City of Oxford OHIO
HOME OF MIAMI UNIVERSITY

MEMORANDUM

Community Development Department
513-524-5204

TO: Oxford Planning Commission

FROM: Zachary Moore, AICP
Planner

DATE: May 30, 2021

RE: PC-2021-17 – Minor Amendment to a Conditional Use – Gas Canopy, Sign and Building Design, 3600 Southpointe Parkway

Architect Scott Webb, acting as agent for the property owner, has submitted an application requesting a Minor Amendment to a previously approved Conditional Use for a new Shell gas station, currently under construction at 3600 Southpointe Parkway. The Conditional Use currently in effect was approved by City Council on June 4, 2019 by Ord. No. 3529. As part of the approval, Condition #6 specifically addressed building architecture:

6. The plans submitted with the Building/Zoning Permit application shall:

a. Not show pavement setbacks any closer to the right-of-way than as depicted on Sheet C-1 Preliminary Site Plan (dated March 20, 2019)

b. Conform to the architectural renderings as depicted on Sheet A-2 Building Design (dated March 20, 2019).

Subsection (b) above is relevant to the request at hand. The original Sheet A-2 is attached to this memo for comparison purposes.

The original rendering shown on Sheet A-2 depicted red brick buildings with white caps/cornices, along with stone elements around the entrances. The gas canopy was shown to have a white roof fascia matching in style with the buildings, along with brick columns. Also shown is a freestanding sign with a white frame and cap, and a brick base.

Since Condition #6(b) required substantially similar architecture to the rendering in Sheet A-2, this was enforced by Zoning during the Building Permit review stage. The Building Permit was approved and issued on November 12, 2020 with a design compliant with Sheet A-2.

A summary of the applicant's proposed design changes is provided below:

- **Buildings:** The applicant would like to darken the color of the red brick material, lighten the stone columns, and change the color of the cornicing to black.
- **Gas Canopy:** In an effort to bring the canopy in-line with Shell's corporate palette, the applicant proposes altering the matching white roof fascia (MDO board) to a multi-colored roof with a bright

yellow, red, and white color scheme. Stone block bases are also proposed to be added to the brick support columns. Additionally, the applicant would like to change the previously approved medallion and letter logos to drop the word "Shell" entirely, and enlarge the Shell medallion to a point above the roof line.

- **Monument Sign:** The applicant's request is two-fold when it comes to the freestanding monument sign: (1) change the housing of the sign from white to black color, matching that of the buildings; and (2) increase the height to just over eight (8) feet, a two (2) foot increase from the maximum 6 foot height specified in ***Section 1151.05(a)(3)(A)(2)(b)(ii)***.

Section 1147.03(f) outlines a procedure for consideration of minor amendments to a previously approved Conditional Use. The request may be approved if the proposed changes:

A. Do not change the use.
B. Are of a magnitude that will not substantially alter the appearance of the use from off of the site.
C. Will not substantially or detrimentally affect the provision of public services to the site or general vicinity.
D. Will not substantially or detrimentally increase potential demand on public or private utilities.
E. Are not of a scope, scale, or character that would cause a negative impact on adjoining properties and neighborhood.
F. Are not contrary to and in no way diminish the intent of the originally approved permit. Administrative approvals shall be clearly documented and made part of the original Conditional Use permit on file.

Staff recommends that the request for Minor Amendment be **denied** as presented, based on Criteria B, E, and F. The primary reasons for this recommendation are due to the proposed canopy roof re-coloring and the increase in sign heights beyond the normal Code maximums. These two features in particular will be very noticeable when entering Oxford and the surrounding neighborhood, and in order to be potentially approved as such, deserve additional opportunity for nearby residents to weigh in and comment in front of the Planning Commission and City Council. In other words, a new Conditional Use approval should be necessitated in order to potentially incorporate these specific design changes. Apart from the particular aspects mentioned, staff is less concerned about all other design changes embedded within the proposal.

Shell's corporate branding scheme has no doubt been engineered to capture motorists' attention off freeway exits, near interstate highways, and in suburban commercial areas. However, such flagrant display of bright colors is not appropriate for the existing neighborhood setting or as a gateway into Oxford. The currently valid Conditional Use and approved Building Permit plans represent a far more sensitive design in terms of color and material juxtaposed against existing architectural styles in the area. Additionally, Oxford has not historically allowed canopy sign logos/medallions to extend above the canopy roof line (Such approval would technically be a waiver to ***Section 1151.03(e)(4)*** which specifies that *no sign shall be upon or project above a roof line.*).

Alternatively, staff sees no issue with simply adapting the currently approved design by changing the color of the canopy roof to black to match what is now proposed for the buildings or dropping the "Shell" word logo. If the applicant can agree to alter the canopy roof design in this manner, perhaps an approval of a Minor Amendment inclusive of the sign height increase may be more negotiable.

If the Commission is inclined to approve this Minor Amendment request, staff recommends the Commission do so with the following conditions:

1. As a waiver to ***Section 1151.05(a)(3)(A)(2)(b)(ii)***, the sign height shall be limited to 8 feet 1 inch, as proposed.

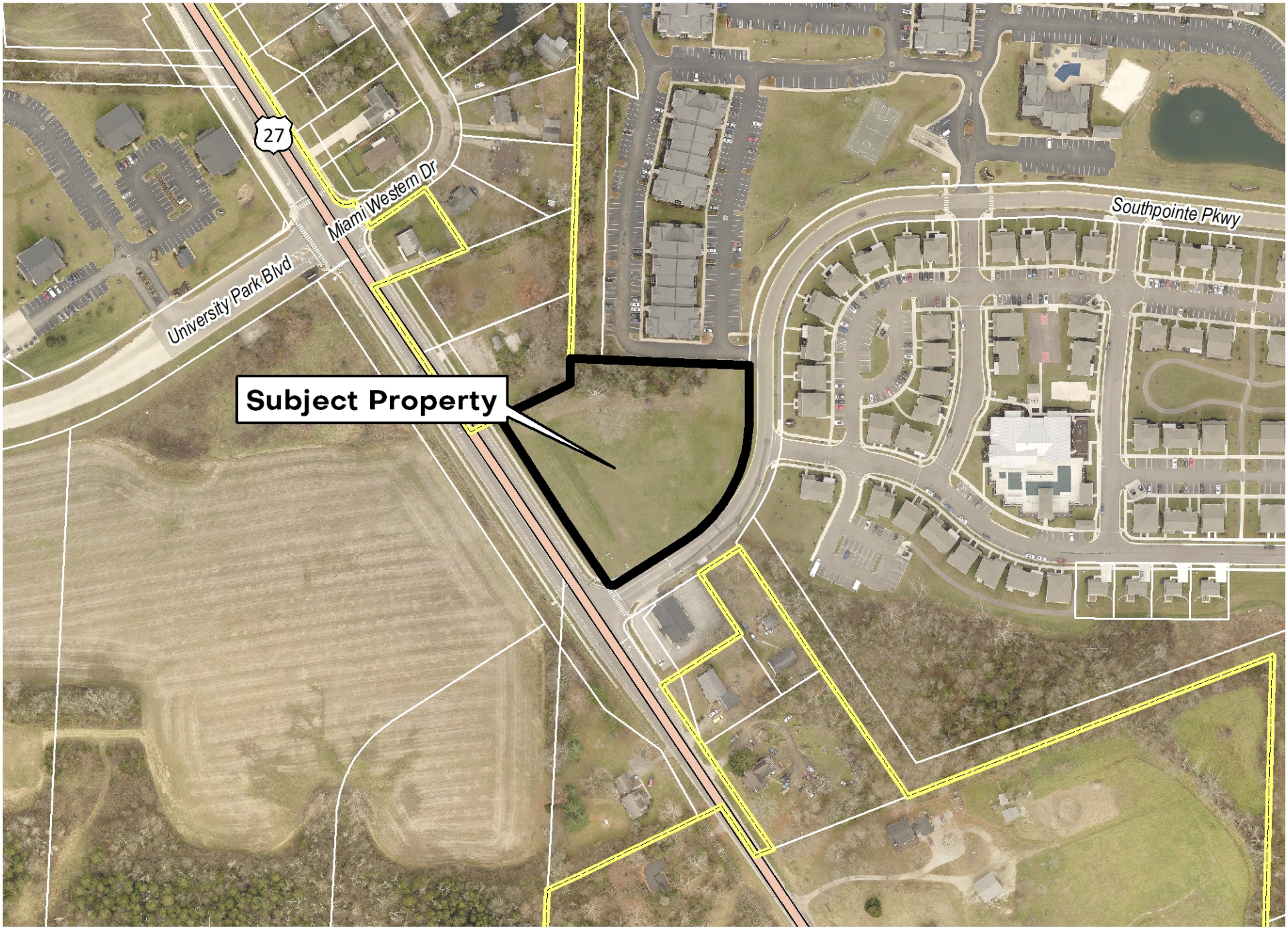
2. The medallion logo on the gas canopy shall not extend above the roof line of the canopy.

3. The canopy roof design, color, and material shall match what is proposed for the buildings.

Location Map

Site Parcel(s)

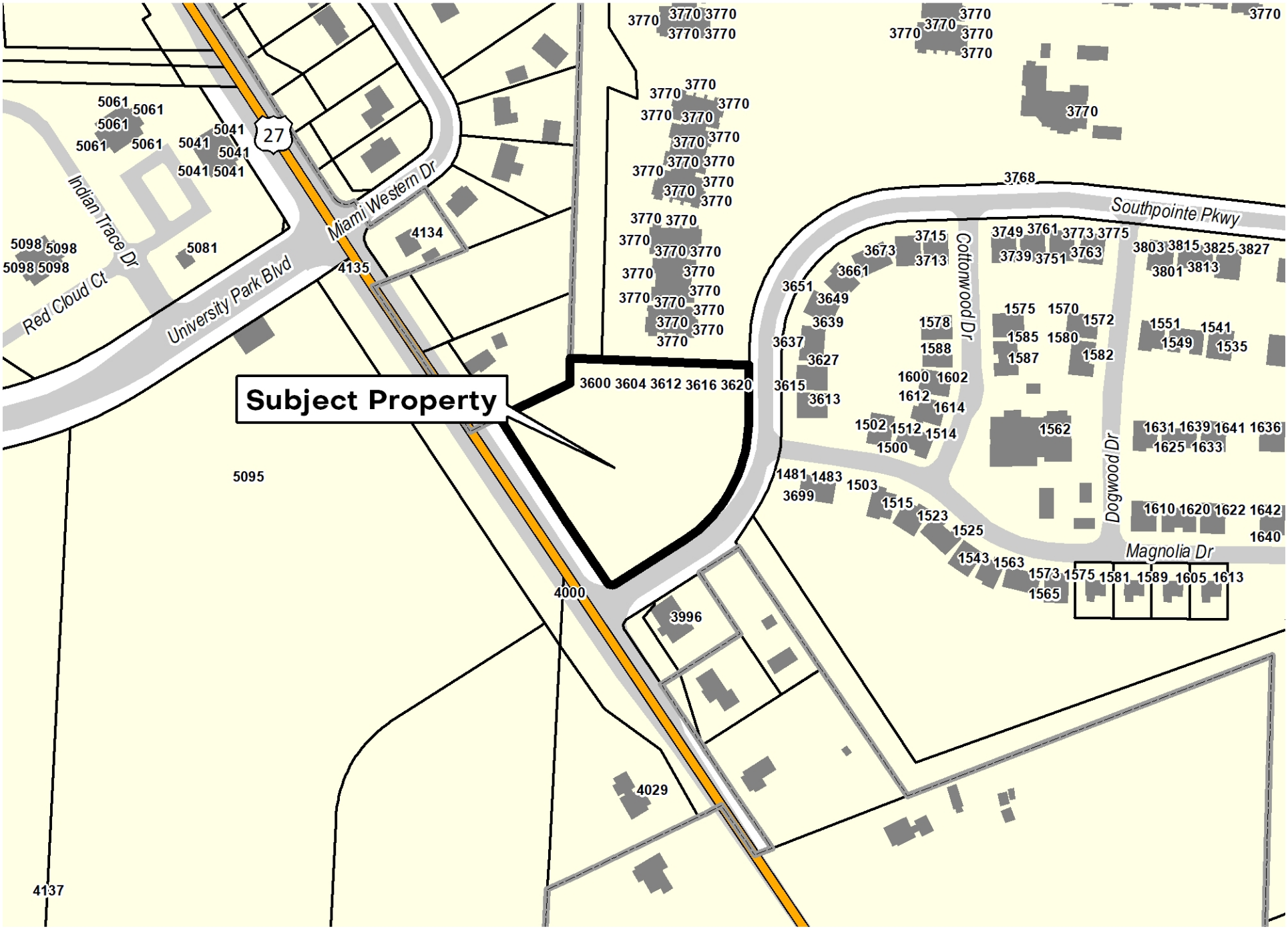
0 100 200 400 Feet



Location Map

Site Parcel(s)

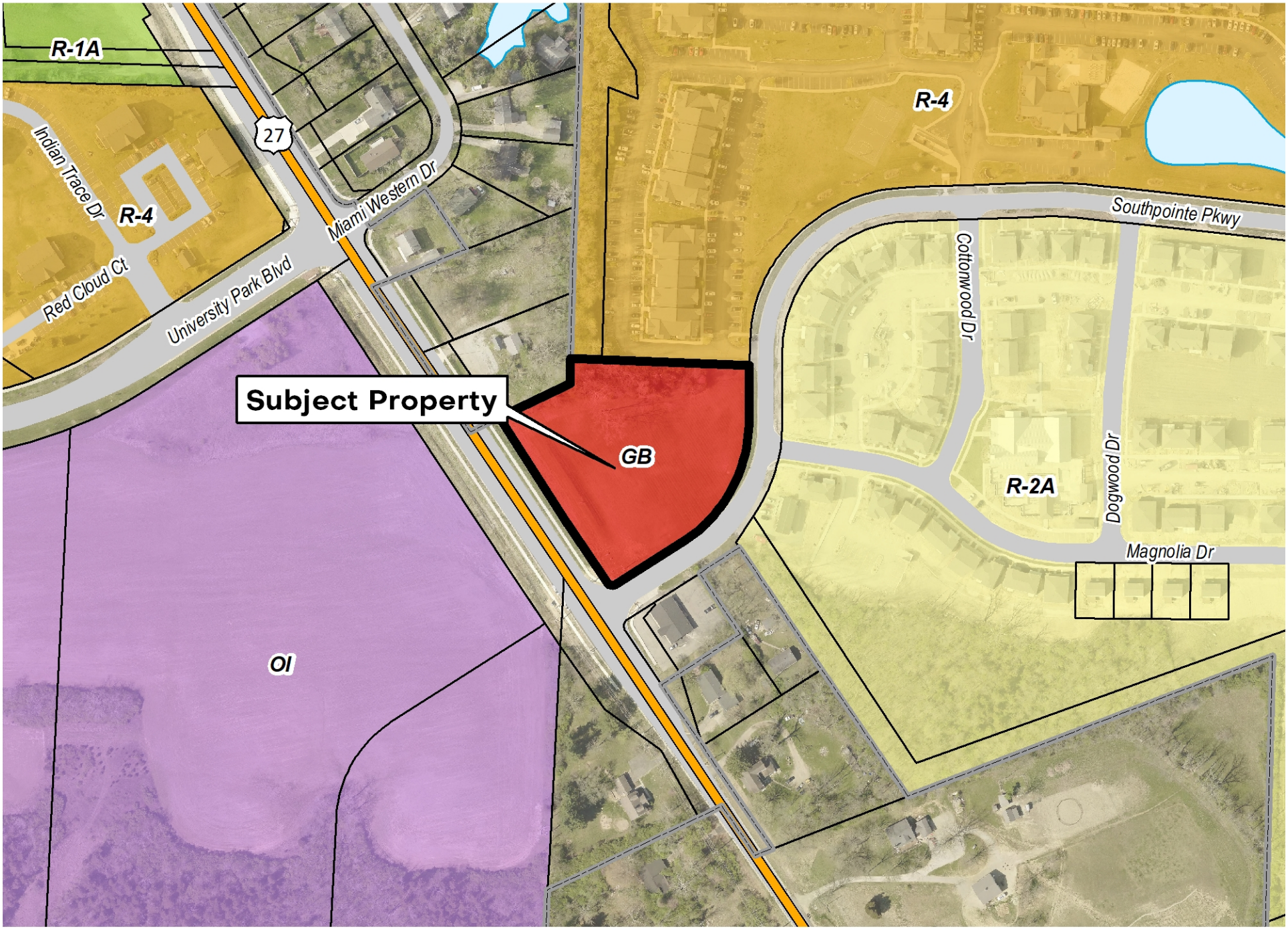
0 100 200 400 Feet



Location Map

Site Parcel(s)

0 100 200 400 Feet

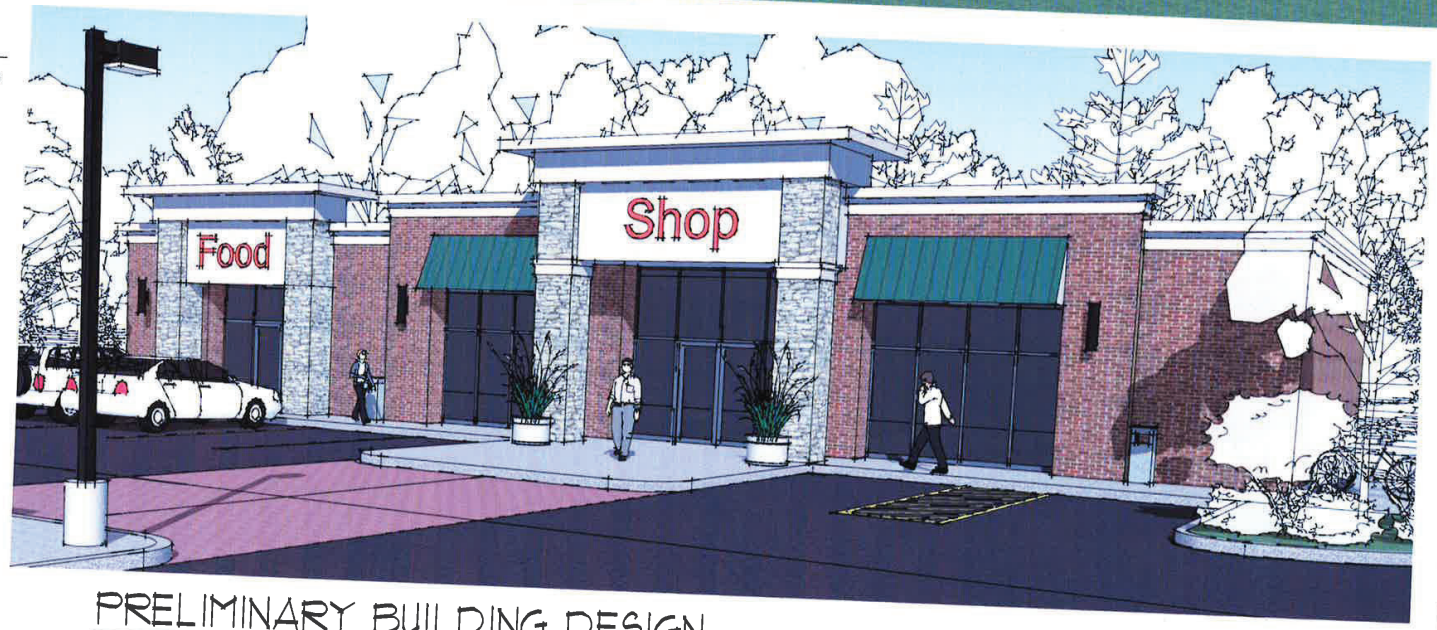


BUILDING DESIGN

MIN. 60% GLAZING BETWEEN 2.5 AND 7 FEET IN HEIGHT ABOVE GRADE ALONG THE ENTIRE FRONT FACADE.

