

AMENDING the official zoning map of the City of Cincinnati to rezone certain real property in the area generally located at 3060 Durrell Avenue in the Evanston neighborhood from the RMX, “Residential Mixed,” zoning district to Planned Development District No. 98, “The Mingo.”

WHEREAS, 3060 Durrell Investors, LLC (“Owner”) owns approximately 4.513 acres of real property in the Evanston neighborhood generally located at 3060 Durrell Avenue (“Property”), which Property the Owner’s affiliate, Kingsley Consulting, LLC, doing business as Kingsley + CO. (“Petitioner”), seeks to redevelop over multiple phases into approximately 67,880 square feet of multi-family residential across two buildings containing 240 apartments, 248 off-street parking spaces, and approximately one acre of open and amenity space including a swimming pool, patios, and a dog park (“Project”); and

WHEREAS, the Owner and the Petitioner have sufficient control over the Property to affect the Project and have petitioned the City to rezone the Property from the RMX, “Residential Mixed,” zoning district to Planned Development District No. 98, “The Mingo” (“PD-98”), to undertake the Project; and

WHEREAS, the Petitioner has submitted a concept plan and development program statement for PD-98, 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 February 16, 2024, the City Planning Commission approved the rezoning of the Property from the RMX, “Residential Mixed,” zoning district to PD-98, 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 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 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 public’s health, safety, morals, and general welfare; 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, the Project is also consistent with the Evanston Work Plan (2019), including the goal to “[c]reate a sustainable, mixed income neighborhood without displacement” as described on page 40; and

WHEREAS, Council considers the establishment of PD-98 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 3060 Durrell Investors, LLC and its affiliate, Kingsley Consulting, LLC, doing business as Kingsley + CO., for the real property generally located at 3060 Durrell Avenue in the Evanston 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 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 RMX, “Residential Mixed,” zoning district to Planned Development District No. 98, “The Mingo” (“PD-98”).

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-98.

Section 4. That, should PD-98 lapse pursuant to provisions of Cincinnati Municipal Code Chapter 1429, "Planned Development Districts," the Property shall revert to the RMX, "Residential Mixed," zoning district in effect immediately prior to the effective date of PD-98.

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

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk