City of Cincinnati

801 Plum Street
Cincinnati, Ohio 45202

CALENDAR

Cincinnati City Council

Wednesday, February 9, 2022 | **2:00 PM** | **Council Chambers, Room 300**

ROLL CALL

PRAYER AND PLEDGE OF ALLEGIANCE

FILING OF THE JOURNAL

MAYOR AFTAB

Cincinnati Zoo & Botanical Gardens Board of Trustees

1. 202200248 **APPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby appoint Daniel Rajaiah to the Board of Trustees for the Cincinnati Zoo & Botanical Gardens for a term of three-years expiring on Dec 31, 2024. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. (Male/Indian American)

Recommendation CONFIRM

Sponsors: Mayor

Cincinnati Board of Health

2. 202200351 **APPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby appoint Ashlee Young, MPH to the Cincinnati Board of Health for a term of three years. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. (Female/African American)

Recommendation HOLD ONE WEEK PURSUANT TO THE RULES OF COUNCIL

Sponsors: Mayor

3. 202200352 **APPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby appoint Jennifer W. Forrester, MD to the Cincinnati Board of Health for a term of three years. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. (Female/White)

Recommendation HOLD ONE WEEK PURSUANT TO THE RULES OF COUNCIL

Sponsors: Mayor

MS. KEATING

4. 202200296 **RESOLUTION**, submitted by Councilmember Keating, from Andrew Garth, City Solicitor, **RECOGNIZING** and expressing the appreciation of the Mayor and the Council of the City of Cincinnati to Keven Corey as a 2022 City of Cincinnati Black History Month honoree for his continuous servant leadership at Wesley Chapel Mission, located in the Over-the-Rhine neighborhood of

Cincinnati, Ohio, and his ongoing efforts to make Cincinnati the best place for every child, without regard to age, race, or economic status.

Recommendation PASS

Sponsors: Keating

MR. LANDSMAN

5. 202200304 **RESOLUTION**, submitted by Councilmember Landsman, from Andrew Garth, City Solicitor, **RECOGNIZING** and expressing the appreciation of the Mayor and the Council of the City of Cincinnati to Cameron Evan Hardy during Black History Month 2022 for his outstanding service to the City of Cincinnati as an advocate for equity, accessibility, and improvement of our public transit system, especially for the City's Black community, who comprise the majority of Metro transit users.

Recommendation PASS

Sponsors: Landsman

MS. OWENS

6. 202200288 **RESOLUTION,** submitted by Councilmember Owens, from Andrew Garth, City Solicitor, **RECOGNIZING** and expressing the appreciation of the Mayor and the Council of the City of Cincinnati to Mr. Robert L. Humphries during Black History Month 2022 for his dedicated efforts to uplift and empower Black women in the City of Cincinnati.

Recommendation PASS

Sponsors: Owens

7. 202200330 **MOTION**, submitted by Councilmember Owens, In an effort to further environmental development and climate protection in the City of Cincinnati, **WE MOVE** that the Administration provide a report within thirty (30) days on the status of the 2018 Green Cincinnati Plan. (BALANCE ON FILE IN THE CLERK'S OFFICE) (STATEMENT ATTACHED).

Recommendation CLIMATE, ENVIRONMENT & INFRASTRUCTURE COMMITTEE

Sponsors: Owens

8. 202200332 **MOTION,** submitted by Councilmember Owens, **WE MOVE** that the Administration prepare a report, to be submitted within 30 days, cataloguing the following: 1) All infrastructure projects within the City of Cincinnati that are currently underway; and 2) All infrastructure projects within the City of Cincinnati that have been started or worked on since January 1st, 2019 but have since been paused. (BALANCE ON FILE IN CLERK'S OFFICE) (STATEMENT ATTACHED)

Recommendation CLIMATE, ENVIRONMENT & INFRASTRUCTURE COMMITTEE

Sponsors: Owens

MR. JEFFREYS

9. 202200310 **MOTION**, submitted by Councilmember Jeffreys, **WE MOVE** that the Administration provide a report within thirty (30) days on the cost and timing of doing a comprehensive, multi-year plan across the 52 neighborhoods for

pedestrian safety as a roadmap to achieving the City of Cincinnati's Vision Zero policy. This integrated, neighborhood-by-neighborhood plan should include Complete Streets plans where there are structural changes needed to traffic (e.g. road diets, bump outs, speed humps, etc.), as well as protected bike lanes (connecting anchor point destinations of employment, recreation and shopping), permanent implementation of rush hour parking in neighborhood business districts, and dedicated bus lanes-all of which reduce crashes and make our streets safer. The outcome of this report will be a decision on whether to pursue this comprehensive plan based on process, costs, and timing outlined. (STATEMENT ATTACHED).

Recommendation CLIMATE, ENVIRONMENT & INFRASTRUCTURE COMMITTEE

Sponsors: Jeffreys

CITY MANAGER

10. 202200260 **ORDINANCE (EMERGENCY)** submitted by John P. Curp, Interim City Manager, on 2/9/2022, **ESTABLISHING** capital improvement program project account no. 980x203x222022, "Sawyer Point Parking Lot Repairs," for the purpose of providing resources for restoring the asphalt in the parking lot located at the main entrance and exit to Sawyer Point Park; and AUTHORIZING the transfer and appropriation of up to $74,264 from the unappropriated surplus of Sawyer Point Fund 318 to newly established capital improvement program project account no. 980x203x222022, "Sawyer Point Parking Lot Repairs."