BUILDING PROVIDES ARTICULATION IN HEIGHT AND SETBACK.

THE PRINCIPAL STRUCTURE IS FINISHED, UTILIZING AT MORE THAN 50% NATURAL MATERIALS INCLUDING BRICK, STONE, MASONRY, & GLASS



PRELIMINARY BUILDING DESIGN

STATE OF OHIO
L. SCOTT WEBB
11193
REGISTERED ARCHITECT

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

PROPOSED NEW COMMERCIAL DEVELOPMENT
Southpointe Crossings
SOUTHPOINTE PARKWAY
OXFORD, OHIO 45056

DATE	
March 20, 2019	
REVISIONS	

A-2

City of Oxford OHIO
HOME OF MIAMI UNIVERSITY

Internal Use Only:
Case No. PC-2021-17
Date Filed 5-7-2021

Minor Amendment Application

Application Type

Choose One * ✔ Minor Amendment to Conditional Use ___ Minor Amendment to Final Planned Development

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 * Oxfrord, Ohio 45056

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

Owner Information

Name * Veer Investments LLC

Mailing Address * 4548 Guildford Drive

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

Telephone Number * (917) 880-6776 Email Address sanjeevkaushal38@gmail.com

Engineer/Surveyor Information

Name * Bayer Becker

Mailing Address * 110 South College Ave.

City, State & Zip Code * Oxford, Ohio 45056

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

Location and Lot Information

Name of Subdivision *

Location of Property * 3600-3604 Southpointe Parkway

Legal Description * Parcel #H4100143000013

Zoning District * GB Total Area * 1 Acres

Submission Requirements and Documentation

To provide for clear documentation, any request for a minor amendment to an approved conditional use or final planned development must be submitted in writing on formal letterhead along with a complete application form. The letter must provide sufficient detail in describing the proposed change(s), as well as justification on how the change(s) meet all relevant decision criteria as specified below pertinent to the applicable case type. Staff may request the applicant to provide additional information per the normal required contents for Conditional Use and Final Planned Development applications, pursuant to Sections 1147.02 and 1145.05 respectively.

1147.02(f)(1) – Minor Changes to an approved Conditional Use.

An operator of an approved Conditional Use may submit a written request for approval of changes to the site or operating conditions of the use. The Zoning Administrator may administratively approve changes to a Conditional Use if such changes:

A. Do not change the use.
B. Are of a magnitude that will not substantially alter the appearance of the use from off of the site.
C. Will not substantially or detrimentally affect the provision of public services to the site or general vicinity.
D. Will not substantially or detrimentally increase potential demand on public or private utilities.
E. Are not of a scope, scale, or character, that would cause a negative impact on adjoining properties and neighborhood.
F. Are not contrary to and in no way diminish the intent of the originally approved permit. Administrative approvals shall be clearly documented and made part of the original Conditional Use permit on file.

1145.10(a) – Minor Changes to an Approved Final Planned Development.

The developer of an approved final planned development may submit a written request for approval of changes to the plan or development schedule. The Zoning Administrator and the Planning Commission Chair together may administratively approve changes to a planned development if such changes:

1. Do not change the use
2. Are of a magnitude that will not substantially alter the appearance of the development from off of the site
3. Will not substantially or detrimentally affect the provision of public services to the site or general vicinity
4. Will not substantially or detrimentally increase potential demand on public or private utilities
5. Are not of a scope, scale, or character, that would cause a negative impact on adjoining properties and neighborhood
6. Are not contrary to and in no way diminish the intent of the originally approved plan. Administrative approvals shall be clearly documented, made part of the original final planned development on file, and the details of any such changes shall be reported to the Planning Commission at its next regularly scheduled meeting.

Decision Process

Upon submittal, the Community Development Director and Planning Commission Chair will consider the requested amendment against the relevant decision criteria, and within 1-2 weeks determine whether to approve the application administratively or refer the case to the Planning Commission for a formal vote held during the next available regular meeting date. An unfavorable vote by the Planning Commission renders the proposed amendment a major change. Major changes to a Conditional Use or Final Planned Development require a new application in order to be considered for approval by City Council.

Fees & Receipt

The fee is $150.00.

Sign and Date

Applicant Signature *

Date * 5/7/21

Submission Instructions

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

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

Direct questions to the Community Development Dept. at 513-524-5204.

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's Planning Commission & City Council regarding a Minor Change to an Approved Conditional Use at 3600-3604 Millville-Oxford Road, Southpointe Crossings.

Thank you,

Signed: _____
Sanjeev Kaushal, Veer Investments LLC

05/07/2021
Date:

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

Sam Perry, Community Development Director
City of Oxford
Municipal Building
15 South College Avenue
Oxford, Ohio 45056

Re: Proposed Change to an Approved Conditional Use
Gas Station & Drive Through
3600-3604 Southpointe Parkway
Oxford, Ohio

January 19, 2021

Mr. Perry,

Since the 2019 approval of the Conditional Use for the Gas Station & Drive-thru at US27 & Southpointe Parkway, the owner has been working on his business plan & corporate identity and selecting materials for the development and has chosen a slightly different color scheme than was originally presented to Planning Commission & City Council.

The attached drawings & renderings compare the new color scheme with the early renderings presented in 2019. As a condition of approval was that the finished buildings look substantially like these early renderings, we are submitting the proposed new color scheme as a minor change to that condition. Please note that the changes are only the selection of materials and colors and has not affected the building size, height, fenestration, etc.

Secondly, in his negotiations with Shell Oil as his intended gas supplier, the owner has been provided with their corporate identity canopy details that include additional striping & details not known at the time of approval. Signage is provided in accordance with the brand standards and Planning Commission's recommendation that only the "Shell" graphic be allowed on two locations, without the word "Shell". The brand identity canopy fascia details are requested as a minor change.

Drawings from the corporate identity fascia supplier are included with this application as well as updated renderings showing this revised canopy in context.

Thirdly, the design for the ground sign has been finalized, incorporating the Shell logo, changeable fuel price panels, and spaces to identify additional tenant on the property. The sign face area as proposed meets the restrictions of the sign code but providing a brick base and cornice like cap treatment (as was shown on the approved renderings), has made the total sign installation higher than the 6'-0" max. overall height. Updated, dimensioned drawings are provided from the sign manufacturer and the overall sign construction.

Based on the decision standards as addressed below, we feel this could be approved as a Minor Change to an Approved Planned Development as follows:

1147.02(f) Changes to an Approved Conditional Use

The definition of a Minor Change to an approved conditional use is clearly outlined in this chapter of the Zoning Code, with decisions standards addressed as follows:

(1) Does not change the Use

No change of use is proposed in the requested modifications.

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

The change proposed is specifically about the appearance from the street, representing an evolution in corporate identity for the owner and requirements of the national Shell brand.

It is, however, merely a change in colors and does not change the location, mass, height, fenestration, or variety of materials shown on the original renderings.

Proposed change to the ground sign recognizes the operator's need for brand identification & pricing, as well as identification of other tenants. No additional signage area is requested. The height modification simply reflects the combination of these requirements with the overall site design, incorporating a brick base and cornice style cap.

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

The proposed minor changes have no effect on the provision of public services.

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

The proposed minor changes will not change the provision of public utilities.

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

The updated color scheme will not cause a negative impact on adjoining properties.

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

Branding and brand recognition are vital to the success of modern businesses. Recognizing the necessity of brand identity and allowing minor changes in colors in no way diminishes the intent of the originally approved plan.

Thank you for your consideration of this proposal. If you have any questions or need any additional information, please let me know.

Respectfully,

Scott Webb, Architect

PROPOSED MINOR AMENDMENT

Changes to Building Materials & Canopy Fascia

Southpointe Crossings

CONDITIONAL USE – GAS STATION & DRIVE-UP

Veer Investment LLC

4548 Guildford Drive, West Chester , Ohio 45069

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

Building Material Changes

Since the Approval in 2019 the Owner has further developed his corporate identity for this and future stores.

While the Buildings remain unchanged regarding proportion & materials, different colors have been selected for the brick, trim, & standing seam window shade elements

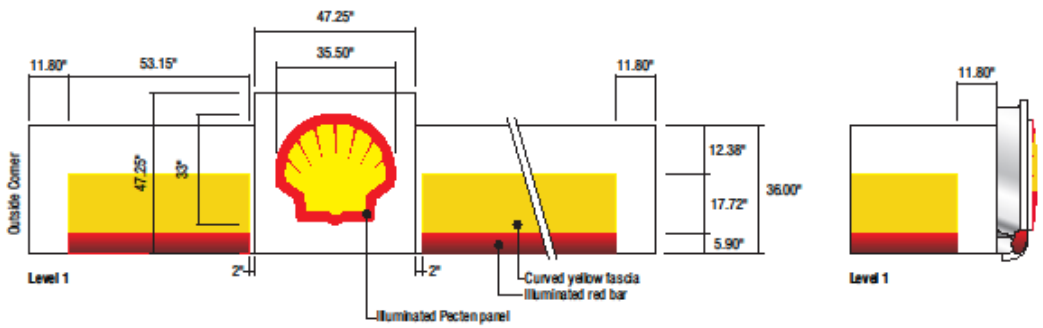
New Color Scheme

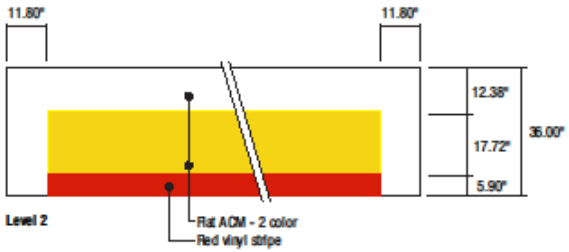
Approved 2019

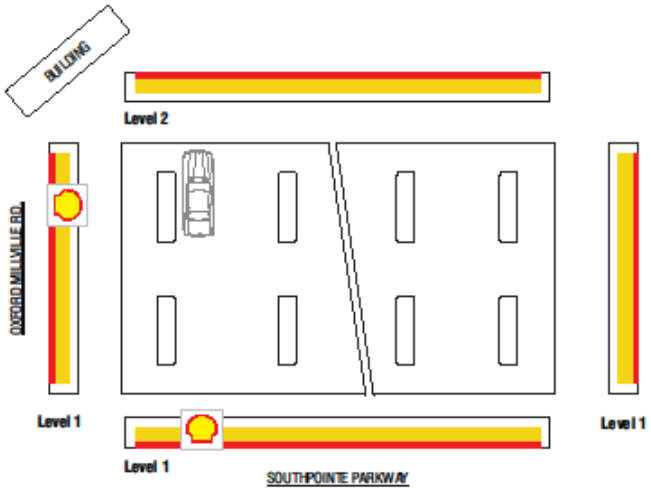
Gas Canopy Fascia Change

As part of their national brand identity, Shell Oil provides corporate branded fasicas for their gas canopies, provided through signage companies.

This package includes the dimensional striping & shell signs as shown







Shell RVIe Canopy Fascia - 24' X 135' X 36"HT Fascia

Gas Canopy Change

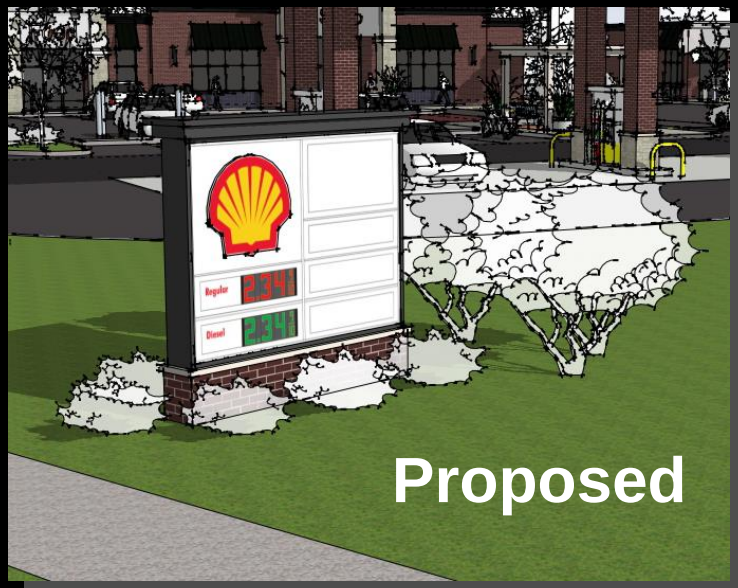
Shell Oil brand identity Gas Canopy

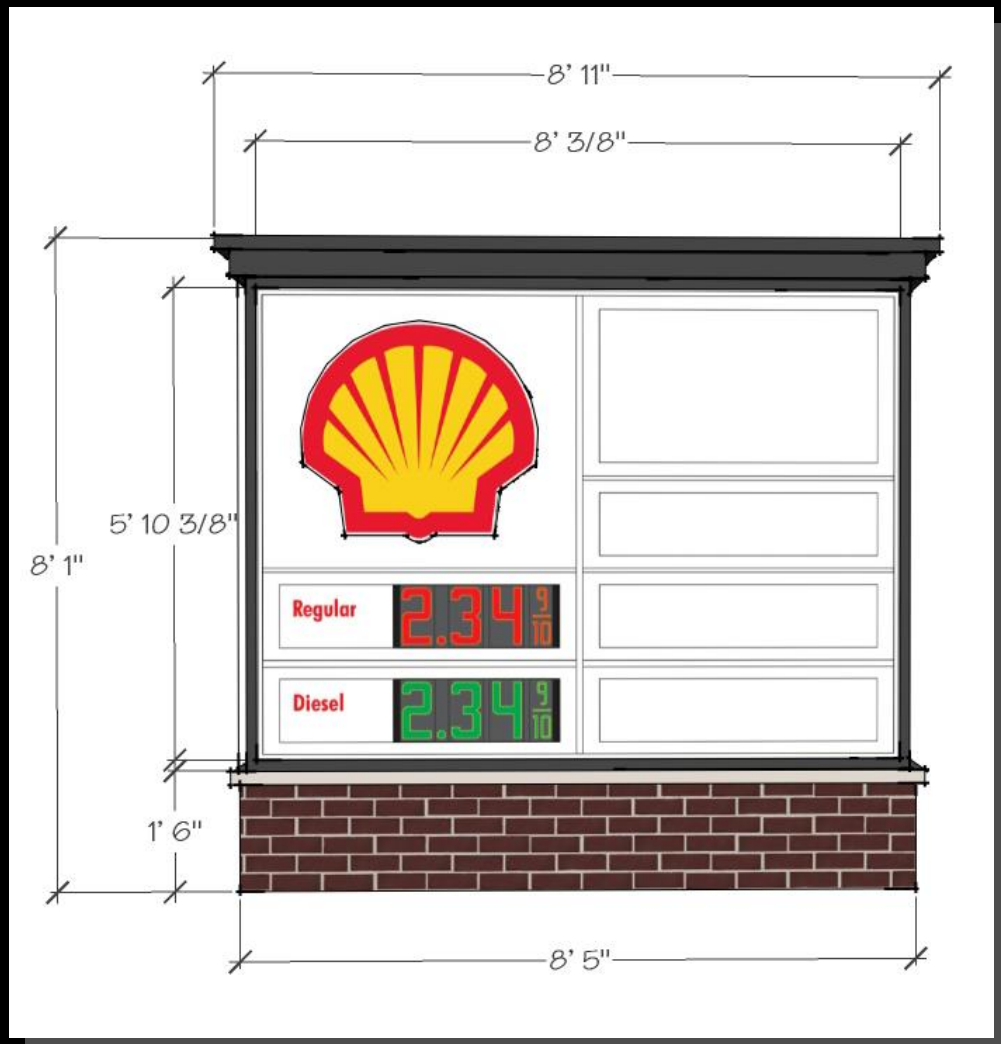
Gas Canopy signage was limited to Shell shape (No Words)

Gas Canopy & Building Materials

Showing Shell Oil Corporate Image requirements for Gas Canopy, New Brick & Stone Columns

Ground Sign





With compliant Sign Faces, the overall max. sign height is exceeded by the brick base and cap treatment shown on the approved Conditional Use Drawings

MEMORANDUM

Community Development Department
513-524-5204

TO: Oxford Planning Commission

FROM: Sam Perry, AICP
Director

DATE: May 28, 2021

RE: Previous Approvals for June 8 Planning report

No action is requested of the Planning Commission on the following three cases. These have already been approved. These documents are being included as information only.

