

**CITY OF XENIA, OHIO  
ORDINANCE 2018 – 21**

**APPROVING A MAJOR CHANGE TO A CONCEPT PLAN FOR AN 11.396-ACRE  
PLANNED UNIT DEVELOPMENT AT 441, 457 AND 469 DAYTON AVENUE**

**WHEREAS**, the owner of 457 Dayton Avenue has submitted an application to change the Concept Plan for an approximately 7.3-acre portion of the 11.396-acre Planned Unit Development that encompasses Greene County Parcel Identification Numbers M40000100250032200, M40000100250031800, M40000100250031500 and M40000100200014700 (the “PUD”);

**WHEREAS**, said application will increase the permitted residential units and change the permitted residential uses of an approximately 7.3-acre area, more or less, which encompasses Greene County Parcel Identification Number M40000100200014700 and a northern portion of Greene County Parcel Identification Number M40000100250031500 from what was previously approved by City Council in Ordinance 15-37, thus requiring a Major Change per Section 1220.04(h) of the Land Development Code;

**WHEREAS**, the procedures for review of a Major Change to a Planned Unit Development specified in Section 1220.04(h) of the Land Development Code have been followed;

**WHEREAS**, the Xenia Planning and Zoning Commission (PZC), at its July 5, 2018, meeting, held the required public hearing and voted to make a recommendation to this Council for approval on the submitted application for a Major Change to said Planned Unit Development Concept Plan; and

**WHEREAS**, this Council finds it to be in the best interests of the health, safety and welfare of the City and its inhabitants to adopt the PZC’s recommendation and to replace Ordinance 15-37 and its associated Planned Unit Development Concept Plan with a new ordinance and Concept Plan for the PUD.

**NOW, THEREFORE, THE CITY OF XENIA HEREBY ORDAINS**, at least four (4) members of the City Council concurring, that:

**Section 1.** In accordance with the process outlined in Section 1220.04(h) of the Land Development Code, the Concept Plan and applicable regulations for the PUD are hereby changed to the following, as further illustrated in Exhibit A attached to this Ordinance and hereby made a part of as if fully written herein:

- A. The zoning regulations applicable to 469 Dayton Avenue, Greene County Parcel Identification number M40000100250031800, shall follow the standards of the B-1 Convenience Business District.
- B. The zoning regulations applicable to 441 Dayton Avenue, Greene County Parcel Identification number M40000100250032200, shall follow the standards of the B-3 General Business District.
- C. The zoning regulations applicable to 457 Dayton Avenue, Greene County Parcel Identification numbers M40000100200014700 and M40000100250031500, shall include consistency with the Concept Plan as most recently approved and modified by Planning and Zoning Commission pursuant to the Land Development Code, as well as the following standards:
  - (1) The residential portion of the development shall be located to the rear of the commercial portion of the development and shall follow the R-2 District standards with the following exceptions:
    - (a) Three-family and multi-family attached buildings with up to 4 units per building as well as a community clubhouse shall be included in the permitted uses.


- (b) Minimum front-yard setbacks for residential uses may be reduced as needed to accommodate the Concept Plan as most recently approved and modified by Planning and Zoning Commission.
- (2) The commercial portion of the development shall front on Dayton Avenue, be located to the east of 441 Dayton Avenue, parcel M40000100250032200, and south of the residential portion of the development, and follow the standards of the B-3 General Business District.
- (3) All new principal buildings shall incorporate brick or stone in their facades.

**Section 2.** Existing Ordinance 15-37 is hereby repealed.

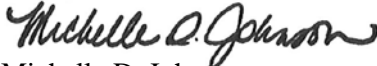
**Section 3.** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this legislation were adopted in an open meeting of this Council and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**Section 4.** This Ordinance shall be effective as of August 25, 2018.

Introduced: July 12, 2018  
Adopted: July 26, 2018

  
Michael D. Engle  
President, Xenia City Council

Attest:

  
Michelle D. Johnson  
City Clerk

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EXHIBIT A