Recommendation

BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

11. 202200261 **ORDINANCE (EMERGENCY)** submitted by John P. Curp, Interim City Manager, on 2/9/2022, **AUTHORIZING** the City Manager to accept and appropriate a donation in an amount up to $16,925 from private sources to existing capital improvement program project account no. 980x203x202005, "Bramble Park Streambank Restoration" for the purpose of restoring the streambank in, and removing invasive species from, Bramble Park; and AUTHORIZING the Finance Director to deposit the donated funds into existing capital improvement program project account no. 980x203x202005, "Bramble Park Streambank Restoration."

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

12. 202200262 **ORDINANCE** submitted by John P. Curp, Interim City Manager, on 2/9/2022, **ESTABLISHING** new capital improvement program project account no. 980x233x222356**, "**Fairbanks & Delhi Ave MRF Grant," for the purpose of providing resources for curb repairs, pavement repairs, roadway resurfacing, and related needs under the Street Rehabilitation Program on Fairbanks and Delhi Avenues in the neighborhood of Sedamsville; AUTHORIZING the City Manager to accept and appropriate grant resources in an amount of up to $121,000 from the Hamilton County Municipal Road Fund to newly established capital improvement program project account no. 980x233x222356, "Fairbanks & Delhi Ave MRF Grant"; AUTHORIZING the Finance Director to deposit the

grant resources into capital improvement program project account no. 980x233x222356, “Fairbanks & Delhi Ave MRF Grant”; and AUTHORIZING the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

13. 202200263 **ORDINANCE (EMERGENCY)** submitted by John P. Curp, Interim City Manager, on 2/9/2022, **AUTHORIZING** the payment of $23,884 from the General Fund Enterprise Software and License non-departmental non-personnel budget account no. 050x952x0000x7418 as a moral obligation to Tyler Technologies, Inc. for software and technical support services provided to the City.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

14. 202200264 **ORDINANCE** submitted by John P. Curp, Interim City Manager, on 2/9/2022, **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant in an amount of up to $2,542,904 from the United States Department of Health and Human Services, Health Resources and Services Administration, assistance listing 93.224, for the purpose of supplementing the operating expenses of the City of Cincinnati Primary Care Health Centers; and AUTHORIZING the Finance Director to deposit the grant funds into Public Health Research Fund 350.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

15. 202200268 **ORDINANCE** submitted by John P. Curp, Interim City Manager, on 2/9/2022, **MODIFYING** Title XIV, “Zoning Code of the City of Cincinnati, “of the Cincinnati Municipal Code, by AMENDING the provisions of Sections 1403-05, “Land Use Regulations,” 1405-05, “Land Use Regulations,” 1422-03, “Land Use Regulations,” and 1422-05, “Development Regulations,” to modify the process for establishing certain agricultural facilities in residential zoning districts.

Recommendation EQUITABLE GROWTH & HOUSING COMMITTEE

Sponsors: City Manager

16. 202200272 **ORDINANCE** submitted by John P. Curp, Interim City Manager, on 2/9/2022, **DESIGNATING** the Benjamin Stewart Home located at 5540 Madison Road in the Madisonville neighborhood as a historic landmark.

Recommendation EQUITABLE GROWTH & HOUSING COMMITTEE

Sponsors: City Manager

17. 202200274 **ORDINANCE (EMERGENCY)** submitted by John P. Curp, Interim City Manager, on 2/9/2022, **AUTHORIZING** the City Manager to solicit and accept monetary donations from the Cincinnati business community for the purpose of engagement and awareness activities for the LGBTQIA+ Employee Resource Group, “City Pride”; and AUTHORIZING the Finance Director to deposit donated funds to the City of Cincinnati for “City Pride” into Department of Human Resources Employee Relations Fund 310.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

CLERK OF COUNCIL

18. 202200311 **REGISTRATION,** submitted by the Clerk of Council from Legislative Agent Ryan D Gentil, Duke Energy, 139 East 4th Street, Cincinnati, Ohio 45202.

Recommendation FILE

Sponsors: Clerk of Council

19. 202200314 **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Melissa Autry/Clerk of Council.

Recommendation FILE

Sponsors: Clerk of Council

20. 202200315 **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for John Albert Rennekamp/Sewers/Division Manager.

Recommendation FILE

Sponsors: Clerk of Council

21. 202200316 **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Doris Adotey/HR Division Manager.

Recommendation FILE

Sponsors: Clerk of Council

22. 202200317 **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Karen Alder/Finance Director.

Recommendation FILE

Sponsors: Clerk of Council

23. 202200318 **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Andrew Michael Dudas/Office of the City Manager - Office of Budget & Evaluation/Budget Director.

Recommendation FILE

Sponsors: Clerk of Council

24. 202200319

STATEMENT, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for John Seth Brazina/Transportation and Engineering Director.