City of Oxford OHIO
HOME OF MIAMI UNIVERSITY

Internal Use Only:	
Case No.	PC-2021-06
Date Filed	2/17/21

Minor Amendment Application

Application Type

Choose One * ☒ Minor Amendment to Conditional Use ☐ Minor Amendment to Final Planned Development

Applicant Information

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

Name * John Fenstemacher, President, The Ohio Lambda Co.

Mailing Address * 5250 NW 35th Lane Rd.

City, State & Zip Code * Ocala, FL. 34482

Telephone Number * 419-509-7793 Email Address johnfenstemacher@gmail.com

Owner Information

Name * The Ohio Lambda Co.

Mailing Address * 205 McCutcheon Rd.

City, State & Zip Code * Gahanna, OH. 43230-4238

Telephone Number * 614-397-4266 Email Address jmvett55@gmail.com

Engineer/Surveyor Information

Name * TBD

Mailing Address *

City, State & Zip Code *

Telephone Number * Email Address

Location and Lot Information

Name of Subdivision * None

Location of Property * 122 S. Campus Ave., Oxford, OH. 45056

Legal Description * 1 ENT + PT VAL ST

Zoning District * R3MS Total Area * .3447 Acres

Submission Requirements and Documentation

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5. Are not of a scope, scale, or character, that would cause a negative impact on adjoining properties and neighborhood
6. Are not contrary to and in no way diminish the intent of the originally approved plan. Administrative approvals shall be clearly documented, made part of the original final planned development on file, and the details of any such changes shall be reported to the Planning Commission at its next regularly scheduled meeting.

Decision Process

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Fees & Receipt

The fee is $150.00.

Sign and Date

Applicant Signature * John Fenstermacher, President

Date * 02-18-2021

Submission Instructions

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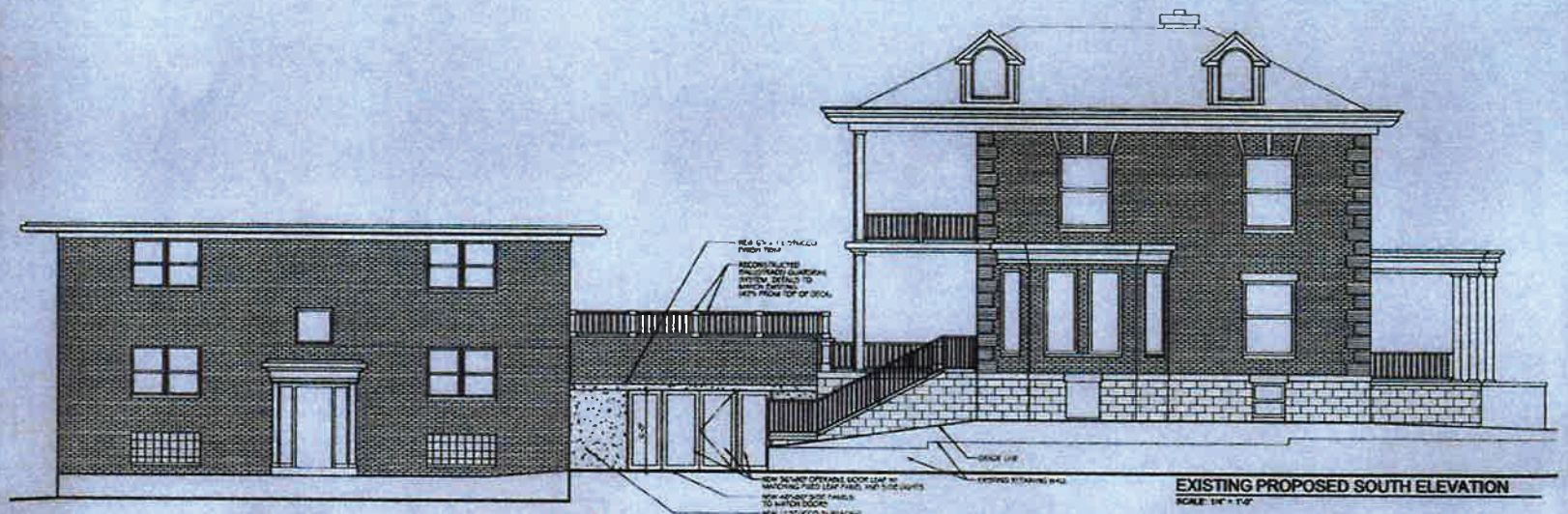
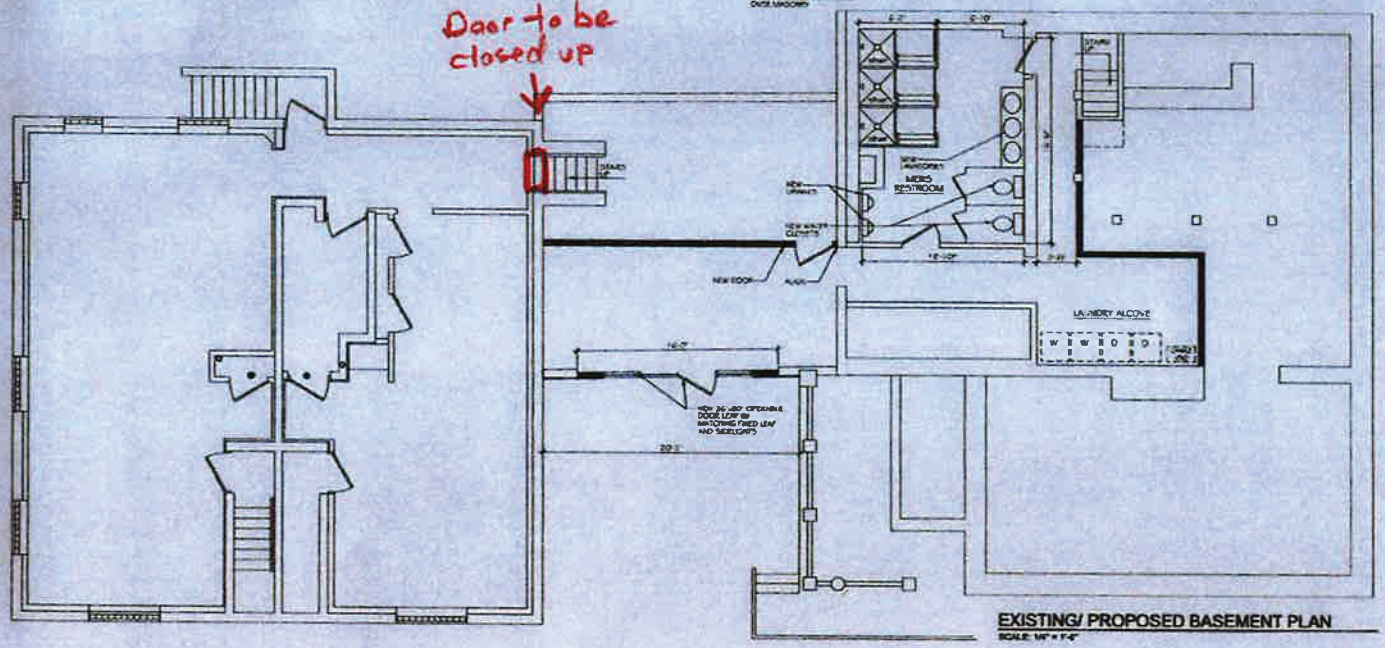


EXISTING PROPOSED SOUTH ELEVATION



EXISTING/ PROPOSED BASEMENT PLAN

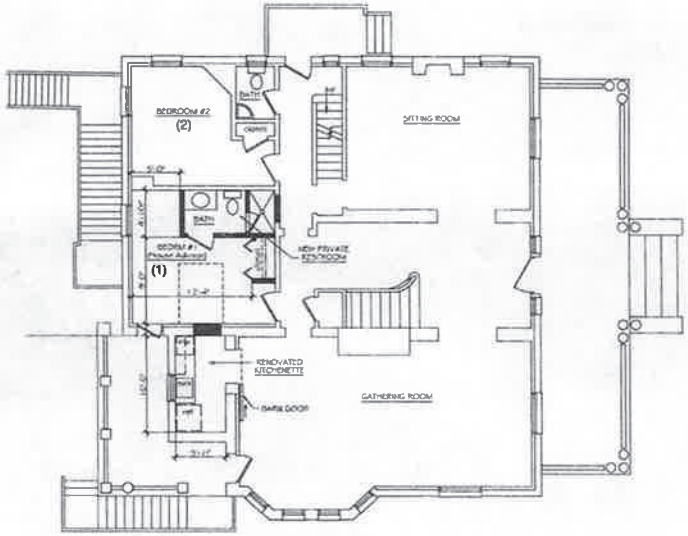
EXISTING-PROPOSED BASEMENT PLAN & SOUTH ELEVATION

PHI KAPPA PSI Main House
122 South Campus Avenue
Oxford, Ohio,45056

JOHN FAILE ARCHITECTURAL CONSULTING, LLC
John Faile Architectural Consulting, LLC
31413 Drake Drive
Bay Village, Ohio 44140
email: jfaile.arch@gmail.com

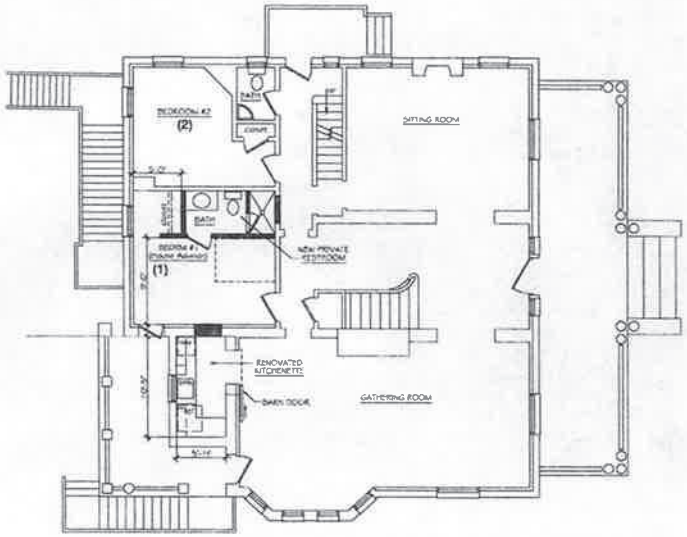
DATE: 1-05-2021

A-1.1



Scheme A
EXISTING PROPOSED FIRST FLOOR PLAN
SCALE: 3/16" = 1'-0"

PLAN NORTH



Scheme B
EXISTING PROPOSED FIRST FLOOR PLAN
SCALE: 3/16" = 1'-0"

PLAN NORTH

EXISTING-PROPOSED FIRST FLOOR PLANS

PHI KAPPA PSI Main House

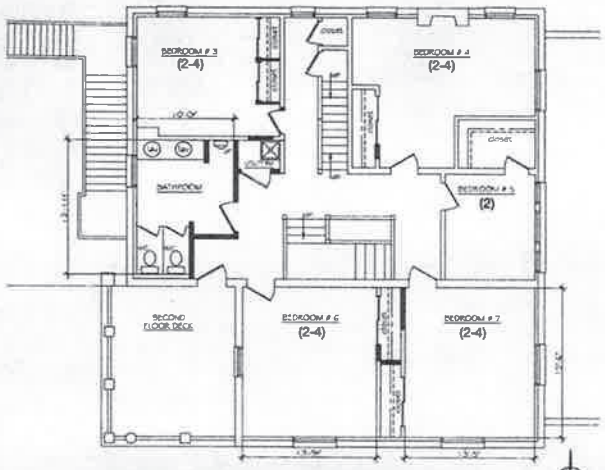
122 South Campus Avenue
Oxford, Ohio,45056

JOHN FAILE ARCHITECTURAL CONSULTING, LLC

John Faile Architectural Consulting, LLC
31413 Drake Drive
Bay Village, Ohio 44140
email: jfaile.arch@gmail.com

DATE: 1-05-2021

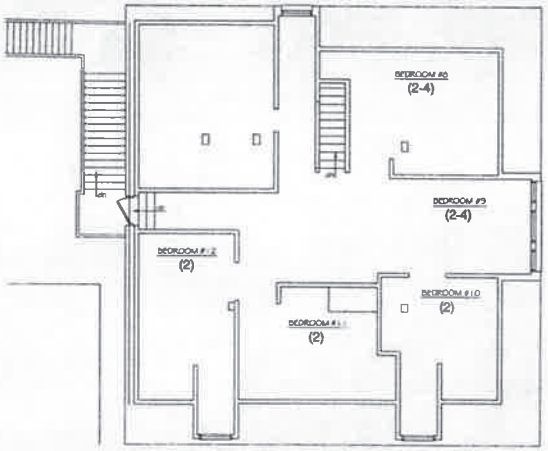
A-1.2



EXISTING - PROPOSED SECOND FLOOR PLAN

SCALE: 3/16" = 1'-0"

PLAN NORTH



EXISTING - PROPOSED THIRD FLOOR PLAN

SCALE: 3/16" = 1'-0"

PLAN NORTH

EXISTING-PROPOSED SECOND & THIRD FLOOR PLANS

PHI KAPPA PSI Main House

122 South Campus Avenue
Oxford, Ohio,45056

John Faile Architectural Consulting, LLC
31413 Drake Drive
Bay Village, Ohio 44140
email: jfaile.arch@gmail.com

JOHN FAILE ARCHITECTURAL CONSULTING, LLC

DATE: 1-05-2021

A-1.3

Cover Letter for Minor Amendment Application
122 S. Campus Ave., Oxford, OH. 45056

History & Overview

The Ohio Lambda Company is the house corporation for Phi Kappa Psi fraternity and owns the property located at 122 S. Campus which consists of two buildings. One building, which we refer to as the main house, faces S. Campus Ave. while the other, which we refer to as the apartments, faces E. Collins St.

There is a connector between the two buildings which, when the facilities were occupied by the fraternity, allowed students to pass from one building to another without going outside when socializing, attending meetings, eating, etc. This entry was facilitated by the use of one simple doorway.

Phi Kappa Psi was rightfully suspended from campus in 2015 for a period of four years, with a return (we were told at the time) possible no sooner than June 2019. This was a wakeup call to concerned alumni. Volunteers came forth to fully populate a house corporation which had been run for years by two people, and a sub-committee of 6 to 8 other alumni was formed as a vision team to help raise funds and to help determine what we wanted the fraternity to look like when it returned to campus. The national fraternity office and the Phi Kappa Psi Foundation were working with us to make this all happen on a timely basis. In March 2019, due to other incidents in the Greek community, both in Oxford and across the country, we were told by the Greek Life Office that it was not yet a good time for Phi Kappa Psi to return. Our plans were put on hold.

In about 2016, not wanting to lose the house, and with no income available from other sources, we met with Jung-Han Chen with the city of Oxford who explained that the property was zoned for fraternity use. We discussed what may or may not be permitted, the pros and cons of each and their effect on certain things that had been grandfathered such as our occupancy rates and parking requirements. We were encouraged to take a wide view of the definition of fraternity. We eventually leased the apartments to a group of 8 to 9 individual female students, all of whom are affiliated with the Kappa Alpha Theta sorority. We secured financing to thoroughly remodel the apartments such that each apartment had two bedrooms, had its own bathroom and its own kitchen. We continue to rent these apartments each year to different individuals from that sorority and have signed contracts through the 2021-2022 schoolyear. The main house remained empty and continued to deteriorate.

The plan had been to have Phi Kappa Psi return to campus by now and to occupy the entire facility. Extensive remodeling to the exterior and interior of the main house was to be done in conjunction with a major fund raising effort and additional bank financing if needed. In the summer of 2020 we were approached by a relatively new fraternity to campus, Alpha Chi Rho, about the possibility of renting our house or houses as their chapter house beginning in August

2021. Because the apartments were already rented out through the 2021-2022 year, we contacted Sam Perry to see if it would be possible to rent the main house out to them while maintaining the lease with the girls in the apartments. We were told that it would be possible as long as there was adequate separation of the two buildings and as long as the exterior of the building would be restored to an acceptable condition. Feeling that we could certainly satisfy those requirements, talks with Alpha Chi Rho have proceeded. To achieve adequate separation, it was proposed by the city that we demolish the connector between the two buildings. Because of the extra demolition costs, the fact that there is just one fire suppression system for the two buildings and because there are other mechanical systems (electricity and internet) serving both buildings, we counter offered to just block up the doorway between the two buildings. We would also like the ability to once again connect the two buildings years down the road if and when Phi Kappa Psi returns to campus at full strength. We are in agreement with the city that the apartments facing E. Collins needs to have a separate address for police, fire and mail reasons, and we have already begun the process to make that change. By blocking up the doorway between the main house and apartments, the connector area becomes a part of the main house. There would be no shared sleeping areas, no shared eating areas, no shared lounge or recreational areas and no shared study areas. The only thing common to both buildings would be the fire suppression system, electricity and internet services.

Impact & Benefits to Community

The benefits of allowing us to rent to two Greek affiliated "groups" include:

City-
The assurance that the property will be returned to an acceptable standard of care on the exterior, utilizing photo documentation from the 1990's, the last time the house, apartments and grounds met the required property maintenance code minimum to any degree.

City, Police and Fire-
The assurance that a fully occupied property will create less demand on essential city services to include but not limited to police and fire to respond to break-ins, exterior vandalism/graffiti, vagrancy, garbage/litter accumulation, accidents/injuries occurring with non-tenants roaming around/climbing the fire escape and accessing the roof, etc.

Neighbors, including Miami U-
The assurance that 122 S. Campus now has the ability to once again be a proud neighborhood partner that can not only meet, but exceed an acceptable appearance for the community, not only on the physical structure, but also have the ability to improve and maintain the appearance of the landscape and grounds surrounding the buildings.

Phi Psi alumni, future Phi Psi pledges and active members-
The assurance that we can and will rebuild a strong presence based on our first 30 + year history of being one of the most recognized and prestigious Greek organizations on campus as

well as in the Oxford Community. 122 S Campus was the previous linchpin for much of that success of Phi Kappa Psi and we look forward to recolonizing with new members that share the same care and respect for their house, their university, and their community. It has been done once and with the right guidance, it can be done again.

