

ORDINANCE NO. 89-03

By: **Jeffrey L. McClelland**

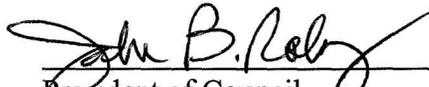
An Ordinance to approve a Memorandum of Understanding by and among the City, Capital University and Trinity Lutheran Seminary regarding cooperative efforts to implement the goals of the Southwest Bexley Master Plan and to authorize the Mayor and Auditor to sign such Memorandum on behalf of the City.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1. That the Memorandum of Understanding by and among the City, Capital University and Trinity Lutheran Seminary regarding cooperative efforts to implement the Southwest Bexley Master Plan is hereby approved in substantially the form attached hereto as Exhibit A and that the Mayor and Auditor are hereby authorized to sign such Memorandum on behalf of the City.

Section 2. That this Ordinance shall be effective from and after the earliest period allowed by law.

Passed: 2-24, 2003



President of Council

Attest: 

Clerk of Council

12.09.03 First Reading
12.23.03 Second Reading
1.13.04 Third Reading
Tabled

Approved: 5/14, 2003



David H. Madison, Mayor

MEMORANDUM OF UNDERSTANDING

between

CAPITAL UNIVERSITY

TRINITY LUTHERAN SEMINARY

and

CITY OF BEXLEY, OHIO

SOUTHWEST MASTER PLAN

The City of Bexley, Ohio (City), Capital University (Capital), and Trinity Lutheran Seminary (Trinity) have engaged in a joint planning process for land use and development in the southwest quadrant of the City. These discussions have occurred in the broader context of several initiatives by the City, including establishment of Main Street guidelines, creation of tax incentive programs to encourage development, and the Southwest Bexley Master Plan. (See Exhibit 1).

Principles

In furtherance of this joint planning process, the City, Capital and Trinity affirm the following principles:

- The interests of the City, Capital and Trinity are not adverse, and the prospects for their future strength and vitality are interdependent.
- The joint planning process seeks to encourage commercial and retail development of certain properties on Main Street, including properties between Pleasant Ridge and Alum Creek, with the goal of re-invigorating this portion of the City and enhancing Bexley's tax base.
- The joint planning process also seeks to provide opportunities for Capital and Trinity to meet their respective institutional needs in a manner consistent with the City's interests in promoting redevelopment of Main Street, preserving the single family

character of the neighborhood east of Capital and assuring institutional development sensitive to the residential neighborhoods which are adjacent to both campuses.

- The redevelopment of certain properties on the north side of Main Street depends upon Trinity making available for development its property currently used as student housing.
- The relocation of Trinity student housing from north of Main Street to south of Main Street depends upon Capital developing alternative student housing so that it may make available to Trinity its property currently used as Capital student apartments (i.e., Capital Commons).
- Capital seeks, consistent with its campus master plan, to develop new student housing in the area bordered by College, Sheridan, Mound and Astor or in the area south of Cotterman Hall as an alternative to housing currently provided in the Capital Commons apartments. Such student housing would be subject to City approval and may also be dependent upon Capital acquiring the necessary properties in the College/Sheridan area.
- The City seeks to promote redevelopment of certain property south of Main Street and the optimal achievement of this objective depends upon Capital making available for development its properties (i.e., the former Rite Aid property, and the Fisherman's Wharf site) and Trinity making available their 565-571 Sheridan Avenue property.
- Implementation of the Capital and Trinity campus master plans will be subject to standard City zoning and building permit procedures.
- The City, Capital and Trinity appreciate the sensitivities and challenges of change in the context of residential neighborhoods, and the importance of integrity and compatibility of institutional and residential property uses in Bexley.
- The parties acknowledge that achievement of the actions identified in this Memorandum of Understanding will require long term cooperative land use planning and economic development efforts by all parties. These efforts must recognize the connection between the community and economic well being of Bexley and the vitality of its institutions of higher education. The parties pledge their best efforts to assure such long-term cooperation.

Statements of Intent

Consistent with these principles, and subject to the further authorizing actions as necessary or appropriate, of the Council and Main Street Redevelopment Commission (Commission) of the City and respective governing boards of Capital and Trinity, the parties hereby affirm the following joint statements of intent:

1. The City, Capital and Trinity endorse the Southwest Master Plan, as recommended by the Southwest Master Plan Steering Committee on August 29, 2002, and adopted by City Council on November 25, 2003 as the long-term action plan for land use planning and redevelopment of the southwest quadrant of the City.

2. The City, Capital and Trinity recognize that the implementation of the Southwest Master Plan will occur over an extended period of time. Therefore, the parties will cooperate with each other to implement the plan in phases and have identified a number of actions to be taken by them during the next two to three years (Phase One).

3. The actions to be undertaken during Phase One include the following:

A. The City will consider an amendment to the City Planning and Zoning Code creating a new zoning district (Campus Planning District) consisting of the area identified on the map attached as Exhibit 2 to the MOU.

