

SUBJECT: A report and recommendation on a proposed Major Amendment to the Concept Plan and Development Program Statement for Planned Development #94 (PD-94), The Crossbuck, located at 3033 Jared Ellis Drive in Oakley.

GENERAL INFORMATION:

Location: 3033 Jared Ellis Drive, Cincinnati, OH 45209

Petitioner: McBride Dale Clarion
5721 Dragon Way, Suite 300, Cincinnati, OH 45227

Owner: Onyx + East
460 Virginia Avenue, Indianapolis, IN 46203

Request: A proposed Major Amendment to the Concept Plan and Development Program Statement for Planned Development #94, The Crossbuck, in Oakley to allow for recreational uses, including a dog park and pickleball courts, and accessory structures for a maintenance garage and pavilion at the pickleball courts.

ATTACHMENTS:

Provided in addition to this report are the following exhibits:

- Exhibit A – Location Map
- Exhibit B – PD-94 Approved Concept Plan
- Exhibit C – PD-94 Approved Development Program Statement
- Exhibit D – Amended Concept Plan
- Exhibit E – Amended Development Program Statement
- Exhibit F – Maintenance Garage Plans
- Exhibit G – Coordinated Site Review Letter
- Exhibit H – Oakley Community Council Letters of Support

BACKGROUND:

The subject property, 3033 Jared Ellis Drive, is located in Planned Development #94 (PD-94) in Oakley, as shown in Exhibit A. The proposed development on the property, The Crossbuck (previously named The Abbey and Arcadia), includes a total of 119 three-story townhomes on individual lots, organized around a series of private streets and alleys. It is approximately 7.58 acres and located on part of the former Cast Fab property. It is situated between the railroad tracks to the south, I-71 to the west, Planned Development #89 – Graphite (PD-89) to the north, and Planned Development #64 – Oakley Station (PD-64) to the east. The Planned Development (PD-94) was established by City Council in October 2022 (Ord. 0322-2022), and a Final Development Plan was approved by the City Planning Commission on September 16, 2022. The City Planning Commission also reviewed and approved a Phase I Development Plan and Subdivision Improvement Plan on May 3, 2024, and a Phase II Development Plan and Subdivision Improvement Plan on February 7, 2025.

The applicant, Onyx + East, is proposing to add two (2) pickleball courts with a pavilion, a dog park, and a maintenance garage, all on the southern portion of the site next to the railroad tracks. Since the Concept Plan and Development Program Statement that was originally approved by City Planning Commission and City Council did not show recreational uses or accessory structures, a Major Amendment to the Concept Plan and Development Program Statement is required.

ADJACENT LAND USE AND ZONING:

The site is currently zoned Planned Development (PD-94). The adjacent zoning and land uses are as follows:

North:

Zoning: Planned Development #89 (PD-89), Graphite Oakley,
Use: Multi-family residential

East:

Zoning: Planned Development #64 (PD 64), Oakley Station
Use: Multi-family residential and commercial

South:

Zoning: Manufacturing General (MG) and Planned Development #88 (PD-88), Three Oaks
Use: Railroad tracks and residential

West:

Zoning: Commercial General Auto-oriented (CG-A)
Use: Vacant

PROPOSED DEVELOPMENT AND CHANGES TO CONCEPT PLAN:

The proposed development, The Crossbuck, includes a total of 119 three-story townhomes on individual lots, organized around a series of private streets and alleys. Proposed lot areas range from 998 to 1,273 square feet, and widths range between 18 and 25.5 feet. Homes will range from 1,300 to 2,200 square feet, with one to four bedrooms and two to four bathrooms. Each home will have a two-car garage and optional upgrades to accommodate varying price ranges.

The Major Amendment allows recreational uses to build two (2) pickleball courts and a dog park, in addition to new accessory structures for a maintenance garage and pavilion at the pickleball courts. No other significant changes to the originally approved Concept Plan or Development Program Statement have been proposed.

The maintenance garage will not exceed 16-feet in height and will be situated 32-feet from the east property line and 56-feet from the south property line. The pickleball pavilion will not exceed 16-feet in height or 15-feet in width and will be situated 235-feet from the east property line and a minimum of 40-feet from the south property line. The dog park will be situated between the pickleball courts and the maintenance garage. A 4-foot-tall chain link fence will surround the dog park and a 10-foot-tall chain link fence will surround the pickleball courts to keep the ball within the court.

BASIC REQUIREMENTS OF A PLANNED DEVELOPMENT DISTRICT:

According to §1429-05 of the Cincinnati Zoning Code, *Basic Requirements*, PD Districts and development within PD Districts must comply with the following:

- a. ***Minimum Area*** – *The minimum area of a PD must be two contiguous acres.*

The existing Planned Development consists of 7.58 contiguous acres.

- b. ***Ownership*** – *Evidence that the petitioner has sufficient control over the tract of land to affect the proposed plan, including a list of all ownership and beneficial interests in the tract of land and the proposed development are required.*

The petitioner has provided proof of ownership.

