



City of Cincinnati

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-2025

An Ordinance No. 131

APPROVING a major amendment to the concept plan and development program statement governing a portion of Planned Development District No. 67, "University Station," to change the uses permitted within the planned development to allow small-scale recreation and entertainment uses, and all uses permitted within the CN, "Commercial Neighborhood," zoning district in the area located at 3701 Montgomery Road in the Evanston neighborhood.

WHEREAS, Xavier University, owns or controls certain real property in the Evanston neighborhood located at 3701 Montgomery Road ("Property"), which property Council rezoned to Planned Development District No. 67 ("PD-67"), pursuant to Ordinance No. 0361-2012 adopted on October 3, 2012; and

WHEREAS, the Property currently contains a vacant one-story commercial structure that formerly contained a restaurant and bank and the original concept plan and development program statement for PD-67 established retail, restaurant, and bar uses on the Property; and

WHEREAS, MSA Design, has petitioned the City to approve a major amendment to the PD-67 concept plan and development program statement to allow small-scale recreation and entertainment uses, and all uses permitted within the CN, "Commercial Neighborhood," zoning district; and

WHEREAS, the proposed major amendment to the PD-67 concept plan and development program statement will allow for the former commercial bank space to be converted into an arcade, and affords greater flexibility for future uses on the Property to respond to market and neighborhood changes; and

WHEREAS, Section 1429-12(b) of the Zoning Code provides that changes in the uses allowed under an approved concept plan constitute a major amendment to the concept plan that requires approval of the City Planning Commission and Council in the same manner as a zoning map amendment; and

WHEREAS, at its regularly scheduled meeting on April 18, 2025, the City Planning Commission recommended approval of the proposed major amendment to the concept plan and development program statement for PD-67; and

WHEREAS, a committee of Council held a public hearing on the major amendment to the concept plan and development program statement for PD-67 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-67 is in accordance with Plan Cincinnati (2012), and the "Compete" initiative area with the goal to "[c]ultivate our position as the most vibrant and economically healthiest part of our region" (page 114); and

WHEREAS, the proposed major amendment to the concept plan and development program statement for PD-67 is in accordance with Goal 3 of the Evanston Work Plan (2019), which encourages development that can “[r]evive Evanston’s Business Districts to preserve the rich culture and history of the community, reflecting education and the arts and promoting the community as a great place to live and work” (page 80); and

WHEREAS, Council considers the major amendment to the PD-67 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. 67 (“PD-67”) further described herein conforms to the requirements of Cincinnati Municipal Code Sections 1429-05, 1429-09, and 1429-11.

Section 2. That the concept plan and development program statement for PD-67 are hereby amended to incorporate the concept plan amendment, attached hereto as Attachment A and incorporated herein by reference, and the 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-67 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: MAY 21, 2025

Attest: [Signature]
Clerk

[Signature]
Aftab Pureval, Mayor

I HEREBY CERTIFY THAT ORDINANCE NO. 139-2025
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 4/3/2025
[Signature]
CLERK OF COUNCIL