

**CITY OF XENIA, OHIO  
ORDINANCE NUMBER 17 – 22**

**ORDINANCE APPROVING A MAJOR CHANGE TO A PUD CONCEPT PLAN FOR AN EXISTING 158.382-ACRE PLANNED UNIT DEVELOPMENT ENCOMPASSING PARCELS OR PORTIONS OF PARCELS FORMERLY KNOWN AS THE OHIO VETERANS CHILDREN’S HOME (OVCH) BY INCREASING THE PUD TO A TOTAL OF 249.837 ACRES AND MODIFYING THE PUD STANDARDS.**

**WHEREAS**, City Council passed Ordinance 99-10, effective May 8, 1999, which rezoned 158.382 recently annexed acres to Planned Unit Development (PUD) and rezoned 112.701 recently annexed acres to A-1 Agricultural District; and

**WHEREAS**, Ordinance 99-10 also approved a PUD Concept Plan for the 158.382-acre PUD; and

**WHEREAS**, since May 8, 1999, multiple parcels within both the PUD and A-1 zoning areas established by Ordinance 99-10 have been transferred to other owners and developed for purposes not envisioned in the PUD Concept Plan attached to Ordinance 99-10; and

**WHEREAS**, multiple property owners within the area rezoned by Ordinance 99-10 have expressed interest in substantial new development plans; and

**WHEREAS**, since May 8, 1999, the City of Xenia has adopted a new Land Development Code; and

**WHEREAS**, the aforementioned factors necessitate an increase in the area zoned as PUD and a modification of the standards attached to Ordinance 99-10; and

**WHEREAS**, the owners of 249.837 acres of land within the area rezoned by Ordinance 99-10 have submitted an application to the City of Xenia for a Major Change (also referred to as “Major Modification”) of a PUD Concept Plan, in accordance with Section 1220.04(h)(4) of the Land Development Code, to establish PUD zoning for the entirety of said acreage and to update the PUD land use and development standards; and

**WHEREAS**, after providing the required notice and holding a public hearing on April 6, 2017, the Xenia Planning and Zoning Commission voted to endorse said Major Change; and

**WHEREAS**, the Major Change has been deemed to be consistent with the X-Plan Land Use Plan.

**NOW, THEREFORE**, the City of Xenia hereby ordains:

**Section 1.** In accordance with the amendment process outlined in the City of Xenia Land Development Code, Sections 1220.03 Code Text and Map Amendments and 1220.04 Planned Unit Developments, an existing 249.837-acre area consisting of PUD Planned Unit Development and A-1 Agricultural District zoning, including all portions of the Legacy Center subdivision located within the City of Xenia, including Greene County Parcel Identification numbers

M40000200410000500, M40000200410000800, M40000200410000200, M40000200410000600,  
M40000200410000700, M40000200410000100, M40000200380000100, and  
M40000200410000300 shall be zoned as follows:

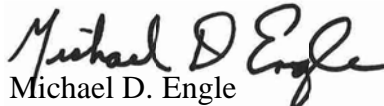
- The entirety of Legacy Center Lots 1, 2, a 16.8218 part of Lot 3, 4A, 4B and 8A, also known as Greene County Parcel Identification numbers M40000200410000500, M40000200410000600, M40000200410000700, M40000200410000100, M40000200410000800 and M40000200410000200, respectively, shall be zoned PUD as previously zoned.
- Legacy Center Lot 6 and a 42.412 part of Lot 5A, also known as Greene County Parcel Identification numbers M40000200410000300 and M40000200380000100, which are currently zoned both PUD and A-1, shall be rezoned entirely to PUD.

**Section 2.** In accordance with the process outlined in the City of Xenia Land Development Code, Section 1220.04 Planned Unit Developments, a PUD Concept Plan for the PUD established in Section 1 is hereby established and future land use and development within said PUD shall adhere to the standards provided in Exhibit A and the Concept Plan provided in Exhibit B, as well as all applicable sections of the City of Xenia Land Development Code.

