

EMERGENCY

MEH

- 2025

AUTHORIZING the real property located at 515 Water Street in the Central Business District to be developed and used as a temporary parking facility **NOTWITHSTANDING** the use limitations contained in Chapter 1413, “Manufacturing General,” and Chapter 1415, “Riverfront Districts,” of the Cincinnati Municipal Code and certain other zoning regulations governing the development of a temporary parking facility.

WHEREAS, the Hamilton County Board of Commissioners (“County”) owns the real property located at 515 Water Street in the Central Business District (“Property”), upon which the County proposes to construct a temporary parking facility (“Project”); and

WHEREAS, the Property consists of multiple parcels comprising approximately 17.98 acres that span the MG, “Manufacturing General,” and RF-M, “Riverfront Manufacturing,” zoning districts, portions of which are additionally located within the 100-year floodplain; and

WHEREAS, to authorize its construction and operation, the Project requires legislative approval to set aside certain zoning regulations; and

WHEREAS, the County is undertaking the Project to meet parking demands in the area, particularly those that arise during large-scale events and on gamedays at Paycor Stadium; and

WHEREAS, setting aside applicable zoning regulations to permit the development and use of the Property as a temporary parking facility will result in greater parking choice in the areas adjacent to Paycor Stadium and the Banks and encourage more public engagement and use of those spaces; and

WHEREAS, permitting the development and use of the Property as a temporary parking facility will not result in adverse effects to the surrounding area, which is surrounded by elevated expressways and commercial and industrial uses; and

WHEREAS, the City Planning Commission, at its regularly scheduled meeting on June 6, 2025, upon considering the factors set forth in Cincinnati Municipal Code Section 111-5, recommended the adoption of a notwithstanding ordinance authorizing the Project, subject to certain conditions; and

WHEREAS, authorizing the development of the Project is in accordance with the “Compete” goal to “[f]oster a climate conducive to growth, investment, stability and opportunity” and the strategy to “[g]row our own” by focusing on retention, expansion and relocation of existing businesses as described on pages 103-104 of Plan Cincinnati (2012); and

WHEREAS, Council finds that the Project will contribute to the city's energy, economic vitality, and job growth by providing additional parking options that support a major economic and employment generator for the region; and

WHEREAS, Council additionally finds that permitting the Project will not have an adverse effect on the character of the area or the public health, safety, and welfare, and that the Project is in the best interests of the City and the 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, following its own independent review and consideration, Council incorporates the foregoing recitals as if fully rewritten and confirms that setting aside certain zoning regulation to authorize the Hamilton County Board of Commissioners' ("County") development and use of the property located at 515 Water Street in the Central Business District ("Property") in the Central Business District as a temporary parking facility ("Project") satisfies the criteria set forth in Cincinnati Municipal Code ("CMC") Section 111-5 in all respects. The Property is depicted on the map attached as Attachment A and incorporated by reference, and the Project is depicted on the plans attached as Attachment B and incorporated by reference.

Section 2. That Council specifically finds that authorizing the County to develop and use the Property as a temporary parking facility will not have an adverse effect on the character of the surrounding area or the public's health, safety, and general welfare, and that it is consistent with the purposes of the CMC and the zoning districts within which the Property is located, taking into account the factors listed in CMC Section 111-5.

Section 3. That Council authorizes the Property's development and use as a temporary parking facility, subject to the terms and conditions set forth in this ordinance. This authorization is granted notwithstanding the use and landscaping limitations contained in CMC Chapter 1413, "Manufacturing General," and CMC Chapter 1415, "Riverfront Districts," and notwithstanding other applicable zoning regulations that would prevent the Property's development and use as a

temporary parking facility, as proposed, including, but not limited to, the fence and light-pole height requirements set forth in CMC Chapter 1421, “General Site Standards,” and the off-street parking requirements and standards set forth in CMC Chapter 1425, “Parking and Loading Regulations.”

Section 4. That Council’s authorization of the Property’s development and use as a temporary parking facility is subject to the following conditions:

- a. That the Property shall be developed substantially consistent with the plans attached as Attachment B and those on file with the Department of Buildings and Inspections under permit no. 2025P03960; and
- b. That the Property may not be used as a parking facility on or after March 1, 2026, and that the City Manager and the appropriate City officials may order the removal of the temporary parking facility and the restoration of the Property to greenfield, at no cost to the City: (i) upon finding that the County has failed to comply with one or more of the conditions contained herein; (ii) at any time following March 1, 2026; or (iii) upon the County’s vacation of the Property or abandonment of the temporary parking facility. The temporary parking facility shall be deemed abandoned if the County intentionally discontinues its use and occupancy of the facility for more than ninety consecutive days.

Section 5. That this ordinance does not provide a variance from any other laws of the City, and the Property shall remain subject to all other CMC provisions, including Chapter 1109, “Flood Damage Reduction,” Chapter 1413, “Manufacturing Districts,” Chapter 1415, “Riverfront Districts,” Chapter 1421, “General Site Standards,” Chapter 1425, “Parking and Loading Regulations,” and Chapter 1427, “Signage Regulations.”

Section 6. That the City Manager and the appropriate City officials are authorized to take all necessary and proper actions to implement this ordinance, including by issuing building permits and related approvals, provided they conform to applicable building codes, accessibility laws, and other applicable laws, rules, and regulations.

Section 7. That the authorizations granted herein are specific to the County and shall not benefit the County's successors-in-interest, and that the authorizations shall expire upon March, 1, 2026, the County's vacation of the Property, or the County's abandonment of the temporary parking facility, whichever comes first. The temporary parking facility shall be deemed abandoned if the County intentionally discontinues its use and occupancy of the facility for more than ninety consecutive days.

Section 8. 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 the Project to proceed so that the temporary parking facility may commence operation in time for the upcoming events in the summer and fall seasons so that the corresponding benefits to the City and the Central Business District may be realized at the earliest possible time.

Passed: _____, 2025

Aftab Pureval Mayor

Attest: _____
Clerk