B. Permitted uses of the Campus Planning District will consist of educational and related institutional uses and facilities consistent with the approved campus master plans, and existing residential uses.

C. As a condition of the rezoning, each of Capital and Trinity will submit a campus master plan to the Commission for review and approval. The campus plan submitted by Capital will include additional off-street parking for the Capital Center as contemplated by the original approval of the Capital Center by the Commission.

D. The provisions of the Campus Planning District, the campus master plans, and the Southwest Master Plan will be used by all parties in planning and reviewing institutional projects within the new district.

- E. Establishment of the Campus Planning District will permit consolidation and development of Capital and Trinity campuses for institutional uses, consistent with the approved campus master plans, without requiring re-zoning of or use variances or conditional use permits for individual properties within the Campus Planning District. Such development will remain subject to Commission review and development plan approval and building permit requirements on a project-by-project basis.
- F. Existing residential uses on Sheridan and College Avenues will continue to be permitted uses within the Campus Planning District. Capital and Trinity hereby declare their commitment to maintain the condition and appearance of their housing stock as diligent and responsible landowners. They will maintain the residential use (as permitted by the current R-6 and R-12 zoning classifications) of properties owned or acquired by either of them within the Campus Planning District, and the payment of real property taxes on such properties, until the Commission has approved, and Capital or Trinity is ready to commence, a specific institutional project. The parties will endeavor to minimize the loss of real property tax revenue by the City and Bexley School District in the implementation of the campus master plans.
- G. Capital and Trinity will limit future property acquisitions in the southwest quadrant of Bexley to the area proposed by the Southwest Master Plan for inclusion in the Campus Planning District, except as follows:
1. Capital may purchase properties on the west side of Euclaire Avenue between Main and Mound, but will retain such properties as residential uses to be rented only to adults and/or families, not to students.
 2. Capital may purchase properties on the south side of Mound Street between Pleasant Ridge and Euclaire, to be used as rental properties or for limited institutional uses as specifically approved by the City. For example, the City has permitted a temporary conditional use of one of these properties as an Honors House. If used as residential properties, they would be rented only to adults and/or families, not to students.
 3. Capital would not actively pursue acquisition of properties on Frances Avenue, though it may accept ownership of such properties through charitable

bequest. Properties owned by Capital on Frances would be used for residential purposes, and would be rented only to adults and/or families, not to students.

4. Consistent with the underlying R-6 Zoning District, these properties will be well maintained, will remain on the tax rolls, and will not be included within the boundaries of the Campus Planning District.
- H. Trinity will use its best efforts to obtain appropriate substitute student housing south of Main on terms acceptable to it and will endeavor to sell and make available for future redevelopment its current housing complex and the funeral home property at the northeast corner of E. Main Street and S. Parkview Avenue. Capital will use its best efforts to obtain or construct appropriate facilities consistent with its campus master plan on terms acceptable to it and will endeavor to negotiate the sale to Trinity of the Capital Commons. Capital and Trinity will make available for redevelopment and will use their best efforts to redevelop on terms mutually acceptable to them and the City, the properties containing the former Rite Aid pharmacy, the restaurant, parking lot, and 565-571 Sheridan Avenue. Capital and Trinity acknowledge that the City views development of these properties as essential for the implementation of its development plans consistent with the Southwest Master Plan.
- I. The City Council will in light of this Memorandum of Understanding consider a petition(s) from Capital and Trinity to vacate Mound Street between Pleasant Ridge and Sheridan Avenue. The City acknowledges that Capital and Trinity view the vacation of Mound Street as essential for the implementation of the Campus Master Plan, consistent with the Southwest Master Plan.
- J. Capital, Trinity and the City will through mutual cooperation work on a number of traffic, parking and infrastructure-related issues in both the short and long-term. This includes the closing of Mound Street as a campus spine, extending Astor Avenue between Sheridan and College Avenues, together with exploring realistic alternatives to finance the cost of infrastructure improvements deemed necessary for implementing the Campus Planning District in the most successful manner.

- K. Capital and Trinity will consider, in the context of their campus master plans, the relocation of various campus-related retail uses to Main Street as a means of creating a more active commercial district and redevelopment.
- L. Capital and Trinity acknowledge that development along the Alum Creek corridor must be environmentally sensitive, preserve a natural buffer, and allow for public access and a connecting bicycle or pedestrian path. In furtherance of this objective, Capital and Trinity agree not to develop such property as lies within the 100-year flood plain, except as provided in the Capital and Trinity Master Plans, and as approved by the City of Bexley.

The parties further acknowledge that the objectives identified in this Memorandum reflect a balance of burdens and benefits to the parties, and require timely accommodation of mutual interests. The parties further acknowledge that the actions contemplated in this Memorandum of Understanding will require approvals or consents of Bexley City Council, the Board of Trustees of Capital, the Board of Directors of Trinity, and/or external government agencies. The parties declare their intention to use their best efforts to obtain such approvals and consents.

