MEMORANDUM
DEPARTMENT OF COMMUNITY DEVELOPMENT
City of Kent

Date: July 8, 2011
To: Dave Ruller, City Manager
From: Jennifer Barone, Development Engineer  
Re: Lincoln Commons Subdivision Block A
Copy: Gary Locke, Director of Community Development
      Linda Copley, Clerk of Council
      Jim Silver, Law Director
      Gene Roberts, Service Director
      Jim Bowling, City Engineer
      Project file

I hereby respectfully request City Council agenda time on August 3, 2011 to consider acceptance of a 10’ wide easement for the future construction of East Summit Street. Edwards Campus Communities Development is consolidating the lots to construct a student housing facility, The Province, which borders on East Summit Street, South Lincoln Street and Morris Road. Staff has requested this 10’ easement be dedicated to construct the improvement to East Summit Street.

If you have any questions, please call me.
Date: July 8, 2011

To: Dave Ruller, City Manager

From: Jennifer Barone, Development Engineer

Re: Lincoln Commons Subdivision Block A

Copy: Gary Locke, Director of Community Development
     Linda Copley, Clerk of Council
     Jim Silver, Law Director
     Gene Roberts, Service Director
     Jim Bowling, City Engineer
     Project file

I hereby respectfully request City Council agenda time on August 3, 2011 to consider releasing the temporary 50’ wide utilities easement for the future Primrose Lane, the northern detention basin drainage easement and the 20’ drainage easement connection in Block A of Lincoln Commons Subdivision. Attached is a letter from Tom Weise, PentaPoint Properties Ltd and a support letter from Edwards Campus Communities requesting the City of Kent to vacate the easements. Mr. Weise has also included a copy from the section of the plat to show the easement locations.

These easements were intended for use with the continued development of Lincoln Commons Subdivision. Several projects have been presented to staff, none of which included a roadway or extension of utilities that followed these easements.

At this time Mr. Weise owns the property. However, Edwards Campus Communities Development intends to purchase the majority of the site to fulfill the open space requirement for the student housing project, The Province. The planning Commission has approved the site plan.

The developers are plan to construct “cottages” along South Lincoln Street. The temporary easement conflicts with the location of the structures. Since the structures cannot be built in an easement, the developers are requesting the easement be vacated by emergency.

If you have any questions, please call me.
June 17, 2011

This letter is being sent to all parties via email only.

Jennifer K. Barone, P.E.
City of Kent, Dept. of Community Dev.
930 Overholt Road
Kent, Ohio  44240

CC:
Dave Tyndall (dave.tyndall@edwardscdc.com)
Leslie Froelich (lfroelich@hammontree-engineers.com)
Joe Mosyjowski (jmosyjowski@cs.com)

Re:  Request to Vacate Easements by Emergency Action (on behalf of Edwards Companies)
Located on “Block-A” in Lincoln Commons Phase One as shown in Plat 2003-99
Current Owner:  PentaPoint Properties Ltd. by Deed Recorded in O.R. 201017030 and 201021908

Jennifer:

As the current owner of “Block-A” in Lincoln Commons Phase One, I would like to request that three easements be vacated by emergency action. These three easements, which are hatched and outlined on the attached plat drawing, are denoted on the plat as follows:

1)  50’ WIDE TEMPORARY UTILITIES EASEMENT TO THE CITY OF KENT (FUTURE PRIMROSE LANE)
2)  DETENTION BASIN AND DRAINAGE EASEMENT
3)  20’ WIDE DRAINAGE EASEMENT

The reason for this request for emergency vacation is that the existence of these easements would otherwise prevent the City Building Department from approving the site plan created by Edwards Companies, who is in the process of buying a portion of the existing “Block A”.

As you are aware, per my separate prior request this same land is being re-platted within the next few days. The land currently identified as “Block A” will be split into two separate blocks known as “Block A-R” and “Block B”. You already have a copy of the new mylars for this replat, as well as the new legal descriptions for each new block. This re-plat needs to be completed first (subject to all existing easements) as soon as possible to enable the sale of “Block A-R” to Edwards Companies in July. Subsequently, we wish for City Council to then vacate the above three easements via emergency action to allow Edwards to move forward with getting Building Department approval for the cottages they intend to construct along South Lincoln St. For this reason, please copy all CC: parties above on all future correspondence relative to this easement vacation.

Time is of the essence. Thank you for your assistance!

Respectfully,

Tom Weise, President
PentaPoint Properties Ltd.
Jennifer Barone - FW: request to vacate 3 easements for Lincoln Commons land

From: "Tyndall, Dave" <dave.tyndall@edwardsCDC.com>
To: <barone@kent-ohio.org>, <lfroelich@hammontree-engineers.com>
Date: 6/17/2011 3:01 PM
Subject: FW: request to vacate 3 easements for Lincoln Commons land
CC: <Dwilliams@wwklaw.com>, <Tom@schippergroup.com>, "Szymanski, Ryan"
<ryan.szymanski@edwardsCDC.com>
Attachments: Vacate Easements 2011-06-17.pdf

Jennifer

Edwards Communities is in support of the Easement Vacation per the attached letter.

If you should need any other acknowledgement please do not hesitate to let me know.

Thanks for your help in expediting this request.

Dave

Dave Tyndall
VP Engineering
Edwards Communities Development Company
495 S. High Street, Ste 150
Columbus, Ohio 43215
Phone: (614) 241-2070
Fax: (614) 241-2080
Mobile: (614) 719-9155
dave.tyndall@edwardsCDC.com

From: Tom Weise [mailto:Tom@schippergroup.com]
Sent: Friday, June 17, 2011 2:04 PM
To: 'KENT, CITY OF: Barone, Jennifer (barone@kent-ohio.org)'
Cc: 'Leslie J. Froelich (lfroelich@hammontree-engineers.com)'; Tyndall, Dave; 'MOSYJOWSKI: Mosyjowski, Joe (jmosyjowski@cs.com)'
Subject: request to vacate 3 easements for Lincoln Commons land

Jennifer,

Per our telephone conversation, attached please find my letter requesting the vacation of easements.

Have a great weekend,

-Tom

Tom Weise
VP-Leasing & Development
The Schipper Group
(330) 434-8355 ext 203
www.schippergroup.com

file://C:\Documents and Settings\eduser\Local Settings\Temp\XPgrpwise\4DFB6C2EKENT... 7/8/2011
Dave Ruller - High Street

From: "Sean Kaine" <skaine@neo.rr.com>
To: <Copley@kent-ohio.org>
Date: 7/9/2011 1:27 PM
Subject: High Street

Members of Council,

During the discussions of the Edwards project, residents of High Street testified that they are experiencing ongoing conflicts with students walking to and from downtown. What was described to the commission included drunk and disorderly conduct, theft, vandalism, trespass and other mischief. The residents are concerned that the city is not only overlooking the current problems, but that additional housing to the east could make the situation worse.

High street residents Cassandra Pegg-Kirby and Walt Adams have suggested closing the sidewalk from Lincoln to High Street. Vacating that property may help to reduce the number of incidents that they are experiencing. This suggestion is, of course, outside the purview of the commission and would require council action.

It is important to note that this suggestion is neither a condition of approval for the Edwards project, nor wholly based on anticipated conflicts resulting from that project. The problems exist currently. The Planning Commission therefore asks that you consider this request to close the sidewalk and vacate a portion of High Street.

Respectfully,
Sean P. Kaine