We know that it is highly unusual to permit two different organizations to inhabit what the city views as one property. We hope this arrangement is relatively short term in nature until either Phi Kappa Psi can return to campus and grow to a size that needs both buildings, or if that is not in the cards, until Alpha Chi Rho is large enough to occupy both buildings. It is a unique property with two different and distinct buildings that can quickly, easily and affordably be separated by using cement block to fill in the doorway, much as cement block was removed years ago to create access between the two buildings. We also know that the exterior of the main house is and has been an eyesore for a long time. The current house corporation leadership inherited a house that had very little debt, but also had very little cash. The only near term option to get the exterior of this house restored is to combine it with a remodeling of the inside and to present it to the bank as part of a plan that will generate enough cash flow to pay them back. We fear that any additional delays in separating these properties may result in us losing Alpha Chi Rho as a possible tenant. That could set us back a minimum of 3 years and cause financial problems. Thank you for your consideration and please let us know if there are any other issues that could prove to be stumbling blocks.

Sincerely,

John Fenstemacher

John Fenstemacher, President
The Ohio Lambda Company

Phi Kappa Psi
!22 S Campus Ave

Exterior Scope of Work

Grounds-

Cut back overgrown bushes/shrubs
Clear out weeds and debris around buildings
Edge walks and weed treat

Main House/Garage connector-

Roof- replace shingled slopes with dimensional asphalt shingles, color TBD
Replace flat roof with single ply membrane

Exterior trim/millwork-
Inspect/remove/replace all rotten fascia, soffit and cornice as necessary
Inspect/remove/replace deteriorated windowsills and window casings as necessary
Inspect/remove/replace balustrades, railings and balcony/porch posts as necessary.
Replacement millwork to match existing as close as possible with stock patterns

Doors-
Replace 3 exterior doors (onto porches) with wood ½ lite slabs to fit into existing jambs
Replace Atrium door at garage entry with 9' 3 panel patio door; see rendering

Windows-
Replace missing window sash as necessary with Marvin Historical series Tilt-Pac (previously approved by City)
Replace broken wire glass sash as necessary adjacent to fire escape

Gutters/downspouts-
Repair/replace all deficient gutters and downspouts to put back into serviceable condition

Paint-
Prep and paint all exterior trim and millwork to match the existing finish color of the existing house
Prep and recondition the existing porch ceiling finishes

NOTE: In addition to exterior SOW noted above, provide and install CMUs at bottom of stairway connector to prohibit access from lower level apartment building to "garage" area of main house.

City of Oxford OHIO
HOME OF MIAMI UNIVERSITY

Community Development Department
15 South College Ave
Oxford, Ohio 45056

May 10, 2021

VIA email:

Mr. John Fenstemacher
The Ohio Lambda Co.
5250 NW 35th Lane Rd.
Ocala, FL 34482

johnfenstemacher@gmail.com

PC-2021-06 MINOR AMENDMENT CONDITIONAL USE FRATERNITY, 122 S. Campus Ave, interior modifications for additional Greek organization, John Fenstemacher, Applicant/Agent

Dear Mr. Fenstemacher:

Your request dated February 17, 2021, for a Minor Change to a Previous Conditional Use for interior modifications for an additional Greek organization, has been approved. The Phi Kappa Psi fraternity usage at this address was considered approved because it existed prior to the conditional use requirement ("Not Procedurally Approved Conditional Use"). This minor amendment approval is contingent upon agreed-upon conditions listed herein.

The Community Development Director reviewed your amendment request with the Planning Commission Chair, Fire Chief and City Engineer. The request has been approved with the agreed-upon conditions. This approval was determined based upon the following criteria, per Section 1147.02 of the City of Oxford Planning and Zoning Code:

(f) Changes to a Conditional Use.

(1) Minor Changes to an Approved Conditional Use. An operator of an approved Conditional Use may submit a written request for approval of changes to the site or operating conditions of the use.

A. Will not change the use.
B. The proposed construction is of a magnitude that will not substantially alter the appearance of the use from off of the site.
C. Will not substantially or detrimentally affect the provision of public services to the site or general vicinity.
D. Will not substantially or detrimentally increase potential demand on public or private utilities.
E. Is not of a scope, scale, or character that would cause a negative impact on adjoining properties and neighborhood.
F. Is not contrary to and in no way will diminish the intent of the originally approved permit.

Approval Conditions:

1. Obtaining a building permit prior to work commencing
2. Non-removable building separation as proposed, or as otherwise altered as per building code
3. Posting of full street address for the East Collins Street side
4. Exterior conditions repair detail/schedule be approved by staff prior to issuance of building permit
   a. Detail of labor and materials
   b. Location of work description (soffit, railing, location thereof, etc)
5. Parking surface will be repaired

6. Full Conditional Use Hearing is held at such time that a Greek organization plans to occupy or re-occupy the entire building
7. Any changes beyond the proposed scope and accepted conditions may require revocation of Conditional Use, a new Minor Amendment Review or a full Conditional Use Hearing

If you have any questions or need additional information, please call 513-524-5204.

Sincerely,

Sam Perry, AICP
Community Development Director

Corey Watt, Chair
Planning Commission

CC: John Detherage, Oxford Fire Chief

City of Oxford OHIO
HOME OF MIAMI UNIVERSITY

Internal Use Only:	
Case No.	PC-2021-13
Date Filed	4/19/21

pd

Lot Split/Consolidation Application

Requested Action

Choose One

☐ Lot Split ($50) ☑ Lot Consolidation ($50) ☐ Lot Split & Consolidation ($100)

Applicant Information

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

Name * Dollar Investments LLC

Mailing Address * 116 E. High St.

City, State & Zip Code * Oxford, OH 45056

Telephone Number(s) * 513-839-0344

Email Address tkacachos@parkplacerealestate.net

Surveyor Information

Name * Bayer Becker

Mailing Address * 110 S. College Avenue, Suite 101

City, State & Zip Code * Oxford, OH 45056

Telephone Number(s) * 513-523-4270

Email Address brianjohnson@bayerbecker.com

Location and Lot Information

Location of Property * 28 & 32 W. High Street

Legal Description * Pt. of Lots 87 & 88

Zoning District * UP Number of Lots * 2 Total Area * 0.102 Acres

Submission Requirements and Documentation

From Chapter 1101 Subdivision Regulations, Attachment G[1].

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 – $50
- Lot Consolidation – $50
- Lot Split & Consolidation – $100

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

Sign and Date

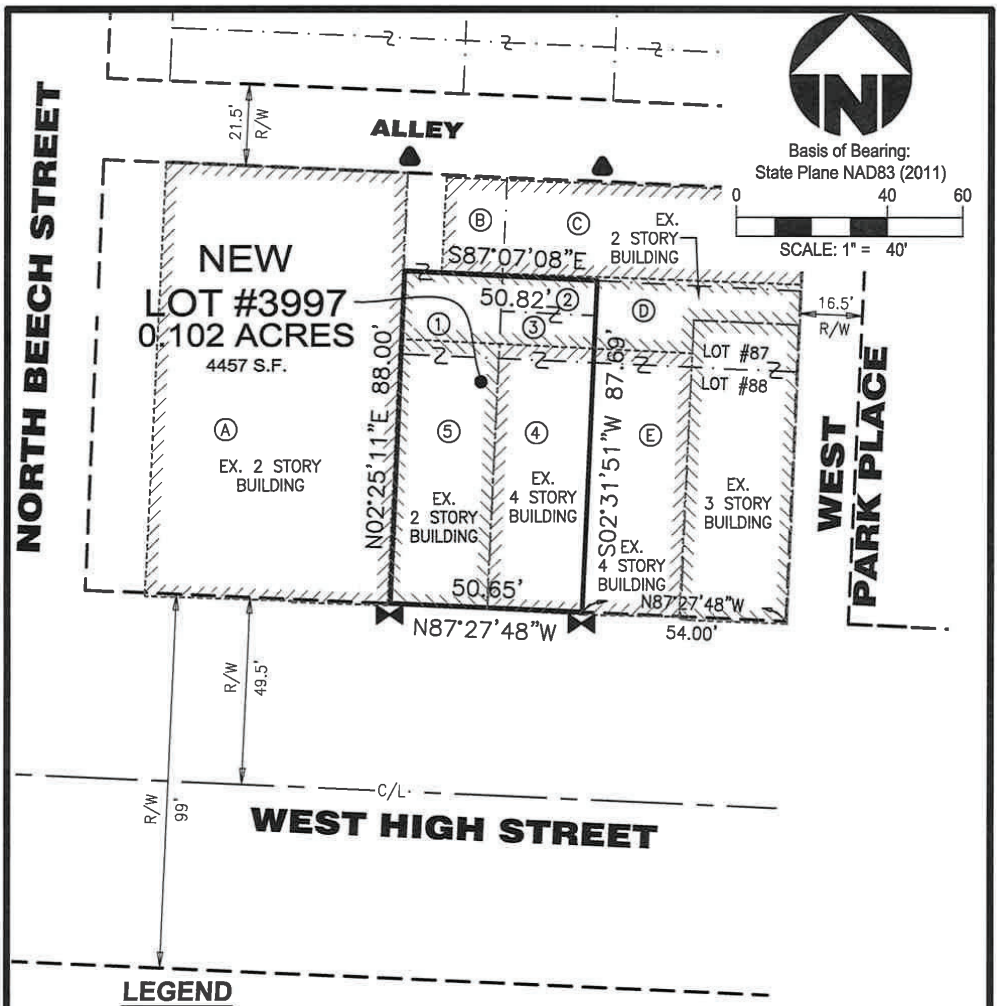
Applicant Signature * _____

Date * 4/9/21

Submit Application, Plans and Documentation, and Fees

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

Send or drop off this application with 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, **15 South College Avenue**, Oxford, OH 45056.



LEGEND

- Set Cross Notch @ 5.00' OF PROPERTY CORNER
- Set MAG Nail @ 30.00' OFF PROPERTY CORNER

R/W – Ex Right of Way

APPROVED BY THE OXFORD PLANNING COMMISSION THIS 10th DAY OF May, 2021.

PLANNING COMMISSION CHAIR

Sam Perry

COMMUNITY DEVELOPMENT DIRECTOR

I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THAT THE ACCOMPANYING PLAT IS THE CORRECT RETURN OF A FIELD SURVEY MADE UNDER MY DIRECTION AND THAT IT AND THE INFORMATION, COURSES AND DISTANCES AS SHOWN ARE CORRECT IN ACCORDANCE WITH THE "MINIMUM STANDARDS FOR BOUNDARY SURVEYS IN THE STATE OF OHIO."

4/8/2021

BRIAN R. JOHNSON DATE
PROFESSIONAL SURVEYOR #8484
IN THE STATE OF OHIO

STATE OF OHIO
BRIAN R. JOHNSON
S-8484
REGISTERED
PROFESSIONAL SURVEYOR

THIS PLAT MADE PURSUANT TO SECTION 5713.16 OF THE OHIO REVISED CODE.

Drawing:	21-0067 CP
Sheet:	1/2
Drawn by:	DDS
Checked By:	BRJ
Issue Date:	04-06-21

NEW LOT #3997
PART OF INLOTS #87 & #88
CONGRESS LANDS WEST OF MIAMI RIVER
SECTION 22, TOWN 5, RANGE 1
CITY OF OXFORD
BUTLER COUNTY, OHIO

LOT CONSOLIDATION

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

OWNERS

1. PART OF INLOT #87
   DOLLAR INVESTMENTS, LLC
   O.R. 8231, PG. 1035
   TRACT I, PARCEL 1
   0.013 AC. (SURVEYED)

2. PART OF INLOT #87
   DOLLAR INVESTMENTS, LLC
   O.R. 8231, PG. 1035
   TRACT III, PARDEL A
   0.005 AC. (SURVEYED)

3. PART OF INLOT #87
   DOLLAR INVESTMENTS, LLC
   O.R. 8231, PG. 1035
   TRACT III, PARCEL B & C
   0.007 AC. (SURVEYED)

4. PART OF INLOT #88
   DOLLAR INVESTMENTS, LLC
   O.R. 8231, PG. 1035
   TRACT III, PARCEL B & C
   0.038 AC. (SURVEYED)

5. PART OF INLOT #88
   DOLLAR INVESTMENTS, LLC
   O.R. 8231, PG. 1035
   TRACT I, PARCEL 1
   0.039 AC. (SURVEYED)

ADJOINERS

A. LOT #3559
   MYERS-CAMERON, LLC
   O.R. 8991, PGS. 884,888,892 & 896

B. PART OF INLOT #87
   DOLLAR INVESTMENTS, LLC
   O.R. 8231, PG. 1035
   TRACT 1, PARCEL 1

C. PART OF INLOT #87
   DOLLAR INVESTMENTS, LLC
   O.R. 8231, PG. 1035
   TRACT IV

D. PART OF INLOT #87
   DOLLAR INVESTMENTS, LLC
   O.R. 8231, PG. 1035
   TRACT II

E. PART OF INLOT #88
   DOLLAR INVESTMENTS, LLC
   O.R. 8231, PG. 1035
   TRACT II

Drawing: 21-0067 CP	**NEW LOT #3997**	bayer becker
Sheet: 2/2	**PART OF INLOTS #87 & #88**	
Drawn by: DDS	**CONGRESS LANDS WEST OF MIAMI RIVER**	
Checked By: BRJ	**SECTION 22, TOWN 5, RANGE 1**	
	CITY OF OXFORD	
	BUTLER COUNTY, OHIO	
Issue Date: 04-06-21	**LOT CONSOLIDATION**	

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

City of Oxford OHIO
HOME OF MIAMI UNIVERSITY

Internal Use Only:	
Case No.	PC-2021-16
Date Filed	5-4-2021

Lot Split/Consolidation Application

Requested Action

Choose One

☑ Lot Split ($50) ☐ Lot Consolidation ($50) ☐ Lot Split & Consolidation ($100)

Applicant Information

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

Name * Marcia A. Haughey & Lindsey J. Zink

Mailing Address * 755 S. Palm Avenue

City, State & Zip Code * Sarasota, FL 34236

Telephone Number(s) * 317-902-3272

Email Address ljzink17@gmail.com

Surveyor Information

Name * Bayer Becker

Mailing Address * 110 South College Avenue

City, State & Zip Code * Oxford, Ohio 45056

Telephone Number(s) * 513-336-6600

Email Address brianjohnson@bayerbecker.com

Location and Lot Information

Location of Property * Part of Lot #1942

Legal Description * h4100-028-000-002

Zoning District * GB Number of Lots * 1 Total Area * 23.708 Acres

Submission Requirements and Documentation

From Chapter 1101 Subdivision Regulations, Attachment G[1].

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 – $50
- Lot Consolidation – $50
- Lot Split & Consolidation – $100

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

Sign and Date

Applicant Signature * Lindsey J. Zimb

Date * May 3, 2021

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, 15 South College Avenue, Oxford, OH 45056.

City of Oxford OHIO
HOME OF MIAMI UNIVERSITY

Community Development Department

513-524-5204

May 11, 2021

Marcia A. Haughey & Lindsey J. Zink
755 S. Palm Ave
Sarasota, FL 34236

VIA EMAIL:
ljzink17@gmail.com

RE: College Corner Pike Lot Split

Dear Marcia and Lindsey:

Brian Johnson of Bayer Becker submitted a lot split application on your behalf on May 4, 2021. Due to the size of the property and City of Oxford code provisions, the documents have been signed and approved without a hearing.

This letter is a courtesy note to you, that this split will create a land-locked parcel of General Business zoned land. If development were to be desired in the future, there will be challenges.

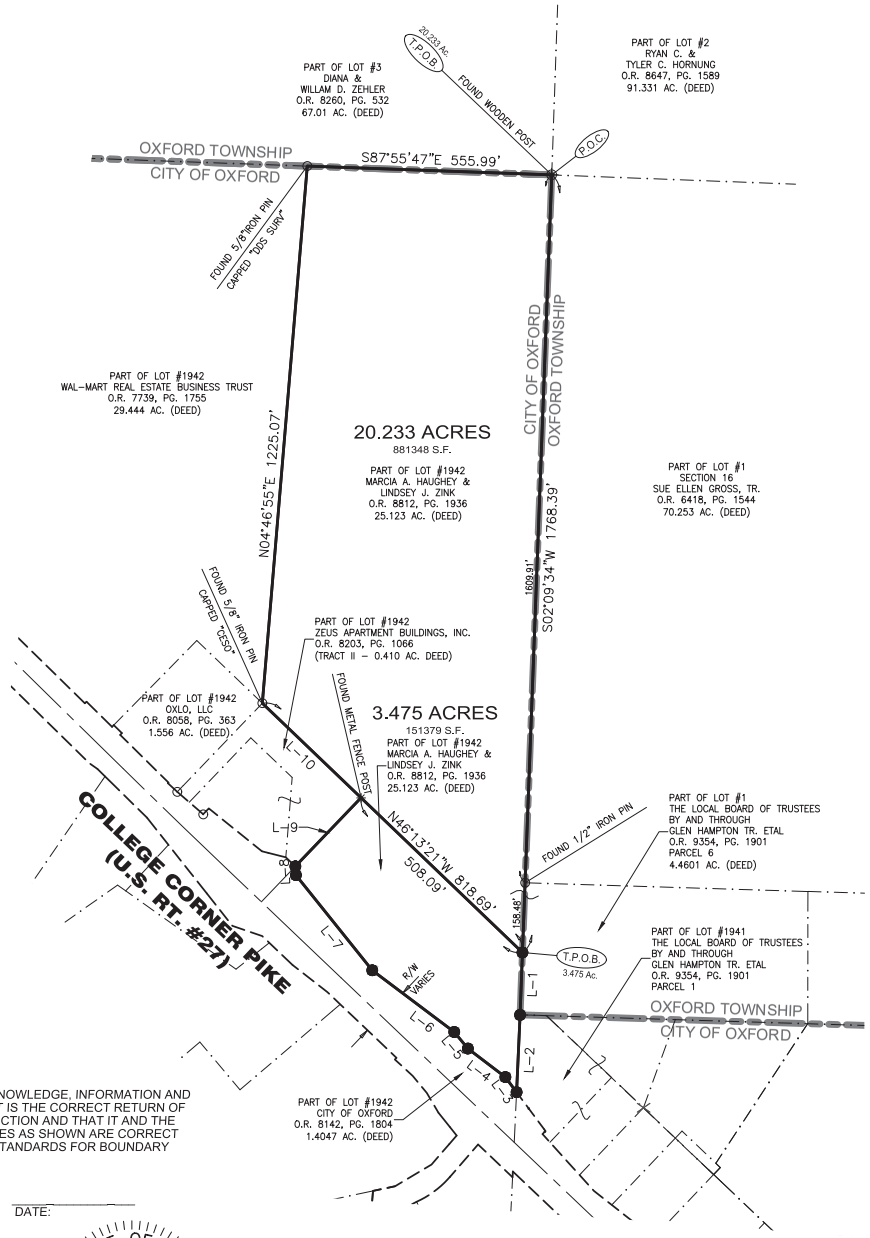
The signed documents can be picked up for recording and must be recorded within 6 months of approval or considered void. Additionally, evidence of recording, such as a copy or scan must be received by our office within 6 months.

