



City of Cincinnati

DBS

EESW

An Ordinance No. 118

- 2025

AMENDING the official zoning map of the City of Cincinnati to rezone the real property located at 198 E. McMillan Street and 237 William H. Taft Road in the Mt. Auburn neighborhood from the OG-T, "Office General-Transportation," zoning district to Planned Development District No. 104, "Chick-fil-A."

WHEREAS, Union on Taft, LLC ("Owner") owns the real property located at 198 E. McMillan Street and 237 William H. Taft Road ("Property") in the Mt. Auburn neighborhood, which comprises approximately 5.5 acres and is located in the OG-T, "Office General-Transportation," zoning district; and

WHEREAS, the Property currently consists of a four-story multi-family residential apartment building with 103 units, a large surface parking lot, and greenspace; and

WHEREAS, the Owner has petitioned the City to rezone the Property from the OG-T, "Office General-Transportation," zoning district to Planned Development District No. 104 ("PD-104") to facilitate the construction of a new drive-through restaurant ("Project"); and

WHEREAS, the Project includes maintaining the existing multi-family residential building on the Property and converting the surface parking facility into a drive-through restaurant in the southeast corner of the Property with seating for up to ninety guests including dedicated outdoor seating, approximately 76 parking spaces, landscaping, and new signage; and

WHEREAS, the Owner 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, the Owner has sufficient control over the Property to affect its proposed plan and construct the Project; and

WHEREAS, the Project is compatible with surrounding land uses, will create employment opportunities for the community, convert a surface parking facility into a more productive land use, and will provide additional dining options for nearby residents and attract new visitors to the Mt. Auburn neighborhood; and

WHEREAS, the proposed zone change is in accordance with the "Compete" Initiative Area of Plan Cincinnati (2012), which includes the strategy to "[t]arget investment to geographic areas where there is already economic activity" (page 115), and the action step to "[f]ocus development on the existing centers of activity" (page 116); and

WHEREAS, the proposed rezoning is in accordance with the Mt. Auburn Community Plan (1992), which includes the goal to “[l]imit retail business development to centralized locations near transit and residences” (page 46); and

WHEREAS, on April 4, 2025, the City Planning Commission approved the rezoning of the Property from the OG-T, “Office General-Transportation,” zoning district to PD-104, upon a finding that: (i) the Owner’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 the Owner’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 Council resolves to rezone the Property from the OG-T, “Office General-Transportation,” zoning district to PD-104 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 Council hereby adopts as its own independent findings the Cincinnati Planning Commission’s findings that the planned development proposed by Union on Taft, LLC for the real property generally located at 198 E. McMillan Street and 237 William H. Taft Road (“Property”) in the Mt. Auburn neighborhood as 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 Property, which real property is identified on the map attached hereto as Attachment A, and which real property is more particularly described on Attachment B, attached hereto and made a part hereof, is hereby amended from the OG-T, “Office General-Transportation,” zoning district to Planned Development District No. 104 (“PD-104”).

Section 3. That the development program statement, attached hereto as Attachment C and made a part hereof, and the concept plan, attached hereto as Attachment D and made a part hereof, are hereby approved. The approved development program statement and concept plan, which include the incorporation of the provisions of Cincinnati Municipal Code Chapter 1429, "Planned Development Districts," in addition to other more specific provisions, shall govern the use and development of the Property during the effective period of PD-104.

Section 4. That, should PD-104 lapse pursuant to provisions of Cincinnati Municipal Code Chapter 1429, "Planned Development Districts," the Property shall revert to the OG-T, "Office General-Transportation," zoning district in effect immediately prior to the effective date of PD-104.

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

Passed: May 7, 2025

Attest: [Signature]
Clerk

[Signature]
Aftab Pureval, Mayor

I HEREBY CERTIFY THAT ORDINANCE NO. 118-2025
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 5/20/2025
[Signature]
CLERK OF COUNCIL