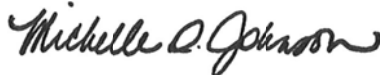
**Section 3.** The attached Concept Plan in Exhibit B geographically depicts the Planned Unit Development.

**Section 4.** This ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: May 11, 2017  
Effective: June 10, 2017

  
Michael D. Engle  
President, Xenia City Council

Attest:

  
Michelle D. Johnson  
City Clerk

## **EXHIBIT A TO ORDINANCE 17-22**

### **PUD LAND USE AND DEVELOPMENT STANDARDS**

In addition to meeting the requirements of Section 1220.04 and other applicable sections of the City of Xenia Land Development Code, future land use and development in the PUD shall adhere to the following standards:

#### **Applicable Zoning Districts**

- Area A as depicted on Exhibit B Concept Plan shall adhere to the standards of the R-3 Attached Residential District, with the exception that maximum building height shall be 45 feet.
- Area B as depicted on Exhibit B Concept Plan shall adhere to the standards of the P-1 Public and Institutional District except that residential uses existing as of the effective date of this ordinance, campgrounds and radio/television studios shall be permitted uses.
- Area C as depicted on Exhibit B Concept Plan shall adhere to the standards of the P-1 Public and Institutional District.
- Area D as depicted on Exhibit B Concept Plan shall adhere to the standards of the P-1 Public and Institutional District with the following exceptions:
  - Hotels or motels shall be permitted.
  - The following uses shall be permitted without complying with the use-specific standards listed in Section 1222.05(d): Restaurants (including drive-in or drive-through), business and professional offices, medical or dental clinics and offices, and retail sales and services.
- Area E as depicted on Exhibit B Concept Plan shall adhere to the standards of the R-1C One Family Residential District.
- Land Development Code setback requirements shall only apply to the perimeter of the PUD. Internal setback requirements shall be determined by the site plan approved at the Final Development Plan stage.

#### **Tree Preservation and Open Space**

- It is the intent of this PUD to preserve mature trees to the extent possible. All zoning applications for activities that require the removal of trees with a diameter-at-breast-height greater than 5 inches must be accompanied by a site plan that identifies such trees and provides for replacement of such trees on a one for one basis.
- Replacement tree species shall be comparable in height and spread at maturity to the species being replaced.
- Replacement trees shall comply with the planting standards in Section 1232.04(d) of the Land Development Code.
- Land between Shawnee Creek and Home Avenue shall remain as open space with no building or parking lot construction permitted, although ingress and egress driveways may be permitted.
- Development east of Legacy Way, northeast of Elliot Drive, and north of Taylor Drive shall respect the natural topography to the extent possible.

#### **Signage**

- In conjunction with Section 1236.07 of the Land Development Code, Area B shall be permitted one freestanding sign adjacent to its US-35 frontage in addition to freestanding signs permitted by the Land Development Code on other frontages. This additional freestanding sign shall meet all applicable Land Development Code standards with the following exception: The maximum height requirement may be waived if such sign is mounted on the rear, US-35-facing side of an

athletic field scoreboard, provided that such sign does not exceed the height of the scoreboard and meets the square footage standards for freestanding signs.

### **Lots and Streets**

- Landlocking of parcels is permitted within this PUD, provided that any landlocked parcel shall have frontage on a private street.
- Continuation of the established private street system is permitted, subject to City review and approval of future private street construction on a case-by-case basis. The City shall bear no maintenance responsibility for private streets. Streets may be dedicated as public streets only if they are upgraded to meet City street standards.

### **Accessory Uses**

- An accessory use or structure within this PUD shall be incidental to a principal, permitted use within this PUD but shall not be required to be constructed on the same lot as the principal use that it serves.

## EXHIBIT B TO ORDINANCE 17-22 PUD Concept Plan

