

SUBJECT: A report and recommendation on a proposed Major Amendment to the Concept Plan and Development Program Statement for Planned Development #88 (PD-88), Three Oaks, located at 2800 Robertson Avenue in Oakley.

GENERAL INFORMATION:

Location: 2800 Robertson Avenue, Cincinnati OH, 45209

Petitioner: Neyer Properties
2135 Dana Avenue, Suite 200, Cincinnati OH, 45207

Owner: Oakley Yards Land, LLC
2135 Dana Avenue, Suite 200, Cincinnati OH, 45207

Request: A proposed Major Amendment to the Concept Plan and Development Program Statement for Planned Development #88, Three Oaks, in Oakley, to increase the allowable square footage of the senior housing building.

ATTACHMENTS:

Provided in addition to this report are the following exhibits:

- Exhibit A – Location Map
- Exhibit B – PD-88 Approved Concept Plan and Development Program Statement
- Exhibit C – Amended Development Program Statement
- Exhibit D – Amended Concept Plan
- Exhibit E – Coordinated Site Review Letter (25CIN-CSR-000136)

BACKGROUND:

Planned Development #88 (PD-88), Three Oaks, was established on June 24, 2020, by Ordinance 227-2020, in which City Council approved the zone change and Concept Plan and Development Program Statement. The entire project encompasses 30.86 acres of land at 2800 Robertson Avenue in Oakley to be developed with single-family homes, multi-family buildings, senior housing, and a club house. The site is in varying stages of development and owned by several subsidiaries of Neyer Properties.

The petitioner, Neyer Properties, is requesting a Major Amendment to the Concept Plan and Development Program Statement for the southwestern portion of the project site, where the senior housing building was approved. The amendment would impact approximately 5.48 acres of the total project site. The building was previously approved for a total square footage of 250,000 square feet; the petitioner is requesting for the maximum allowed square footage to be increased to 428,000 square feet. The new proposal includes approximately 111,000 square feet of structure parking. The height, uses, and setbacks of the proposed building fall within parameters established in the approved Concept Plan and Development Program Statement.

The petitioner's current proposal requires a Major Amendment to the Concept Plan and Development Program Statement of PD-88, because the total square footage of the proposed senior housing building is proposed to be more than a 5% increase compared to was established in the approved Concept Plan.

ADJACENT LAND USE AND ZONING:

The site is currently zoned Planned Development (PD-88). The adjacent zoning and land uses are as follows:

North:

Zoning: Manufacturing General (MG), Commercial General – Auto (CG-A), and Planned Development #94 (PD-94)

Existing Use: Railroad, commercial (storage facility), and proposed townhomes (PD-94)

East:

Zoning: Manufacturing General (MG)

Existing Use: Vacant building, light manufacturing and commercial

South:

Zoning: Single-Family 4 (SF-4), Commercial Neighborhood – Pedestrian (CN-P)

Existing Use: Low-density residential (single-family, duplexes)

West:

Zoning: Cincinnati boundary, Manufacturing General (MG)

Existing Use: I-71, commercial (storage facility)

PROPOSED DEVELOPMENT AND CHANGES TO CONCEPT PLAN:

The approved Concept Plan and Development Program Statement for PD-88 included a variety of residential building types, including single-family, townhomes, multi-family, and senior living units. The proposed project consists of a new senior living building, also referred to as an active adult living apartment complex. The proposed project includes 191 units, a four-story parking structure with approximately 306 parking spaces, a courtyard with a pool, and various other amenities for tenants, including a pickle ball court, community garden, dog park, and putting green.

The table below indicates what the senior living component was approved with and what is currently proposed:

	Approved Concept Plan	Proposed
Square Footage	200,000 – 250,000	428,000
Unit Count	150-200	191
Stories	1 – 5	4
Vehicular Parking Spaces	45-50	306

The petitioner has requested a Major Amendment to the Concept Plan and Development Program Statement to increase the allowable square footage of the building to 428,000 square feet, more than a 5% increase compared to what was established in the approved Concept Plan and Development Program Statement. The approved Concept Plan established a maximum square footage of 250,000 square feet for the senior living building.

No other significant changes to the originally approved Concept Plan and Development Program Statement have been proposed. The change is considered a Major Amendment to revise the Concept Plan and Development Program Statement accordingly.

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 30.86 contiguous acres, with the Major Amendment impacting approximately 5.48 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 evidence of site ownership by Oakley Yards, LLC.

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

The approved Concept Plan and Development Program Statement indicate several buildings, including single-family housing, multi-family buildings, senior housing, and a club house.

- 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 a 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 and Development Program Statement 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 evidence of site ownership by Oakley Yards, LLC.

- 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 entire project site will be constructed in multiple phases. Parts of the project are already under construction or complete. The senior housing building is part of an upcoming phase.

- 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 at the Technical Design Review level (see "Coordinated Site Review").

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

The proposed buildings occupy approximately 108,639 square feet of the 238,525 square foot site, leaving 46% of the site available as 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-88 because the petitioner wishes to increase the allowable square footage of the senior housing building by more than 5% of what was 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. This will be reviewed by the City Planning Commission at a future meeting.

COORDINATED SITE REVIEW:

The proposed project was reviewed at the Technical Design Review level through the City's Coordinated Site Review process in September of 2025. There were no objections from reviewing departments, though some departments outlined additional requirements to obtain permits (Exhibit E).

PUBLIC COMMENT AND NOTIFICATION:

A combined notice for the October 29, 2025 Public Staff Conference and the November 7, 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 October 29, 2025 for the proposed Major Amendment for Planned Development #88. Staff from the Department of City Planning and Engagement and two members of the development team were present. Two community members attended the public staff conference; there were no comments or questions.

CONSISTENCY WITH PLANS:

Plan Cincinnati (2012)

The proposed Major Amendment is consistent with the Live Initiative Area of *Plan Cincinnati (2012)*, particularly the goal to "Provide a full spectrum of housing options, and improve housing quality and affordability" (p. 164) and the strategy to "Offer housing options of varied sizes and types for residents at all stages of life" (p. 169). The proposed project is for senior apartments, providing a needed housing type.

Oakley Master Plan (2019)

The proposed Major Amendment is consistent with the Managing Our Future Growth Focus Area of the *Oakley Master Plan (2019)*, particularly the goal 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 the strategy to "Identify neighborhood development goals to the Robertson Avenue, Forrer Street, and Disney Avenue site..." (p. 84). The proposed senior development will contribute to a walkable, pedestrian-scaled residential community with semi-public and public amenities.

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 established residential and residential-supporting uses, which are compatible with applicable plans (see “Consistency with Plans”) and the surrounding land use patterns.

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 proposal increased the square footage of the senior housing building to allow for a structured parking garage, necessitating Major Amendment approval.

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 proposal increased the square footage of the senior housing building to allow for a structured parking garage, 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.

ANALYSIS:

The proposed project will reactivate a currently vacant property into a productive development that will provide needed senior housing to the neighborhood and Cincinnati. The requested Major Amendment proposes to adjust the maximum square footage on the site to be greater than was established in the approved Concept Plan. 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 necessary for the completion of the proposed project at 2800 Roberston Avenue in Oakley. The project is a benefit to the community, and the originally approved Concept Plan required modification due to market conditions.

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 #88 (PD-88), Three Oaks, located at 2800 Robertson Avenue as outlined in this report.

Respectfully submitted:



Emily Burns, City Planner
Department of City Planning & Engagement

Approved:



Katherine Keough-Jurs, FAICP, Director
Department of City Planning & Engagement