Please contact us if you have any questions or if you need anything further from our office.

Respectfully,

Sam Perry, AICP
Director
sperry@cityofoxford.org
513-524-5204

CC: Brian Johnson



LEGEND

- Found 5/8" Iron Pin (Unless otherwise noted))
- Found Cross Notch
- Found Wooden Post
- R/W – Ex Right of Way
- Found Metal Fence Post
- Set 5/8" Diameter X 30" Long Iron Pin (Capped "Bayer Becker")

Basis of Bearing:
State Plane NAD83 (2011)

0 200 300
SCALE: 1" = 200'

LINE TABLE		
Line	Direction	Distance
L-1	S02°09'34"W	142.06'
L-2	S02°36'00"W	175.72'
L-3	N36°38'54"W	42.74'
L-4	N52°42'27"W	107.07'
L-5	N39°29'21"W	48.72'
L-6	N53°02'33"W	233.18'
L-7	N38°43'36"W	277.34'
L-8	N03°27'20"W	20.05'
L-9	N43°46'43"E	215.62'
L-10	N46°13'21"W	310.60'

SURVEY NOTES:

1.) BASIS OF BEARINGS: NAD83 (2011) GPS OBSERVATIONS (O.D.O.T. VRS/RTK NETWORK, OHIO SOUTH ZONE 3402). FIELD WORK COMPLETED ON APRIL 15, 2021.

2.) PREVIOUS DEEDS OF RECORD AS SHOWN HEREON.

3.) MONUMENTATION IS IN GOOD CONDITION UNLESS OTHERWISE SHOWN.

4.) LINES OF OCCUPATION WHERE THEY EXIST GENERALLY AGREE WITH BOUNDARY LINES UNLESS OTHERWISE SHOWN ON PLAT.

5.) ALL DOCUMENTS USED AS SHOWN.

6.) A CURRENT TITLE EXAMINATION/REPORT IS NECESSARY TO DETERMINE ANY ADDITIONAL EASEMENTS, RESTRICTIONS, COVENANTS, CONDITIONS OR ENCUMBRANCES WHICH MAY AFFECT THE LANDS HEREIN PLATTED.

7.) REFERENCES: SURVEY VOLUME 2, PAGE 135
SURVEY VOLUME 19, PAGE 80
SURVEY VOLUME 14, PAGE 178
SURVEY VOLUME 18, PAGE 106
SURVEY VOLUME 45, PAGE 95
SURVEY VOLUME 48, PAGE 162
SURVEY VOLUME 51, PAGES 159A-159AA

8.) 20.233 ACRE TRACT TO BE TRANSFERRED/ATTACHED TO THE ADJOINING 4.4601 ACRE TRACT (O.R. 9354, PG. 1901) PER THE PROVISION IN O.R.C. 711.001 (B)(1)

THE CONVEYANCE OF THESE PARCELS ARE MADE IN COMPLIANCE WITH SECTION 711.001, SUBSECTION (B)(1) OHIO REVISED CODE AND DOES NOT CREATE AN ADDITIONAL BUILDING SITE NOR VIOLATE ANY ZONING REGULATION OR OTHER PUBLIC REGULATION IN THE PARCEL HEREBY CONVEYED OR THE BALANCE OF THE PARCEL RETAINED BY THE GRANTOR HEREIN. THE PARCEL HEREBY CONVEYED MAY NOT HEREAFTER BE CONVEYED SEPARATELY FROM THE GRANTEE'S ADJOINING PARCEL NOR ANY STRUCTURE ERECTED THEREON WITHOUT PRIOR APPROVAL OF THE AUTHORITY HAVING APPROVING JURISDICTION OF PLATS.

CERTIFICATION

I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THAT THE ACCOMPANYING PLAT IS THE CORRECT RETURN OF A FIELD SURVEY MADE UNDER MY DIRECTION AND THAT IT AND THE INFORMATION, COURSES AND DISTANCES AS SHOWN ARE CORRECT IN ACCORDANCE WITH THE "MINIMUM STANDARDS FOR BOUNDARY SURVEYS IN THE STATE OF OHIO."

BRIAN R. JOHNSON, P.S.
PROFESSIONAL SURVEYOR #8484
IN THE STATE OF OHIO

DATE:

STATE OF OHIO
BRIAN R. JOHNSON
S-8484
REGISTERED
PROFESSIONAL SURVEYOR

VOLUME 62

PLAT NO. 143

BUTLER COUNTY ENGINEERS

RECORD OF LAND SURVEYS

Item	Revision Description	Date	Drwn:	Chk:

PART OF LOT #9142 - 20.233 ACRES & PART OF LOT #9142 - 3.475 ACRES

CONGRESS LANDS WEST OF THE MIMI RIVER
SECTION 16, TOWN 5, RANGE 1
CITY OF OXFORD
BUTLER COUNTY , OHIO

PLAT OF SURVEY

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

Drawing: 17-0253 SP
Drawn by: DDS
Checked By: BRJ
Issue Date: 04-20-21
Sheet: 1/1

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Plot time: May 04, 2021 - 3:42pm
Drawing name: J:\2017\17-0253\SV\DWG\17-0253 SP.dwg - Layout Tab: PLAT OF SURVEY

Date: April 20, 2021

Description: Pt. Lot #1942
3.475 Acres

Location: City of Oxford
Butler County, Ohio

Situated in the State of Ohio, Congress Lands West of the Miami River, Section 16, Town 5, Range 1, City of Oxford, Butler County and being 3.475 acres of land in part of Lot #1942 of the lands of Marcia A. Haughey and Lindsey J. Zink (25.123 Acres) as recorded in Official Record 8812, Page 1936 of the Butler County, Ohio Recorder's Office and being further described as follows:

Commencing at a found wooden post at the northeast corner of said Lot #1942 and being on the northwest corner of Lot #1 of Oxford Township of said Section 16 and being the lands of Sue Ellen Gross, Tr. (70.253 Acres) as recorded in Official Record 6418, Page 1544 and being on the southeast corner of Lot #3 of Oxford Township and being the lands of Diana & William D. Zehler (67.01 Acres) as recorded in Official Record 8260, Page 532 of the Butler County, Ohio Recorder's Office; thence, leaving the southeast corner of said Lot #3 of Oxford Township and with the westerly boundary of said Lot #1 of Oxford Township and the westerly boundary of the lands of The Local Board of Trustees by and through Glen Hampton Tr. et al (Parcel 6) as recorded in Official Record 9354, Page 1901 of the Butler County, Ohio Recorder's Office, South 02° 09 34" West, (passing a found 1/2" iron pin at 1609.91 feet), 1768.39 feet to a set 5/8" iron pin and being the **True Point of Beginning;**

thence, continuing with the westerly boundary of said lands of The Local Board of Trustees by and through Glen Hampton Tr. et al (Parcel 6), South 02° 09' 34" West, 142.06 feet to a set 5/8" iron pin on the northwest corner of lands of The Local Board of Trustees by and through Glen Hampton Tr. et al (Parcel 1) as recorded in Official Record 9354, Page 1901 of the Butler County, Ohio Recorder's Office;

thence, leaving the westerly boundary of said lands of The Local Board of Trustees by and through Glen Hampton Tr. et al (Parcel 6) and with the westerly boundary of said lands of The Local Board of Trustees by and through Glen Hampton Tr. et al (Parcel 1), South 02° 36' 00" West, 175.72 feet to a set 5/8" iron pin on the northerly boundary of the lands of City of Oxford (1.4047 Acres) as record in Official Record 8142, Page 1804 of the Butler County, Ohio Recorder's Office and being the northerly right of way of College Corner Pike (U.S. Rt. #27);

thence, leaving the westerly boundary of said lands of The Local Board of Trustees by and through Glen Hampton Tr. et al (Parcel 1), and with the northerly boundary of the lands of City of Oxford (1.4047 Acres) and the northerly right of way of said College Corner Pike (U.S. Rt. #27) for the following six courses:

1) North 36° 38' 54" West, 42.74 feet to a set 5/8" iron pin;
2) North 52° 42' 27" West, 107.07 feet to a set 5/8" iron pin;
3) North 39° 29' 21" West, 48.72 feet to a set 5/8" iron pin;
4) North 53° 02' 33" West, 233.18 feet to a set 5/8" iron pin;
5) North 38° 43' 36" West, 277.34 feet to a set 5/8" iron pin;

6) North 03° 27' 20" West, 20.05 feet to a set 5/8" iron pin on the southeast corner of part of Lot #1942 of the lands of Zeus Apartment Buildings, Inc. (Tract II – 0.1410 Acres) as recorded in Official Record 8203, Page 1066 of the Butler County, Ohio Recorder's Office;

thence, leaving the northerly boundary of said lands of City of Oxford (1.4047 Acres) and the northerly right of way of said College Corner Pike (U.S. Rt. #27) and with the easterly boundary of said part of Lot #1942 of said lands of Zeus Apartment Buildings, Inc. (Tract II – 0.410 Acres), North 43° 46' 43" East, 215.62 feet to a found metal fence post;

thence, leaving the easterly boundary of said part of Lot #1942 of said lands of Zeus Apartment Buildings, Inc. (Tract II – 0.410 Acres) and on a new division line through said lands of Marcia A. Haughey and Lindsey J. Zink et al (25.123 Acres), South 46° 13' 21" East, 508.09 feet to the **True Point of Beginning** containing 151,379 square feet or 3.475 acres of land, more or less and being subject to all easements, legal highways, restrictions and agreements of record.

The above description was prepared from a field survey prepared by Bayer Becker, Brian R. Johnson, Professional Land Surveyor #8484 in the State of Ohio, April 20, 2021. The Plat of which is recorded in Volume 62, Page 143 of the Butler County Engineers Record of Land Surveys.

Prior Deed References: Deed Book 8812, Page 1936.

Basis of Bearings: NAD83 (2011) GPS Observations (O.D.O.T. VRS/RTK Network. Ohio South Zone 3402). Fieldwork completed on April 15, 2021.

All iron pins set are 5/8" diameter rebar 30" long with a plastic cap stamped "Bayer Becker".

APPROVED BY
the City of Oxford, Ohio

Signature: 5/10/21 Date

Printed Name: Sam Perry

Title: Comm. Dev. Director

Notes:

STATE OF OHIO
BRIAN R. JOHNSON
S-8484
REGISTERED
PROFESSIONAL SURVEYOR

4/20/2021

APPROVED BY
the City of Oxford, Ohio

Signature: 05/10/21 Date

Printed Name: COREY WATT

Title: PLANNING CHAIR

Notes:

Date: April 20, 2021

Description: Pt. Lot #1942
20.233 Acres

Location: City of Oxford
Butler County, Ohio

Situated in the State of Ohio, Congress Lands West of the Miami River, Section 16, Town 5, Range 1, City of Oxford, Butler County and being 20.233 acres of land in part of Lot #1942 of the lands of Marcia A. Haughey and Lindsey J. Zink (25.123 Acres) as recorded in Official Record 8812, Page 1936 of the Butler County, Ohio Recorder's Office and being further described as follows:

Beginning at a found wooden post at the northeast corner of said Lot #1942 and being on the northwest corner of Lot #1 of Oxford Township of said Section 16 and being the lands of Sue Ellen Gross, Tr. (70.253 Acres) as recorded in Official Record 6418, Page 1544 and being on the southeast corner of Lot #3 of Oxford Township of said Section 16 and being the lands of Diana & William D. Zehler (67.01 Acres) as recorded in Official Record 8260, Page 532 of the Butler County, Ohio Recorder's Office and being the **True Point of Beginning;**

thence, thence, leaving the southeast corner of said Lot #3 of Oxford Township and with the westerly boundary of said Lot #1 of Oxford Township and the westerly boundary of the lands of The Local Board of Trustees by and through Glen Hampton Tr. et al (Parcel 6) as recorded in Official Record 9354, Page 1901 of the Butler County, Ohio Recorder's Office, South 02° 09' 34" West, (passing a found 1/2" iron pin at 1609.91 feet), 1768.39 feet to a set 5/8" iron pin;

thence, leaving the westerly boundary of said lands of The Local Board of Trustees by and through Glen Hampton Tr. et al (Parcel 6) and on a new division line through said lands of Marcia A. Haughey and Lindsey J. Zink (25.123 Acres), North 46° 13' 21" West, (passing a found metal fence post at 508.09 feet), 818.69 feet to a found 5/8" iron pin (capped "CESO") at the northeast corner of part of Lot #1942 and being the lands of OXLO, LLC (1.556 Acres) as recorded in Official Record 8058, Page 363 and being on the easterly boundary of part of Lot #1942 and being the lands of Wal-Mart Real Estate Business Trust (29.444 Acres) as recorded in Official Record 7735, Page 1755 of the Butler County, Ohio Recorder's Office;

thence, leaving the northeast corner of said lands of OXLO, LLC (1.556 Acres) and with the easterly boundary of said part of Lot #1942 of said lands of Wal-Mart Real Estate Business Trust (29.444 Acres), North 04° 46' 55" East, 1225.07 feet to a found 5/8" iron pin (capped "DDS SURV") on the southerly line of said Lot #3 of Oxford Township and being on the southerly boundary of said lands of Diana & William D. Zehler (67.01 Acres);

thence, leaving the easterly boundary of said part of Lot #1942 of said lands of Wal-Mart Real Estate Business Trust (29.444 Acres) and with the southerly boundary of said Lot #3 of Oxford Township of said lands of Diana & William D. Zehler (67.01 Acres), South 87° 55' 47" East, 555.99 feet to the **True Point of Beginning** containing 881,348 square feet or 20.233 acres of land, more or less and being subject to all easements, legal highways, restrictions and agreements of record.

The above description was prepared from a field survey prepared by Bayer Becker, Brian R. Johnson, Professional Land Surveyor #8484 in the State of Ohio, April 20, 2021. The Plat of which is recorded in Volume 62, Page 143 of the Butler County Engineers Record of Land Surveys.

Prior Deed References: Deed Book 8812, Page 1936.

Basis of Bearings: NAD83 (2011) GPS Observations (O.D.O.T. VRS/RTK Network. Ohio South Zone 3402). Fieldwork completed on April 15, 2021.

All iron pins set are 5/8" diameter rebar 30" long with a plastic cap stamped "Bayer Becker".

20.233 Acre tract to be transferred/attached to the adjoining 4.4601 Acre tract (Official Record 9354, Page 1901). The conveyance of these parcels are made in compliance with section 711.001, Subsection (B)(1) Ohio revised code and does not create an additional building site nor violate any zoning regulation or other public regulation in the parcel hereby conveyed or the balance of the parcel retained by the grantor herein. The parcel hereby conveyed may not hereafter be conveyed separately from the grantee's adjoining parcel nor any structure erected thereon without prior approval of the authority having approving jurisdiction of plats.

APPROVED BY
the City of Oxford, Ohio

Signature: Sam B — Date: 5/10/21

Printed Name: Sam Perry

Title: Comm. Dev. Director

Notes:

APPROVED BY
the City of Oxford, Ohio

Signature: C Watt — Date: 05/10/21

Printed Name: COREY WATT

Title: PLANNING CHAIR

Notes:

STATE OF OHIO
BRIAN R. JOHNSON
S-8484
REGISTERED
PROFESSIONAL SURVEYOR

4/20/2021

Case No:
PC-2021-15

City of Oxford OHIO
HOME OF MIAMI UNIVERSITY

Meeting Date:
June 8, 2021

STAFF REPORT

Community Development | Planning Commission

APPLICATION DETAILS

Applicant	Scott Webb, Architect
Location	22 S Beech Street – Parcel ID H4100004000156
Property Owner	Walnut Street Investors LLC, c/o Jim Clawson
Action Request	Conditional Use for a Hotel and Increasing Floor Area Ratio from 3 to 4 due to increased commercial usage (rooftop restaurant)
Current Use	Auto Body Repair Shop (vacant)
Current Zoning	UP Uptown District
Site Area	10,128 square feet (0.233 acres)
Site Frontage	Approx. 122 feet along W Walnut; Approx. 83 feet along S Beech
Surrounding Land Uses	Church to north; Mix of commercial and residential uses in all other directions
Staff Recommendation	**Approve**, subject to recommended conditions

PROPOSAL SUMMARY

Architect Scott Webb has submitted a Conditional Use application for a hotel use and increased floor area ratio (FAR) at 22 S Beech, formerly the site of Mesler Auto Body. The existing automotive use, now vacant, is non-conforming in the UP Uptown District. Mr. Webb, acting as agent for the owner, is requesting a four-story building consisting of 12 hotel rooms on the first floor, a commercial restaurant space on the fourth floor, and 11 total residential units located on the second, third, and fourth floors. The hotel will be considered an "annex" to the Elms Hotel located a block away at 75 S Main, meaning guests will check-in at the main hotel and then be permitted to drive and park beneath the new building in a below-grade garage, then access their room via an elevator. The 11 residential units are divided between 5 units on the second floor, 5 units on the third floor, and 1 unit on the fourth floor, with a total of 31 bedrooms overall; this information is derived from the latest received Building Permit plans, since the submitted application for the Conditional Use does not contain this information.

