MAYOR

ADOPTED: July 6, 1993

ATTEST:


DEPUTY CLERK OF COUNCIL

INTRODUCED BY: Chuck Warren

STAFF (LAW)

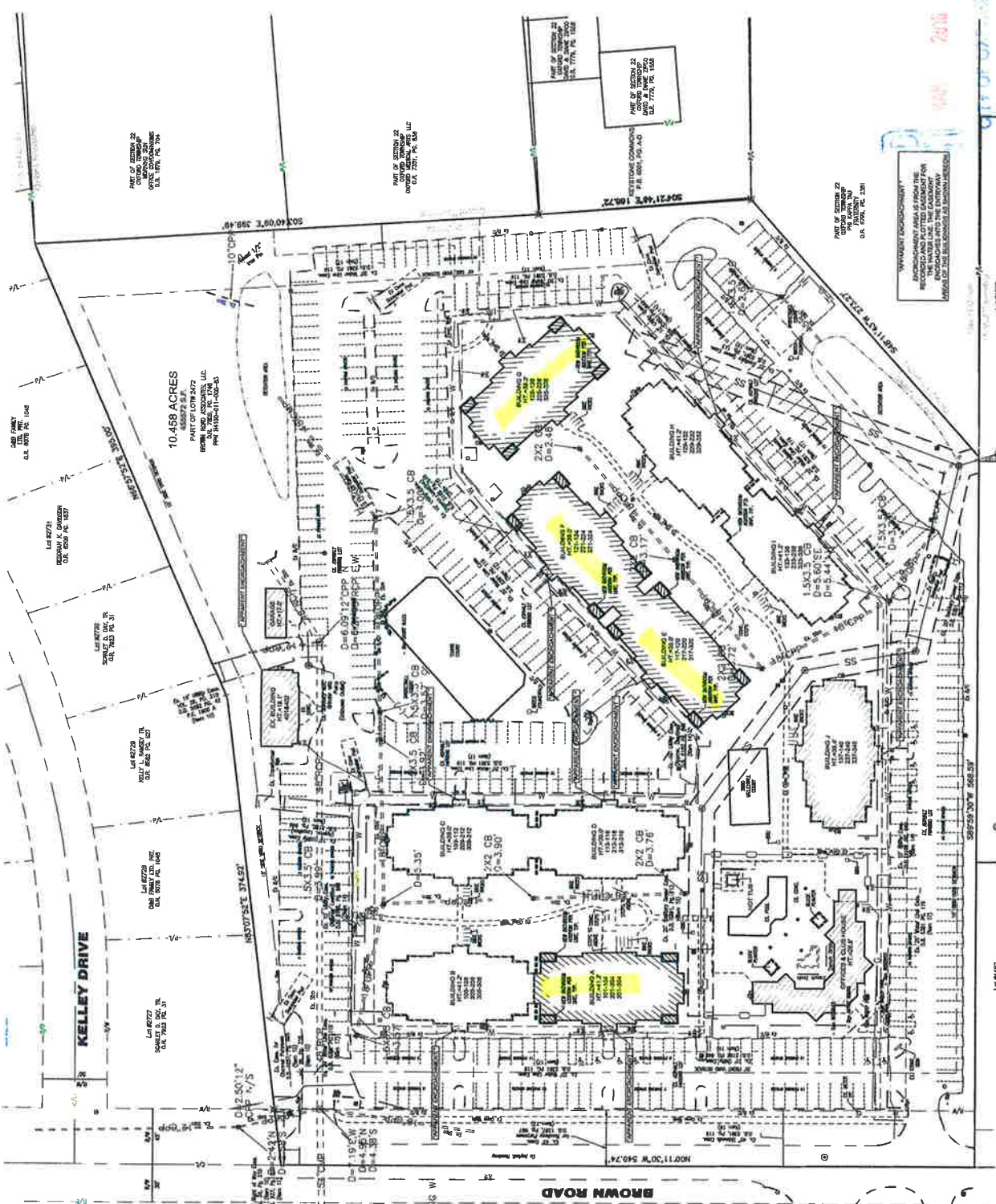


SCOTT WEBB ARCHITECT
103 West Walnut Street
Oxford, Ohio 45056
(513) 523-3838
www.scottwebbarchitect.com

PROPOSED BATHROOM ADDITION
HawksLanding
CAPSTONE ESTATE INVESTMENTS

DATE	March 30, 2016
REVISIONS	

A=1



SITE PLAN
1" = 80'-0"

VARIOUS EASEMENTS
EXISTING EASEMENTS ARE SHOWN FROM THE RECORD PLANS AND THE EASEMENT RECORDS OF THE BUILDINGS AS SHOWN HEREON.

NOTE: SEE SHEET 2 FOR THE LOCATION OF THE EASEMENTS AND THE EASEMENT RECORDS OF THE BUILDINGS AS SHOWN HEREON.

NOTE: SEE SHEET 2 FOR THE LOCATION OF THE EASEMENTS AND THE EASEMENT RECORDS OF THE BUILDINGS AS SHOWN HEREON.

NOTE: SEE SHEET 2 FOR THE LOCATION OF THE EASEMENTS AND THE EASEMENT RECORDS OF THE BUILDINGS AS SHOWN HEREON.

