

**APPROVING** a major amendment to the concept plan and development program statement governing a portion of Planned Development District No. 88, “Three Oaks,” to change the uses permitted within the planned development to facilitate the construction of car condominiums in the area generally bound by a railroad right-of-way to the north, 34th Avenue to the east, 32nd Avenue to the west, and Iron Oak Avenue to the south in the Oakley neighborhood.

WHEREAS, Three Oaks Single Family, LLC owns or controls certain real property in the Oakley neighborhood generally bound by railroad right-of-way to the north, 34th Avenue to the east, 32nd Avenue to the west, and Iron Oak Avenue to the south (“Property”), which property Council rezoned to Planned Development District No. 88 (“PD-88”), pursuant to Ordinance No. 227-2020 adopted on June 24, 2020; and

WHEREAS, the original concept plan and development program statement for PD-88 provided for the construction of 27 single-family dwellings on the Property; and

WHEREAS, Neyer Properties, Inc. (“Neyer”), has petitioned the City to approve a major amendment to the PD-88 concept plan and development program statement to allow for the construction of five buildings on the Property containing 31 car condominiums for personal vehicular storage use as an amenity for residents of the Three Oaks community, the residents of the surrounding Oakley neighborhood, and the City; and

WHEREAS, the proposed car condominiums will be accessed through a gated private drive along 34th Avenue with an emergency access gate on 32nd Avenue and will provide a buffer between the railroad to the north of the Property and residential dwellings to the south of the Property; and

WHEREAS, at its regularly scheduled meeting on September 20, 2024, the City Planning Commission recommended approval of the proposed major amendment to the concept plan and development program statement for PD-88; and

WHEREAS, a committee of Council held a public hearing on the major amendment to the concept plan and development program statement for PD-88 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 public’s health, safety, morals, and general welfare; and

WHEREAS, the proposed major amendment to the concept plan and development program statement for PD-88 is in accordance with the “Compete” initiative area with the goal to “[c]ultivate our position as the most vibrant and economically healthiest part of our region” as described on page 114 of Plan Cincinnati (2012); and

WHEREAS, the proposed major amendment to the concept plan and development program statement for PD-88 is in accordance with the goal to “[a]ssure that future growth is guided by zoning and planning that preserve Oakley as a thriving, unique, and pedestrian-scaled urban neighborhood” as described on page 80 of the Oakley Master Plan (2019); and

WHEREAS, Council considers the major amendment to the PD-88 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 Council hereby adopts as its own independent findings the Department of City Planning and Engagement and the Cincinnati Planning Commission’s findings that the major amendment to Planned Development District No. 88 (“PD-88”) further described herein conforms to the requirements of Cincinnati Municipal Code Sections 1429-05, 1429-09, and 1429-11.

Section 2. That the zoning map, concept plan, and development program statement for PD-88 are hereby amended to incorporate the concept plan amendment, attached hereto as Attachment A and incorporated herein by reference, and development program statement amendment, attached hereto as Attachment B and incorporated herein by reference.

Section 3. That, to the extent the concept plan and development program statement for PD-88 are not amended herein, they shall remain in full force and effect.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_, 2024

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Aftab Pureval, Mayor

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