

STAFF REPORT

Community Development | Planning Commission

APPLICATION DETAILS

Applicant/Agent	Norm Butt, AIA, LEED AP BD+C, Principal – The Architectural Group, Inc.
Location	5158 College Corner Pike – Parcel ID H4100019000074
Tenant	McGuffey Montessori, c/o Nancy Hawthorne
Property Owner	Main & High Development, Inc.
Action Request	Conditional Use to temporarily use tenant space as a school facility
Current Use	Temporary use as a school facility
Current Zoning	GB General Business District
Tenant Floor Area	1,305 square feet
Site Area	6.24 acres
Surrounding Land Uses	Commercial uses to west and south; Residential to east
Staff Recommendation	Approve , subject to recommended conditions

PROPOSAL SUMMARY

The applicant proposes temporary occupancy of a tenant space at the Westgate Mall as a school facility. The tenant space has actually already been utilized by McGuffey Montessori School over the past year as an off-site location for their high school program. The property owner, on behalf of McGuffey, had previously applied for a Building Permit in August 2020 in order to officially request a change of use to a school. This Permit application was spurred by the effects of the COVID-19 pandemic, which necessitated the School having to look elsewhere beyond their main campus at 5128 Westgate Drive in order to spread out students effectively to meet appropriate guidelines.

The Westgate Mall site is zoned GB General Business. In the GB District, a new school normally requires a Conditional Use review/approval prior to establishment; this includes both public and private schools. Such a review usually takes 3 to 4 months to complete. Due to the unique and unprecedented conditions posed by the pandemic, City staff decided to issue a temporary zoning approval so that the school could more immediately expand and begin their new off-site operation to meet the educational needs of its students. The letter issued to the applicant stated the approval was “valid until January 31, 2021, after which time the situation may be reassessed for compliance with the Oxford Zoning Code.” This date contrasted with the

Building Official's temporary approval which lasted until June 1, 2021. Community Development staff eventually issued a new letter to the applicant in January 2021 which extended the temporary zoning approval deadline to match that of the Building Official's. Now that the temporary approval period has lapsed from the perspective of the Zoning Code, the applicant is applying for a formal approval of a Conditional Use to allow the school operation to continue.

PUBLIC COMMENTS

Public notices were mailed to surrounding property owners and a sign was posted at the front of the property. One public comment letter was received from Ms. Linda Roberts, who resides at 5207 Westgate Drive directly behind the Westgate Mall. Ms. Roberts noted concerns regarding the condition of the property and suggested a privacy fence be installed. Ms. Roberts' letter is included in the packet.

DEPARTMENT COMMENTS

Below are comments from City departments:

Department	Respondent	Response
Economic Development	Seth Copenbaker, Assistant to the City Manager	Returned with Comments
<i>The proposed use of the property at 5158 College Corner Pike represents a continuation of the previously permitted use of this space, as an education center. As such, continued use of this space for the same purpose should present no unexpected or undue hardship to the area or other tenants.</i> <i>The submitted request asks for only a one-year term for the conditional use, perhaps a permanent conditional use permit would negate any future possibility of additional requests by this same applicant/location.</i> <i>The proposed use/program, high school-aged Montessori education, represents a unique service to the Oxford community.</i> <i>The Economic Development staff do not have any reservations regarding this proposal at this time.</i>		
Engineering	Scott Otto, City Engineer	Returned without Comments
Fire	John Detherage, Fire Chief	Returned without Comments
Police	John Jones, Police Chief	Returned with Comments
<i>No issues but at the beginning of the school year, school administration should contact Chief Jones to do a walk-thru and threat assessment of the building.</i>		

COMMENTARY

Prior to submission of the application, the applicant originally made the case that the educational program being conducted within the 5158 College Corner Pike tenant space was actually defined by the Ohio Building Code as a business use, and should thus should also be granted zoning approval as a permitted use without

necessitating a Conditional Use application or hearing. Community Development staff determined the use still constituted a school per the Zoning Code, even if the Building Official happened to determine it fell under a commercial category as opposed to an educational category per the Building Code.

The applicant's proposal voluntarily offers to restrict usage/operation to no more than five (5) occupants, consisting of no more than three (3) students and no more than two (2) adults. The applicant further proposes for the Conditional Use approval to carry forward on a temporary basis, expiring in June 2022. The School plans to look for an alternative space for its high school program beginning in the fall of 2022.

Staff has reviewed the applicant's narrative letter and has no reservations with the intended occupancy of the tenant space. Staff would also recommend the Commission consider amending the applicant's proposed time horizon to make the Conditional Use permanent, such that it would follow all normal timing provisions and protocols found in the Oxford Zoning Code which normally apply to all other Conditional Uses; thus, the use (as constrained to 5 occupants) could continue past the June 2022 date without need for re-approval or amendment. **Section 1147.02(e)(1)** of the Oxford Zoning Code specifies that Conditional Uses normally expire if the use ceases operation for more than 1 year.

DECISION CRITERIA

- A. The proposed use is in fact a Conditional Use appropriate in the zoning district in which it is proposed.**
Yes, schools are allowed in the GB General Business zone per **Section 1143.12(b)(2)(C)(7)** so long as a Conditional Use is reviewed and approved by City Council. The nature of a school use usually entails a larger footprint and more intense impacts, including such accessory uses as playground or athletic facilities, new parking areas, bus drop-off zones, and a brand new building footprint. The nature of this request is much more minor in scale than the more typical concept of a school facility which the Code anticipates as requiring a Conditional Use review.
- B. The use and site will satisfy the general intent of the Zoning Code.**
Section 1143.12(a) states that the purpose of the GB General Business District is *to provide for a variety of retail, service and administrative establishments required to satisfy the needs of the overall community*. While the proposal at hand does not constitute a typical commercial function, it does fulfill a community need and would, as the applicant states in his letter, reduce visible vacancy at the Westgate Mall location.
- 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 "Corridor Enhancement Area" falling generally along the College Corner Pike corridor stretching between Locust Street and the Walmart site. The proposal is compatible with the general intent of the Comprehensive Plan, in that the overall Westgate Mall site remains in commercial usage and is occupied by a new use, lowering the amount of vacancy and positively contributing to the site's economic health and viability.
- D. The use and shape of the site are sufficient for the proposed use.**
McGuffey can effectively utilize one existing tenant space for their needs and has not asked for an expansion or any additional space within the center.
- E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.**
All operation is to be contained within the existing tenant space and limited in terms of occupancy per the applicant's proposal; therefore, staff does not anticipate any additional hazardous or disturbing effects.

- 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.**
Staff does not believe the intended use will pose concerns of this nature. The use will be a natural addition to the shopping center.
- 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; activity is to be contained to the existing tenant space.
- 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 Police Chief Jones. Fire and Service both returned the application without comment. Given that the proposed use is to occupy an existing developed space, utility connections are already in place.
- I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.**
No additional public expenditure is anticipated.
- 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.**
This criterion generally does not apply since the use is occupying an existing tenant space.
- 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.**
This criterion generally does not apply since the site is already developed and traffic patterns have been pre-determined. Any changes to on-site traffic circulation probably would not be proportional to the level of investment directly related to establishment of the school operation within a single tenant space of the building.
- L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.**
The proposed involves an existing developed site with no significant construction impacts; therefore, this criterion does not apply.
- 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.**
Not applicable.
- 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.**
Following Conditional Use approval, the applicant will need to obtain Building Permit approval in order to extend use of the space under its intended B-Business classification past the June 1, 2021 date originally issued by the Building Official on August 14, 2020. Successful completion of the Building Permit process should result in a new Certificate of Occupancy for the tenant space.

STAFF RECOMMENDATION

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

1. The school shall be limited to no more than five (5) occupants as proposed by the applicant. A change in intensity may require amendment to the Conditional Use approval consistent with procedures outlined in the Oxford Zoning Code.
2. The requested Conditional Use shall be allowed to continue indefinitely with no other deadlines imposed, except those that may apply per the Oxford Zoning Code.
3. The applicant shall apply for a Building Permit for the change of use to a school within fourteen (14) days of Council approval.

SUBMITTED BY:



Zachary Moore, AICP
Planner

DATE: August 2, 2021

APPENDIX A

RELEVANT ZONING CODE PROVISIONS

Within the Oxford Zoning Code, *Section 1143.12* provides the base zoning standards for the GB General Business District. *Section 1147.02(c)-(d)* governs the Planning Commission's decision making process on Conditional Uses. *Section 1147.03(b)(30)* provides Conditional Use provisions specific to schools.

1143.12 – GB General Business District.

(a) Purpose.

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

(b) Uses.

(1) Permitted uses.

- A. Retail services. (Not to exceed 15,000 square feet of total gross floor area)
 - 1. Apparel and jewelry.
 - 2. Books, stationery, newspapers, magazines, office equipment and office supply stores.
 - 3. Department stores.
 - 4. Drug stores selling health and personal care aids.
 - 5. Food products, including groceries, meat, fish, baked goods, confectionary, and beverages.
 - 6. Flowers, potted plants, and garden supplies.
 - 7. Hardware, paint, home furnishings, and other home improvement products.
 - 8. Optical aids.
 - 9. Photography, bicycles, gifts and toys, pets, music, sporting goods, and other hobby and craft supplies.
 - 10. Restaurants, not including drive-in or fast food.
 - 11. Sales of new and used motor vehicles by dealerships holding franchises authorized by manufacturers for the sale of new vehicles.
- B. Personal and professional services. (Not to exceed 15,000 square feet of total gross floor area)
 - 1. Accounting, advertising, architectural, auditing, bookkeeping, legal, and medical offices, and offices for other similar professional service providers.
 - 2. Banks, credit agencies, investment firms, real estate, insurance offices, and other similar establishments engaged primarily in financial services.
 - 3. Barber and beauty shops.
 - 4. Cleaners, including dry cleaning and Laundromats.
 - 5. Home improvement services, including carpentry, electrical, heating, plumbing, and decorating.
 - 6. Offices for nonprofit, charitable, labor, and other service organizations.
 - 7. Repair establishments for bicycles, household appliances, locksmiths, shoes, and motor vehicles (if no gasoline is sold and repair work is done inside).
 - 8. Theaters, not including drive-ins.
 - 9. Other similar personal and professional services, such as employment agencies, travel bureaus, and ticket offices.
- C. Accessory buildings incidental to the principal use.

(2) Conditional uses.

