



EMERGENCY

City of Cincinnati

DBS

AWB

An Ordinance No. _____

- 2021

AMENDING the official zoning map of the City of Cincinnati to align the boundaries of certain portions of the CG-A, "Commercial General Auto-Oriented," zoning district and Planned Development District No. 64, "Oakley Station," in the Oakley neighborhood with the curvature of Disney Street and its intersection with Jared Ellis Drive.

WHEREAS, certain portions of the CG-A, "Commercial General Auto-Oriented," zoning district and Planned Development District No. 64, "Oakley Station," in the Oakley neighborhood were not adjusted following road construction that realigned Disney Street and its intersection with Jared Ellis Drive; and

WHEREAS, the City of Cincinnati wishes to modify the boundaries of these zoning districts to align them with the curvature of Disney Street and its intersection with Jared Ellis Drive to ensure that adjacent properties are developed in a consistent manner; and

WHEREAS, at its regularly scheduled meeting on October 1, 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 modifying the boundaries of the CG-A, "Commercial General Auto-Oriented," zoning district and Planned Development District No. 64, "Oakley Station," to align them with the curvature of Disney Street and its intersection with Jared Ellis Drive; and

WHEREAS, a committee of Council held a public hearing on the proposed rezoning 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 rezoning is consistent with the "Compete" Initiative Area of *Plan Cincinnati* (2012), which has a goal to "[c]ultivate our position as the most vibrant and economically healthiest part of our region" (page 114); and

WHEREAS, the rezoning 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

WHEREAS, the Council resolves to modify the boundaries of the CG-A, "Commercial General Auto-Oriented," zoning district and Planned Development District No. 64, "Oakley Station," to align them with the curvature of Disney Street and its intersection with Jared Ellis Drive, finding it 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 shape and area of the City of Cincinnati's official zoning map in the location of certain real property located along Disney Street and its intersection with Jared Ellis Drive in the Oakley neighborhood ("Property"), which real property is identified as the "Subject Property" 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 incorporated herein by reference, is hereby amended, respectively, from the CG-A, "Commercial General Auto-Oriented," zoning district to Planned Development District No. 64, "Oakley Station," and from Planned Development District No. 64, "Oakley Station," to the CG-A, "Commercial General Auto-Oriented," zoning district to align the boundaries of those districts with the curvature of Disney Street and its intersection with Jared Ellis Drive.

Section 2. That the approved development program statement and concept plan for Planned Development District No. 64, "Oakley Station," shall govern the use and development of the real property hereby rezoned to Planned Development District No. 64, "Oakley Station."

Section 3. 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 ensure that properties adjacent to the areas to be rezoned are developed in a consistent manner.

