



## City of Cincinnati

DBS

AWB

# An Ordinance No. 158

- 2021

**AMENDING** the official zoning map of the City of Cincinnati to rezone the real property located at 4804-4810 Whetsel Avenue in the Madisonville neighborhood from the T4N.SF, "T4 Neighborhood Small Footprint," and T4N.SF-O, "T4 Neighborhood Small Footprint – Open," transect zones to the T5MS-O, "T5 Main Street – Open," transect zone to facilitate the establishment of a new restaurant.

WHEREAS, Brian J. Kim ("Petitioner"), has petitioned to rezone the real property located at 4804-4810 Whetsel Avenue in the Madisonville neighborhood ("Subject Area") from the T4N.SF, "T4 Neighborhood Small Footprint," and T4N.SF-O, "T4 Neighborhood Small Footprint – Open," transect zones to the T5MS-O, "T5 Main Street – Open," transect zone; and

WHEREAS, rezoning the Subject Area to the T5MS-O, "T5 Main Street – Open," transect zone would allow the Petitioner to establish a new restaurant on the property located at 4804 Whetsel Avenue; and

WHEREAS, the property located at 4810 Whetsel Avenue within the Subject Area is currently located in the T5MS-O, "T5 Main Street – Open," transect zone, and thus rezoning the entirety of the Subject Area to the same transect zone would allow it to be developed and operated in a manner consistent with the property located at 4804 Whetsel Avenue; and

WHEREAS, the proposed zone change is consistent with *Plan Cincinnati* (2012), including its "Compete" initiative with the goal to "target investment to geographic areas where there is already economic activity," (p. 141); and

WHEREAS, the Madisonville Community Council and Madisonville Community Urban Redevelopment Corporation have submitted letters of support for the proposed rezoning; and

WHEREAS, at its regularly scheduled meeting on April 16, 2021 the City Planning Commission determined that the proposed zone change is in the interest of the public's health, safety, morals, and general welfare, and it recommended rezoning the Subject Area from the T4N.SF, "T4 Neighborhood Small Footprint," and T4N.SF-O, "T4 Neighborhood Small Footprint – Open," transect zones to the T5MS-O, "T5 Main Street – Open," transect zone; and

WHEREAS, a committee of Council held a public hearing on the proposed rezoning of the Subject Area following due and proper notice pursuant to Cincinnati Municipal Code Section 111-1, and the committee approved rezoning the Subject Area, finding it in the interest of the public's health, safety, morals, and general welfare; and

WHEREAS, the Council resolves to rezone the Subject Area from the T4N.SF, "T4 Neighborhood Small Footprint," and T4N.SF-O, "T4 Neighborhood Small Footprint – Open,"

transect zones to the T5MS-O, "T5 Main Street – Open," transect zone, finding it to be in the interest of 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:

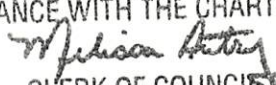
Section 1. That the shape and area of the City of Cincinnati's official zoning map in the location of the real property located at 4804-4810 Whetsel Avenue in the Madisonville neighborhood, shown on the map attached hereto as Exhibit "A" and incorporated herein by reference, and being more particularly described on the legal description contained in Exhibit "B" attached hereto and incorporated herein by reference, is hereby amended from the T4N.SF, "T4 Neighborhood Small Footprint," and T4N.SF-O, "T4 Neighborhood Small Footprint – Open," transect zones to the T5MS-O, "T5 Main Street – Open," transect zone.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: May 12, 2021

Attest:   
Clerk

  
John Cranley, Mayor

I HEREBY CERTIFY THAT ORDINANCE NO 158-2021  
WAS PUBLISHED IN THE CITY BULLETIN  
IN ACCORDANCE WITH THE CHARTER ON 6-26-2021  
  
CLERK OF COUNCIL