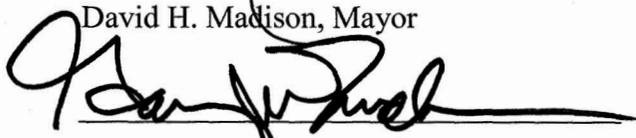
CITY OF BEXLEY



 David H. Madison, Mayor

3/04/04

 Date



 Gary W. Qualmann, Auditor

3/17/04

 Date

CAPITAL UNIVERSITY

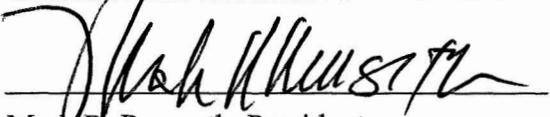


 Theodore L. Fredrickson, President

3/2/04

 Date

TRINITY LUTHERAN SEMINARY



 Mark R. Ramseth, President

3/3/04

 Date

MASTER PLAN RECOMMENDATIONS

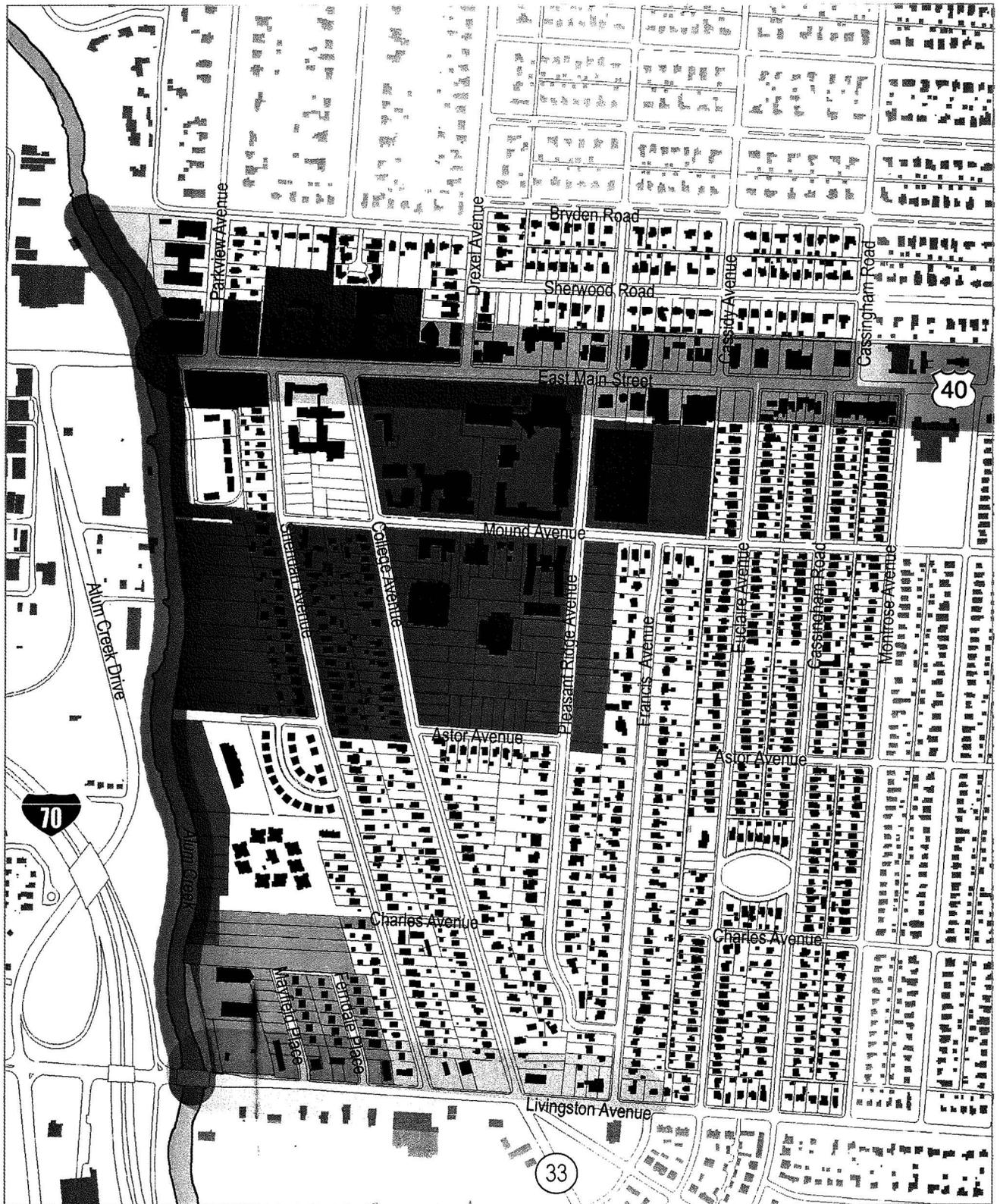


Figure 29 - Southwest Bexley Master Plan Map

CAMPUS PLANNING DISTRICT