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

- A. Retail services.
 - 1. Automobile service stations selling gasoline.
 - 2. Bars and establishments serving alcohol.
 - 3. Banks with drive-through facilities.
 - 4. Building supplies, garden supplies.
 - 5. Drive-in and fast-food restaurants.
 - 6. Sales of motorcycles and used motor vehicles, rental and service of motor vehicles, sales and rental of boats and marine equipment, and sales and rental of trailers.
 - 7. Temporary or outdoor sales of plants and garden supplies.
- B. Personal and public services.
 - 1. Animal hospitals or kennels.
 - 2. Bowling alleys.
 - 3. Cultural institutions, including libraries, art galleries and museums.
 - 4. Hotels and motels.
 - 5. Places of worship.
 - 6. Funeral homes.
 - 7. Indoor skating rinks, arcades, and similar recreational uses.
 - 8. Instructional studios.
 - 9. Night clubs, discotheques, and other entertainment facilities.
- C. Other uses.
 - 1. Community-Oriented Residential Social Service Facilities (CORSSF's).
 - 2. Shared Housing and Congregate Housing for the elderly.
 - 3. Government owned and/or operated parks and recreation facilities.
 - 4. Bed & Breakfasts.
 - 5. Publicly owned and operated neighborhood recreation centers.
 - 6. Day care facilities, including Day Care for child, Day Care Center for child, Day Care Home Type A family, and Day Care Home Type B family.
 - 7. Schools: primary, intermediate, and secondary, both public and private.
 - 8. Mini-Warehouse (Self-Storage Units)
 - 9. Business Incubator
 - 10. Any permitted or combination of any retail, personal or public services that exceed 15,000 square feet of gross floor area

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

- (1) Lot requirements.
 - A. Minimum lot frontage and width: 100 feet
 - B. No minimum lot size is specified; however, the lot size shall be adequate to provide for parking, access drive spacing, yard space and screening requirements.

(2) Yard requirements.

- A. Minimum setbacks.

Front yard	Rear yard	Side yard
35 feet	25 feet	0 feet

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

- B. Maximum front yard setback.

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

- (3) Structural requirements.
 - Maximum building height 45 feet

(d) Supplementary Regulations.

- (1) All merchandise, new and used, with the exception of boat, automobile, truck or farm implements and plants and garden supplies, shall be stored within a completely enclosed building. Displays of boats, automobiles, tractors, recreational trailers and/or mobile homes shall conform to the requirements as defined in Section 1141.03 (e)
- (2) Landscaping:
Landscaping of the site shall comply with the requirements of Chapter 1148.
- (3) The building should be oriented so that the principal building entrance faces the principal street or the street providing main access to the site. The entrance must be connected to the street and adjacent parking with clearly marked sidewalks/walkways. The building façades facing the street must adhere to the façade treatment as outlined in the following sections. In no instance, shall the rear of the building face the public right-of-way.
- (4) Building facades that are oriented toward a right-of-way shall be provided for visual relief as follows:
 - A. Windows and transparent doors must occupy a minimum of 60% of the entire building wall area measured between 2.5 and 7 feet in height above grade along the entire front façade. Glass block, opaque or darkly tinted glass is not considered to be transparent.
 - B. Building façades must have different articulation in height and setback. Different horizontal articulations with material, color and opening shall also be utilized when building elevation is higher than 14 feet. Preferred materials include brick, stone, glass or wood.
- (5) Each development is required; where appropriate, to provide adequate space (including easements) for alternative modes of transportation such as bike paths, multi-use paths, bus stops and turnarounds. Each development is also required to provide bicycle rack space at a rate of 3 per 10,000 square feet of gross floor area.
- (6) The front façade of the principal structure shall be finished, utilizing at least 50% natural materials including brick, stone, masonry, glass, or wood. No aluminum or vinyl siding shall be used in finishing or utilized on the front façade of the building.
- (7)
 - A. All utility boxes must be screened with appropriate landscaping material such that they are not visible from a right-of-way or other publicly accessible area.
 - B. All refuse collection and recycling containers must be enclosed or screened so as not to be visible from a right-of-way or other publicly accessible area. The structure surrounding the container(s) must be enclosed on all sides, one of which includes a gate or door that can be secured. The enclosure may consist of wood or masonry walls. Containers shall not be located in any front yard. The exterior perimeter of the enclosure(s) must be landscaped, excluding the access point.

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.

1147.02(d) – Action by Planning Commission.

- (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.

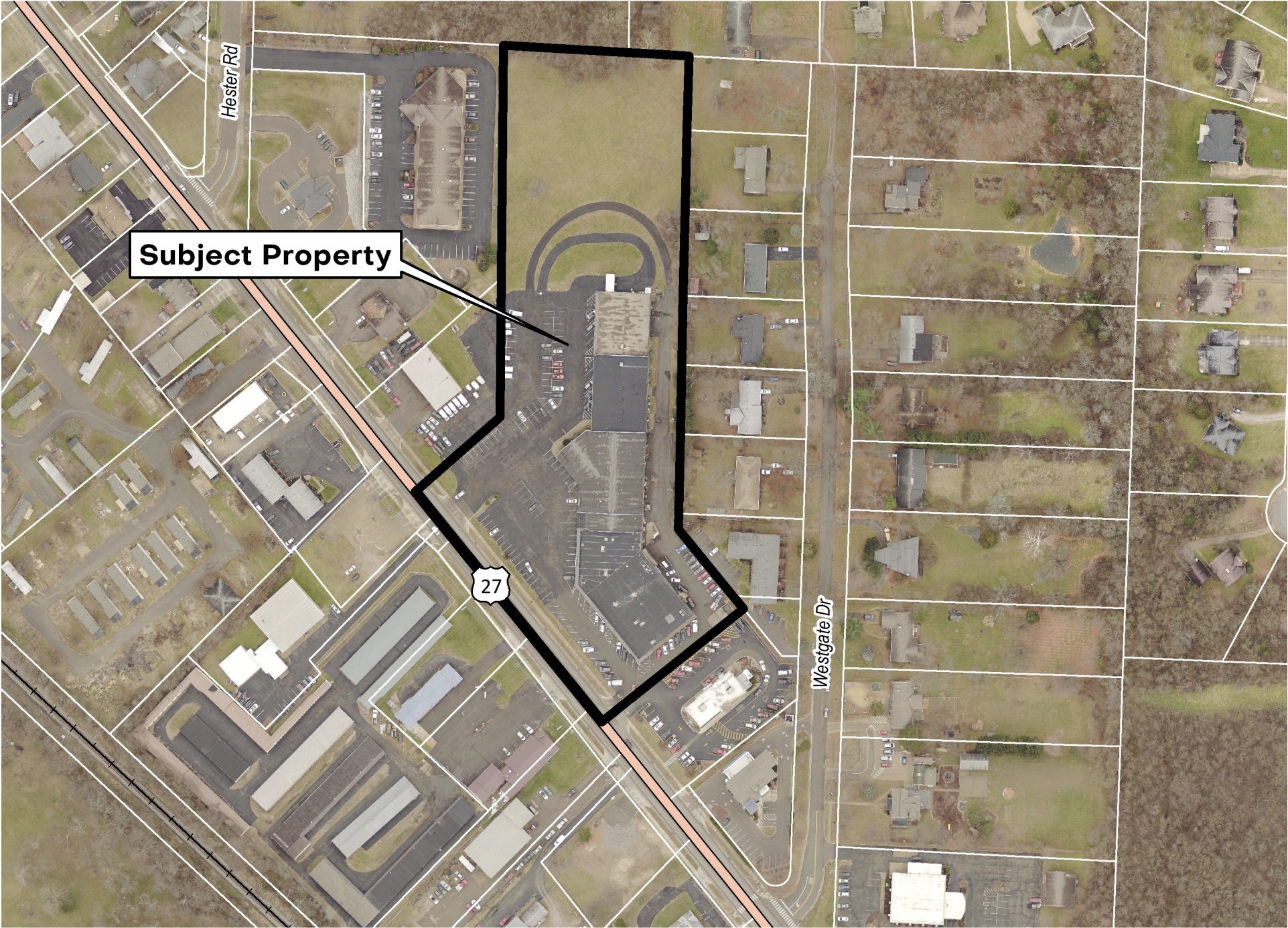
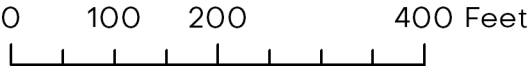
1147.03(b)(30) – Schools.

- A. Potential Concerns
 - 1. Adequate lot size to permit future expansion.
 - 2. Bus and van storage.
 - 3. Access to streets that can handle traffic generated by the use.
 - 4. Design of vehicle management area.
 - 5. Location of outdoor facilities such as ball fields and band practice areas.

6. Proximity to incompatible uses (establishments serving alcohol).
- B. Regulations.
1. Parking spaces shall not be located in a yard adjacent to a residential zoning district.
 2. Structure shall be setback a minimum of 30 feet from a residential zoning district.

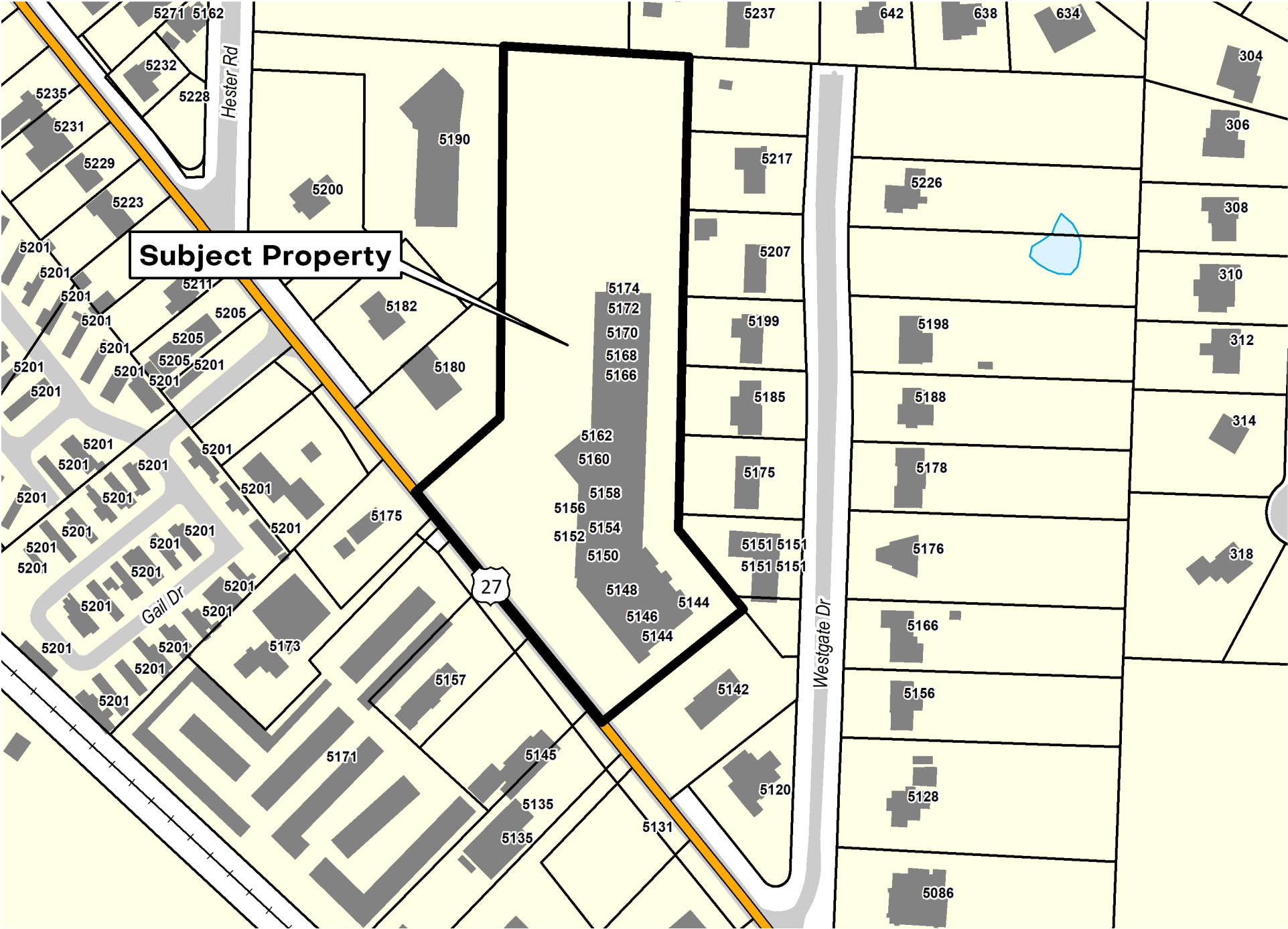
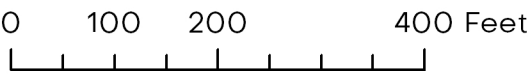
Location Map