The nature of the requested Conditional Uses are essentially a repeat of what was previously considered by Planning Commission and Council in 2018. The application is more or less the same as was presented then, which had received Council approval on September 18, 2018 by Ord. No. 3484. The applicant had also

received COA approval from HAPC on May 8, 2019. A Building Permit application was submitted in September 2019 and went through two rounds of review with applicable departments but was not ultimately approved, as the project became stalled due to the COVID-19 pandemic. The Conditional Use, COA, and original Building Permit have all since expired, thus necessitating new approvals in order for the project to move forward. The HAPC granted a COA to the applicant at its meeting on May 12, 2021.

PUBLIC COMMENTS

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

DEPARTMENT COMMENTS

Below are comments from City departments:

Department	Respondent	Response
Economic Development	Seth Cropenbaker, Assistant to the City Manager	Not Returned
Engineering	Scott Otto, City Engineer	Returned with Comments
• *As shown the ramp to enter the parking area does not appear wide enough to accommodate simultaneous entering and exiting vehicles. Vehicles could potentially have to reverse and maneuver in the sidewalk and street.* • *The dumpster area will need to meet the requirements of Rumpke.*		
Fire	John Detherage, Fire Chief	Returned without Comments
Police	John Jones, Police Chief	Not Returned

COMMENTARY

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

- **Hotel Use:** Hotels and motels are a Conditional Use in the UP District, meaning they are potentially allowable so long as the external effects generated can be mitigated to make it more compatible with the surrounding setting. Chapter 1147 provides three distinct concerns to address: (1) proximity to residential; (2) screening from residential; and (3) appropriate street access. Since the proposed use falls within an urbanized area of the City where a mix of commercial and residential uses are already abundant, proximity to residential and screening are less of a concern. Furthermore, the hotel use will be contained to the first floor alone, thus the visual impact will be much less than if all four floors were devoted to hotel usage. The lobby entry area has been appropriately situated on the S Beech Street side of the property, keeping pedestrian circulation closer in proximity to the High

Street business corridor as opposed to the Walnut Street corridor which is more residential and office focused.

- **Increased Floor Area Ratio:** The Oxford Zoning Code defines Floor Area Ratio (FAR) as *the gross floor area of all buildings or structures on a lot divided by the total lot area, excluding any land vacated by Ordinance No. 103 (16 ½ vacated right-of-way)*. Thus, FAR is an important standard which controls the bulk and scale of buildings which can result in a particular district. The UP District provides a maximum FAR of 3, meaning the total floor area of any new structure is limited to 3 times the total lot area exclusive of any vacated right-of-way that may be in front. The vacated right-of-way area on this site totals 3,112 square feet, leaving 7,016 square feet of calculable lot area for the FAR. Multiplying 7,016 by 3 results in a maximum of 21,048 square feet permitted by-right. The Zoning Code further specifies that "additional retail uses above the street level which cause the maximum permitted gross floor area ratio to exceed the 3:1 ratio" should be treated as a separate Conditional Use approval. In the case of this project, the applicant proposes a total floor area of 23,551 square feet, which represents an FAR of roughly 3.36. The Planning Commission can consider the additional square footage because the reason for the increase is due to the additional restaurant space incorporated into the building on the fourth floor, which totals 3,033 square feet. The apparent purpose of allowing such an increase in FAR is to encourage additional commercial uses in the Uptown business area going above and beyond the minimum FAR of 0.7, so long as the residential component is kept within a maximum FAR of 2.

- **Parking:** No off-street parking spaces required for any use in the UP District, per ***Section 1149.05(c)(1)***. However, since the original submission in 2018, the applicant has desired to make available at least some dedicated parking for hotel guests. The original proposal showed a total of 8 on-street spaces angled off the north side of W Walnut Street. Since these would have been located in the public right-of-way, the hope was that the spaces could be signed and permitted accordingly so that they would be exclusive to hotel guests. After concerns were raised about the proposed changes to the W Walnut right-of-way and resulting street character, an alternative was proposed to locate parking spaces beneath the structure, made accessible as an underground parking garage with a single access lane off of W Walnut. The parking garage alternative was ultimately approved by City Council at the time. Following the submission of more detailed plans at the Building Permit stage, the Zoning Review uncovered a couple accessibility and safety concerns related to the garage, as summarized below using the *most current* Code section numbers:

    - ***Table 1149.04:*** Minimum aisle width of **24 feet** for parking spaces oriented at 90 degrees. The applicant's plan shows an aisle width of 22 feet, 2 feet short of the normal minimum. Staff had previously accepted this width since the City garage has a width of 20 feet, and due more broadly to the previous Conditional Use approving the parking garage as an important element of the proposal.

    - ***Section 1149.07(e)(4)(I):*** *Internal circulation patterns, and the location and traffic direction of all access drives, shall be designed and maintained in accordance with accepted principles of traffic engineering and traffic safety.* Staff had asked for the elimination of Parking Space #1, due to its proximity to the stairwell entrance posing a safety hazard with pedestrians potentially getting struck by vehicles entering or exiting the space. Eliminating the space would not encumber the project with respect to any Code standard, since no off-street spaces are required in the UP District. Furthermore, the resulting number of spaces (11) would still be greater than the original plan which proposed a total of 8 on-street spaces in front. The area, however, could be an ideal location for bicycle parking serving either the hotel rooms or residential units above.

- ***Section 1149.07(e)(4)(J):*** *Off-street parking and loading areas shall be provided with sufficient maneuvering room so that all vehicles can enter and exit from a public street by forward motion only.* This provision also applies to Parking Space #1, since exiting the space would be problematic due to its close proximity to the adjoining wall which could cause a conflict when a vehicle is making a turning motion. Furthermore, if a motorist enters the parking garage to find all spaces full, there would not be enough room to turn around and exit the garage in a forward motion. The City Engineer has also noted the entrance ramp is not wide enough to accommodate simultaneous entering and exiting of vehicles. Zoning staff had previously suggested retaining the single lane/ramp, but adding a gate arm with keep swipe access to better avoid this type of situation. However, the applicant has pointed out difficulties with the grade change, therefore staff is inclined to accept the ramp setup without a gate arm. Because of the difficulty of controlling movement into the garage, it would be prudent to provide a second single lane/ramp as a means of egress from the garage, just as the City parking garage provides.

- **Landscaping:** The HAPC has required a Landscaping Plan to be submitted at the Building Permit stage so that more specific detail is made available as to trees and other plantings which are planned following construction. The applicant's plans submitted at the Conditional Use stage show an assemblage of trees and shrubs along the south and east sides of the building, as well as some screening vegetation along the north side of the building adjoining the Bethel AME Church where hotel room patios are present. All properties within the UP Uptown District are exempt from the provisions of the Tree Ordinance (Chapter 1148), so considerations made to landscaping on the property itself are mainly in regard to improving aesthetics, softening the look of the building, and lessening impact to neighboring properties. It is unclear at this stage whether the large street tree present in the tree lawn along W Walnut Street is to remain, possibly in combination with new street tree plantings.

- **Refuse/Waste Collection and Storage:** The Building Permit review revealed that the garbage enclosure area on the west side of the building needed to be revised to comply with Rumpke's standards, including a minimum 12-foot wide opening. The applicant is currently working through these issues and expects to have them resolved at the time of Building Permit submission.

DECISION CRITERIA

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

Yes, a hotel and an increase in FAR for the sake of commercial usage are specifically provided in ***Sections 1143.10(b)(2)(B)(4)*** and ***1143.10(b)(2)(A)(6)*** respectively.

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

Section 1143.10(a) states that the purpose of the UP Uptown District *is to preserve and encourage the continued vitality of the City's historic central business and civic activity area. Selected uses and regulatory standards are provided to guide development so as to achieve a mixture of appropriate uses in a functional, aesthetic and pedestrian compatible manner.* Staff believes the proposal at hand satisfies this general intent well, providing a desirable and balanced mix of uses.

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

As shown on Map 3.6 of the Oxford Comprehensive Plan, the property is located in the "Neighborhood Enhancement Area" generally bounded by Elm, Spring, Campus, and Vine Streets but also including another portion in the NE corner of the Mile Square stretching as far north as Homestead Avenue. According to the Plan, development intent in this area is *to stabilize and enhance existing neighborhoods* through continued maintenance and improving property in a way that

reinforces traditional characteristics and commercial features. Staff believes the proposal at hand fulfills the vision expressed in the Comprehensive Plan, helping to redevelop and repurpose a non-conforming and underutilized site in close proximity to the Uptown business corridor.

D. **The use and shape of the site are sufficient for the proposed use.**
The applicant is limited to a finite amount of land area when it comes to developing a new mixed-use building while also accommodating an underground parking feature. Staff believes the parking garage deserves modification for the sake of making it more accessible for guests, as well as more safe for all. This may however come at the cost of one, possibly two, parking spaces.

E. **The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.**
Hotel suites facing north and south would have patios, which could potentially pose a noise concern for surrounding uses. The rooftop deck associated with the proposed restaurant space also has the potential for generating noise.

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.**
Apart from additional noise resulting from guest/patron activity, staff does not believe the proposed project will pose any of the other concerns cited.

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.**
The hotel rooms, as an "annex" to the existing Elms Hotel, are essentially functioning as accessory to the main hotel but will be able to operate in a standalone fashion since hotel support service space is being provided at the garage level (for laundry, room cleaning, etc.). Thus, although linked to another principal use off-site, it should operate function as if it is its own 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.**
Opportunity for comment was provided to Fire, Police, and Service Departments. See comments from City Engineer Scott Otto. Fire returned the application without comment.

I. **Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.**
Opportunity for comment was provided to Fire, Police, and Service Departments. See comments from City Engineer Scott Otto. Fire returned the application without comment.

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.**
Staff believes the building design is complementary to the surrounding neighborhood and district as a whole. The HAPC has approved the architectural design via the Certificate of Appropriateness (COA) process.

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.**
The parking ramp could create some conflict for motorists and pedestrians along W Walnut Street, especially if a vehicle has to back up into the street from the parking garage.

L. **Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.**
The existing automotive service building is considered 'non-contributing' in the 2018 Uptown Historic District Inventory. Therefore, its removal would not be considered a loss of a historic feature.

M. **Proposed construction will not result in the complete elimination of existing mature trees on the site. Effort shall be made to direct disturbance and construction around or away from the existing mature trees without completely taking away use of the site or connectivity to existing infrastructure.**
There is a fairly large-sized street tree located in the tree lawn along W Walnut Street. It would be ideal to save this tree, though construction of the building may ultimately hinder the ability to save it.

N. **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.**
As noted earlier in the report, the application has been through the approval process before and sought permits to begin construction. If the Conditional Use is approved once again, a new Building Permit application will be required.

STAFF RECOMMENDATION

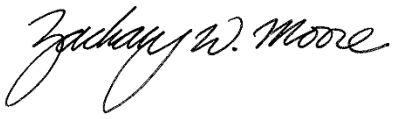
In consideration of the Decision Criteria, staff recommends **approval** of the Conditional Use application subject to the following conditions:

1. The dumpster area shall meet all necessary Rumpke requirements and standards.

2. Parking Space #1, located in the northwestern corner of the underground parking garage, shall be eliminated and not used for vehicular parking.

3. The parking garage design shall be modified to include a way for vehicles to simultaneously enter and exit the garage. This may be accommodated by widening the ramp currently proposed, or adding an additional lane/ramp so that vehicles are provided a way to exit in a forward motion.

SUBMITTED BY:



_____
Zachary Moore, AICP
Planner

DATE: May 30, 2021

APPENDIX A
RELEVANT ZONING CODE PROVISIONS

Within the Oxford Zoning Code, ***Section 1143.10*** provides the base zoning standards for the UP Uptown District. ***Section 1147.02(c)-(d)*** governs the Planning Commission's decision making process on Conditional Uses. ***Section 1147.03(b)(27)*** provides Conditional Use provisions specific to motels.

1143.10 – UP Uptown District.

(a) Purpose.
The purpose of this district is to preserve and encourage the continued vitality of the City's historic central business and civic activity area. Selected uses and regulatory standards are provided to guide development so as to achieve a mixture of appropriate uses in a functional, aesthetic and pedestrian compatible manner.

(b) Uses.

(1) Permitted uses.

A. Any combination of residential dwelling types as defined in Section 1159.05(8), A through E., on the second floor or higher.

B. Retail services shall not exceed 10,000 square feet of floor area on any given floor.

1. Apparel and jewelry.
2. Bars and establishments serving alcohol.
3. Books, stationery, newspapers, magazines, office equipment and office supply stores.
4. Drugs and pharmaceuticals.
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 improvements 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.
11. Other similar establishments engaged in retail trade except those included as Conditional Uses in subsection (b)(2) hereof.

C. Personal and professional services shall not exceed 10,000 square feet of floor area on any given floor.

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).
8. Theaters, not including drive-ins.
9. Other similar personal and professional services, such as employment agencies, travel bureaus, and ticket offices.

D. Accessory buildings incidental to the principal use.

E. Sidewalk uses.

1. This section is intended to provide for active use of private and public property in the Uptown District for outdoor cafes and retail sales. A sidewalk use requires a permit, shall be operated according to the provisions of this section, and is valid for one year and only for the location, design, and use approved.
2. A sidewalk use may include outdoor activity on both private and public property as follows:
    a. Private property in the front setback area or any courtyard or other partially enclosed area adjacent to a right-of-way may be utilized only for the same commercial activity as the principal use on the first floor of the principal structure.
    b. The public sidewalk and other paved portions of the right-of-way that are designed and constructed to accommodate pedestrians may be utilized only for the same commercial activity as the principal use on the first floor of an immediately adjacent principal structure.
3. A sidewalk use permit application shall include a fee, a scaled site plan, and other information sufficient to determine compliance with all of the following provisions:
    a. The use may not result in less than five feet of open and unobstructed public sidewalk adjacent to the sidewalk use; and
    b. The adjacent property owner and the operator of the use have a liability insurance policy that covers accidents and injuries on the public right-of-way for a minimum of one hundred thousand dollars ($100,000) per person and three hundred thousand dollars ($300,000) per accident, premiums are fully paid for the calendar year of the permit, and the City of Oxford shall be named as an additional insured upon such liability policy; and
    c. The use shall employ only displays, counters, tables, chairs, umbrellas, and planters that are moveable; and
    d. Nothing related to the operation of the use shall be permanently installed on public or private property except anchors that do not protrude above the adjacent sidewalk surface and do not otherwise create a trip hazard; and
    e. All materials shall be lightweight and easily removable; and
    f. All roofs shall be made of a flame-resistant (per Ohio Basic Building Code and Ohio Fire Code), nonstructural material such as treated canvas or vinyl fabric; and
    g. All illumination shall be confined within the perimeter of the use; and
    h. All partitions shall be transparent 3 feet above the adjacent sidewalk surface.
4. The City Manager or designee shall require removal of anything or correction of any condition associated with a sidewalk use that threatens the public health, safety, or general welfare and shall revoke an approved permit if its holder fails to comply with any such order in a timely manner.
5. The City Manager shall reinstate a revoked permit if the holder removes the immediate threat and provides sufficient proof that the threat will not recur.
6. If a sidewalk use permit is revoked more than once during the year that the permit is valid, the permit shall not be reinstated and a new permit shall not be issued until after the original expiration date of the revoked permit.

(2) Conditional Uses.

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

A. Retail services:

1. Any permitted retail use that exceeds 10,000 sq. ft. on any given floor.
2. Banks with drive-through facilities.
3. Building supplies, garden supplies.
4. Temporary or outdoor sales of plants and garden supplies.
5. Retail uses which do not provide a minimum ratio of 0.7:1 of the lot area.
6. Additional retail uses above the street level which would cause the maximum permitted gross floor area ratio to exceed the 3:1 ratio.

B. Personal and public services:

1. Any permitted personal or public service that exceeds 10,000 sq. ft. on any given floor.
2. Cultural institutions, including libraries, art galleries and museums.
3. Hotels and motels.
4. Places of worship.
5. Funeral homes.
6. Night clubs, discotheques, and other entertainment facilities.
7. Personal and Professional Services which do not provide a minimum of 0.7:1 of the lot area.
8. Additional personal and professional services above the street level which would cause the maximum permitted gross floor area ratio to exceed the 3:1 ratio.

C. Other uses.

1. Any combination of dwelling types as defined in Section 1159.05(8), A through E, on the first floor or basement.
2. Community-Oriented Residential Social Service Facilities (CORSSF's).
3. Shared Housing and Congregate Housing for the elderly.
4. Government owned and/or operated parks and recreation facilities.
5. Bed & Breakfasts.
6. Publicly owned and operated neighborhood recreation centers.
7. 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.
8. Schools: primary, intermediate, and secondary, both public and private.
9. Hospitals

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

(1) Lot requirements.

A. Minimum Lot Area:

1. Lots in the Uptown District shall be a minimum of three thousand (3,000) square feet.

B. Minimum Lot Frontage:

1. 33 feet

(2) Yard requirements.

Front Yard	16.5 feet minimum except * On High Street - at least 70 percent of building must meet the right-of-way line
Rear Yard	none except * Adjacent to a residential district 10 feet minimum
Side Yard	none except * Adjacent to a residential district 6 feet minimum

(3) Structural requirements.

A. Building height:

Minimum - 23 feet and a minimum of 2 stories above street grade
Maximum - 48 feet and 4 stories maximum above street grade.

