



EMERGENCY

City of Cincinnati

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An Ordinance No. 67

- 2023

AMENDING the official zoning map of the City of Cincinnati to rezone certain real property in the area generally bound by East Martin Luther King Jr. Drive to the north, Reading Road to the east, Maxwell Avenue to the south, and Vernon Place to the west in the Avondale neighborhood from the CC-A, “Commercial Community – Auto-Oriented,” CC-P, “Commercial Community – Pedestrian,” and OG, “Office General,” zoning districts to Planned Development District No. 97, “Queen City Hills.”

WHEREAS, the Uptown Transportation Authority, LLC, Queen City Hills, LLC, The Central Community Health Board of Hamilton County, Inc., the YWCA Development Corporation, the Central Clinic, PI Land LLC, and the City of Cincinnati own certain real property in the Avondale neighborhood generally bound by East Martin Luther King Jr. Drive to the north, Reading Road to the east, Maxwell Avenue to the south, and Vernon Place to the west, which property contains approximately 5.85 acres (“Property”); and

WHEREAS, Queen City Hills, LLC, an Ohio limited liability company (“Developer”), seeks to redevelop the Property over multiple phases into a mixed-use development containing a parking garage containing approximately 850 to 1,250 parking spaces, a commercial development lab comprising up to approximately 350,000 square feet, a research lab and office space comprising up to approximately 225,000 square feet, retail space comprising up to approximately 25,000 square feet, and residential multi-family housing comprising up to approximately 120-400 dwelling units (“Project”); and

WHEREAS, Developer has sufficient control over the Property to affect the Project and has petitioned the City to rezone the Property from the CC-A, “Commercial Community – Auto-Oriented,” CC-P, “Commercial Community – Pedestrian,” and OG, “Office General,” zoning districts to Planned Development District No. 97, “Queen City Hills” (“PD-97”), to undertake the Project; and

WHEREAS, Developer has submitted a concept plan and development program statement for PD-97, which concept plan and development program statement describe the land use and development regulations that will govern the development, which documents meet the requirements of Cincinnati Municipal Code Section 1429-09; and

WHEREAS, on February 3, 2023, the City Planning Commission approved the rezoning of the Property from the CC-A, “Commercial Community – Auto-Oriented,” CC-P, “Commercial Community – Pedestrian,” and OG, “Office General,” zoning districts to PD-97, upon a finding that: (i) Developer’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 Developer'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 the *Avondale QOL: Avondale's Quality of Life Movement* (2020), which plan identifies the Project location for mixed-use and institutional uses (pages 64-65); and

WHEREAS, the Project is consistent with the *MLK Reading Road Corridor Study* (2014), which plan identifies the Project location as a gateway and provides a goal to "[e]stablish mixed-use gateways along MLK at the intersections of Eden, Burnet, and Reading," (page 68); and

WHEREAS, the Project is consistent with *Plan Cincinnati* (2012), particularly a goal of the Compete Initiative Area to "[c]ultivate our position as the most vibrant and economically healthy part of our region," (page 114); and

WHEREAS, the Council considers the establishment of PD-97 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 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 Queen City Hills, LLC, an Ohio limited liability company ("Developer"), for the approximately 5.85 acres of real property located in the Avondale neighborhood in the area generally bound by East Martin Luther King Jr. Drive to the north, Reading Road to the east, Maxwell Avenue to the south, and Vernon Place to the west ("Property") conforms to the requirements of Cincinnati Municipal Code Sections 1429-05, 1429-09, and 1429-11.

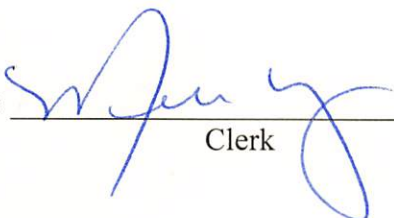
Section 2. That the shape and area of the City’s official zoning map in the location of the Property is hereby amended from the CC-A, “Commercial Community – Auto-Oriented,” CC-P, “Commercial Community – Pedestrian,” and OG, “Office General,” zoning districts to Planned Development District No. 97, “Queen City Hills” (“PD-97”). The Property is identified on the map attached hereto as Exhibit “A” and made a part hereof, and it is more particularly described on Exhibit “B,” attached hereto and made a part hereof.


Section 3. That the development program statement, attached hereto as Exhibit “C” and made a part hereof, and that the concept plan, attached hereto as Exhibit “D” and made a part hereof, are hereby approved. The approved concept plan and development program statement shall govern the use and development of the Property during the effective period of PD-97.

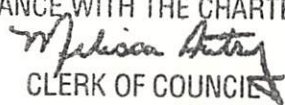
Section 4. That, should PD-97 lapse pursuant to provisions of Cincinnati Municipal Code Chapter 1429, “Planned Development Districts,” the Property shall revert to the CC-A, “Commercial Community – Auto-Oriented,” CC-P, “Commercial Community – Pedestrian,” and OG, “Office General,” zoning districts in effect immediately prior to the effective date of PD-97.

Section 5. 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 immediate need to allow Developer to proceed with its development plans so that the City may receive and enjoy the corresponding benefits at the earliest possible date.

Passed: March 1, 2023

Attest: 
Clerk


Aftab Pureval, Mayor

I HEREBY CERTIFY THAT ORDINANCE NO 47-2023
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 5/14/2023

CLERK OF COUNCIL