 Site Parcel(s)



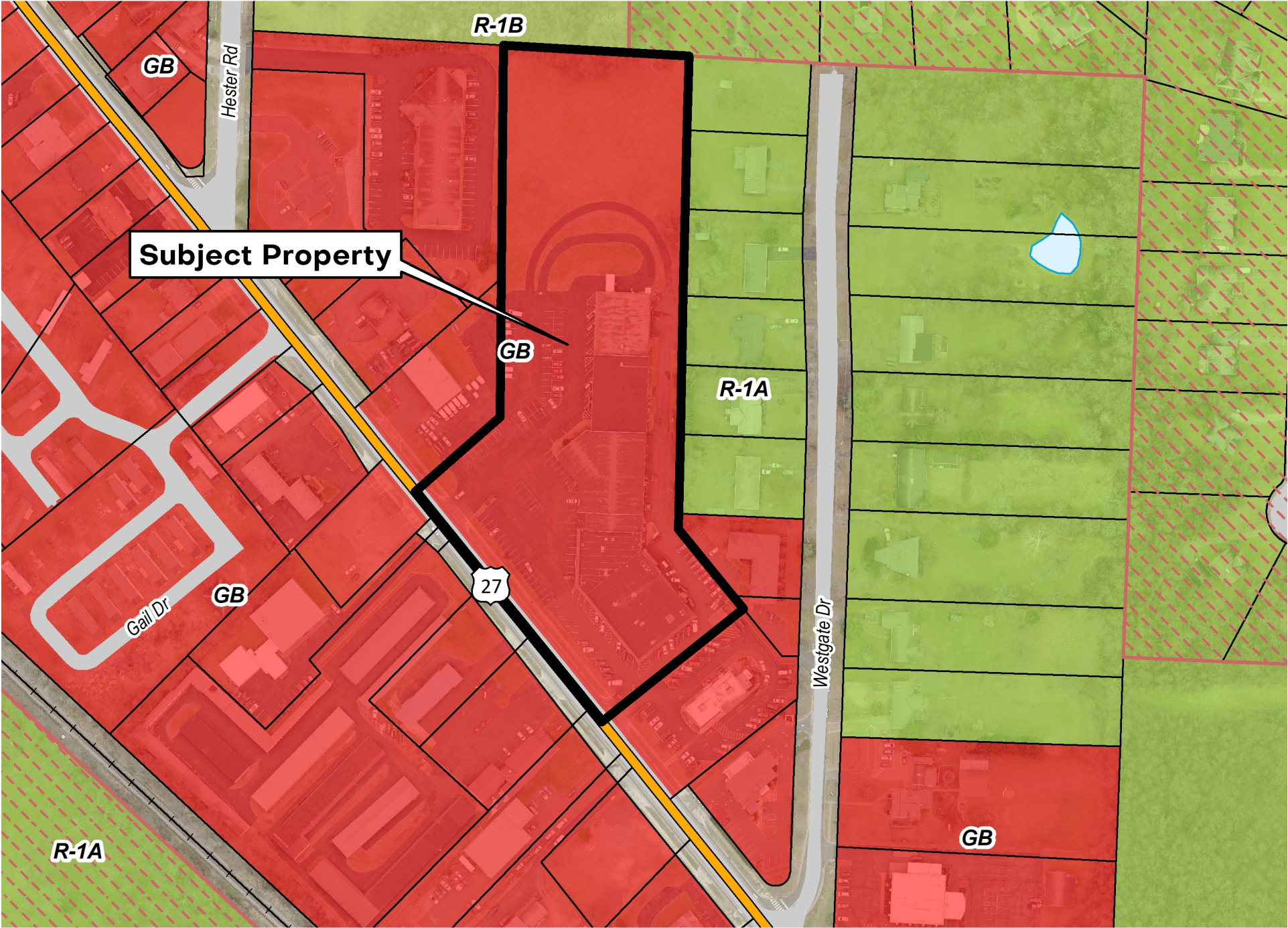
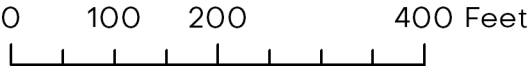
Location Map

 Site Parcel(s)



Location Map

 Site Parcel(s)





PC-2021-21

Surrounding Property Owners Notifications Map

Legend

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



1 inch = 200 feet

Prepared on Thursday, July 08, 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.





Community Development Department
Zoning Review
513-524-5204

August 11, 2020

Mr. Matt Rodbro
Main & High Development
21 N Poplar Street
Oxford, OH 45056

ALSO VIA EMAIL:

matt@redbrickproperty.com
nhawthorne@mcguffeymontessori.com

RE: 2nd Zoning Review for 5158 College Corner Pike (Permit #P2020-0144) – Temporary Approval

Dear Mr. Rodbro:

I have reviewed the revision to your Building/Zoning Permit application received August 7, 2020 for a change of use at 5158 College Corner Pike. Our department is issuing a temporary zoning approval with the following stipulations:

1. Our department agrees to the details specified for the 5158 tenant space as presented in the letter from Ms. Nancy Hawthorne addressed to me, and hereby incorporates such details as part of the approval; and
2. This does not constitute approval for the 5170 tenant space; and
3. This temporary zoning approval is being issued due to the unique and unprecedented conditions posed by the COVID-19 pandemic. The temporary change of use to a school shall be valid until January 31, 2021, after which time the situation may be reassessed for compliance with the Oxford Zoning Code. The Code provides in **Section 1143.12(b)(2)(C)** that a school is normally classified as a conditional use in the GB General Business District.

This review is only for compliance with the zoning regulations. Other departments may also have comments that will need to be addressed before any permits can be issued.

If you have any questions, feel free to contact the Community Development Department at 513-524-5204.

Respectfully,

Zachary Moore, AICP
Planner

zmoore@cityofoxford.org

513-524-5204



McGuffey Montessori

5128 Westgate Drive, Oxford, OH 45056 • (513) 523-7742 • mcguffeymontessori.com

Zachary Moore
City of Oxford
15 South College
Oxford, OH 45056

Received 7/7/2020 for
Permit P2020-0144

Zachary,

Thanks so much for talking with me yesterday about our plans for keeping students and staff safe next year. This letter is to describe our needs and plans for the two spaces at Westgate Mall and to ask for Temporary Variance to use these commercial properties for school spaces for 2020-21.

Our goal is to be open for every student every day while still ensuring everyone a safe environment to work and learn. We are grateful for your help and support as we try to navigate our options for how to achieve this.

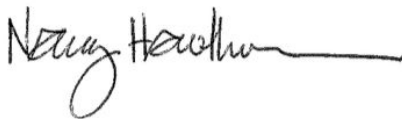
	Upper Unit (Grades 4-8)	High School (Grades 9-10)
Property Address	5170 College Corner Pike	5158 College Corner Pike
Grade levels	4-8	9-10 (3 students currently expected)
Numbers	32 students plus 2-4 staff at any given time	3-6 students plus 1-2 staff at any given time
Reason	COVID-19 safety for social distancing with additional bathrooms and sinks	
Usage	Self-contained temporary classroom space, eating packed lunch and recess	
Hours of Operation	Monday-Friday 7:50am-5:30pm	
Extracurricular Usage	Not currently expected to exceed five hours per week.	
Car traffic	Some students will be dropped off between 7:50-8am. The bulk of students will be dropped off between 8:45-9am. Most students will get picked up between 3:30 and 3:45pm. A very few will stay until 5:30pm for our afterschool program.	Students will be dropped off between 7:50-8am. Students will be picked up between 3:30-3:40pm.

Foot Traffic (to main campus at 5128 Westgate Drive)	For students we anticipate less than 6 times during the school year. Some staff will need to walk back and forth from our main campus but this will be limited to one or two people as we try to protect the cohort bubbles. I anticipate this happening 1-2 times a day at the very most.	
Work that has been done by McGuffey in the space	• No work has been done by McGuffey	• Parents removed old floor tile and are replacing it with carpet squares. • Parent Matt Gerhardt replaced a lattice partition with a solid wood panel. • Kist Electric (a parent) repaired and added some outlets. • The school paid a contractor to replace the bathroom flooring. • Red Brick Realty painted the space and is replacing the HVAC system.
Work that still needs to be done.	• We have consulted with Scofield Windows and Doors about changing the door hardware to meet safety requirements. We can hold off on this. • We will need a kitchen/utility sink installed with a garbage disposal.	Matt Rodbro indicates they will do painting, flooring, electrical tidying, improve ventilation, install a bathroom on one side of the space and install two kitchen/utility sinks with a garbage disposal.

We are eager to work on whatever permits are needed for the work already done in the High School space.

Both spaces are currently considered temporary for the 2020-21 school year. It is highly likely that we will retain one of these spaces beyond 2020-21 for the high school. Which space we choose will depend on the trajectory of high school enrollment. We should know enough by January 2021 to make a decision and begin the normal zoning process.

