

**January 2010**

**Development Corner and Building Activity News**

**XENIA PLANNING AND ZONING COMMISSION  
2009 WORK ACCOMPLISHMENT REPORT**



**2009 MEMBERSHIP**

**Patricia L. Felton, Chairperson**  
**Joshua Long, Vice Chairperson**  
**Sarah Amend**  
**Richard H. Jackson**  
**Jim Kennedy**  
**Everett Ross**

**STAFF**

**Nimfa H. Simpson AICP, City Planner**  
**Chris Berger, City Engineer**  
**Jeff Ziegler, Zoning Enforcement Officer**

**Clerical Support**

**Nancy Pitstick, Secretary – (no longer with the City)**  
**Michelle Johnson, Clerk of Xenia Planning and Zoning Commission**

*The only ultimate justification for planning, and for public policy generally, is that it makes things better than they would be without it - that, in some way, it improves the quality of life. ... The overall purpose of Planning is to further the well-being, or the interests of the public; it is against this yardstick that plans and policies are to be judged.@ (Nigel Taylor, A Mistaken Interests and the Discourse Model of Planning,@ American Planning Journal, Winter 1998)*

**What sets planners apart from other professions:**

*“We are uniquely trained to think comprehensively, to see the connections between disciplines and of divergent interests, and act in rational ways to blend analysis, citizen participation and political efficacy into a coherent plan to shape the future for the better.”- Whit Blanton, AICP*

## **XENIA PLANNING AND ZONING COMMISSION HIGHLIGHTS OF ACCOMPLISHMENTS FOR 2009**

By Charter, the Xenia Planning and Zoning Commission consist of five members appointed by the City Council for four-year terms. The Chair is selected from the City Council Membership each year. The Planning and Zoning Commission (XPZC or Commission) is an advisory commission to City Council relative to land use and zoning policies.

In 2009, the Xenia Planning and Zoning Commission met in nine separate sessions to review development plans and land use and development policies. The following are highlights of their accomplishments:

### **Development Review and Approval:**

The workload of the Commission was impacted by the downturn in the economy and the real estate housing bubble. For the first time in many years, the Xenia Planning and Zoning Commission did not have any new subdivisions to review. There were, however, some minor development projects that required XPZC's action:

- Minor Modification to Wright Cycle Estates, Section 9 involving lot 156 with an address of 2199 Schwinn Avenue. This involved granting a rear yard setback variance due to the pie shape of the lot to facilitate the construction of a single-family house.
- Minor Amendment to Wright Cycle PUD – 2153 Schwinn Avenue involving the erection of a radio amateur antenna exceeding height requirements and not meeting the fall zone as required by Section 1294.18 (d). This case came before the XPZC for a minor modification of the PUD for a variance on the required setback after the antennae was erected. XPZC denied the request due to the fact that the antennae had already been erected and more importantly, the Commission did not want to set a precedent for anyone seeking variances to correct a zoning infraction.
- XPZC reviewed and approved a Record Plan for American Red Cross at 1080 East Main Street that split the existing lot into two. The record plan was necessary to create a separate lot for the new structure that was constructed in 2008 to satisfy mortgage requirements.

### **Long Range Planning**

The Commission heard a presentation by Martin Kim, Director of Regional Planning, Miami Valley Regional Planning Commission (MVRPC) on Going Places – Regional Land Use Initiative. This planning initiative is a 3-phase land use process to develop a shared future land use vision, represented by the conceptual 2040 regional growth framework for the Miami Valley Region. The planning area includes Greene, Miami, and Montgomery counties and the cities of Carlisle, Franklin, and Springboro in northern part of Warren County. The Commission heard a presentation on Phase I- Existing Condition Assessment: Physical and Non-Physical Condition Evaluation. Of particular interest to XPZC was how the statistical data were derived on land use, vacancy status of land and building. According to Mr. Kim, the data were derived utilizing the Census Traffic Analysis Zone (TAZ) data. TAZ is a unit of geographic analysis and it is the smallest geography that can be use for a unified land use analysis to obtain a regional picture on land and building utilization.

### **Special Presentations On Special City Planning Initiatives:**

XPZC was given an update on the West Main Street Enhancement. West Main Street Enhancement project is being coordinated by the City of Xenia in cooperation with the Miami Valley Regional Planning Commission and Ohio Department of Transportation. The project is intended to enhance the appearance and provide screening for existing homes along this corridor from Allison Avenue and Progress Drive. The main goal is to create a positive first impression for travelers as they enter this major gateway of the city. Funding for this project is being provided by the Ohio Department of Transportation Enhancement Grant administered through Miami Valley Regional Planning Commission. XPZC expressed support for this project as a way to positively change the image of the City to attract new investors and residents.



### **ZONING MAP AMENDMENT (REZONING) REVIEWED**

The Xenia Planning and Zoning Commission makes recommendations on appropriate zoning for properties and reviews applications for rezoning (zoning map amendments). This is part of their land use policy making responsibilities. In 2009, XPZC reviewed the following:

- Rezoning of two parcels located east of South Columbus Street, south of the Ohio Erie Trail and north of Birch Road from I-2 Heavy Industrial District to A-1 Agricultural District. Application submitted by Robert Louderback, Sr. of 900 Birch Road, Xenia, Ohio. XPZC recommended approval of the A-1 Agricultural District zoning as this is more appropriate in light of the surrounding residential land use.