B. Gross Floor Area Ratio:

1. The maximum permitted gross floor area ratio of a structure at or above grade in the Uptown District shall be 3. (Lot area x 3 = total bldg. sq. ft.)
   a. Commercial space shall provide a minimum ratio of 0.7:1 of the lot area on the street level subject to the following:
      i. The basement of a structure may be used for retail, personal and professional uses but shall not be computed into the minimum 0.7:1 ratio.

ii. Uncovered outdoor areas shall:

a. Be associated with the first floor commercial occupant,

b. Be located on the property and/or on the public sidewalk, only with a valid sidewalk permit.

c. Be computed into the minimum 0.7:1 ratio, but not the overall 3:1 ratio.

b. Residential space shall provide a maximum ratio of 2:1 of the lot area subject to the following:

i. Stairways, hallways, elevators outdoor patios, decks, and balconies, for residential use shall be computed into the maximum 2:1 ratio.

(4) Maximum Residential Density.

A. Occupancy shall be limited to one person per 200 square feet of lot area.

1147.02(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 testimony 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. 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 appropriate for 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. Proposed construction will not result in the complete elimination of existing mature trees on the site. Effort shall be made to direct disturbance and construction around or away from existing mature trees without completely taking away use of the site or connectivity to existing infrastructure.

N. 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.

<u>1147.02(d) – Action by Planning Commission</u>.

(1) The Planning Commission shall recommend to Council approval, approval with conditions, or denial of an application as presented and shall clearly state the findings upon which its recommendation is based.

(2) The Planning Commission shall base its recommendation to Council upon how well the application satisfies the General Decision Standards and the Decision Standards for the proposed use. In its recommendation, Planning Commission may waive or modify dimensional regulations of the Zoning Code, or impose more strict regulations and any additional conditions, guarantees, and safeguards it deems necessary to satisfy the purposes of this Zoning Code.

<u>1147.03(b)(27) – Motels</u>.

A. Potential Concerns

1. Proximity to residential.
2. Screening from residential.
3. Appropriate street access.

City of Oxford OHIO
HOME OF MIAMI UNIVERSITY

Memo

Service Department
Engineering Division
513/524-5208

TO: Community Development Department

FROM: Scott Otto, P.E.
City Engineer

RE: Application #PPC-2021-15
22 S. Beech St. – Conditional Use

DATE: May 6, 2021

The Engineering Division offers the following comments:

- As shown the ramp to enter the parking area does not appear wide enough to accommodate simultaneous entering and exiting vehicles. Vehicles could potentially have to reverse and maneuver in the sidewalk and street.

- The dumpster area will need to meet the requirements of Rumpke.

Location Map

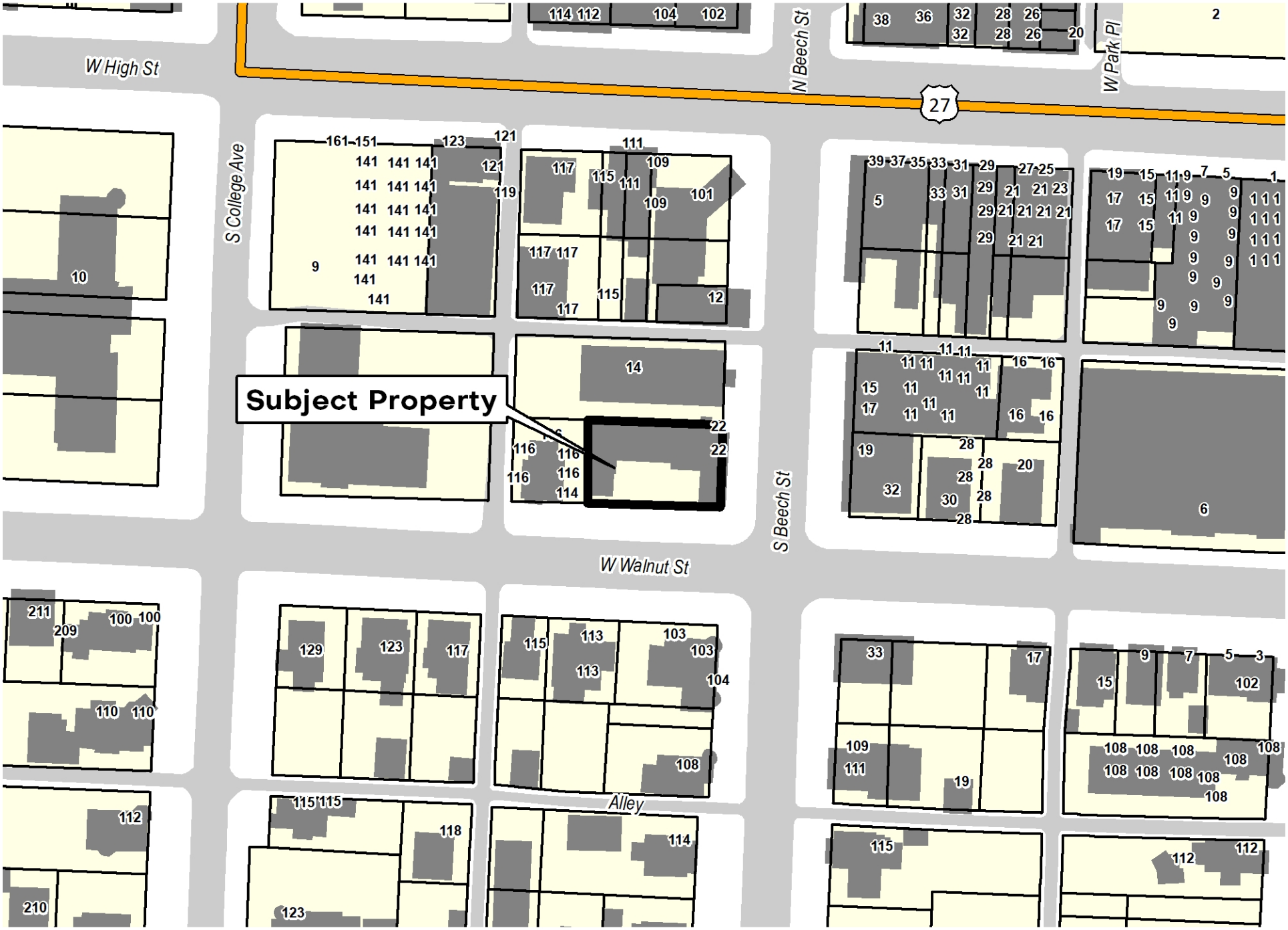
Site Parcel(s)

0 50 100 200 Feet

Location Map

Site Parcel(s)

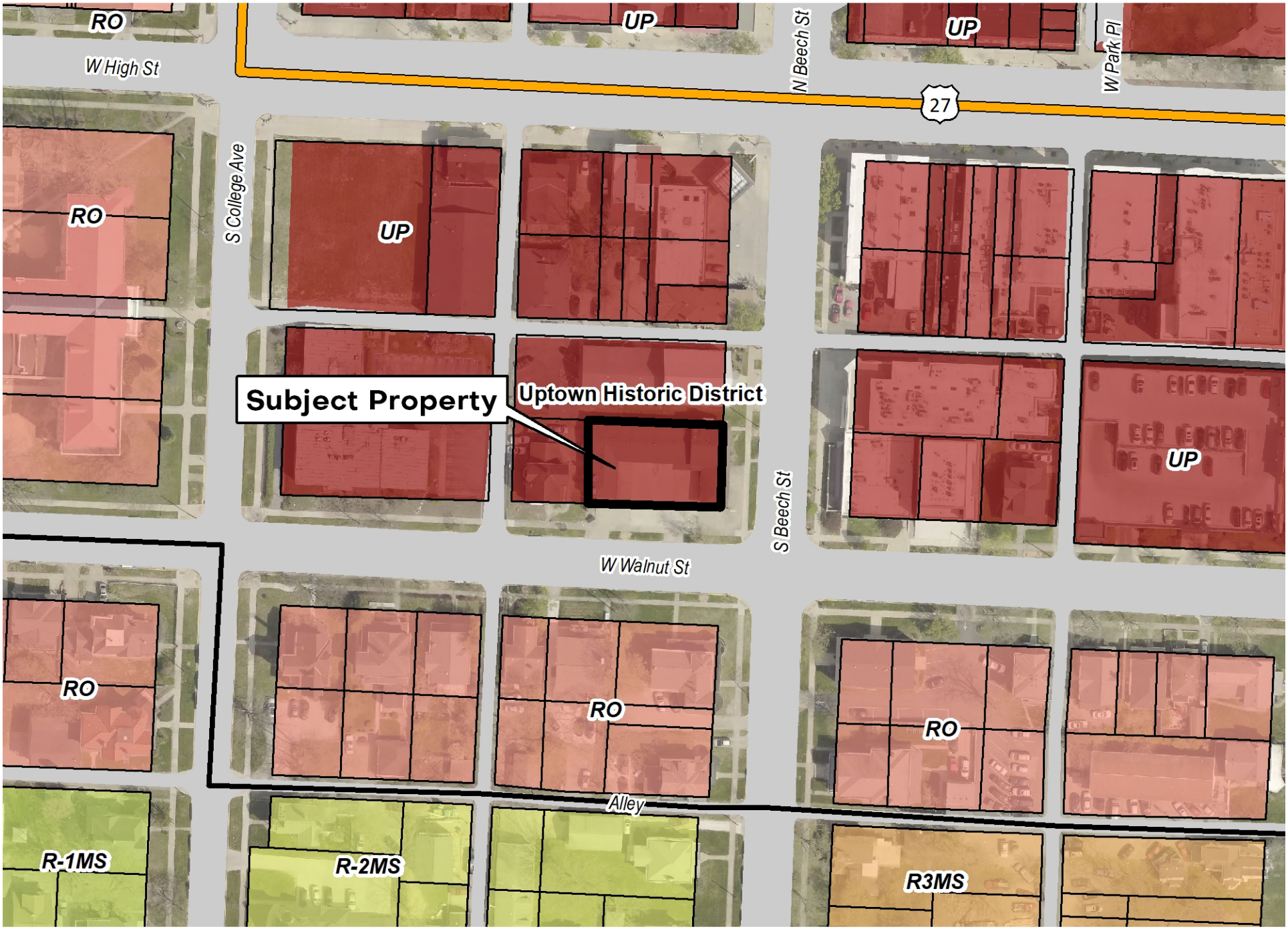
0 50 100 200 Feet



Location Map

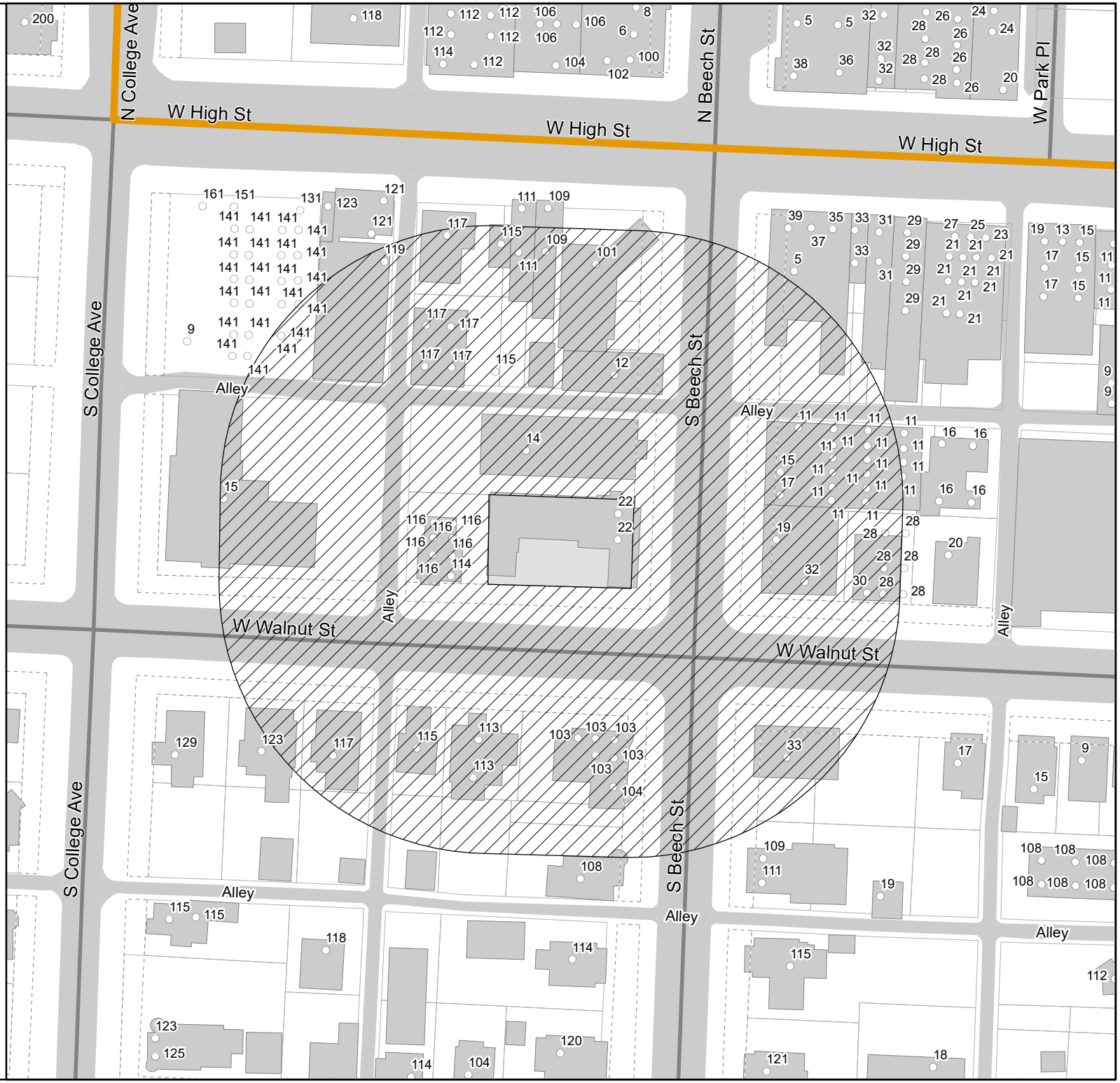
Site Parcel(s)

0 50 100 200 Feet



City of Oxford OHIO
HOME OF MIAMI UNIVERSITY

PC-2021-15
Surrounding Property Owners Notifications Map



Legend

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

1 inch = 100 feet

Prepared on Tuesday, May 18, 2021

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

City of Oxford OHIO
HOME OF MIAMI UNIVERSITY

Internal Use Only:
Case No. PC-2021-15
Date Filed 4/26/21

Conditional Use Permit Application

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(s) *	523-3838
Email Address	scott@scottwebbarchitect.com

Owner Information

Name *	Walnut Street Investors LLC
Mailing Address *	125 West Spring Street
City, State & Zip Code *	Oxford, Ohio 45056
Telephone Number(s) *	524-9500
Email Address	jim@hoteldevelopment.net

Location and Lot Information

Location of Property *	22 South Beech Street
Legal Description *	Parcel # H4100004000156
Zoning District *	UP
Total Area *	10,128 → *Check One* * Acres ☐ Square Feet ☑
Existing Use Description *	Former Mesler Autobody
Proposed Use Description *	Mixed-Use building cantaining Hotel Annex, Resturant & Student Housing

Submission Requirements and Documentation

From Section 1147.02(a)[1].

(1) Contents of application for conditional use permit. Thirteen complete sets of all information shall be submitted with an application. The Zoning Administrator may modify this requirement based upon the type of materials included. Please contact the Zoning Administrator prior to submitting an application to discuss the submission requirement. If any information is submitted in color or on non-standard paper, more copies may be required.

A. Application Fee.

B. Description of Use and Site.

A written, detailed description shall include the following information. A separate response is required for each subsection.

1. The name, mailing address, and telephone number of the applicant and the property owner.
2. If the applicant is not the owner, a statement from the owner that the applicant is entitled to apply on his or her behalf.
3. A legal description of the site, including all separate lots.

LS

A. The proposed use is in fact a Conditional Use appropriate for 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.

Fees & Receipt

The required fees are $500.00 plus $10.00 for postage. You may write a $510.00 check payable to **City of Oxford**. You may also pay in-person using Visa, MasterCard, and Discover.

Sign and Date

Applicant Signature * _____

Date * 4/20/21

Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

Note: You must adhere to notification and publication requirements. Submit materials 45 days prior to the 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 * _____ Receipt Number * _____

[1] City of Oxford Codified Ordinances: http://www.cityofoxford.org/fees-ordinances-and-charter/
[2] Butler County Auditor Real Estate Search: http://www.butlercountyauditor.org/

Walnut Street Investors, LLC
125 West Spring Street
Oxford, Ohio 45056
513-524-9500

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's Planning Commission & City Council regarding required conditional uses for a new mixed-use building at 22 South Beech Street.

Thank you,

Signed: _____ 4/26/2021
Jim Clawson, Walnut Investors LLC Date:

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

Sam Perry
Community Development Director
City of Oxford
Municipal Building
15 South College Avenue
Oxford, Ohio 45056

Re: Application for Conditional Use
Proposed Hotel Use & Alternate Parking Arrangement
22 South Beech Street
Parcel H4100004000156

April 23, 2021

Sam,

Please accept this letter as a formal request to restart our Conditional Use process for the previously approved Proposed Hotel Use in the Uptown (UP) District. As before, we would like consideration of a slight increase in commercial space causing the max. permitted gross floor area to exceed the 3:1 ratio.

In accordance with the submission requirements and documentation required by the Conditional Use Application we offer the following:

A. The application fee has been submitted with this application

B. Description of Use and Site.

1. The name, address, and telephone number of the applicant and property owner.

Property Owners:

Walnut Street Investors LLC
125 South College Avenue
Oxford, Ohio 45056

Architect:

Scott Webb, Architect
103 West Walnut Street
Oxford, Ohio 45056

Civil Engineer:

Bayer Becker, Engineers & Surveyors.
318 South College Avenue
Oxford, Ohio 45056

2. If the Applicant is not the owner, a statement from the owner that the applicant is entitled to apply on his or her behalf.

A Letter of Agency is included in this application

3. A legal description of the site, including all separate lots.

A survey has been provided with the Building Permit Application.

4. *A description of the current uses of the site*

   The site has been vacant but was previously occupied by Mesler Auto Body, a family run business that has occupied the site for decades.