Sincerely,



Nancy Hawthorne
nhawthorne@mcguffeymontessori.com



Community Development Department
Zoning Review
513-524-5204

January 11, 2021

Mr. Matt Rodbro
Main & High Development
21 N Poplar Street
Oxford, OH 45056

ALSO VIA EMAIL:

matt@redbrickproperty.com
nhawthorne@mcguffeymontessori.com
buttn@taguit.com

RE: Zoning Review for 5158 College Corner Pike (Permit #P2020-0144) – Temporary Approval EXTENSION

Dear Mr. Rodbro:

This letter is in regard to the school use (McGuffey Montessori) at 5158 College Corner Pike, as had been allowed on a temporary basis per my previous zoning response letter dated August 11, 2020.

The Oxford Zoning Code provides in **Section 1143.12(b)(2)(C)** that a school is normally classified as a Conditional Use in the GB General Business District.

Upon reconsideration of the unique and unprecedented conditions posed by the COVID-19 pandemic, which have continued into 2021, the Community Development Department has decided to extend temporary zoning approval of the present school use to **May 31, 2021**. All other conditions and expectations as per the original August 11 approval letter remain in effect.

The temporary use allowance will expire on June 1, 2021, coinciding with the same expiration date as noted on the Building Official's "time-limited" Certificate of Occupancy previously issued on August 21, 2020. If the tenant desires to continue the school use on or after this date, approval of a new Building & Zoning Permit will be required. Community Development staff can reassess the circumstances at that time, in determining whether a full Conditional Use review will be necessary.

If you have any questions, feel free to contact the Community Development Department at 513-524-5204.

Respectfully,

Zachary Moore, AICP
Planner
zmoore@cityofoxford.org
513-524-5204



Courtesy Notice

Community Development Department
Review & Comment Form
513-524-5204

You are receiving this notice because your property is located within 200 feet of a site set for consideration by the Oxford Planning Commission and City Council for future development that requires special approval.

CASE NO.: PC-2021-21

CASE TITLE: **CONDITIONAL USE, 5158 College Corner Pike**, use of tenant space as a school facility, The Architectural Group c/o Norm Butt, Applicant/Agent

HEARING DATE: **August 10, 2021, 7:00pm**

LOCATION: **Oxford Courthouse, 118 West High Street, Oxford OH 45056**

DESCRIPTION: The applicant is requesting approval of an off-site school facility for McGuffey Montessori, to be located within one of the business tenant spaces of Westgate Mall. The Westgate Mall site is zoned GB General Business, and in this zone a new school facility is normally required to undergo Conditional Use review/approval prior to establishment. The Conditional Use process is a mechanism to address the external effects particular uses may have on neighboring properties, and in turn certain conditions may be imposed to help mitigate those effects. The process entails a recommendation from the Planning Commission, which is then forwarded to City Council which makes the final decision. McGuffey intends to utilize the space for its high school program, and intends to limit occupancy of the space to no more than 3 students and no more than 2 adults/teachers. The request at this point is to simply continue the present operation, as City staff had allowed the school to begin more immediate operation in 2020 without going through the typical Conditional Use process due to the unique circumstances posed by the pandemic.

You are welcome to attend the scheduled City of Oxford Planning Commission hearing as noted above. If you cannot attend, but would like to comment on this matter, please complete this form and return it at your earliest convenience to **Planner Zachary Moore, 15 S. College Avenue, Oxford, OH 45056**. You may also email any comments or questions to zmoore@cityofoxford.org.

You can view the most up to date meeting information and materials at any time by going to: cityofoxford.org/planning-commission and clicking on the upcoming meeting date

NAME (PRINT): Linda Roberts

ADDRESS: 5207 Westgate Dr. P.O. Box 358

TELEPHONE: Home 513-523-6487 Cell Work Retired

COMMENT (You may attach a separate note or letter if more space is needed):

To Zachary Moore in regards to the
locating of an off-site school facility,
"McLuffy Montessori" in Westgate
Shopping Center. Owners (Main an High
Development LLC, Red Brick)

My home is behind the said Mall.
Have complained several times concerning
the condition of the outside of the
premises, last time was in March 2019.
At that time I had visited all business
located in the facility on 29 also
vicinity of the mall, also residents
on Westgate concerning their views
on the Mall. Next to the condition
of the premises, such as over grown
shrubs, grass, tree's branch's falling, trash
thrown or blown into shrubs. Which is

very unsightly from "our side" of shrubbery on people wandering in the area.

The problems I see are conditions of the premise and wandering people. Daily or nightly there are people wandering behind the mall and use our yards for short cuts. It is very nerve racking to wonder when my security light goes off, "Is it someone up to no good or just a person wandering?? I might as well say it, "it is usually the homeless!"

I had thought it was a requirement to have a privacy fence behind their property when adjoining residential properties?

This was the most asked question by everyone that was spoken to!

All the interest focused by the concerned

business and residents were wanting addressed in 2019.

All business need to update and repair their business in a timely manner to keep it properly filled.

There is and old saying "You have to spend money to make money!"

This is a great location, for any type of business, but in order to attract business you have to keep up exterior and interior and conduct your management of said area, constantly.

So my main thought is this! Now that you are going to utilize some area as an off-site school facility. I think it's best to address this area

which has been overlooked. Privacy fence is needed due to the close proximity of the residence and the problems which has occurred several time, with person's being chased by police and even others running thru yards to small area then to ~~27~~ to avoid police or whoever is chasing them. This has also been done in the reverse from center to yard.

So anyone in the said business or schools there is a chance there could be an altercation with someone entering from the front to go out the back or viceversa and having an unnecessary incident. A fence would avoid that problem. Might even help the insurance to be lower!

Also every parent that has a student at MIAMI, eventually goes out 27 to patronize the business out in the area; Be it hardware, Walmart, food, car repair, car purchase, books. and I'm sure that generates lots of tax money!

I notice some work being done now, it's been awhile since I have seen any activity there at the mall.

I hope this area gets focused on and made into the area it should be like the best of Oxford. We work on keeping our neighborhood up and it would be real nice if said business would do the same! We are all Oxford!!

P.S
excuse witting
printer is down!

Sincerely,
Linda Robert

**Internal Use Only:**

Case No. _____

Date Filed _____

Conditional Use Permit Application

Applicant Information

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

Name * Norman D. Butt, AIA, LEED AP BD+C, Principal -The Architectural Group, Inc.

Mailing Address * 135 N. Main Street

City, State & Zip Code * Dayton, Ohio 45402

Telephone Number(s) * 937-223-2500

Email Address butttn@taguit.com

Owner Information

Name * Main & High Development, Inc.

Mailing Address * 21 N. Polar Street

City, State & Zip Code * Oxford, Ohio ,45056

Telephone Number(s) * 513-524-9340

Email Address sarah@redbrickproperty.com

Location and Lot Information

Location of Property * 5158 College Corner Pike

Legal Description * See Attached

Zoning District * GB, General Business

Total Area * 1,318 SF → Check One * Acres ☐ Square Feet ☒

Existing Use Description * B-Business (Previous Immediate Temporary E-Educational Use/B-Business Occupancy)

Proposed Use Description * E-Educational Use/OBC B-Business Occupancy

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.

4. A description of the existing uses of the site.
 5. The zoning district in which the site is located.
 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, and service vehicles.
 - b. The hours of operation.
 7. A narrative statement that evaluates the compatibility of the proposed use with the general vicinity and adjacent properties.
 - a. How the use is similar to or different from existing area uses and if there will be any interaction between the proposed use and existing uses.
 - b. How any existing structures, proposed structures, and the site design relate to adjacent structures and sites.
 - c. If the use will involve any operations that create potential nuisances such as excessive noise, lighting, odor, fumes, vibration, or emissions.
 - d. How any potential negative effects on adjacent land will be mitigated.
 8. A statement about why the location proposed is more appropriate for the use than other locations.
 9. A statement of the necessity or desirability of the proposed use to the neighborhood or community.
 10. Separate, detailed statements that individually address each of the items listed as potential concerns for the proposed use.
 11. A list of the names and mailing addresses of all land owners within 200 feet of the site (see [next section](#)).
 12. Such other information regarding the proposed use, site, or surrounding area as may be pertinent to the application or required by Planning Commission.
- 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.
1. North arrow.
 2. Scale.
 3. Vicinity map.
 4. All existing and proposed lot lines within the site.
 5. Dimensions of all lots and of the entire site and any adjacent rights-of-way.
 6. Location, height, and use of all proposed and existing structures.
 7. Location and design of all proposed vehicle management areas.
 8. Location, size, and type of all proposed signs.
 9. Location, height, and type of all proposed screening and landscaping.
 10. Distances to residential zoning districts if within 1,000 feet.
 11. The use of land and location of structures on adjacent property and across adjacent rights-of-way.
 12. Other information as required by the Planning Commission.
- D. Elevations of proposed structures, or typical elevations if structures are not yet designed, shall be required by the Zoning Administrator if the proposed location, height, or bulk of the structure is such that it may negatively affect an adjacent use.
- E. Other. Photographs of the existing use and its surroundings.

See Chapter 1147, Conditional Uses, for the full text, particularly 1147.03 for use-specific regulations¹.

Surrounding Property Owners

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

Planning Commission Review

From Section 1147.02(c)¹.

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.

From Section 1147.02(c)(2) General Decision Standards¹. All Conditional Uses shall satisfy these General Decision Standards.

- 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 *

Norman D. Butts, ASX

Date *

6/28/2021

Submit Application, Submission Requirements and Documentation, and Fees

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

Send or drop off this application with required plans 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/>



135 north main street
dayton, oh 45402-1730
tel 937.223.2500
fax 937.223.0888
www.taguit.com

June 28, 2021

zmoore@cityofoxford.org

sperry@cityofoxford.org

Zachary Moore, AICP
Planner
City of Oxford
Community Development
15 S. College Avenue
Oxford, Ohio 45056

RE: McGuffey Montessori High School
5158 College Corner Pike
Submission for Conditional Use - Temporary Educational Use/B-Business Occupancy

Dear Zachary,

On behalf of the McGuffey Montessori School I wish to thank you and Sam for your assistance in providing guidance through the processes of this submission for Conditional Use approval. This request is for temporary occupancy within the 5158 College Corner tenant suite within the Westgate Mall, a space previously approved for temporary occupancy by McGuffey for the 2020/2021 school year. It is our hope that the information provided below and defined within the numerous attachments will be positively received by the Planning Commission, and subsequently by The City Council. Approval will allow the high school program to remain temporarily in the same location for an additional year while planning resumes, which was unfortunately not able to proceed during the Covid-19 pandemic.

CONDITIONAL USE

Chapter 1147

1147.01 General

- (a) Purpose: Conditional Uses are land uses that are potentially appropriate in many zoning districts
- (b) Effect of Conditional use permit: Specific use and location

1147.02 Procedure

A. **Fee:** Addressed with application.

B. **Description of Use:**

1. **Applicant:** On behalf of the McGuffey Montessori School
Norman D. Butt, AIA, LEED AP BD+C
Principal
The Architectural Group, Inc.
135 N. Main Street
Dayton, Ohio 45402
937-223-2500
buttn@taguit.com

Applicant Tenant:

McGuffey Montessori School
Nancy Hawthorne, Head of School
5128 Westgate Drive
Oxford, OH 45056
513-523-7742
nhawthorne@mcguffeymontessori.com

Property Owner:

Main & High Development, LLC
21 N. Poplar St.
Oxford, OH 45056

Creating architecture since 1990

513-524-9340

2. Agent Letter: See attached.
3. Legal Description: See attached.
4. Existing Uses at Site: See attached.
5. Existing Zoning District: GB, General Business District
6. Proposed Use of Site (Description of the Proposed Use):
 - a. Use and Occupancy: The intended use is for continuation of the seminal high school educational program limited to the 2021/2022 school year (through June 2022) with no more than three (3) students and two (2) adults.
 - b. Approved for temporary occupancy in 2020/2021 at the same location, McGuffey utilized the space to educate two high school students under an Ohio Building Code Limited-Time Period with use classification as B-Business. The intent simultaneously was to develop their high school program while making decisions that would lead them to find permanent occupancy in another location for the 2021-2022 school year and beyond. Unfortunately, the Covid-19 pandemic impacted their occupancy and planning considerations and they were unable to fully take advantage of the allotted period of time. Due to this unforeseen event Nancy Hawthorne, Head of School, wishes to extend the temporary occupancy for one more year. The plan is to begin looking for an alternative space in September for fall 2022.

Maximum occupancy of the space would remain low at five (5) or fewer persons with specifically three (3) students enrolled as of this moment. The Ohio Building Code recognizes that an occupancy of five (5) persons or less for educational purposes is exempt from E-educational use classification. Please see the excerpt below. Consequently, as a B-Business occupancy space with a presented occupancy of less than six (6) persons the B-business use type is consistent with the allowable zoning use in that location and should not require a temporary zoning exemption or conditional use application.

Ohio Building Code (OBC)

"Section 305 EDUCATIONAL GROUP E

305.1 Educational Group E. Educational Group E occupancy includes, among others, the use of a building or structure, or a portion thereof, by six or more persons at any time for educational purposes through the 12th grade."

- c. No students will have driver's licenses during the 2021/2022 school year so no parking spaces nor traffic flow will be impacted by student driving and parking. Teachers will park at the Westgate location.
 - d. The students will arrive and depart directly at this 5158 location. They will occasionally walk to the Westgate campus during the school day.
 - e. Correct, we plan to begin looking for an alternative space in September for fall 2022.
 - f. Hours of our operations will be 7:30 am-4:00 pm on school days from August 15-May 25.
7. Compatibility Narrative:
 - a. The educational use is different from other uses in the mall, but will be temporary for the 2021/2022 school year and recognized by the Ohio Building Code, not as an educational use, but as a B-business occupancy since it will have less than six (6) occupants. The

use of parking will be extremely limited and have fewer persons occupying the facility with less frequency of daily turnover/visitation.

- b. No changes are necessary for the occupancy either interiorly or exteriorly.
 - c. No operations will be occurring that would create potential nuisances, such as excessive noise, lighting, odor, fumes, vibrations, or emissions.
 - d. No negative effects on adjacent lands would be applicable as no exterior changes are to occur to the facility.
8. Appropriate Location:
The temporary location works well for the school since it is close to the main campus school located at 5218 Westgate. This reduces parking at the 5159 College Corner location, as the teachers will be parking at the Westgate location. The Westgate location is currently maximized for its student population and locating the students off campus assists with occupancy issues as well as reduces traffic flow on Westgate by parents dropping off their students.
9. Location Desirability:
Occupancy of the lease space within the Mall reduces a visible vacancy, is an economic gain to the Owner and perpetuates the growth of the McGuffey Montessori School within the Community.
10. Potential Concerns: Traffic flow within the parking area would be of concern, but with no student driving involvement and teachers parking off site, this concern is mitigated.
11. Names & Address: See attached.

B. Site Plan:

- 1. See attached documents and plans indicating unchanged site conditions.

Please feel free to contact me if you have any questions or require additional information.

Respectfully,
Norman



Norman D. Butt, AIA, LEED AP BD+C
Principal
135 N. Main St
Dayton, OH 45402
937-223-2500
buttn@taguit.com

ATTACHMENTS

From: Sam Perry <sperry@cityofoxford.org>
Sent: Tuesday, June 22, 2021 5:28 PM
To: Norman Butt <buttn@taguit.com>
Cc: Zachary Moore <zmoore@cityofoxford.org>
Subject: McGuffey High

Norm,

Zach shared with me your request for continued usage as a school for 5158 CCP at the Westgate Mall property. I'm glad to hear that the high school program is successful and that continued growth is planned. Not knowing if/when the permanent location will happen, I need to remove that aspect from the analysis and focus on the fact that a school is planned for this site and no conditional use has been reviewed or approved as the code requires. Though it is likely that a school is much less intense than a business use for this site, there are other public purposes for the code requirement.

The zoning and building approval has expired several months ago. The building code purpose has primarily to do with the safety/egress of the occupants. Please correct me if I am wrong, as you are more of an expert as an architect.

The zoning code in general has more to do with ensuring a 'good fit' of the use with the surrounding uses and properties. The zoning code for schools in Oxford also has a purpose of maximizing safety and health of the students by publicly analyzing the access to and from the school. There are other purposes, but that one in particular stood out to me in Code 1147.03(b)(30). Others have to do with future growth, play areas and transportation of students. These are all external site conditions that differ from building code classifications.

I am open to meet and discuss in person or on the phone, but I'm not comfortable with checking off the zoning approval, based on the building code definition. The next available agenda for Planning Commission is August 10 with a submittal deadline of Monday, June 28 at 5:00 p.m. You are free to offer more info, meet with me or submit a conditional use application.

Sam

Sam Perry, AICP
Community Development Director
513-524-5204



CONDITIONAL USE APPLICATIONMcGuffey Montessori School High School

EXISTING USES

The following represent a list of tenants, addresses, and uses (OBC defined) within the existing Westgate Mall on College Corner Pike:

5144	Oxford Health and Wellness Center & Neuropathy	B-Business Occupancy
5148	Fresenius Medical Center	B-Business Occupancy
5150	Berean Bible Church	A-3 Assembly
5152	Wonderful International Market	B-Business Occupancy
5156	Vacant	
5158	McGuffey Montessori High School	B-Business Occupancy (E-Educational)
5160	International Brotherhood of Electrical Workers	B-Business Occupancy
5162	Oxford Martial Arts & Fitness	A-3 Assembly
5164	Cash Flow Recovery, LLC – Call Center	B-Business Occupancy
5166	Bounce Back – Cash Flow Solutions, Inc.	B-Business Occupancy
5168	Vacant	
5170	Vacant	
5172	Novachem Laboratories, Inc.	B-Business Occupancy
5174	Mr. BBQ	A-2 Assembly/ B-Business Occupancy

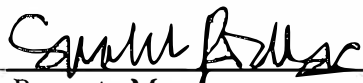
LETTER OF AGENCY

To Whom It May Concern:

Please be advised that Norman D. Butt, AIA, LEED AP BD+C has permission to represent our interest with the City of Oxford and act on our behalf for the

Conditional Use Request at our property located at 5158 College Corner Pike,
Oxford, Ohio 45056

Thank you,

Signed: 
Red Brick Property Mgmt

06/26/2021
Date:

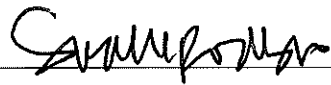
LETTER OF AGENCY

To Whom It May Concern:

Please be advised that McGuffey Montessori School has permission to represent our interest with the City of Oxford and act on our behalf for the

Conditional Use Request at our property located at 5158 College Corner Pike, Oxford, Ohio 45056

Thank you,

Signed: 

06/25/2021
Date:

