

## EMERGENCY

CHM

- 2023

**APPROVING** a major amendment to the concept plan and development program statement governing Planned Development No. 83 to enlarge the planned development by adding certain adjacent properties to facilitate future mixed-use development, thereby approving the rezoning of the adjacent properties from the CC-A, “Commercial Community-Auto-Oriented,” MG, “Manufacturing General,” PR, “Park and Recreation,” and RM-0.7, “Residential Multi-family” zoning districts to Planned Development District No. 83, “FC Cincinnati Stadium.”

WHEREAS, Fussball Club Cincinnati, LLC (or an affiliate thereof) (“FC Cincinnati”) owns certain real property in the West End neighborhood located at 1501 Central Parkway, within the block generally bound by Central Parkway, Ezzard Charles Drive, John Street, and Wade Street, which property the Council rezoned to Planned Development District No. 83, “FC Cincinnati Stadium,” (“PD-83”) pursuant to Ordinance No. 63-2019; and

WHEREAS, the concept plan and development program statement for PD-83 initially provided for the construction of a new 26,500-seat stadium, including a two-level parking garage and up to 162,500 square feet of mixed-use space; and

WHEREAS, the concept plan and development program statement for PD-83 was subsequently amended by Ordinance Nos. 169-2019, 363-2019, and 46-2020, which ordinances had the effect of enlarging PD-83 to provide for enhanced access to the proposed stadium and its parking facilities and to add additional land for future mixed-use, phased development; and

WHEREAS, FC Cincinnati, or an affiliate thereof, owns or controls certain real property immediately adjacent to PD-83 generally bounded by Central Parkway, West Liberty Street, John Street, Bauer Avenue, and Central Avenue (“Expansion Property”); and

WHEREAS, FC Cincinnati, which has sufficient control over the PD-83 property and the Expansion Property to affect its proposed plan, has petitioned the City to approve a major amendment to the PD-83 concept plan and development program statement to include the Expansion Property and to modify the future land uses and development regulations that will govern the development within PD-83, including the Expansion Property; and

WHEREAS, the enlargement of PD-83 will enhance the planned development by providing for up to 1,272,000 square feet of mixed-use residential, commercial, retail, and office space across seven buildings, an additional 300 to 500 parking spaces, and up to 98,000 square feet of open space across various plazas, courtyards, and stadium concourse enhancements; and

WHEREAS, at its regularly scheduled meeting on September 15, 2023, the City Planning Commission recommended approval of the proposed enlargement of PD-83 and the major amendment to the PD-83 concept plan and development program statement; and

WHEREAS, a committee of Council held a public hearing on the major amendment to the PD-83 concept plan and development program statement following due and proper notice pursuant to Cincinnati Municipal Code Section 111-1, and the committee approved the major amendment, finding it in the interest of the general public's health, safety, morals, and general welfare; and

WHEREAS, the major amendment to the concept plan and development program statement for PD-83 is consistent with Plan Cincinnati (2012), including its "Compete" goal to "[c]ultivate our position as the most vibrant and economically healthiest part of our region," as described on page 114, and to "[b]ecome nationally and internationally recognized as a vibrant and unique city," as described on page 121; and

WHEREAS, Council considers the major amendment to the PD-83 concept plan and development program statement to be in the best interest of the City and the general public's health, safety, morals, and general welfare; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the shape and area of the City of Cincinnati's official zoning map in the location generally bounded by Central Parkway, West Liberty Street, John Street, Bauer Avenue, and Central Avenue--but excluding the real property located at 498 and 414 Bauer Avenue and 1565 Central Avenue (PID #s 134-0001-0214, 134-0001-0215, and 134-0001-0409)--(collectively, "PD-83 Expansion Property") shown on the map attached hereto as Attachment A and incorporated by reference, and being more particularly described on the legal description contained in Attachment B attached hereto and incorporated by reference, is hereby amended from the RM-0.7, "Residential Multi-family," CC-A, "Commercial Community Auto-oriented," MG, "Manufacturing General," and PR, "Park and Recreation" zoning districts to Planned Development District No. 83 ("PD-83").

Section 2. That the concept plan for PD-83, as approved by Ordinance No. 63-2019 and amended by Ordinance Nos. 169-2019, 363-2019, and 46-2020 is hereby further amended and supplemented to incorporate the Expansion Property, as indicated on the concept plan attached hereto as Attachment C and incorporated herein by reference.

Section 3. That the development program statement for PD-83, as approved by Ordinance No. 63-2019 and amended by Ordinance Nos. 169-2019, 363-2019, and 46-2020 is hereby further amended and supplemented by the development program statement attached hereto as Attachment D and incorporated herein by reference.

Section 4. That to the extent the concept plan and development program statement for PD-83 are not amended herein, they shall remain in force and effect.

Section 5. That the use and development of the real property designated PD-83, including the PD-83 Expansion Property, shall be governed by the concept plan and development program statement for PD-83, as amended herein, for so long as PD-83 remains effective.

Section 6. That, should the approval of PD-83 lapse pursuant to Cincinnati Municipal Code Chapter 1429, "Planned Development Districts," the PD-83 Expansion Property shall revert to the RM-0.7, "Residential Multi-family," CC-A, "Commercial Community Auto-oriented," MG, "Manufacturing General," and PR, "Park and Recreation" zoning districts in effect immediately prior to the effective date of this ordinance.

Section 7. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to allow FC Cincinnati to proceed with its development plans so that the City may receive and enjoy the corresponding benefits at the earliest possible date.

Passed: \_\_\_\_\_, 2023

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Aftab Pureval, Mayor

Attest: \_\_\_\_\_  
Clerk