

## EMERGENCY

CHM

- 2024

**AMENDING** the official zoning map of the City of Cincinnati to rezone certain real property in the area generally bound by the Ludlow Viaduct to the west, Old Ludlow Avenue to the east, and the William P. Dooley Bypass to the south in the Northside neighborhood from the CC-M, “Commercial Community-Mixed,” and MG, “Manufacturing General,” zoning districts to Planned Development District No. 100, “Northside Gateway.”

WHEREAS, Cincinnati Northside Community Urban Redevelopment Corporation, doing business as Northsiders Engaged in Sustainable Transformation (“NEST”), and the City of Cincinnati own certain real property in the Northside neighborhood generally bound by the Ludlow Viaduct to the west, Old Ludlow Avenue to the east, and the William P. Dooley Bypass to the south, which property contains approximately 2.1848 acres (“Property”); and

WHEREAS, NEST, partnering with Over-the-Rhine Community Housing and Urban Sites, seeks to redevelop the Property into a mixed-use affordable housing development, comprising the adaptive reuse of the four-story former Stagecraft company building and the construction of a new four-story multi-family apartment building to provide up to approximately 4,300 square feet of commercial space and up to approximately 57,362 square feet of multi-family residential space, containing up to 58 apartment units affordable to persons earning up to 60% of the area medium income (“Project”); and

WHEREAS, NEST has sufficient control over the Property to affect the Project and has petitioned the City to rezone the Property from the CC-M, “Commercial Community-Mixed,” and MG, “Manufacturing General,” zoning districts to Planned Development District No. 100, “Northside Gateway” (“PD-100”), to undertake the Project; and

WHEREAS, NEST has submitted a concept plan and development program statement for PD-100, which documents describe the land use and development regulations that will govern the development and conform with the requirements of Cincinnati Municipal Code Section 1429-09; and

WHEREAS, on January 19, 2024, the City Planning Commission approved the rezoning of the Property from the CC-M, “Commercial Community-Mixed,” and MG, “Manufacturing General,” zoning districts to PD-100, upon a finding that: (i) NEST’s concept plan and development program statement are consistent with applicable plans and policies and are compatible with surrounding development; (ii) the concept plan and development program statement enhance the potential for superior urban design in comparison with the development under the base district regulations that would apply if the plan were not approved; (iii) deviations from the base district regulations applicable to the Property at the time of NEST’s application are justified by compensating benefits of the concept plan and development program statement; and (iv) the concept plan and development program statement include adequate provisions for utility services, refuse collection, open space, landscaping and buffering, pedestrian circulation, traffic circulation, building design, and building location; and

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

WHEREAS, the Project is consistent with the Northside Comprehensive Land Use Plan (2014), which plan has a stated goal to "[i]mprove the quality and quantity of affordable and market rate rental housing," with the strategy to "[i]ntegrate more housing into our neighborhood business district to strengthen it and increase pedestrian activity," as described on page 82; and

WHEREAS, the Project is consistent with Plan Cincinnati (2012), particularly a goal of the Live Initiative Area to "[p]rovide a full spectrum of housing options, and improve housing quality and affordability" as described on page 164, and the strategy to "[p]rovide quality healthy housing for all income levels" as described on page 165; and

WHEREAS, Council considers the establishment of PD-100 to be 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 Council hereby adopts as its own independent findings the Department of City Planning and Engagement's and the Cincinnati Planning Commission's findings that the planned development proposed by Cincinnati Northside Community Urban Redevelopment Corporation, doing business as Northsiders Engaged in Sustainable Transformation ("NEST"), for the real property located in the Northside neighborhood in the area shown on the map attached hereto as Attachment A and incorporated herein by reference conforms to the requirements of Cincinnati Municipal Code Sections 1429-05, 1429-09, and 1429-11.

Section 2. That the shape and area of the City's official zoning map in the location of the real property shown on the map attached hereto as Attachment A and incorporated herein by reference, and being more particularly described on the legal description attached hereto as Attachment B and incorporated herein by reference, is hereby amended from the CC-M, "Commercial Community-Mixed," and MG, "Manufacturing General," zoning districts to Planned Development District No. 100, "Northside Gateway" ("PD-100").

Section 3. That the development program statement, attached hereto as Attachment C and incorporated herein by reference, and that the concept plan, attached hereto as Attachment D and incorporated herein by reference, are hereby approved. The approved concept plan and development program statement shall govern the use and development of the subject property during the effective period of PD-100.

Section 4. That should PD-100 lapse pursuant to provisions of Cincinnati Municipal Code Chapter 1429, "Planned Development Districts," the Property shall revert to the CC-M, "Commercial Community-Mixed," and MG, "Manufacturing General," zoning districts in effect immediately prior to the effective date of PD-100.

Section 5. 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 NEST to proceed with its development plans to apply for low-income housing tax credits by the pending application deadline in February 2024. The low-income housing tax credits will assure the viability of a project that will contribute to the economic growth and vitality of the Northside neighborhood.

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

---

Aftab Pureval, Mayor

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