Red Brick Property Mgmt

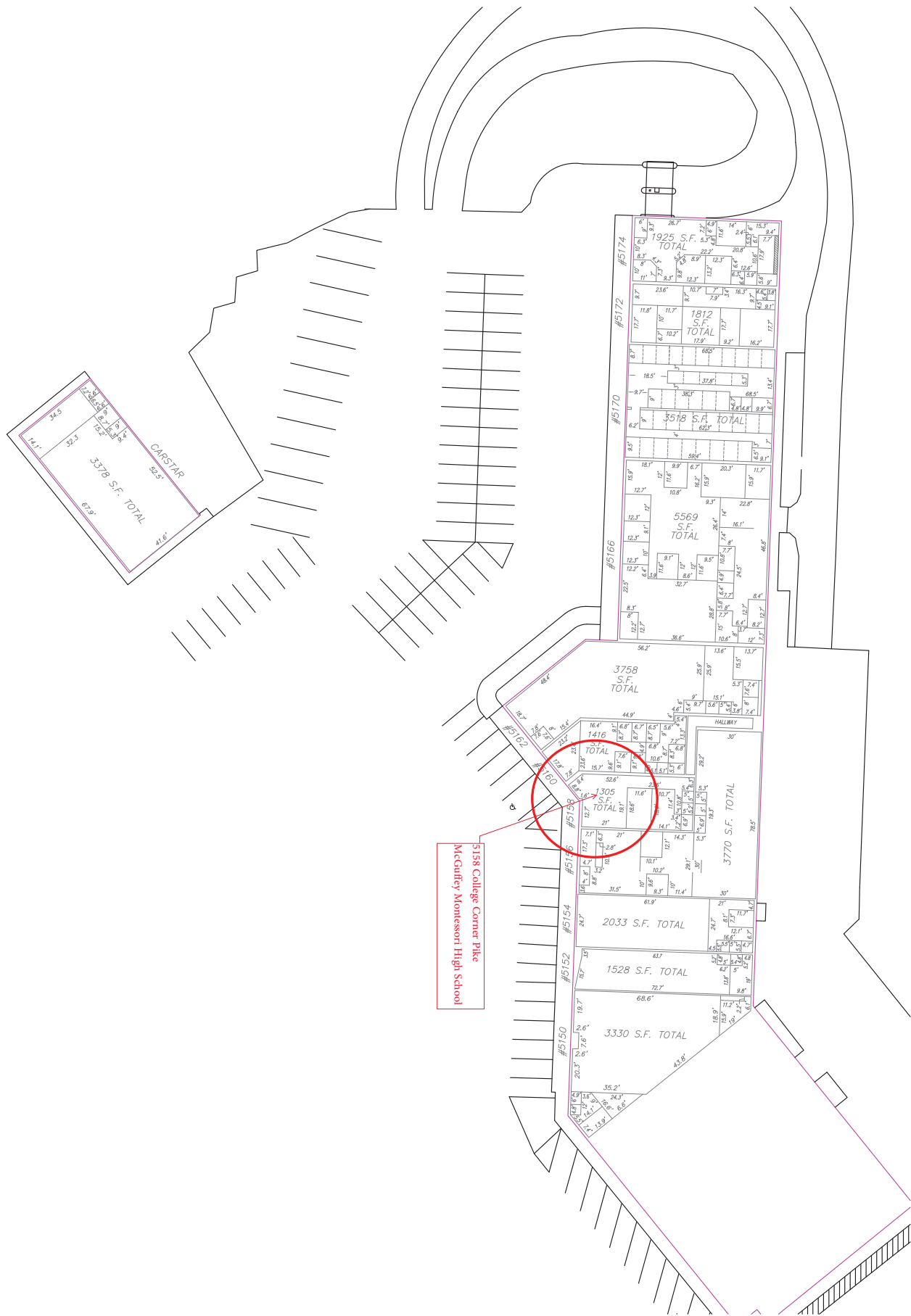
5158 200 Foot Radius Address List

Property Address	Tenant Name	Owner Name	Owner Address	
5120 College Corner Pk	MUCFCU	MUCFCU	420 Wells Mills Dr.	
5131 College Corner Pk		Mabry David C TR ETAL David C and Sarah Sharp Mabry CO TRS	102 Stone Creek Dr.	Oxford OH 45056
5135 College Corner Pk		Daniel and Lucielle Hutten	3030 Oxford Millville Rd	Oxford, OH 45056
5142 College Corner Pk	Wendy's	Main & High Development	21 N. Poplar ST	Oxford, OH 45056
5145 College Corner Pk		Hometown Laundries and Car Washes, LLC	5145 College Corner Pk	Oxford, OH 45056 1003
5157 College Corner Pk			5145 College Corner Pk	Oxford, OH 45056 1003
PROPERTY OF RADIUS:				
5144-5174 College Corner Pike	Multiple	Main & High Development	21 N. Poplar ST	Oxford, OH 45056
	5144 Oxford Health and Neuropathy Wellness Center			
	5148 Fresenius Kidney Care			
	5150 Berean Bible Church			
	5152 Wonderful International Market			
	5154 ?			
	5156 Vacant			
	5158 McGuffy Montessori High School (5128 Westgate Dr. Oxford, OH 45056			
	5160 IBEW (5158 College Corner Pk)			
	5162 Oxford Martial Arts & Fitness - Soma Academy Gracie Brazilian Jiu-Jitsu			
	5164 Cashflow Recovery, LLC, Call Center			
	5166 Bounce Back - Cashflow Solutions, Inc.			
	5168 Vacant			
	5170 Mattress by Appointment			
	5172 Nva Chan Laboratories, Inc.			
	5174 Mr. BBQ			
5171 College Corner Pk	Oxford U Lock Storage, LLC	Oxford U Lock Storage, LLC	5145 College Corner Pk	Oxford, OH 45056 0694
5173 College Corner Pk	State Line Auto Body	State Line Auto Body	8716 Tanager Woods Dr.	Cincinnati, OH 45249
5175 College Corner Pk	State Line Auto Body	Kerry Cantwell	5173 College Corner Pk	Oxford, OH 45056 1003
5180 College Corner Pike	Oxford Car Care	Main & High Development	21 N. Poplar ST	Oxford, OH 45056
5181 College Corner Pk	Glenwood Energy of Oxford In Glenwood Energy of Oxford Inc.		PO Box 880	Oxford, OH 45056 0991
5182 College Corner Pk	Oxford Pit Stop	Sous Le Ciel Investments, LLC	21 N. Poplar St.	Oxford, OH 45056 1254
5190 College Corner Pk	Oxford Star, LLC	Oxford Star, LLC	5190 College Corner Pk	Oxford, OH 45056 1004
5200 College Corner Pk	Somerville National Bank	Somerville National Bank	197 S. Main St.	Somerville, OH 45064
5201 College Corner Pk	Mobile Home park	Miami of Ohio MHP Limited Liability Co	6310 E. Kemper Rd Ste. 125	Cincinnati, OH 45241 2360
5151 Westgate Dr.		4 D Investments Inc	125 W. Spring St	Oxford, OH 45056 1768
5175 Westgate Dr.		William Lader	5175 Westgate Dr.	Oxford, OH 45056 1014
5185 Westgate Dr.		Bonnie Jo Piper	5185 Westgate Dr.	Oxford, OH 45056 1014
5199 Westgate Dr.		Mildred Parks	5199 Westgate Dr.	Oxford, OH 45056 1014
5207 Westgate Dr.		Michael Roberts	PO Box 358	Oxford, OH 45056 0477
5217 Westgate Dr.		Theresa Roberts	5217 Westgate Dr.	Oxford, OH 45056 1016
Westgate Vacant Lot .42 A		Theresa Roberts	5217 Westgate Dr.	Oxford, OH 45056 1016
5237 Westgate Dr.		Cindy Hockenberry	11038 State Route 227	Camden, OH 45311
5234 Hester Rd.		Christopher M. Rodbro	6335 Fairfield Rd	Oxford, OH 45056 9745

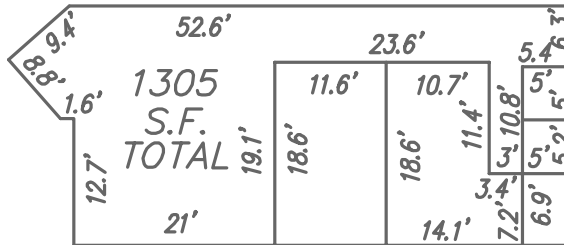


Oxford

200 FT
LIMIT



FRONT OF
BUILDING



Drawing:	08D001-000 CP
Scale	1" = 20'
Drawn by:	ATB
Checked By:	
Issue Date:	04-18-08

WESTGATE SHOPPING CENTER **ADDRESS #5158 STATE ROUTE 27**

INTERIOR AREA AND LAYOUT



318 S. COLLEGE AVE.
OXFORD, OH 45056 - 513.523.4270

OPENING SCHEDULE (UNCHANGED)

DOOR NO.	SIZE	DOOR	MATERIAL	TYPE	FRAME	HARDWARE	REMARKS
100	3'-0" X 7'-0" X 1 1/2"	ALU/SL	B	ALU		1	
101	3'-0" X 7'-0" X 1 1/2"	HM	A	HM		2	LEVER HANDLE SET
102	3'-0" X 7'-0" X 1 1/2"	HM	A	HM		3	LEVER HANDLE SET
103	3'-0" X 7'-0" X 1 1/2"	HM	A	HM		2	LEVER HANDLE SET
104	3'-0" X 7'-0" X 1 1/2"	HM	A	HM		4	CLOSER
105	3'-0" X 7'-0" X 1 1/2"	HM	A	HM		5	CLOSER

LEGEND:

ALU = ALUMINUM
GL = GLAZING
HM = HOLLOW METAL
IM = INSULATED METAL

HARDWARE SETS: (UNCHANGED)

HARDWARE SET #1 - EXISTING

EXTERIOR CYLINDER LOCK WITH INTERIOR LEVER HANDLE (40" AFF.)
1/2" PAIR HINGE BUTTS
1" INTERIOR PUSH BAR
CLOSER
SLICERS ON FRAME
THRESHOLD

HARDWARE SET #3 - EXISTING

PASSAGE LOCKSET
KNOB HANDLE SET TO BE REPLACED WITH LEVER SET.
1/2" PAIR HINGE BUTTS
FRAME SLICERS

HARDWARE SET #5 - EXISTING

EMERGENCY CRASH PUSH BAR
EXTERIOR CYLINDER LOCK
LEVER HANDLE WITH LEVER SET.
1/2" PAIR HINGE BUTTS
WEATHER SEAL
THRESHOLD

HARDWARE SET #2 - EXISTING

PRIVACY LOCKSET
KNOB HANDLE SET TO BE REPLACED WITH LEVER SET.
1/2" PAIR HINGE BUTTS
FRAME SLICERS

HARDWARE SET #4 - EXISTING

LEVER HANDLE STORED LOCKSET
1/2" PAIR HINGE BUTTS
FRAME SLICERS
CLOSER REQUIRED
PERIMETER SMOKE SEAL REQUIRED

FINISH NOTES

- HARD SURFACE CEILINGS, SOFFITS, CMU WALLS AND ALL AREAS TO BE PAINTED.
- HOLLOW METAL DOORS AND DOOR FRAMES TO BE PAINTED.
- FLOORING:
 - ODITE, QUICKFLOOR
 - 18" X 18" CARPET TILES
 - POLYESTER FIBER SOLUTION DTYD
 - ADHESIVE BACKED
 - CLASS I FIRE RATED
 - LOCATION: ALL AREAS UNLESS INDICATED OTHERWISE ON PLAN

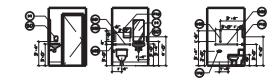
VINYL FLOORING: GILFORD IVC FLEXTECH
CLASS I FIRE RATED
LOCATION: AS INDICATED ON DRAWING
TRANSITION STRIP AT CHANGE OF FLOORING MATERIAL.

GENERAL NOTES - FLOOR PLAN

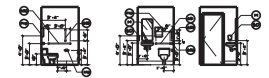
- ABC FIRE EXTINGUISHER MOUNTED AT 48" AFF.
- MALL MOUNTED KNOX BOX.
- EXTERIOR MALL MOUNTED OVERHEAD FLOOD LIGHT.
- OVERHEAD CANOPY HALOWAY LIGHTING.
- EXISTING HOT & COLD WATER SUPPLY LINES WITH SANITARY DRAIN, INSTALL NEW SERVICE SINK WITH LEVER HANDLE HANDLES.
- SHARED EXISTING EXIT ACCESS CORRIDOR.

RESTROOM & CASEWORK ELEVATIONS

- EXISTING RESTROOMS ARE NOT ADA ACCESSIBLE. ACCESS TO THE RESTROOMS IS ADA COMPLIANT.
- INTERIOR RESTROOM MODIFICATIONS MADE TO MORE CLOSELY MEET ADA ACCESSIBLE REQUIREMENTS.
- RESTROOM SINKS AND WATER CLOSETS ARE EXISTING.
- COUNTERTOP MOUNTED STAINLESS STEEL DOUBLE BOWL UTILITY SINK LOCATED WITHIN BASE CABINET.