- c. ***Multiple Buildings on a Lot*** – *More than one building is permitted on a lot.*

The approved Concept Plan and Development Program Statement indicate 119 townhomes on the parcel. Multiple Major Subdivisions have been approved by City Planning Commission to separate the townhomes onto their own lots in 2024 and 2025. The accessory structures for the maintenance garage and pickleball pavilion, as well as the courts and the dog park, will be located on land shared by all the property owners.

- d. **Historic Landmarks and Districts** – *Whenever a Planned Development application is filed for a property wholly or partially located within a historic landmark, historic district, or involving a historic structure, the Historic Conversation Board shall advise the City Planning Commission relating to approval of the Final Development Plan.*

No portion of the site is located within a historic district, nor contains any historic landmark.

- e. **Hillside Overlay Districts** – *Whenever a Planned Development application is filed for a property wholly or partially located within a Hillside Overlay District, the City Planning Commission shall approve the Final Development Plan.*

No portion of the site is located within the Hillside Overlay District.

- f. **Urban Design Overlay District** – *Whenever a Planned Development application is filed for a property wholly or partially located within an Urban Design Overlay District, the City Planning Commission shall approve the Final Development Plan.*

No portion of the site is located within an Urban Design Overlay District.

CONCEPT PLAN AND DEVELOPMENT PROGRAM STATEMENT:

According to §1429-09 of the Cincinnati Zoning Code, *Concept Plan and Development Program Statement*, a petition to rezone a property to PD must include a Concept Plan and Development Program Statement. The purpose is to describe the proposed use or uses to be conducted in the PD District. The Concept Plan and Development Program Statement must include text or diagrams that specify:

- a. **Plan Elements** – *A survey of the tract to be developed, providing a metes and bounds description of the property and the survey of property lines and total acreage. Additionally, the plan should include the location in general terms, of land areas to be developed, including: type and description of proposed land uses, buildings and structures; street rights-of-way and driveways; parcel boundaries and proposed lots, including set back lines; building heights; pedestrian circulation systems and open space or other facilities; and proposed topography, drainage, landscaping and buffer plantings.*

The petitioner has submitted a proposed Major Amendment to the Concept Plan that includes sufficient information regarding proposed uses, building locations, street access, pedestrian circulation systems, and open space and landscaping.

- b. **Ownership** – *Evidence that the petitioner has sufficient control over the tract of land to affect the proposed plan, including a list of all ownership and beneficial interests in the tract of land and the proposed development.*

The petitioner has provided proof of ownership.

- c. **Schedule** – *Time schedule of projected development, if the total site is to be developed in phases or if construction is to extend beyond a two-year time period.*

The overall project has just begun construction, and the maintenance shed, pickleball courts, the pickleball pavilion, and dog park will be built if approved.

- d. **Preliminary Reviews** – *A preliminary review of geo-technical, sewage, water, drainage and refuse collection.*

The project has been reviewed through the City's Coordinated Site Review Process (see "Coordinated Site Review").

- e. **Density and Open Space** – *Calculations of density and open space area.*

The overall site is approximately 7.58 acres, with about 2.5 acres (or 33%) being open space.

MAJOR AMENDMENT:

The Cincinnati Zoning Code § 1429-12 allows for amendments to the Concept Plan and Development Program Statement. Major Amendments must be approved by the City Planning Commission and City Council. A Major

Amendment to the Concept Plan and Development Program Statement has been requested for PD-94 because the petitioner wishes to build a maintenance garage, as well as recreational uses to build two pickleball courts and a dog park that were not established in the approved Concept Plan and Development Program Statement.

FINAL DEVELOPMENT PLAN:

Pursuant to §1429-13 of the Cincinnati Zoning Code, a Final Development Plan shall be submitted to the City Planning Commission for any portion of an approved Concept Plan that the petitioner wishes to develop following approval of the Concept Plan and Development Program Statement and the Planned Development designation by City Council. The Final Development Plan must substantially conform to the approved Concept Plan and Development Program Statement. A Final Development Plan for PD-94 was submitted concurrently with the proposed Major Amendment to the Concept Plan and Development Program Statement. The Final Development Plan is filed under a separate request and will be considered as Item 8 on the October 3, 2025, agenda.

COORDINATED SITE REVIEW:

The overall development was reviewed by City departments through the Coordinated Site Review process. The Coordinated Site Review Advisory Team met with the applicant in July of 2022 and issued a letter with their comments (Exhibit G). No concerns were identified.

PUBLIC COMMENT AND NOTIFICATION:

A combined notice for the September 23, 2025, Public Staff Conference and the October 3, 2025 City Planning Commission meeting was sent to all property owners within 400 feet of the site, and the Oakley Community Council.

The Department of City Planning and Engagement held a virtual Public Staff Conference on September 23, 2025 for the proposed Major Amendment and Final Development Plan for Planned Development #94. Members of City staff and the development team were present, but no members of the public attended.