Passed: _____, 2021

John Cranley, Mayor

Attest: _____
Clerk

EXHIBIT A

PD-64: Oakley Station Zoning Cleanup

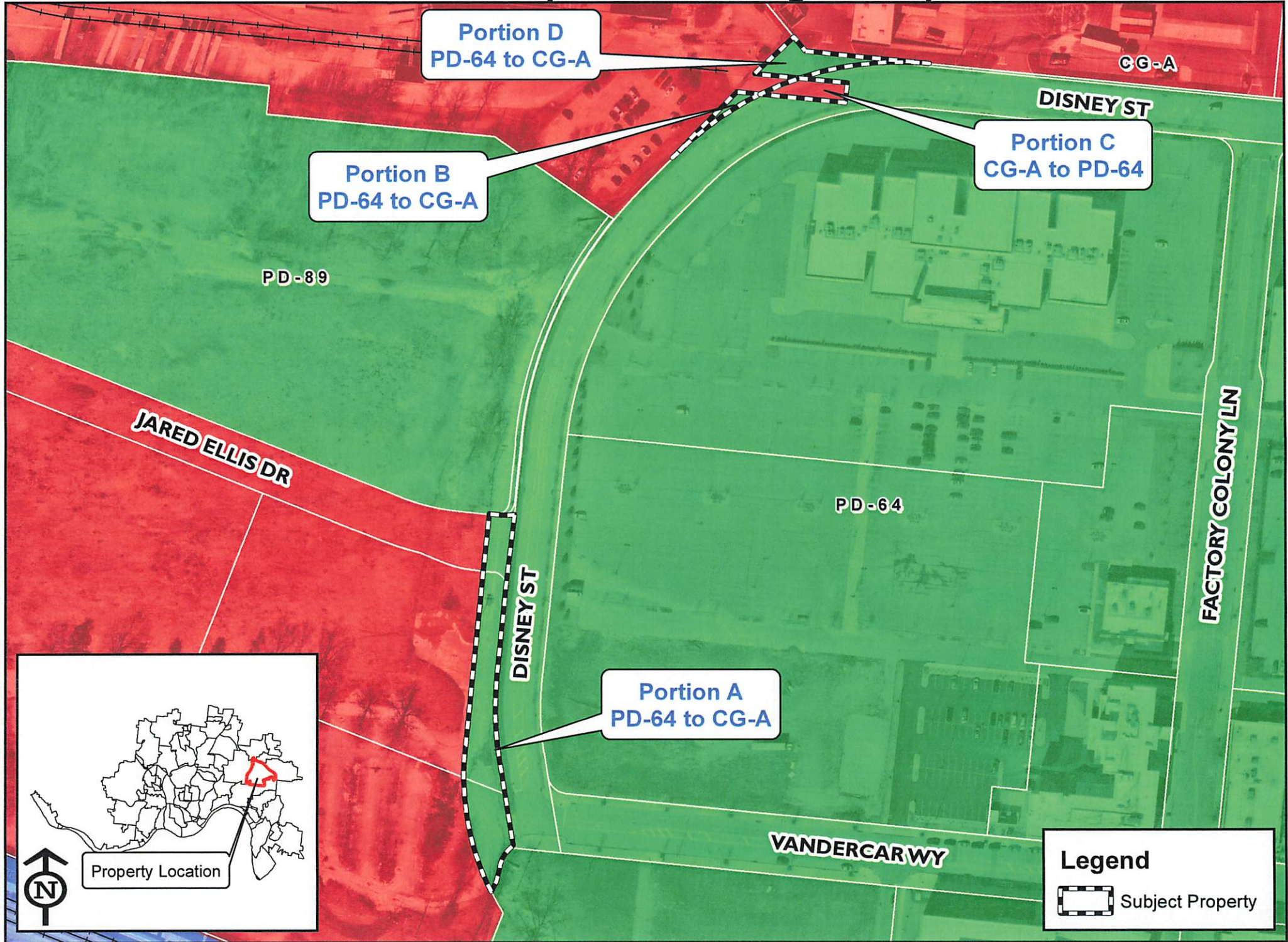


EXHIBIT B

LEGAL DESCRIPTION – PORTION A

Situated in the City of Cincinnati, Hamilton County, Ohio and being more particularly described as follows:

Beginning at the intersection between the centerlines of Disney Street and Vandercar Way; thence southwest approximately 43.7-feet to the point of intersection with the eastern parcel line of Parcel 25, HCAP Book 1, Page 52, **THE POINT OF THE BEGINNING**; thence, northwardly along the eastern parcel line of Parcels 25, 24, and 30, HCAP Book 1, Page 52, to the point of intersection with the northeast corner of Parcel 30, HCAP Book 1, Page 52; thence, westwardly for approximately 37-feet with the northern parcel line of said parcel; thence, southwardly, at an offset of approximately 31-feet from the western edge of the Disney Street right-of-way, for approximately 238.9-feet; thence, southwardly, at an offset of approximately 45-feet from the western edge of the Disney Street right-of-way to the point of intersection with the northern parcel line of Parcel 25, HCAP Book 1, Page 52; thence, southwardly, at an offset of approximately 51-feet from the western edge of the Disney Street right-of-way, for approximately 149.4-feet to the point of intersection with the eastern parcel line of Parcel 25, HCAP Book 1, Page 52; thence, northwardly with the eastern parcel line of Parcel 25, HCAP Book 1, Page 52 to **THE POINT OF THE BEGINNING**.

LEGAL DESCRIPTION – PORTION B

Situated in the City of Cincinnati, Hamilton County, Ohio and being more particularly described as follows:

Beginning at the intersection of the centerline of Disney Street and the eastern extension of the south parcel line of Parcel 27, HCAP Book 2, Page 52; thence, northwest to the southern corner of Parcel 27, HCAP Book 2, Page 52; thence, northeastern with the eastern parcel line of said parcel for approximately 133.3-feet to **THE POINT OF THE BEGINNING**; thence, northeastern with the eastern parcel line of said parcel for approximately 136.7-feet; thence, westwardly approximately 28.3-feet; thence, southwestwardly for approximately 110.9-feet to **THE POINT OF THE BEGINNING**.

LEGAL DESCRIPTION – PORTION C

Situated in the City of Cincinnati, Hamilton County, Ohio and being more particularly described as follows:

Beginning at the intersection between the centerlines of Factory Colony Lane and Disney Street; thence westwardly with the centerline of Disney Street for approximately 518.6-feet to the point of intersection with the northeast corner of Parcel 69, HCAP Book 1, Page 51, **THE POINT OF THE BEGINNING**; thence, westwardly for approximately 62.8-feet to the point of intersection with the western parcel line of Parcel 27, HCAP Book 2, Page 52; thence, southerly with the east parcel line of said parcel for approximately 53.7-feet to the point of intersection with the northwest corner of Parcel 69, HCAP Book 1, Page 51; thence, eastwardly along the north parcel line of said parcel to for approximately 106.9-feet to the point of intersection with the eastern parcel line of Parcel 69, HCAP Book 1, Page 51; thence, northwardly along the east parcel line of said parcel to **THE POINT OF THE BEGINNING**.

LEGAL DESCRIPTION – PORTION D

Situated in the City of Cincinnati, Hamilton County, Ohio and being more particularly described as follows:

Beginning at the intersection between the centerlines of Factory Colony Lane and Disney Street; thence westwardly with the centerline of Disney Street for approximately 462.7-feet to the point of intersection with the northeast corner of Parcel 27, HCAP Book 2, Page 52 extended south; thence, northwardly approximately 24-feet to the point of intersection with the of the northeast corner of Parcel 27, HCAP Book 2, Page 52, **THE POINT OF THE BEGINNING**; thence westwardly along the northern parcel line of said parcel for approximately 130.9-feet; thence, directly south for approximately 33.1-feet to the point of intersection with the northeast corner of Parcel 69, HCAP Book 1, Page 51; thence, northeastwardly along the north parcel line for approximately 123.7-feet to **THE POINT OF THE BEGINNING**.