ROOM 101 (UNCHANGED)



ROOM 102 (UNCHANGED)

RESTROOM ACCESSORY SCHEDULE
1. SINK, STAINLESS STEEL, DOUBLE BOWL, 18" X 24"
2. COUNTERTOP, STAINLESS STEEL, 18" X 24"
3. CABINET, STAINLESS STEEL, 18" X 24"
4. MIRROR, STAINLESS STEEL, 18" X 24"
5. TOWEL RACK, STAINLESS STEEL, 18" X 24"
6. SOAP DISPENSER, STAINLESS STEEL, 18" X 24"
7. PAPER TOWEL DISPENSER, STAINLESS STEEL, 18" X 24"
8. WASTE BIN, STAINLESS STEEL, 18" X 24"
9. VENTILATION FAN, STAINLESS STEEL, 18" X 24"
10. LIGHT FIXTURE, STAINLESS STEEL, 18" X 24"



ROOM 103 - UTILITY CASEWORK (UNCHANGED)



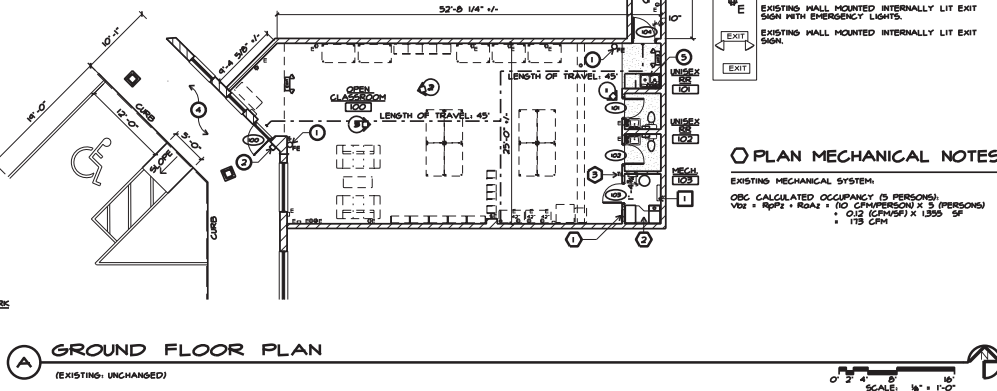
INTERIOR PHOTO



INTERIOR PHOTO



INTERIOR PHOTO



GROUND FLOOR PLAN

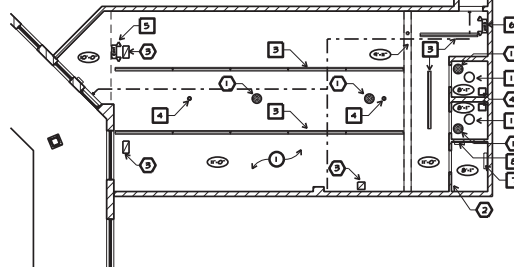
(EXISTING, UNCHANGED)

GENERAL NOTES - RCP

- INDICATES CEILING HEIGHT ABOVE FINISHED FLOOR.
- PAINTED CEILINGS AND SOFFITS TO REMAIN ALL AREAS.
- EXISTING ABOVE CEILING ACCESS PANEL TO REMAIN.

RCP MECHANICAL NOTES

- EXISTING CEILING SUPPLY DIFFUSER TO REMAIN.
- EXISTING THRU-MALL RETURN AIR DIFFUSER TO REMAIN.
- EXISTING CEILING RETURN AIR DIFFUSER TO REMAIN.
- EXISTING BATHROOM VENT FAN/DIFFUSER TO REMAIN.



GROUND FLOOR REFLECTED CEILING PLAN (RCP)

EXISTING CMU RATED EXIT ACCESS CORRIDOR (TENANT SHARED)

ASTM E119 - TEST METHOD FOR FIRE RATE TEST OF BUILDING CONSTRUCTION AND MATERIAL (ASTM C55, C75 & C80 APPL.)
EQUIVALENT THICKNESS:
TABLE 2 - EQUIVALENT THICKNESSES (ET)
NON-THICKNESS 8.0 IN. CMU (HOLLOW UNITS) 4.0 (ET)
PERCENT SOLID (REINFORCED) 15% ONE CORE FILLED) 5.1 (ET)

TABLE 1 FIRE RESISTANCE RATINGS OF CMU MINIMUM REQUIRED RATINGS: 3.2 TO 4.2 (ET)
EXISTING CMU COMPLES: 1.7 HR. FIRE RESISTANCE RATINGS

ELECTRICAL NOTES

- EXISTING CEILING MOUNTED INCANDESCENT LIGHT.
- EXISTING 4'-0" FLUORESCENT TUBE LIGHT.
- EXISTING 4'-0" FLUORESCENT TUBE LIGHTS.
- EXISTING SMOKE DETECTORS.
- WIRED SOFFIT MALL MOUNTED INTERNALLY LIT EXIT SIGN (EMERGENCY BATTERY BACKUP, LIGHTS)
- SURFACE MOUNTED CONDUIT & WIRED MALL MOUNTED INTERNALLY LIT EXIT SIGN (EMERGENCY BATTERY BACKUP, LIGHTS)
- ELECTRIC BREAKER PANEL.
- SMOKE DETECTOR ALARM PANEL.

ELECTRICAL KEY/NOTES

- MALL MOUNTED DUPLEX ELECTRICAL RECEPTACLE AT 18"
- MALL MOUNTED QUAD ELECTRICAL RECEPTACLE AT 18" AFF.
- EXISTING MALL MOUNTED INTERNALLY LIT EXIT SIGN WITH EMERGENCY LIGHTS.
- EXISTING MALL MOUNTED INTERNALLY LIT EXIT SIGN.

PLAN MECHANICAL NOTES

EXISTING MECHANICAL SYSTEM:
OBC CALCULATED OCCUPANCY IS PERSONS:
VOLUME = 100' X 100' X 10' (PERSONS) X 5 (PERSONS) = 5000
OBC CALCULATED OCCUPANCY IS PERSONS:
VOLUME = 100' X 100' X 10' (PERSONS) X 5 (PERSONS) = 5000
OBC CALCULATED OCCUPANCY IS PERSONS:
VOLUME = 100' X 100' X 10' (PERSONS) X 5 (PERSONS) = 5000

PROJECT DESCRIPTION

CONTINUATION OF INTERIOR TENANT SPACE OCCUPANCY WITHIN AN EXISTING 30 CONSTRUCTION TYPE RETAIL/BUSINESS PLAZA FOR AN ANNEX FOR THE MCGUFFEY FOUNDATION SCHOOL. THE PREVIOUS TIME-LIMITED OCCUPANCY WAS FOR THE 2000/2001 SCHOOL YEAR. THIS SUBMITTAL IS IN REQUEST OF OCCUPANCY APPROVAL AS A CONDITIONAL. THE USE WILL BE EDUCATIONAL UNDER OBC. B-BUSINESS OCCUPANCY WITH A LIMIT OF LESS THAN SIX (6) OCCUPANTS.

BUILDING DATA / CODE NOTES

ZONING DISTRICT: GENERAL BUSINESS
OCCUPANCY, FIRST FLOOR: B-BUSINESS (LIMITED TO FEWER THAN SIX (6) PERSONS)
USE: EDUCATIONAL FOR MAXIMUM OF (3) HIGH SCHOOL STUDENTS
EXISTING BUILDING STORIES: 1 STORY ABOVE GRADE + 55 FT.
CONSTRUCTION TYPE: 30

MALL RATINGS: BLDG. TYPE III; NON-BEARING
HALLS/PARTITIONS: 0 HRS.
RATED CONSTRUCTION
EXISTING REQUIRED: CORRIDORS 1.7 HR. (COMPLES)
AREA SEPARATIONS B10 & B14, 0 HOURS

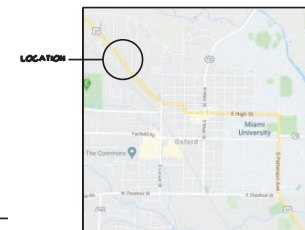
INTERIOR FINISHES
HALLS (CORRIDORS), CLASS A
HALLS (ROOMS), CLASS C
FLOORS: 10.22(40) MATTS PER CH² NOT 1 CLASS II
COMPLIANCE: DOC-FM TML TEST
FLOOR BASE: NOT 1 CLASS II

FIRE PROTECTION
SPRINKLERS (NOT REQUIRED PROVIDED)
MANUAL FIRE ALARM (NOT REQUIRED PROVIDED)
AUTOMATIC FIRE ALARM (NOT REQUIRED PROVIDED)

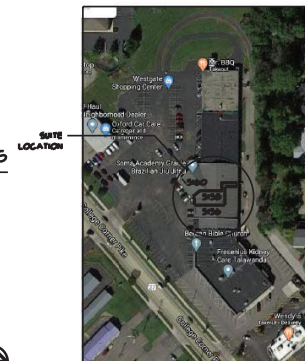
POPULATION 1355 SQUARE FEET
OPEN CLASSROOM ROOM: 150 SF / 1000/100 SF
+ 15 OCCUPANTS
MECHANICAL: 31 SF / 300 OCC./SF + 10 OCCUPANT
EQUIPMENT ROOM: 270 SF
POSTED OCCUPANCY: NOT TO EXCEED FIVE (5) PERSON
ANTICIPATED OCCUPANCY: FIVE (5) PERSONS MAXIMUM

EXITS/MEANS OF EGRESS
EXITS REQUIRED: 2 EXITS
EXIT CAPACITY: REQ. 0.2 IN DOOR X 61 OCC. + 154 IN.
EXIT ACCESS TRAVEL DISTANCE: REQ. 200 FT.
EXIT PASSAGEWAY: REQ. 1 HR. FIRE RATED CONST.
CORRIDOR WIDTH: REQ. 44 IN. EXISTING 48 IN.