Recommendation

FILE

Sponsors: Clerk of Council

25. 202200320 **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Timothy D. Heyl/Recreation/Division Manager.

Recommendation FILE

Sponsors: Clerk of Council

26. 202200321 **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Eric Marshall Jamison/Director/Office of Performance and Data Analytics.

Recommendation FILE

Sponsors: Clerk of Council

27. 202200322

STATEMENT, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Pamela S Chandler/Greater Cincinnati Water Works-Dep Director/CFO.

Recommendation

FILE

Sponsors: Clerk of Council

28. 202200323

STATEMENT, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Diana Ruth Christy/MSD/Director of Sewers.

Recommendation

FILE

Sponsors: Clerk of Council

29. 202200324 **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Herbert Ian McCoy/Information Technology Manager.

Recommendation FILE

Sponsors: Clerk of Council

30. 202200325 **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Latisha A. Hazell/Human Resources Deputy Director.

Recommendation FILE

Sponsors: Clerk of Council

31. 202200326

STATEMENT, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Sheryl M Long/Assistant City Manager.

Recommendation

FILE

Sponsors: Clerk of Council

32. 202200327 **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Lindsey Marie Florea/DCED/Division Manager.

Recommendation FILE

Sponsors: Clerk of Council

33. 202200328

STATEMENT, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Edgar Tan De Veyra/Interim Director.

Recommendation

FILE

Sponsors: Clerk of Council

34. 202200329

STATEMENT, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for David L Raffenberg/MSD Treatment Superintendent.

Recommendation

FILE

Sponsors: Clerk of Council

35. 202200331

STATEMENT, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Reese Parker Johnson/Sewers/Treatment Superintendent.

Recommendation

FILE

Sponsors: Clerk of Council

36. 202200333

STATEMENT, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Ryan D. Welsh/Sewers/Deputy Director.

Recommendation

FILE

Sponsors: Clerk of Council

37. 202200334

STATEMENT, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Angela J Wright/Office of the City Manager/Assistant to the City Manager.

Recommendation

FILE

Sponsors: Clerk of Council

38. 202200335 **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Andrew Rossiter, MSD WWT Superintendent.

Recommendation FILE

Sponsors: Clerk of Council

39. 202200336

STATEMENT, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Craig Robert Sherman/Parks/DM of Finance.

Recommendation

FILE

Sponsors: Clerk of Council

40. 202200337 **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Donald George Stiens/DOTE, Division Manager (Traffic Services).

Recommendation FILE

Sponsors: Clerk of Council

41. 202200338

STATEMENT, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Virginia Tallent/City Manager's Office/Director of Human Services.

Recommendation

FILE

Sponsors: Clerk of Council

42. 202200339

STATEMENT, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Brian Nicholas Gay/Office of the City Manager, Office of Budget & Evaluation, Division Manager.

Recommendation

FILE

Sponsors: Clerk of Council

43. 202200340 **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Kenneth Smith, Public Services/Division Manager (CFO).

Recommendation FILE

Sponsors: Clerk of Council

44. 202200341 **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Lauren Sundararajan, City Manager/Internal Audit Manager.

Recommendation FILE

Sponsors: Clerk of Council

45. 202200342 **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Gerald Thomason, Human Resources Division Manager (Shared Services).

Recommendation FILE

Sponsors: Clerk of Council

46. 202200343 **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for William Vedra III, CMO/Emergency Communications Center Director.

Recommendation FILE

Sponsors: Clerk of Council

BUDGET AND FINANCE COMMITTEE

47. 202200190 **ORDINANCE** submitted by John P. Curp, Interim City Manager, on 2/2/2022, **ESTABLISHING** capital improvement program project account no. 980x232x222355, "Wasson Way Federal STBG 2022," for the purpose of providing grant resources for the Wasson Way Trail project, which includes the construction of a shared-use path for bicycles and pedestrians along a segment of an unused rail line running east-west through a number of eastside

Cincinnati neighborhoods; AUTHORIZING the City Manager to accept and appropriate grant resources in an amount up to $1,667,595 from the Surface Transportation Block Grant Program (ALN 20.205) awarded through the Ohio-Kentucky-Indiana Regional Council of Governments to newly established capital improvement program project account no. 980x232x222355, "Wasson Way Federal STBG 2022," for the purpose of providing grant resources for Phase 6A of the Wasson Way Trail project (PID 112894); AUTHORIZING the City Manager to enter into a Local Public Agency agreement with the Director of the Ohio Department of Transportation to complete Phase 6A of the Wasson Way Trail project (PID 112894); and further AUTHORIZING the City Manager to execute any agreements necessary for the receipt and administration of these grant resources.

Recommendation PASS

Sponsors: City Manager

48. 202200191 **ORDINANCE** submitted by John P. Curp, Interim City Manager, on 2/2/2022, **AUTHORIZING** the City Manager to apply for a grant in the amount of up to $2,000,000 from the Highway Safety Improvement Program Systemic Safety Funding grant, administered by the Ohio Department of Transportation, for the purpose of implementing traffic calming improvements on Harrison Avenue between Kling Avenue and the corporate line.

