

**AMENDING** the official zoning map of the City of Cincinnati to rezone the real property located at 2719 Erie Avenue in the Hyde Park neighborhood from the CN-P-B, “Commercial Neighborhood Pedestrian – Neighborhood Business District,” zoning district to Planned Development District No. 103.

WHEREAS, HPSRD, LLC (“Owner”) owns the real property located at 2719 Erie Avenue in the Hyde Park neighborhood (“Property”), which property comprises approximately 1.78 acres and is located in the CN-P-B, “Commercial Neighborhood Pedestrian – Neighborhood Business District,” zoning district and Urban Design Overlay District #4, “Hyde Park Square Business District”; and

WHEREAS, the Property currently consists of a mix of one and two story commercial and multi-family residential buildings and a large surface parking lot with adjacent commercial, multi-family residential, and parking uses; and

WHEREAS, the Owner has petitioned the City to rezone the Property from the CN-P-B, “Commercial Neighborhood Pedestrian – Neighborhood Business District,” zoning district to Planned Development District No. 103 (“PD-103”) to facilitate the construction of a hotel with approximately ninety rooms, a multi-family residential structure with approximately 120 residential units, commercial spaces, and an underground parking garage, and the renovation of an existing mixed-use structure (“Project”); and

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

WHEREAS, the Owner has submitted a concept plan and development program statement for PD-103, 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, the Project is compatible with surrounding land uses, will create additional housing units and commercial spaces for the Hyde Park neighborhood, will attract new residents and visitors to the Hyde Park Square Business District, and will improve off-street parking in the neighborhood; and

WHEREAS, following the proposed rezoning, the Property would remain within Urban Design Overlay District #4, “Hyde Park Square Business District,” and the Project would remain subject to the provisions of the Urban Design Overlay District, as applicable; and

WHEREAS, on March 7, 2025, the City Planning Commission approved the rezoning of the Property from the CN-P-B, “Commercial Neighborhood Pedestrian – Neighborhood Business District,” zoning district to PD-103, with certain conditions related to the location of a curb cut

and the buildings' massing, including a design adjustment to visually break the rear façade of the multi-family building into two distinct structures, 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, the proposed rezoning is in accordance with the "Live" and "Compete" Initiative Areas of Plan Cincinnati (2012), which includes the action step to "[i]mprove the quality and number of moderate to high-income rental and homeowner units" (page 165), the goal to "[c]ultivate our position as the most vibrant and economically healthiest part of our region" (page 114), 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 Hyde Park Plan (1983), which includes the goal to "[e]ncourage through higher density development and more efficient utilization of space within the existing business district, the further growth of all uses (residential and commercial)" (page 45), and the goal to "[e]ncourage the mix of uses in the square (i.e., multi-family residential, office, neighborhood commercial, regional commercial, public facilities, etc.)" (page 45); and

WHEREAS, the proposed rezoning is in accordance with the Hyde Park Square NBD Urban Design Plan (1984), which includes the goal to "[m]aintain and enhance economic vitality of the Hyde Park Square business environment" (page 15), and the goal to "[m]aintain and improve housing conditions" (page 16); 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 as recommended by City Planning Commission, 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 CN-P-B, "Commercial Neighborhood Pedestrian – Neighborhood Business District," zoning district to PD-103 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 HPSRD, LLC for the

real property generally located at 2719 Erie Avenue (“Property”) in the Hyde Park 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 made a part hereof, and which real property is more particularly described on Attachment B and incorporated herein by reference, is hereby amended from the CN-P-B, “Commercial Neighborhood Pedestrian – Neighborhood Business District,” zoning district to Planned Development District No. 103 (“PD-103”).

Section 3. That the development program statement, attached hereto as Attachment C and incorporated herein by reference, the concept plan, attached hereto as Attachment D and incorporated herein by reference, and the City Planning Commission’s recommended conditions, attached hereto as Attachment E and made a part hereof, are hereby approved. The approved concept plan, development program statement, and Planning Commission conditions shall govern the use and development of the subject Property during the effective period of PD-103.

Section 4. The Property remains within Urban Design Overlay District #4, “Hyde Park Square Business District,” and development on the Property remains subject to the provisions of the Urban Design Overlay District during the effective period of PD-103, as applicable.

Section 5. That should PD-103 lapse pursuant to provisions of Cincinnati Municipal Code Chapter 1429, “Planned Development Districts,” the Property shall revert to the CN-P-B, “Commercial Neighborhood Pedestrian – Neighborhood Business District,” zoning district in effect immediately prior to the effective date of PD-103 and shall remain within Urban Design Overlay District #4, “Hyde Park Square Business District.”

Section 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_, 2025

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Aftab Pureval, Mayor

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