



City of Cincinnati

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An Ordinance No. 274 - 2020

AMENDING the official zoning map of the City of Cincinnati to rezone certain real property located in the Oakley neighborhood and commonly known as 2980 Disney Street from the CG-A, “Commercial General Auto-Oriented,” zoning district to Planned Development District No. 89, “Graphite Oakley.”

WHEREAS, Hills Properties (“Petitioner”) has obtained an option to purchase certain real property in the Oakley neighborhood commonly known as 2980 Disney Street (“Property”), which property contains approximately 8.1 acres excluding right-of-way; and

WHEREAS, the Property is the site of a former factory and is currently considered a brownfield site; and

WHEREAS, Petitioner seeks to develop the Property into a residential community containing five multi-family buildings consisting of up to approximately 316 residential rental units in the aggregate and 565 off-street parking spaces (“Project”); and

WHEREAS, the Petitioner has sufficient control over the Property to effect the proposed plan and has petitioned the City to rezone the Property from the CG-A, “Commercial General Auto-Oriented,” zoning district to Planned Development District No. 89, “Graphite Oakley,” to permit the construction of the Project; and

WHEREAS, the Petitioner has submitted a concept plan and development program statement for the Project, which concept plan and development program statement describe the land use and development regulations that will govern the Project and which documents otherwise meet the requirements of Cincinnati Municipal Code Section 1429-09; and

WHEREAS, on July 17, 2020, the City Planning Commission approved the rezoning of the Property from the CG-A, “Commercial General Auto-Oriented,” zoning district to a planned development upon a finding that: (i) the Petitioner’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 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 the Petitioner’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 general public's health, safety, morals, and welfare; and

WHEREAS, the Project is consistent with the "Live" Initiative Area of *Plan Cincinnati* (2012), which has a goal to "provide a full spectrum of housing options, and to improve housing quality and affordability," (page 156) and to "provide a full spectrum of housing options and improve housing quality and affordability," (page 164) and to "improve the quality and number of moderate to high-income rental and homeowner units," (page 165); and

WHEREAS, the Project is further consistent with the *Oakley Master Plan* (2019), including its goal to "ensure that future growth is guided by zoning and planning that will preserve Oakley as a thriving, unique, and pedestrian-scaled urban neighborhood," (page 80) and to "evaluate the appropriateness of the existing zoning map for vacant and underutilized properties," (page 67); and

WHEREAS, Council considers the establishment of Planned Development District No. 89, "Graphite Oakley," to be in the best interests of the City and the general public's health, safety, morals, and 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's and the Cincinnati Planning Commission's findings that the planned development proposed by Hills Properties for the real property in the Oakley neighborhood commonly known as 2980 Disney Street ("Property") 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 Property, which real property is identified on the map attached hereto as Exhibit "A" and made a part hereof, and which real property is more particularly described on Exhibit "B," attached hereto and made a part hereof, is hereby amended from the CG-A, "Commercial General Auto-Oriented," zoning district to Planned Development District No. 89, "Graphite Oakley."

Section 3. That the development program statement, attached hereto as Exhibit "C" and made a part hereof, and the concept plan, attached hereto as Exhibit "D" and made a part hereof,

are hereby approved. The approved development program statement and concept plan shall govern the use and development of the Property during the effective period of the Planned Development District No. 89, "Graphite Oakley."

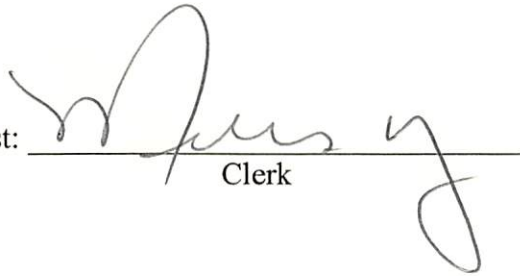
Section 4. That, should Planned Development District No. 89, "Graphite Oakley" lapse pursuant to provisions of Cincinnati Municipal Code Chapter 1429, "Planned Development Districts," the Property shall revert to the CG-A, "Commercial General Auto-Oriented," zoning district in effect immediately prior to the effective date of Planned Development District No. 89, "Graphite Oakley."

Section 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

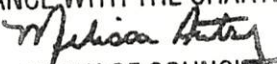
Passed: August 5, 2020




John Cranley, Mayor

Attest: 

Clerk

I HEREBY CERTIFY THAT ORDINANCE NO. 274-2020
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 8-18-2020

CLERK OF COUNCIL

CITY PLANNING COMMISSION
July 17, 2020

APPROVED


DIRECTOR OF CITY PLANNING