### **ZONING CODE AMENDMENT**

Reviewing and making recommendations to the Planning and Zoning Code is another major function of the Xenia Planning and Zoning Commission. In 2009, XPZC worked with City Staff to develop zoning regulations relative to the following:

- Pay day loans, cash advance, check cashing operations, pawn shops and bail bonding outfits. The City Council had previously established a moratorium on the issuance of zoning permits for these types of operations to address the impact of their concentration in the City. XPZC recommended the amendment to Chapter 1294 – Supplementary Regulations to impose a 5,000-foot radius separation between similar establishments and prohibiting these uses in the B-2 Central Business District (downtown). This recommendation was adopted by City Council and has become part of the Planning and Zoning Code Amendment.
- Towing Companies in the I-1 Light Industrial District and I-2 Heavy Industrial District. This amendment process which transpired over several months was undertaken to determine how to best accommodate towing operations in the Planning and Zoning Code. XPZC recommended a set of zoning regulations that will allow towing operations in the I-1 Light Industrial District and I-2 Heavy Industrial District with certain required standards relative to screening, landscaping and prohibition of storing junk vehicles. This code amendment process also involved City Staff working out details with the towing companies' owners on how to improve the condition of their existing sites. This resulted in the physical improvements of the appearance and conditions of their existing facilities as shown below:



Moorman's Towing



Ric's Towing Before and After



Johnson's Towing



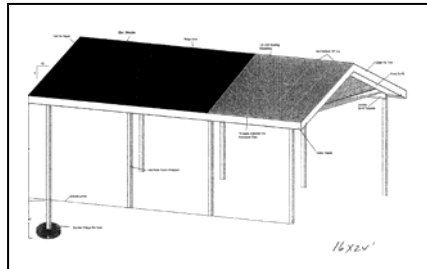
Dayton Xenia Towing

- Chapter 1294 Supplementary Regulations: XPZC started review of this entire chapter of the Planning and Zoning Code which has to do with performance standards affecting all types of land uses such as screening, type of fencing, outdoor storage, temporary uses, yard, lot and house size requirements and many more. Because of the extensive coverage of this chapter, the review is still on-going.

***Historic Preservation ... continuing focus of XPZC***

XPZC has responsibility for promoting appropriate design and architecture in the Downtown area and adjacent historic residential neighborhoods based on the Urban Design Overlay Zoning District. In 2009, XPZC reviewed Certificates of Appropriateness for the following:

**Certificate of Appropriateness for a picnic shelter for smokers for Xenia Lodge No. 668 BPOE; 71 East Second Street.**



***Certificate of Appropriateness for a new accessory structure at 60 West Third Street***, submitted by Nathan Smith. This structure is in the Waterstreet Historic District and the review of the design of the garage was needed to insure that it matched the architecture of the main structure.



***Certificate of Appropriateness for All Sports Bar and Grille at 124 Xenia Towne Square*** involving the conversion of the Shopping Center's outdoor plaza into an outdoor seating and patio dining. XPZC made several suggestions on how the outdoor patio should be designed which resulted in the City Council supporting these changes.



**Facilitating New Construction**

Most of the projects that XPZC reviews and sends to City Council for action results in various development activities. The following is an update of the new construction activities occurring in Xenia:

**New Construction Activities**

|  | <b>2000</b> | <b>2001</b> | <b>2002</b> | <b>2003</b> | <b>2004</b> | <b>2005</b> | <b>2006</b> | <b>2007</b> | <b>2008</b> | <b>2009</b> | <b>Total to date</b> |
|--|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|----------------------|
| Residential Units                                      | 95          | 120         | 124         | 216         | 175         | 216         | 135         | 123         | 91          | 26          | 1,321                |
| New Commercial/<br>Industrial Bldgs.<br>and Facilities | 4           | 6           | 8           | 9           | 2           | 8           | 5           | 4           | 4           | 2           | 52                   |

**2006** Commercial includes Speedway on North Detroit Street., Crossings of Xenia, Applebee's Restaurant, Murphy Oil, Athletes in Action's Sports Complex. (Not included in this count are two projects that were permitted but were not built: a second Bob Evans Restaurant on Harner Drive and the Professional Office for Lot 8 on Progress Drive.)

**2007** Commercial includes Dr. Jody Ames Hillside Dental, 157 S. Progress Drive, permit issued; National City Bank, 98 Hospitality Drive, permit issued; Rite Aid, 26 S. Allison Avenue, permit issued; New Retail Building, 110 Hospitality Drive, permit issued - 2 units.

**2008** Commercial and Industrial buildings built in 2009 include Sonic Restaurant, Carol's Corner, Walgreen Pharmacy and the Xenia Public Service Storage Barn.

**2009** Commercial building included Bob Evan's Restaurant and 984 Cincinnati Avenue for Auto Select Car Repair (construction has not started).

### ***CONTINUING EDUCATION***

One of the goals of XPZC is to seek continuing training and education so they learn updated planning concepts, development events in surrounding areas and review existing conditions that enable them to develop meaningful policies. In 2009, XPZC conducted the following training or informational events:

#### **Overview of development review process:**

For the benefit of the new members of the Commission, a presentation on how development application projects are reviewed and processed by City Staff before they are issued zoning permits or before they are presented to the Commission for review and action. Ms. Simpson used charts to show how the review process flows and emphasized that projects are reviewed by different departments in the City before they are placed on the agenda of XPZC for action and before permits are issued.

#### **23<sup>rd</sup> Annual Miami Valley Planning and Zoning Workshop on December 4, 2009:**

Three members of the Xenia Planning and Zoning Commission attended the workshop.

*The City of Xenia Planning and Zoning Department thanks the XPZC members for their time and dedication. We also acknowledge the leadership of Patricia L. Felton, Chairperson.*