PLUMBING FIXTURES REQ./PROVIDED
WATER CLOSETS: 2/2
LAVATORIES: 2/2
DRINKING FOUNTAINS: 1/1
POTABLE WATER TANK SERVICE SERVICE SINKS: 1/1



VICINITY MAP



SITE PLAN



the architectural group
135 north main street
dayton, ohio 45402-1720
tel 937.233.2600
fax 937.233.0888
web www.tagroup.com

0. THE ARCHITECTURAL GROUP
INCORPORATED IS A 90% PARTNER
OF THE ARCHITECTURAL GROUP
INCORPORATED AND IS NOT
REGISTERED WITH THE STATE

MCGUFFEY FOUNDATION SCHOOL ANNEX
HIGH SCHOOL ANNEX
5150 COLLEGE CORNER PIKE
OXFORD, OHIO

COMMISSION NUMBER
2028
DRAWN BY:
NDB
REVISION DATES:
DATE:
06/28/21
SHEET TITLE:
FLOOR & CEILING
PLANS DETAILS
NOTES
SHEET NO.
A1.0



MEMORANDUM
Community Development Department
513-524-5204

TO: Oxford Planning Commission

FROM: Sam Perry, AICP
Director

DATE: August 3, 2021

RE: Woodland Country Living (Trenton Oxford Road)

Etta Reed, of Bayer Becker, is requesting on behalf of Woodland Country Manor LLC, a Concept Review for a new 216 unit residential development called Woodland Country Living. The location of the concept is on a 74-acre tract near the intersection of Trenton Oxford Road (SR 73) and Oxford Milford Road. The subject property is within the Oxford Corporate Limits, formerly a hopeful candidate for an office/technology park.

The concept is intended to be an extension of Woodland Country Manor Senior Living and Care Facility located 2.5 miles to the north. Woodland Country Manor is located on Somerville Road. City staff have met with the development team and provided initial feedback and questions. A comprehensive analysis has not been provided, nor is it required for a concept review. A project like this would require, at minimum, re-zoning and Planned Development approvals by the City of Oxford.

Planning Commission members may provide individual comments or questions; but no voting action is required.

July 27, 2021

Mr. Sam Perry, AICP
Community Development Director
City of Oxford
15 South College Avenue
Oxford, Ohio 45056

Re: Woodland Country Living
Trenton Oxford Rd. (SR 73) & Oxford Milford Road
Concept Plan Submittal

Dear Mr. Perry:

This letter serves as Woodland Country Living LLC's request for a Concept Plan review with Planning Commission for the proposed Woodland Country Living development to be located on the northwest corner of the intersection of Trenton Oxford Road (SR 73) and Oxford Milford Road. Enclosed please find a copy of the proposed Concept Plan.

The proposed development consists of approximately 74 acres. The property currently contains one single family home with associated out buildings. All structures will be removed with the proposed development.

The property is currently zoned OI – Office & Light Industrial. Woodland Country Manor LLC intends to make application to the City for the rezoning of the property to the appropriate residential and commercial districts, with a Planned Development overlay. Woodland Country Living will be an extension of the existing Woodland Country Manor Senior Living and Care Facility, located approximately 2.5 miles to the north. All the residential units will be owned by Woodland Country Living and rented to the various residents.

The initial phase of the Woodland Country Living development will consist of a total of 216 residential units for area seniors (100 Assisted Living residential units and 106 Independent residential units), and 2 commercial out parcels, with a centrally located greenspace. The Independent residential units shall consist of a mix of townhomes and detached homes served by a rear common drive and detached traditional homes. Commercial out parcels are intended to contain land uses complementary to the senior residents. Examples of the elevations of the proposed residential units are attached. Phase Two of the development has been set aside for development of additional residential units, the exact makeup of the types of units will be market driven.

Access to the development shall be provided via 3 access points on Oxford Milford Road. All streets within the development will be private with walk located on both sides.

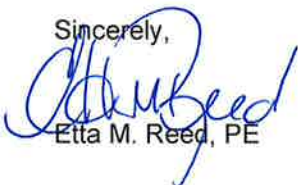
Woodland Country Living is proposed to contain several areas of open space, which contains a Village Center, landscaped lawn area and a pocket park. Increased buffer/setbacks will be provided in the southwest corner of the development, adjacent to an existing home.

Retention/detention and water quality will be provided in 2 basins within the open space. The existing pond in the southeast corner will be expanded and a new basin will be provided in the northwest corner.

Please place this item on the August 10th Planning Commission Meeting agenda.

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

Sincerely,


Etta M. Reed, PE

- Assisted Living: 110**
Independent Living: 106
- Townhome, Rear Common Drive
 - Detached, Rear Common Drive
 - Traditional Detached



PRELIMINARY

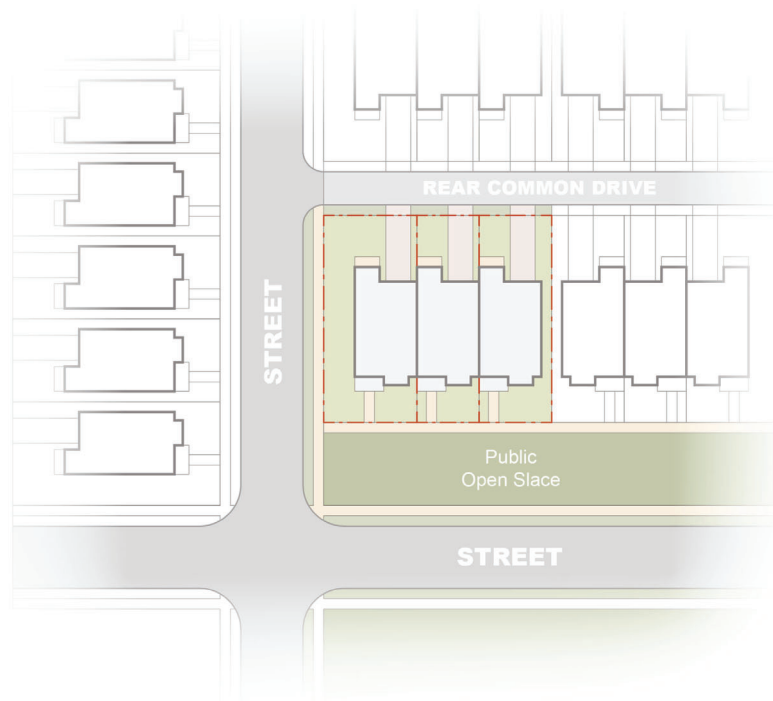
WOODLAND COUNTRY LIVING
 BAYVIEW COUNTRY
 CITY OF OXFORD, OHIO
 CONCEPT PLAN A



Drawn: 19-0007 PL CONCEPT
 Checked By: A.B.
 Issue Date: 19-01-18

CP-A

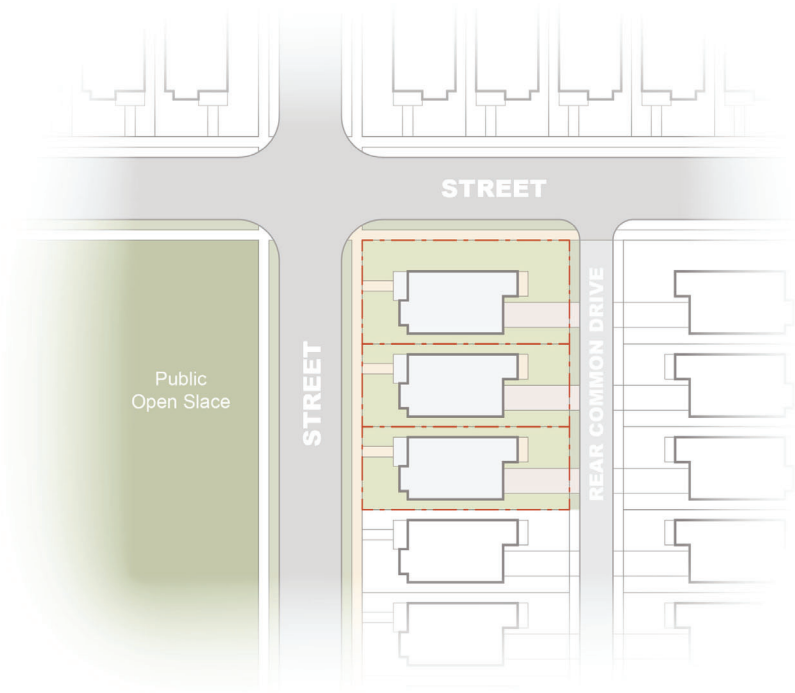
LOT WIDTH: **30'**
 LOT DEPTH: **100'**
 HEIGHT: **One Story**
 LOT AREA: **3,000 sq ft**
 FRONT SETBACK: **15'**
 REAR SETBACK: **20'**
 SIDE SETBACK: **0'**



Woodland Country Living | Townhome Served by a Rear Common Drive

Butler County, City of Oxford, Ohio
 July 2021

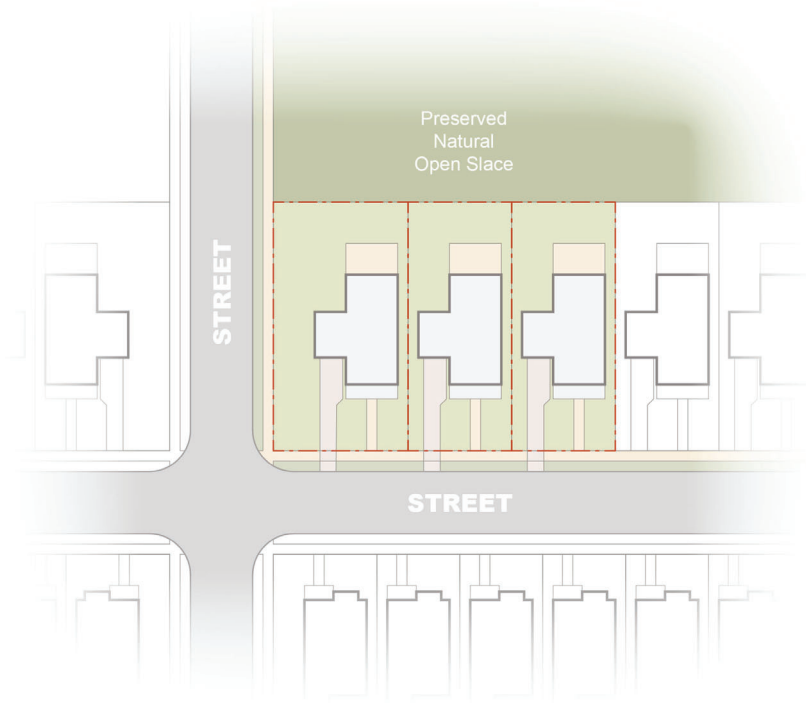
LOT WIDTH: **40'**
LOT DEPTH: **100'**
HEIGHT: **One Story**
LOT AREA: **4,000 sq ft**
FRONT SETBACK: **15'**
REAR SETBACK: **20'**
SIDE SETBACK: **5'**



Woodland Country Living | Detached Home Served by a Rear Common Drive

Butler County, City of Oxford, Ohio
July 2021

LOT WIDTH: **50'**
LOT DEPTH: **120'**
HEIGHT: **One Story**
LOT AREA: **6,000 sq ft**
FRONT SETBACK: **20'**
REAR SETBACK: **25'**
SIDE SETBACK: **5'**



Woodland Country Living | Traditional Detached Home

Butler County, City of Oxford, Ohio
July 2021