Recommendation PASS

Sponsors: City Manager

49. 202200192 **ORDINANCE (EMERGENCY)** submitted by John P. Curp, Interim City Manager, on 2/2/2022, **ESTABLISHING** capital improvement program project account no. 980x248x222404, "USquare Garage Lighting Replacement," for the purpose of upgrading and replacing the light fixtures in the USquare Garage East and West; and AUTHORIZING the transfer and appropriation of $17,000 from the Parking System Facilities Fund balance sheet account no. 102x3441, "U-Square Garage - Reserve for Capital Projects," to newly established capital improvement program project account no. 980x248x222404, "USquare Garage Lighting Replacement."

Recommendation

PASS EMERGENCY

Sponsors: City Manager

SUPPLEMENTAL ITEMS

PUBLIC SAFETY & GOVERNANCE COMMITTEE

50. 202200193 **ORDINANCE** submitted by John P. Curp, Interim City Manager, on 2/2/2022, **MODIFYING** Title VIII, "Business Regulations," of the Cincinnati Municipal Code by AMENDING Section 809-3, "License Required," of Chapter 809, "Antique Dealers"; Section 843-3, "License Required," of Chapter 843, "Junk Dealers and Second-Hand Dealers"; and Sections 875-1, "Definitions," 875-3, "Report of Acquisition or Purchase of Stained or Beveled Glass," 875-5, "Alteration or Sale of Stained or Beveled Glass," and 875-7, "Stained and

Beveled Glass in Place," of Chapter 875, "Stained and Beveled Glass," to modify obsolete references to former Chapter 811, "Auctioneers."

Recommendation PASS

Sponsors: City Manager

HEALTHY NEIGHBORHOODS COMMITTEE

51. 202200197 **ORDINANCE (EMERGENCY)** submitted by John P. Curp, Interim City Manager, on 2/2/2022, **AUTHORIZING** the transfer and appropriation of $39,000 from the unappropriated surplus of the Madisonville District Equivalent Fund 498 to the Department of Community and Economic Development non-personnel operating budget account no. 498x164x7200 for the purpose of conducting a parking study of the existing parking conditions and future needs for the Madisonville Business District; and DECLARING the related expenditures from non-personnel operating budget account no. 498x164x7200 to constitute a "Public Infrastructure Improvement" (as defined in Section 5709.40(A)(8) of the Ohio Revised Code), that will benefit and/or serve the District 19-Madisonville Incentive District, subject to compliance with Ohio Revised Code Sections 5709.40 through 5709.43.

Recommendation PASS EMERGENCY

Sponsors: City Manager

ANNOUNCEMENTS

Adjournment

City of Cincinnati

Mayor Aftab Pureval

Mayor Aftab Pureval

801 Plum Street, Suite 150
Cincinnati, Ohio 45202
Phone (513) 352-3250
Fax (513) 352-5201
Email: aftab.pureval@cincinnati-oh.gov

January 2022

APPOINTMENT

I hereby appoint Daniel Rajaiah to the Board of Trustees for the Cincinnati Zoo & Botanical Gardens for a term of three-years expiring on Dec 31, 2024. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.

Mayor Aftab Pureval

DANIEL S. RAJAIAH

OVERVIEW

An experienced professional with an in-depth understanding of marketing, communications, public policy and corporate strategy, I seek volunteer opportunities to use my talents to serve Mayor Pureval and the City of Cincinnati.

EXPERIENCE

Mastercard (Jan 2020 – current)
Director, Global Strategy and Operations (Marketing & Communications)

- Led global marketing & communications campaigns, sponsorship and business partnership activations for Mastercard's Chief Marketing & Communications Officer in 210 countries
- Managed global projects related to priceless.com, branded merchandise, and the global launch of Mastercard Donate – an interactive app allowing card holders to round up transactions toward their favorite charities
- Assisted with Mastercard's engagement with startups and founders

Mercury Public Affairs LLC (May 2018 – Dec. 2019)
Vice President

- Started Cincinnati office & served as lead Democratic strategist for companies working with Ohio municipalities, performed work directly with the mayors of Columbus, Dayton, Cleveland and Cincinnati
- Devised and executed a communications and government affairs strategy for international hotel
- Led complex media strategy for international entertainment organizations –including 13th Floor Entertainment Group and AEG Entertainment Worldwide. Worked with staff at both organizations to summarize the problems, consolidate information & facts into a presentable form, and then work with government stakeholders in the City of Columbus and City of Cincinnati to achieve desired outcome

Indian American Chamber of Commerce of Greater Cincinnati (2015 – 2020)
Executive Director

- Hosted Indian Ambassador, congressional members, Governor & business leaders at meetings
- Organized memorial for AAPI victim of Cincinnati mass shooting
- Partnered with Rep. Steve Chabot to organize Ohio Asian Small Business Summit
- Oversaw planning of 600 person galas featuring U.S. Sen. Rob Portman & U.S. Sen. Sherrod Brown
- Created Gov. Relations Committee – advocating for appointments & stronger policies for MBE's
- Recognized by Procter & Gamble's CEO David Taylor for efforts in Cincinnati business community

City of Cincinnati (Jan. 2014 - Apr. 2018)
Director of Communications

- Served as spokesman for Cincinnati's largest department
- Produced detailed policy memos, PRs, media trainings/events, council updates for the mayor & council
- Coordinated FY16/FY17 Cincinnati Neighborhood Enhancement Program