5. *The Zoning District in which the site is located.*

   The site is in the UP, Uptown Zoning District

6. *A description of the proposed use.*

   a. *A description of operations, including type of goods sold, services performed, and expected number of customer, clientele, delivery & service vehicles*

      The proposed Mixed-Use Building is designed in accordance with the development regulations of the UP Zoning District. The Floor Area Ratio (F.A.R.) provides for a min. commercial use and maximum residential use of each site based on the land area of the property.

      The new Mixed-Use building is designed to provide a lobby for the Extended Stay Hotel Suites on the ground floor and elevator access to a 3,033 s.f. rooftop restaurant to meet the requirements of the commercial use. The 2nd, 3rd, and a portion of the 4th floor will provide a variety of dwelling units.

      The ground floor will provide (12) individual extended stay hotel suites. These suites will be managed as an annex to the Elms Hotel a block from the site.

      Based on the size of the lot and limitations/requirements of the F.A.R., the building may contain as many as (35) residents in apartments.

   b. *Hours of operation*

      The proposed hours of operation for the rooftop restaurant would be typical for businesses of this type, potentially offering breakfast, lunch, dinner, and nightlife. The hotel suites and apartments are typical for their use.

7. *A narrative statement that evaluates the compatibility of the proposed use with the general vicinity and adjacent properties;*

   a. *How is the use similar to or different from existing area uses and if there will be any interaction between the proposed and existing uses*

      The Uptown Area provides a variety of uses as encouraged by the Comprehensive Plan with Mixed-Use buildings, featuring restaurants, retail and entertainment with residential units on the upper floors.

   b. *How any existing structures, proposed structures, and the site design relate to adjacent structures and sites*

      The property has been an auto body and repair shop for decades, and includes a paint booth, garage areas, and an apartment. The existing structures are not appropriate in their use, design or scale, and would be demolished to facilitate redevelopment of the site.

      The proposed building will be designed in accordance with the F.A.R. of the Zoning District and the guidelines of the Historic District.

   c. *If the use will involve any operations that create potential nuisances, such as excessive noise, lighting, odor, fumes, vibration, or emissions.*

The proposed building is similar in uses to the uptown district and is not expected to produce nuisance odors, fumes, vibrations, or emissions.

d. *How any potential negative effects on adjacent land will be mitigated.*

The design of the building aligns with the goals of the uptown district, with no particular need for mitigation.

8. *A statement about why the location proposed is more appropriate for use than other locations;*

Extended Stay Hotel rooms are an underserved market in the City. Hotel development typically requires 75-80 suites on 10 acres of property, forcing them to the perimeter of the City and increasing traffic and parking problems into the Uptown entertainment area.

With the independent Elms Hotel in the Uptown District, a unique opportunity to expand the hotel use with additional suites as an annex to the primary hotel is presented here. Combining the reservations, service, laundry, etc. typically required for a stand-alone hotel into the existing one, requiring less property and duplication of services.

The slope of the site allows a unique opportunity to allow the ground floor hotel suites to be set above the street level to the south, above headlights and pedestrian traffic.

9. *A statement of the necessity or desirability of the proposed use to the neighborhood or community.*

Extended Stay Hotel rooms are an underserved market in the City and in the Uptown area in particular as described above.

The Uptown area is becoming saturated with ground floor restaurants. A ground floor hotel use adds consumers and pedestrians to the uptown district. Providing a rooftop restaurant would be a unique and distinguishing, providing some variety in the uptown

10. *Separate detailed statements that individually address each of the items listed as potential concerns for the proposed use.*

Based on the potential concerns of Motels itemized in 1147.03(b)(27) we offer the following;

A. Potential Concerns:

1. Proximity to Residential

The Uptown District is intended as a mix-use area with residential and a variety of commercial uses, generally in the same building.

2. Screening from Residential

Screening from residential is not required in this urban setting.

3. Appropriate Street Access

Street access is provided for pedestrians along South Beech Street.

An alternate parking concept in included in this application with direct, angled parking from the street.

11. *A list of the names and mailing addresses of all landowners within 200 feet of the site.*

Provided under a separate cover

12. *Such other information regarding the proposed use, site, or surrounding area as may be pertinent to the application or required by Planning Commission*

    Planning Commission had previously approved each conditional use. The project was postponed through the worldwide pandemic, and approvals lapsed.

C. *Site Plan. A scaled site plan shall include the following information in detail. The required information may be submitted on multiple site plans if inclusion of all information on a single plan makes it illegible or difficult to understand*

Site plans and 3D Concept illustrations are provided

Planning Commission Review

Decision Standards

In response to the decision standards outlined in the application, we offer the following:

A. *The proposed use is in fact a Conditional Use in the Zoning District in which it is proposed;*

   Hotels & Motels are considered a Conditional Use in the UP Uptown Zoning District. In the proposed Mixed-Use Building, the Hotel use occupies the ground floor as the required commercial use.

B. *The use and site will satisfy the general intent of the Zoning Code;*

   The Zoning Code for the Uptown District encourages Mixed-Use Buildings through the Floor Area Ration (F.A.R.). The building as proposed exceeds the overall building limits by an increase in commercial area and includes covered patios for the hotel guests. This may be approved by conditional use, as the residential is less than allowed.

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

   The ***Character Area Map*** and ***Character Area Matrix*** refers to this area as the "Core", reflecting its place as the center of the Mile Square and primary business district emphasizing walkability and describing the area as a center for entertainment uses.

   The ***Conservation and Development Map*** and the ***Concept Area Matrix*** refer to this area as a "Neighborhood Enhancement Area", recommending the stabilization of the Mile Square neighborhoods and commercial features to enhance the Uptown

   Land Use Objective 3 proposes that we "*Continue to Enhance Uptown*", encouraging higher density new construction where appropriate to provide new space for business. It further suggests that we support new Mixed-Use developments that combine ground floor retail with upper story office and housing.

   The ***Economic Development Section*** directs us to retain and expand existing businesses. The proposed unique expansion of the Uptown's only hotel is in line with this objective.

D. *The size and shape of the site are sufficient for the proposed use.*

   Building sizes and shapes are prescribed by the development standards of the Uptown District. The building as proposed meets these guidelines, respecting the goals for redevelopment of underused site in the district.

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

The proposed use will not be disturbing to neighbors, providing compatible transient and rental residences with a unique upper level restaurant.

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.*

The Hotel Use is compatible with other uses in the district.

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.*

No Accessory uses are proposed.

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.*

All utilities are available at the proposed location. No special provisions are required.

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

No public expense is anticipated by this project.

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

In addition to the building envelope limitations provided by the Zoning Code, the building was previously approved by the Architectural Preservation Commission insuring that the design is appropriate and compatible and will not change the essential character of the neighborhood

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.

Traffic will be eliminated from the site.

Per 1149.03(j)(1) & (2), all residential and non-residential uses in the UP district are exempt from parking requirements.

Private parking is provided for each hotel suite in a private garage under the building.

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

The proposal contained herein is designed to replace an auto body shop and not a natural, or historic feature of major importance.

M. All Necessary permits and licenses for the Conditional Use and its operation have been obtained or can be obtained for the use at the proposed location.

A professional review of the building code has been performed, and all necessary permits and licenses can be obtained for this use in this location.

Thank you for your consideration of this proposal. If you have any questions or need any additional information, please call.

Respectfully,

Scott Webb, Architect

Conditional Use Application

Proposed Hotel Annex as Ground Floor Commercial

New Mixed-Use Building

22 South Beech Street (Former Mesler Auto Body)

Walnut Street Investors LLC
125 West Spring Street
Oxford, Ohio

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

Location & Context

Zoned UP, the existing property is occupied by a non-conforming use

Proximity & ownership allows this property to be considered for an annex to the Elms Hotel

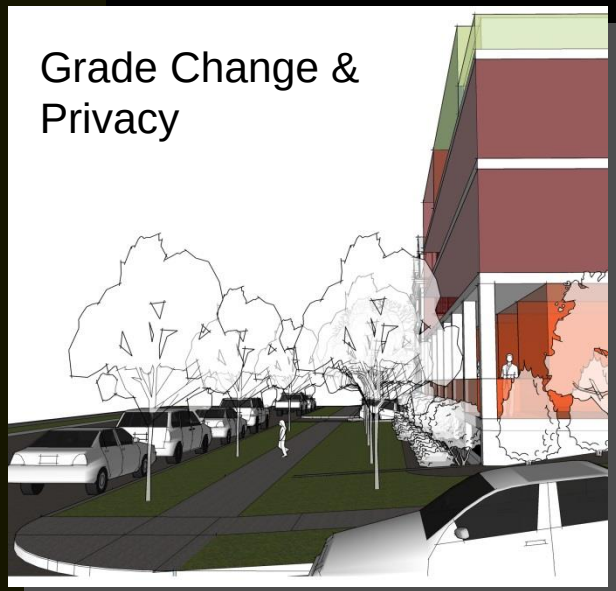
Preliminary Site Plan

The proposed Mixed-Use Building is designed in general accordance with the development regulations of the UP Zoning District. The Uptown Area provides a variety of uses as encouraged by the Comprehensive Plan with Mixed-Use buildings, featuring restaurants, retail and entertainment with residential units on the upper floors

Use Specific Concerns

- Proximity to residential.
- Screening from residential.
- Appropriate street access

Written for “Motels”, these concerns are not as applicable to more urban, mixed-Use buildings



Deliveries for the proposed restaurant will occur from Beech Street during designated hours

Development Regulations & Additional Commercial Area

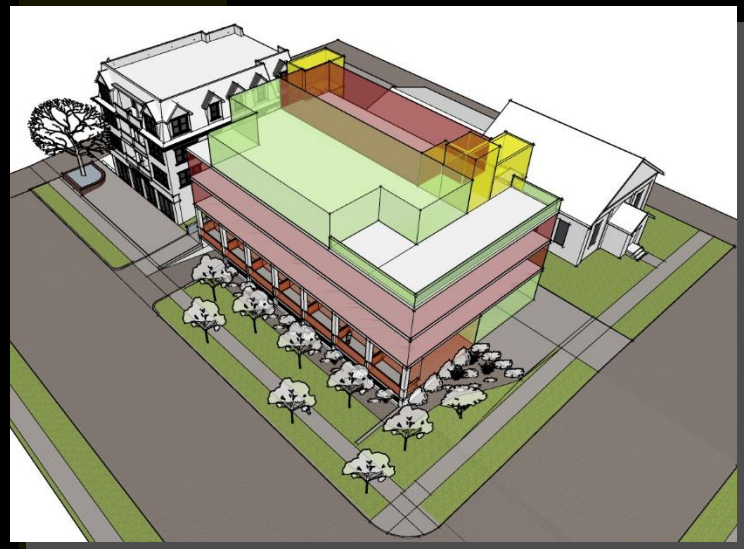
Development Regulations

All Dimensional & Occupancy Regulations are based on the Lot Area as follows:

Total Lot Area	**10,128 s.f.**
Less Vacated Right-of-Way	**3,112 s.f.**
Calculable Area for F.A.R.	**7,016 s.f.**

Gross Floor Areas		Commercial	Residential
Ground Floor		5548 s.f.	
Hotel Patios	Covered	620 s.f.	
	Uncovered	407 s.f.	
Second Floor			6,143 s.f.
Third Floor			6,143 s.f.
Fourth Floor		3,033 s.f.	991 s.f.
Shared circulation Space		333 s.f.	333 s.f.
Roof Deck			
TOTALS		9,941 s.f.	13,610 s.f.
Totals		**9,941 s.f.**	**13,610 s.f.**
Regulation:		4,911 s.f. Min	14,032 s.f. Max.
		(0.7 x Calculable Area)	2x Lot Area

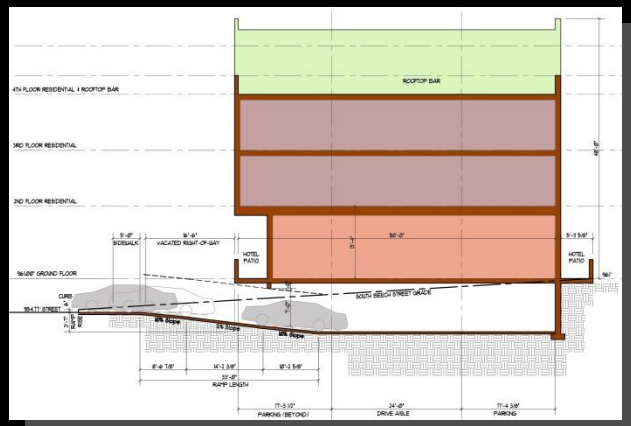
Total Building Envelope		**23,551 s.f.**
Regulation:		21,048 s.f. Max.
Max. Building Envelope per Floor Area Ratio (F.A.R.) (3 x Calculable Area)		Conditional Use for 11.9% increase in max. envelope
Occupancy	**35.08 Residents**	
(1) Occupant per 200 s.f. calculable area		



The proposed Mixed-Use Building as designed provides more Commercial Area than is typical for the Floor Area Ratio (F.A.R.) of the UP Zoning District resulting in 11.9% excess in overall building envelope (half of which is private hotel patios or balconies)

The Additional area is for the Commercial Area of the project and is allowed through the *Conditional Use* process

Parking – Below Grade



Staff has requested space #1 to be eliminated & a gate installed to restrict access to the parking.

- Space #1 is no different than any other space
- No gate is necessary as this will not be confused with public parking

While no parking is required for Commercial Uses in the UP District, Planning Commission requested (12) spaces for the hotel use that were provided below the building. This plan also increases the (3) existing on-street spaces to (4)

The entrance to the private garage is located as far as possible from the intersection

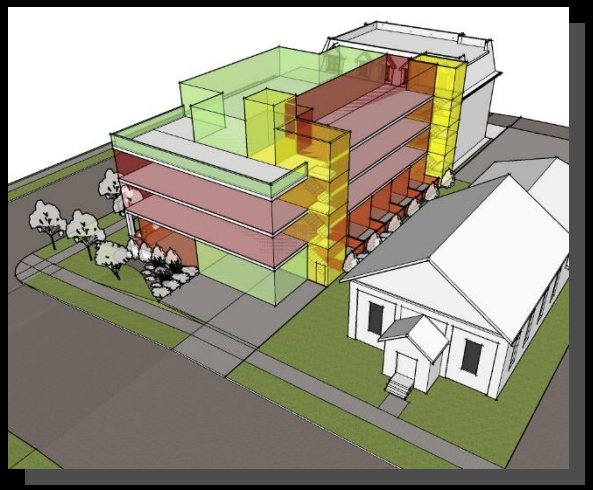
A trash area has been provided adjacent to the ramp

Adjacent Property

On the North side of the building the Suite Patios face the *Historically protected* Bethel A.M.E. Church

Upper Stories of the Building are set back to allow windows to the upper floor residential units

The Developer will work with the Church to further improve the landscaping of this area to the benefit of both

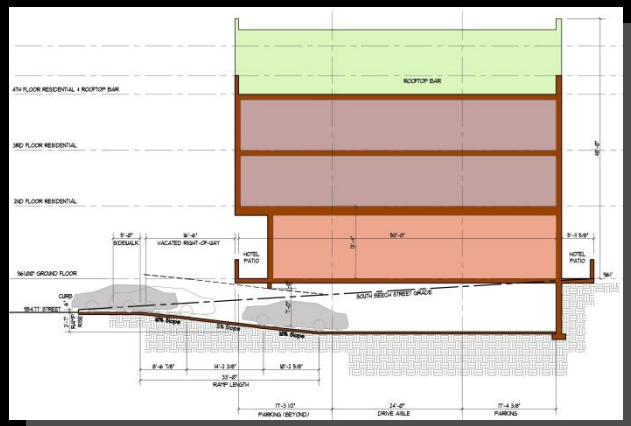


Building Height

The Max. building height is proposed at 48’ from the ground floor level

Building Height: The vertical distance from *the average elevation of the finished grade along the front of the building* to the highest point of the coping of a flat roof, or to the deck line of a mansard roof

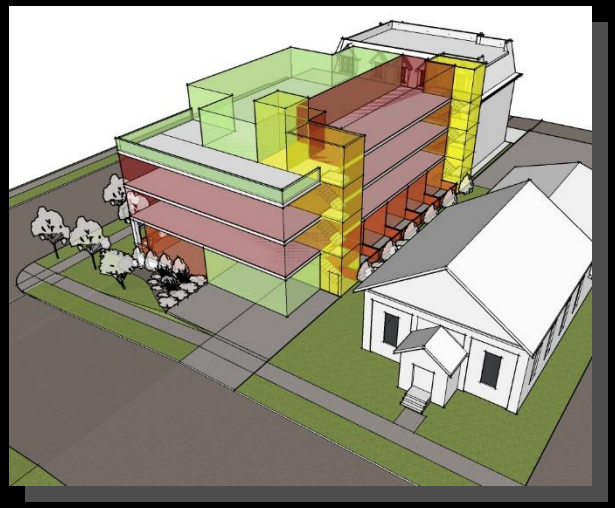
The average height along the *front of the building* along Beech Street is less than 48’



Decision Standards

The Proposed Mixed-Use building with a Hotel and Restaurant meets the Decisions Standards as follows:

- Is allowed in the Zoning District
- Meets the intent of the Zoning Code as a Mixed-Use Building
- Is compatible with the goals of the Comprehensive Plan, developing an underused site and improving the Uptown Core
- The size and shape of the lot supports the proposed use
- Will not be hazardous or disturbing to neighbors or involve activities that produce excess noise, smoke, fumes, or traffic
- All uses are independent in a mixed-use building with no accessory uses
- The site is designed to be harmonious to the general character of the neighborhood and the building will be presented to the HAPC
- Traffic and parking are designed to minimize the effect on the neighborhood with assigned spaces for hotel guests
- Does not result in a loss of an historic or scenic feature
- All permits can be obtained for the individual uses.



Conclusion

Proposed Conditional Use achieves the following goals:

Encourages Economic Development of the Uptown District, bringing in more visitors to support businesses in the Uptown Core

Visitors directly support *the Visitor's Bureau through additional Hotel Bed Tax funding*

Improves the neighborhood through infill development of an underused site

Provides a unique business opportunity through a rooftop restaurant, not found elsewhere in the City