The Oakley Community Council issued a letter of support for the establishment of the Planned Development in 2022, and issued an additional letter of support for the Major Amendment to the Concept Plan and Development Program Statement on September 19, 2025, both of which are shown in Exhibit H. No other correspondence has been received.

CONSISTENCY WITH PLANS:

Plan Cincinnati (2012)

The proposed Major Amendment is consistent with the Live Initiative Area of *Plan Cincinnati (2012)*, including the goal to “Provide a full spectrum of housing options, and improve housing quality and affordability” (p. 164). The proposed Major Amendment will help to improve the quality of life for the people who live in the new homes, which include a variety of sizes and finish options to accommodate different price points.

Oakley Master Plan (2019)

The proposed Major Amendment is consistent with the Managing Our Future Growth Focus Area of the *Oakley Master Plan (2019)*, including the goals to “Assure that future growth is guided by zoning and planning that will preserve Oakley as a thriving, unique, and pedestrian-scaled urban neighborhood” (p. 80) and “Increase the percentage of owner-occupied homes” (p. 85). The Major Amendment will help facilitate the creation of for-sale townhomes, and the proposed design fosters a more dense and walkable neighborhood style than typical for single-family homes, with attached buildings, rear-facing garages, and common open spaces.

CITY PLANNING COMMISSION ACTION:

According to Section §1429-11(a) of the Cincinnati Zoning Code, City Planning Commission may recommend approval or conditional approval, with restrictions on the establishment of a PD District on finding that all of the following circumstances apply:

1. *The PD concept plan and development program statement are consistent with applicable plans and policies and is compatible with surrounding development;*

The proposal is an amendment to an already approved and established Planned Development district. The proposed Major Amendment does not include any changes to the townhomes which are compatible with applicable plans (see “Consistency with Plans”) and the surrounding land use patterns. Adjacent uses are primarily residential, with some commercial located at Oakley Station to the east.

2. *The PD concept plan and development program statement enhance the potential for superior urban design in comparison with the development under the base district regulations that would apply if the plan were not approved;*

The proposal is an amendment to an already approved and established Planned Development district. The proposed maintenance garage and pickleball pavilion are in a similar architectural style to the already approved townhomes, and the pickleball courts and dog park will be positive amenities for the future residents.

3. *Deviations from the base district regulations applicable to the property at the time of the PD application are justified by compensating benefits of the PD concept plan and development program statement;*

The proposal is an amendment to an already approved and established Planned Development. As described above the applicant is requesting accessory structures for a maintenance garage and pickleball pavilion, in addition to recreational uses for pickleball courts and a dog park, necessitating Major Amendment approval.

4. *The PD Concept Plan and Development Program Statement includes adequate provisions for utility services, refuse collection, open space, landscaping and buffering, pedestrian circulation, traffic circulation, building design and building location.*

All aspects are covered in the submitted Concept Plan and Development Program Statement and the concurrently submitted Final Development Plan.

ANALYSIS:

The proposed project will reactivate a currently vacant property into 119 townhomes, providing needed housing to Cincinnati. The project is supported by the Oakley Community Council, and the development team have conducted engagement throughout the process. The requested Major Amendment proposes to add a maintenance garage, dog park, and a pickleball court with pavilion, all of which will help maintain the property and support the quality of life for future residents. No other significant changes to the originally approved Concept Plan and Development Program Statement have been proposed.

FINDINGS:

It is the opinion of staff of the Department of City Planning and Engagement that the proposed Major Amendment to the Concept Plan and Development Program Statement is beneficial for the completion of the proposed project at 3033 Jared Ellis Drive in Oakley. The project is a benefit to the community, and the originally approved Concept Plan did not include the additional accessory structure and recreational uses.

It is the opinion of staff of the Department of City Planning and Engagement that the proposed Major Amendment to the Concept Plan and Development Program Statement is in compliance with §1429-12 *Amendments to a Planned Development Concept Plan*. The proposal is consistent with the purpose of the Planned Development District Regulations, and the petitioner has successfully met all basic requirements of the Planned Development District. The Major Amendment will not negatively impact the existing character of the surrounding area.

RECOMMENDATION:

The staff of the Department of City Planning and Engagement recommends that the City Planning Commission take the following actions:

1. **ADOPT** the Department of City Planning and Engagement Findings as detailed in this report; and
2. **APPROVE** the proposed Major Amendment to the Concept Plan and Development Program Statement for Planned Development #94 (PD-94), The Crossbuck, located at 3033 Jared Ellis Drive in Oakley as outlined in this report.

Respectfully submitted:

A handwritten signature in black ink that reads "Andrew Halt". The signature is written in a cursive, slightly stylized font.

Andrew Halt, AICP, PE, Senior City Planner
Department of City Planning & Engagement

Approved:

A handwritten signature in black ink that reads "Stacey Hoffman". The signature is written in a cursive, slightly stylized font.

Stacey Hoffman, Planning Division Manager
Department of City Planning & Engagement