Director of External Affairs

- Created & led Mayor's Task Force on Immigration – 92 leaders working to make Cincinnati the most immigrant-friendly city. Group recognized by Wall Street Journal & Obama White House
- Appointed to the Charter Review Task Force - 24 individuals charged with recommending revisions to the Cincinnati Charter
- Served as the city's liaison to the Cincinnati, U.S.A., Sister Cities Association (8 international cities)
- Communicated city updates to the Hamilton County Board of Commissioners at its board meetings

AFFILIATIONS

- Biden for President, OH Faith Coalitions & OH Small Business Outreach Liaison (2020)
- BLOC Ministries, Board Member (2015-current)
- Member, Hamilton County Hospital Commission (2019)
- Hamilton County Democratic Party Executive Committee (2013-2020)
- Ohio Democratic Party, Executive Committee (2012-2020)

RECOGNITIONS

- Cincy Magazine Power 100 – People to Watch (2021)
- Mahatma Gandhi Pravasi Bharatiya Divas Award, Government of India (2020)
- Distinguished Young Alumni Award, University of Dayton (2019)
- Forbes' 30 under 30 in the U.S.A. for Law & Policy (2015)

EDUCATION

- University of Dayton, Dayton, OH – B.A. Political Science (2013)

MEDIA LINKS (NOTABLE MENTIONS)

- *2019 Joe Belle Memorial Young Alumni Award: Daniel Rajaiah*
  https://www.youtube.com/watch?v=Oi6Xt8QVDyc

- *Biz Courier: Major global PR, strategy firm opens in Cincinnati*
  https://www.bizjournals.com/cincinnati/news/2018/05/31/major-global-pr-lobbying-firm-opens-in-cincinnati.html

- *Enquirer: Cranley pushes immigrant initiative*
  https://www.cincinnati.com/story/news/politics/2014/07/24/cranley-pushes-immigrant-initiative/13104325/

- *Forbes: Cranley staffer (Daniel Rajaiah) one of nation's best*
  https://www.cincinnati.com/story/news/politics/2015/01/05/cranley-staffer-forbes-list/21289827/

City of Cincinnati

Mayor Aftab Pureval

Mayor Aftab Pureval

801 Plum Street, Suite 150
Cincinnati, Ohio 45202
Phone (513) 352-3250
Fax (513) 352-5201
Email: aftab.pureval@cincinnati-oh.gov

February 2022

APPOINTMENT

I hereby appoint Ashlee Young, MPH to the Cincinnati Board of Health for a term of three years. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.

Mayor Aftab Pureval

ASHLEE YOUNG

VICE PRESIDENT POLICY AND STRATEGIC INITIATIVES

CONTACT

[redacted]

HIGHLIGHTS

Selected to serve as external grant viewer for The Health Forward Foundation in Kansas City, Missouri in 2020 and 2021.

Developed relationships with key community stakeholders in order to execute Young Professional agenda in the region and country

As EVP of National Urban League Young Professionals worked collaboratively with corporate sponsors to execute partnerships in communities throughout the country

Lead the development and management of evaluation framework for Interact for Health's Opioid portfolio and place-based work

Selected as a community lead for COVID-19 response

Developed key grantmaking, equity and evaluation frameworks

Selected to present at Collective Impact Convening 2016, "Moving Equity from Theory to Practice"

Team lead for strategic planning process at Interact for Health

Educated future nurses about community health and engagement as an Adjunct Professor at Mount St. Joseph University

EDUCATION

MASTERS OF PUBLIC HEALTH
Wright State University

NATIONAL COMMISSION FOR HEALTH EDUCATION CREDENTIALING, INC
Certified Health Education Specialist (CHES)

BACHELOR OF SCIENCE
The Ohio State University

EXPERIENCE

Urban League of Greater Southwestern Ohio| Cincinnati, Ohio

VICE PRESIDENT POLICY AND STRATEGIC INITIATIVES | JANUARY 2021- PRESENT

- Lead COVID-19 community response efforts (i.e., testing site, vaccination POD)
- Develop and execute ULGSO's policy and advocacy framework which focuses on systemic and equitable policy change
- Oversee special initiatives, including Covid-19 related initiatives that promote equitable access to healthcare, education, and housing
- Launched and manage a multi-sector collaborative to address disparities in COVID-19
- Manage fundraising efforts for policy/advocacy efforts and COVID-19 resulting in over $700k raised
- Built strategic partnership with Ohio Department of Health to ensure equitable access to COVID-19 vaccine
- Worked collaboratively with Ohio Council of Urban League's on statewide advocacy efforts

VICE PRESIDENT OF IMPACT | March 2020- January 2021

- Implemented and designed an organizational dashboard to monitor goals
- Created the infrastructure to successfully launch workforce programming and training virtually
- Launched healthcare workforce pathway programming

MANAGER COMMUNITY STRATEGIES

StrivePartnership | Cincinnati, Ohio | Oct. 2018- March 2020

- Designed and lead regional community engagement efforts
- Collaborated with marketing and communication experts to develop a strategy to inform the community about education in the region
- Institutionalized policies and practices that advance racial equity and social justice
- Lead, designed, and implemented strategies that identify, mobilize, and magnify community assets
- Managed projects related to the exploration of the Education Ecosystem