NOTE: SEE SHEET 2 FOR THE LOCATION OF THE EASEMENTS AND THE EASEMENT RECORDS OF THE BUILDINGS AS SHOWN HEREON.

10.458 ACRES
SCOTT WEBB ARCHITECT, LLC
103 WEST WALNUT STREET
OXFORD, OHIO 45056
PH: 513.523.3838

NOTE: SEE SHEET 2 FOR THE LOCATION OF THE EASEMENTS AND THE EASEMENT RECORDS OF THE BUILDINGS AS SHOWN HEREON.

NOTE: SEE SHEET 2 FOR THE LOCATION OF THE EASEMENTS AND THE EASEMENT RECORDS OF THE BUILDINGS AS SHOWN HEREON.

NOTE: SEE SHEET 2 FOR THE LOCATION OF THE EASEMENTS AND THE EASEMENT RECORDS OF THE BUILDINGS AS SHOWN HEREON.

NOTE: SEE SHEET 2 FOR THE LOCATION OF THE EASEMENTS AND THE EASEMENT RECORDS OF THE BUILDINGS AS SHOWN HEREON.

NOTE: SEE SHEET 2 FOR THE LOCATION OF THE EASEMENTS AND THE EASEMENT RECORDS OF THE BUILDINGS AS SHOWN HEREON.

NOTE: SEE SHEET 2 FOR THE LOCATION OF THE EASEMENTS AND THE EASEMENT RECORDS OF THE BUILDINGS AS SHOWN HEREON.

NOTE: SEE SHEET 2 FOR THE LOCATION OF THE EASEMENTS AND THE EASEMENT RECORDS OF THE BUILDINGS AS SHOWN HEREON.

NOTE: SEE SHEET 2 FOR THE LOCATION OF THE EASEMENTS AND THE EASEMENT RECORDS OF THE BUILDINGS AS SHOWN HEREON.

NOTE: SEE SHEET 2 FOR THE LOCATION OF THE EASEMENTS AND THE EASEMENT RECORDS OF THE BUILDINGS AS SHOWN HEREON.

NOTE: SEE SHEET 2 FOR THE LOCATION OF THE EASEMENTS AND THE EASEMENT RECORDS OF THE BUILDINGS AS SHOWN HEREON.

NOTE: SEE SHEET 2 FOR THE LOCATION OF THE EASEMENTS AND THE EASEMENT RECORDS OF THE BUILDINGS AS SHOWN HEREON.

NOTE: SEE SHEET 2 FOR THE LOCATION OF THE EASEMENTS AND THE EASEMENT RECORDS OF THE BUILDINGS AS SHOWN HEREON.

NOTE: SEE SHEET 2 FOR THE LOCATION OF THE EASEMENTS AND THE EASEMENT RECORDS OF THE BUILDINGS AS SHOWN HEREON.

NOTE: SEE SHEET 2 FOR THE LOCATION OF THE EASEMENTS AND THE EASEMENT RECORDS OF THE BUILDINGS AS SHOWN HEREON.

NOTE: SEE SHEET 2 FOR THE LOCATION OF THE EASEMENTS AND THE EASEMENT RECORDS OF THE BUILDINGS AS SHOWN HEREON.

NOTE: SEE SHEET 2 FOR THE LOCATION OF THE EASEMENTS AND THE EASEMENT RECORDS OF THE BUILDINGS AS SHOWN HEREON.

NOTE: SEE SHEET 2 FOR THE LOCATION OF THE EASEMENTS AND THE EASEMENT RECORDS OF THE BUILDINGS AS SHOWN HEREON.

NOTE: SEE SHEET 2 FOR THE LOCATION OF THE EASEMENTS AND THE EASEMENT RECORDS OF THE BUILDINGS AS SHOWN HEREON.

NOTE: SEE SHEET 2 FOR THE LOCATION OF THE EASEMENTS AND THE EASEMENT RECORDS OF THE BUILDINGS AS SHOWN HEREON.

NOTE: SEE SHEET 2 FOR THE LOCATION OF THE EASEMENTS AND THE EASEMENT RECORDS OF THE BUILDINGS AS SHOWN HEREON.

NOTE: SEE SHEET 2 FOR THE LOCATION OF THE EASEMENTS AND THE EASEMENT RECORDS OF THE BUILDINGS AS SHOWN HEREON.

NOTE: SEE SHEET 2 FOR THE LOCATION OF THE EASEMENTS AND THE EASEMENT RECORDS OF THE BUILDINGS AS SHOWN HEREON.

NOTE: SEE SHEET 2 FOR THE LOCATION OF THE EASEMENTS AND THE EASEMENT RECORDS OF THE BUILDINGS AS SHOWN HEREON.

NOTE: SEE SHEET 2 FOR THE LOCATION OF THE EASEMENTS AND THE EASEMENT RECORDS OF THE BUILDINGS AS SHOWN HEREON.

NOTE: SEE SHEET 2 FOR THE LOCATION OF THE EASEMENTS AND THE EASEMENT RECORDS OF THE BUILDINGS AS SHOWN HEREON.