



City of Cincinnati

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An Ordinance No. 209

- 2022

APPROVING a major amendment to the concept plan and development program statement governing a portion of Planned Development No. 64 – Phase 2B located south of Vandercar Way in the Oakley neighborhood to eliminate a proposed office building and to permit the development of an entertainment complex consisting of eating and drinking uses and recreation and entertainment uses.

WHEREAS, USS Realty, LLC (“USS”) is the owner of an approximately 73-acre site located near the southwest corner of Marburg Avenue and Madison Road in the Oakley neighborhood (“Oakley Station”), which property Council rezoned from Planned Development District No. 36 to Planned Development District No. 64 (“PD-64”) pursuant to Ordinance No. 147-2011; and

WHEREAS, the Oakley Station development is a phased development that consists of various restaurant, retail, office, theater, and residential uses; and

WHEREAS, since the establishment of PD-64 in 2011, Council has approved several major amendments to its concept plan and development program statement pursuant to Ordinance No. 43-2012, Ordinance No. 179-2013, Ordinance No. 240-2015, Ordinance No. 333-2015, and Ordinance No. 10-2017; and

WHEREAS, USS has requested an additional major amendment to the provisions of PD-64’s concept plan and development program statement that govern a portion of Phase 2B located south of Vandercar Way to eliminate a proposed office building and to permit the establishment of an entertainment complex consisting of eating and drinking uses and recreation and entertainment uses; and

WHEREAS, the proposed entertainment complex would be constructed on an approximately 3.44-acre site and would include two 18-hole miniature golf courses, flexible outdoor space and play areas for gathering and recreating, and an 8,500-square foot “food hall” containing a bar, four food vendors, restrooms, and a seating area; and

WHEREAS, Cincinnati Municipal Code (“CMC”) Section 1429-12(b) of the Zoning Code provides that changes in the uses allowed under an approved concept plan constitute a major amendment to the concept plan that requires approval of the City Planning Commission and Council in the same manner as a zoning map amendment; and

WHEREAS, at its regularly scheduled meeting on August 19, 2022, the City Planning Commission approved the proposed major amendment to the concept plan and development program statement for PD-64, finding it in accordance with CMC Sections 1429-09 and

1429-11(a); and

WHEREAS, the proposed major amendment to the concept plan and development program statement for PD-64 is consistent with the Compete Initiative Area of *Plan Cincinnati* (2012) and more particularly its goal to “[c]ultivate our position as the most vibrant and economically healthiest part of our region” (page 114); and

WHEREAS, the proposed major amendment to the concept plan and development program statement for PD-64 is further consistent with the *Oakley Master Plan* (2019), particularly with the Managing Our Future Growth Focus Area and Goal 1 to “[a]ssure 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, a committee of Council held a public hearing on the major amendment to the concept plan and development program statement for PD-64 following due and proper notice pursuant to CMC Section 111-1, and the committee approved the major amendment, finding it in the interest of the general public’s health, safety, morals, and general welfare; and

WHEREAS, Council considers the major amendment to the PD-64 concept plan and development program statement to be in the best interests of the City and the public’s health, safety, morals, and general welfare; now, therefore,

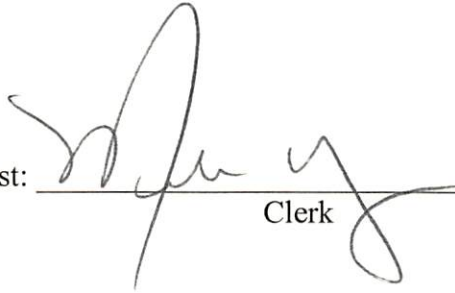
BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the zoning map, concept plan, and development program statement for Planned Development No. 64 are hereby amended to incorporate the concept plan amendment, attached hereto as Exhibit A and incorporated herein by reference, and the development program statement amendment, attached hereto as Exhibit B and incorporated herein by reference, which amendments shall eliminate a proposed office building and permit the development of an entertainment complex consisting of eating and drinking uses and recreation and entertainment uses within a portion of Phase 2B of Planned Development No. 64 located south of Vandercar Way.

Section 2. That, to the extent the concept plan and development program statement for Planned Development No. 64 are not amended herein, they remain in full force and effect.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: September 14, 2022

Attest: 
Clerk


Aftab Pureval, Mayor

I HEREBY CERTIFY THAT ORDINANCE NO. 289-2022
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 9-27-2022
Melissa Antey
CLERK OF COUNCIL