PROGRAM DIRECTOR

Child Poverty Collaborative | Cincinnati, Ohio | Jan 2018- Oct. 2018

- Lead efforts around community engagement, evaluation and strategy development
- Engaged over 20 local non-profits in identifying stratgies to address poverty

EVALUATION OFFICER

Interact for Health | Cincinnati, Ohio | June 2014 - January 2018

- Coordinated grantmaking and organizational evaluation and learning
- Designed, implemented, and monitored evaluation strategies and plans for grantmaking portfolios totaling over $1 million and catalyst activities
- Identified and implemented opportunities to build strategic learning agenda
- Collaborated with teams to identify, synthesize, and share lessons learned from grantmaking
- Identified internal cross-team strategic opportunities and promote opportunities for leveraging work across teams and grantees
- Managed evaluation budget
- Supported planning and implementation of quarterly learning collaborative for place-based community work at Interact

HEALTH EDUCATOR

Hamilton County Public Health | Cincinnati, Ohio | Nov 2013-May 2014 & Jan 2012-June 2012 (contractor)

- Facilitated county-wide mobilization for policy, systems and environmental changes through WeTHRIVE! Initiative
- Managed and organized WeTHRIVE! Learning Collaborative which offers training and capacity building opportunities for communities
- Assisted communities with the completion of the Community Health Assessment aNd Group Evaluation (CHANGE Tool) and provided recommendations

COMMUNITY HEALTH PROGRAM COORDINATOR

The Center for Closing the Health Gap| Cincinnati, Ohio | July 2012 - Nov 2013

- Served as an assistant researcher in the development, implementation and evaluation of lifestyle modification program in collaboration with community residents
- Designed and implemented nutrition education programming and evaluation for Do Right! Healthy Corner Store Initiative
- Developed and implemented strategies to reach residents and community partners through community education and engagement

ASHLEE YOUNG

VICE PRESIDENT POLICY AND STRATEGIC INITIATIVES

PUBLICATIONS

"Thriving Communities: A Model for Community-Engaged Grantmaking", The Foundation Review, December 2018

"Looking in the Mirror: Equity in Practice for Philanthropy", The Foundation Review, December 2017

COMMUNITY LEADERSHIP

Board Member, Delta Gateway Foundation	Sep. 2019 - Present
Committee Chair, Queen City (OH) Chapter of The Links, Incorporated	May 2019 - Present
Board Secretary, MORTAR	Aug. 2018 - Present
Advisory Committee Member, State Health Assessment and State Health Improvement Plan Advisory Committee	Dec. 2018 - Present
Board Trustee and Finance Committee Member, Hamilton County Mental Health & Recovery Services Board	Oct 2017 - Present
Board President, Design Impact	Jan 2017 - Present
Committee member, Health Policy Institute of Ohio (HPIO) Equitable Strategies Committee	Jan 2015 - Present
Executive Vice President, National Urban League Young Professionals	Aug. 2019 - Dec. 2021
Southwest Regional Board Member, Children's Hunger Alliance	Oct 2012 - Dec. 2017
Board Trustee, Urban League of Greater Southwestern Ohio	Aug 2014 - Dec. 2017
Health and Wellness Chair, Greater Cincinnati National Action Network	Jan 2016 - Dec. 2017
President, Urban League Young Professionals Greater Southwestern Ohio	Oct 2014 - June 2017
Committee member, National Urban League Young Professionals Advocacy Committee	June 2015 - June 2017

AWARDS

MAKING BLACK HISTORY HONOREE
Cincinnati USA Regional Chamber | February 2021

WOMEN OF IMPACT NOMINEE
American Heart Association | February 2021

40 UNDER 40 AWARD
Cincinnati Business Courier | August 2020

ASHLEE YOUNG PILLAR OF THE COMMUNITY AWARD RECIPIENT
Urban Leage Young Professionals Greater Soutwestern Ohio | April 2019

AFFIRMED AWARD RECIPIENT
Urban Leage Young Professionals Greater Soutwestern Ohio | April 2019

BRIGHT AWARD RECIPIENT
Cincinnati Herald and African American Regional Chamber | May 2017

RISING STAR AWARD RECIPIENT
Cincinnati YWCA | 2015

JOURNEY AWARD RECIPIENT
Urban League of Greater Southwestern Ohio | Sep 2015

City of Cincinnati

Mayor Aftab Pureval

Mayor Aftab Pureval

801 Plum Street, Suite 150
Cincinnati, Ohio 45202
Phone (513) 352-3250
Fax (513) 352-5201
Email: aftab.pureval@cincinnati-oh.gov

February 2022

APPOINTMENT

I hereby appoint Jennifer W. Forrester, MD to the Cincinnati Board of Health for a term of three years. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.

Mayor Aftab Pureval

CURRICULUM VITAE

1. JENNIFER WALL FORRESTER, M.D., FACP, F.I.D.S.A

2. EDUCATION

Infectious Diseases Fellowship University of Cincinnati College of Medicine (Cincinnati, OH)	2007-2009
Internal Medicine Residency University of Cincinnati College of Medicine (Cincinnati, OH)	2004-2007
Doctor of Medicine (M.D.) University of Cincinnati College of Medicine (Cincinnati, OH)	2000-2004
Bachelor of Science, Chemistry and Biology (cum laude with honors) University of Richmond (Richmond, VA)	1996-2000

Board Certifications:

Diplomat, American Board of Internal Medicine	
Certificate in Internal Medicine	2008-present
Certificate in Infectious Diseases	2010-present
State Medical License (Ohio)	Active

Other Certifications:

Intermediate Improvement Science Series Graduate (Cincinnati Children's Hospital Medical Center)	2019
Fellow, Infectious Diseases Society of America	2018
Fellow (Invited), American College of Physicians	2017
Master Teacher Program, Department of Internal Medicine (University of Cincinnati College of Medicine)	2012
IDSA/SHEA Infection Control Course Certificate	2008

3. ACADEMIC APPOINTMENTS

Associate Professor of Medicine University of Cincinnati College of Medicine	2017-present
Assistant Professor of Medicine University of Cincinnati College of Medicine	2009-2017
Associate Chief Medical Officer, Ambulatory UC Health, Cincinnati, OH	2019-present
Vice Chair, Ambulatory Clinical Affairs Department of Internal Medicine, University of Cincinnati College of Medicine	2018-present
Medical Director, Infectious Diseases Center University of Cincinnati Medical Center	2015-2020

Program Director, Infectious Diseases Fellowship Program University of Cincinnati College of Medicine	2014-present
Program Director, Advanced Infectious Diseases Fellowship Program University of Cincinnati College of Medicine	2016-present
Associate Program Director, Infectious Diseases Fellowship University of Cincinnati College of Medicine	2011-2014
Quality Improvement Director, Infectious Diseases Center University of Cincinnati Medical Center	2009-2011

4. AWARDS AND HONORS

Champions of Humanistic Care Awardee (Physician Category) Arnold P.Gold Foundation	2021
Venue Magazine Rising Star, Medical Leaders Category	2020
Top Doctor, Infectious Diseases, Cincy Magazine	2020, 2021
Top 3 Grand Rounds Presentation, Department of Internal Medicine. University of Cincinnati College of Medicine	2019
Elected Participant, AAIM Executive Leadership Seminar	2018
Elected Participant, AAMC Early Women in Medicine and Science Professional Development Seminar	2015
Top Docs, Cincinnati Magazine	2012-2021
2nd Place Clinical Category, Trainees Grand Rounds University of Cincinnati College of Medicine	2008

5. MEMBERSHIPS IN PROFESSIONAL ORGANIZATIONS

Member, Infectious Diseases Society of America	2007-present
Fellow	2018-present
Member, American College of Physicians	2010-present
Invited Fellow	2017-present
Member, American Academy of Internal Medicine	2014-present
Member, AAMC Group on Women In Medicine and Science	2015-present

6. SERVICE

A. Committee Involvement:

Regional:

Member, IHI Strategic Partners COVID-19 Vaccination Strategies	2021
Member, UC Health COVID-19 Vaccine Core Team	2021
Member, UC Health COVID-19 Core Emergency Response Team	3/2020-present
Member, UC Health DPD Committee	2020-present
Member, UC Health Credentialing Committee	2019-present
Member, UC Health Ambulatory Structure Team	2020-2022
Member, UC Health CICIP ED Utilization Workgroup	2019-2021
Co-Chair, UC Health Ambulatory Space Committee	2018-2020
Member, UC Health Operation Plan Performance Review Committee	2018-2020
Member, UC Health MyChart Steering Committee	2018-2020
Member, UC Health Heroin Task Force	2015-2016
Member, Cincinnati Health Network Quality Improvement Committee	2009-2011

University/College:

Member, University of Cincinnati COVID-19 Vaccine Response Team	2021-present
Member, University of Cincinnati Employee and Student Health COVID-19 Response Team	2020-present
President, Women in Medicine and Science (University of Cincinnati College of Medicine)	2019-2022
President-Elect, Women in Medicine and Science (University of Cincinnati College of Medicine)	2018-2019
Executive Committee Member (secretary, president-elect), Women in Medicine and Science (University of Cincinnati College of Medicine)	2016-present
LEAN Process Improvement Team for UC Health Referrals	2017
Lead, Special Review Committee for Psychiatry/Family Medicine (University of Cincinnati College of Medicine)	2018
Lead, Internal Special Review Committee for OB/Gyn (University of Cincinnati College of Medicine)	2016
Lead, Internal Special Review Committee for Allergy/Immunology (University of Cincinnati College of Medicine)	2016 and 2018
Voting Member, Graduate Medical Education Committee (University of Cincinnati College of Medicine)	2018-present
Voting Member, Graduate Medical Education Accreditation Committee (University of Cincinnati College of Medicine)	2014-2021
Voting Member, Internal Review Committee for Abdominal Transplant Fellowship (University of Cincinnati College of Medicine)	2014

<u>Departmental:</u>

Chair, Internal Medicine Clinical Governance Committee	2018-present
Member, Internal Medicine Clinical Governance Committee (University of Cincinnati)	2011-2018
- Outpatient Subcommittee	2011-present
- Inpatient to Outpatient Transition Group	2015-2018
- LEAN Process Improvement Team for Hospital Discharge Follow-up	2016
- Access Workgroup	2018-present
- Infusion Workgroup	2018-2019
- Referral Workgroup	2019-present
Member, Department of Internal Medicine EPIC Workgroup	2018-present
Member, Department of Internal Medicine Clinical Decisions Workgroup	2018-present
Voting Member, Department of Internal Medicine RPT Committee	2017-present
Member, Internal Medicine Educational Governance Committee	2015-present
Voting Member, Internal Medicine Residency Selection Committee	2011-2021

<u>Divisional:</u>

Member, Infectious Diseases Center Mental Health Quality Group	2016-present
Member, Infectious Diseases Center Leadership Committee	2014-present
Member, HIV Perinatal Committee	2009-present
Voting Member, Infectious Diseases Fellowship Evaluation Committee/ Program Evaluation Committee (University of Cincinnati)	2009-present
Voting Member, Infectious Diseases Fellowship Competency Committee (University of Cincinnati)	2014-present
Director, Quality Improvement Committee of Infectious Diseases Center (University of Cincinnati Medical Center)	2009-2011

B. Mentorship

KL2 Scholars Mentor for Maggie Powers-Fletcher, PhD	2021-present
Member, Dissertation Committee for Catherine Beauchamp (PhD)	2021-present
Member, Career Development Committee for Dr. Danielle Weber	2020-present
Coach for Dr. Jenn Molano, Champions Course in Quality Improvement UC Health	2020-2021
Faculty Mentor for MPH Candidate, Dr. Kelli Williams	2019-2020
Coach for Dr. Christine Burrows, Champions Course in Quality Improvement, UC Health	2019-2020

C. Healthcare Quality Improvement Experience:

Population Health Committee, UC Health	2021-present
Quality Improvement Team for Readmissions, UC Health	2020-present
Referral Improvement Process Team, UC Health	2019-present
Intermediate Improve Science Series, Cincinnati Children's Hospital Medical Center	2018-2019
Process Improvement Team, Hospital Discharge Follow-up	2016-2019
Access Improvement Project for Department of Internal Medicine	2018-present
Infusion Process Improvement Team, UC Health	2018-2019

D. Community Involvement:

Assistant Coach, Girls Volleyball, Our Lady of Victory School	2021
Assistant Coach, Girls Passers Soccer, Our Lady of Victory School	2021
Infectious Diseases Consultant, Cincinnati Museum Center	2021-present
Consultant- COVID-19 Safety Plan, Cincinnati Opera	2021-present
Infectious Diseases Specialist, Worship Together Safely, Archdiocese of Cincinnati	2021-present
Infectious Diseases Specialist, Cincinnati Bengals Football Club	2020-present
Consultant- COVID-19 Return to School Planning Committee, Cincinnati Country Day School	2020-present
Consultant- COVID-19 Return to School, Our Lady of Victory School	2020-2021
Assistant Coach, Girls Passers Soccer, Our Lady of Victory School	2019
Assistant Coach, Boys 5-6 grade Volleyball, Our Lady of Victory School	2019
Committee Member, Costuming and Hair&Makeup Committees Our Lady of Victory Players, *Aladdin, Jr*	2018-2019
Committee Member, Costuming and Hair&Makeup Committees Our Lady of Victory Players, *Singin' in the Rain, Jr.*	2017-2018

7. TEACHING:

A. Guest Lectureships:

1. Invited Speaker, Ohio Department of Health COVID-19 Update	1/13/22
2. Invited Speaker, Ohio Department of Health COVID-19 Update	12/22/21
3. Speaker, Vaccine Information Series, Sunopta, Inc,	11/17/21
4. Speaker, Emerging Infections and Pandemics, Cincinnati Women's Club	11/12/21
5. Speaker, COVID-19 Vaccines Virtual Conference, Adolfson & Peterson Construction Co. (Minneapolis, MN)	10/6/21
6. Speaker, COVID-19 Vaccine Update, Cincinnati Zoo and Botanical Garden	9/30/21

7. Speaker, COVID-19 Vaccine and Variants, Scripps National Presentation 9/16/21
8. Panelist, University of Cincinnati Alumni Health Series, COVID-19 Back to School Update 8/24/21
9. Panelist, HealthLeaders Healthcare System of the Future Virtual Roundtable 6/16/21
10. Speaker, "Heathcare Post COVID-19," UC Foundation 4/15/21
11. Presenter, "Bacteria, Viruses and COVID-19," Our Lady of Victory-Sixth Grade 4/14/21
12. Presenter, SWOH Regional Internal Medicine Board Review 4/11/21
13. Panelist, Uptown Consortium Webinar, COVID-19 2/24/21
14. Guest, Hamilton County, OH Commissioner Driehaus Press Conference, COVID-19 Update 2/24/21
15. Panelist, Cincinnati Bell Webinar, COVID-19 2/3/21
16. Guest Speaker, Governor DeWine Press Conferences, OH 12/15/20, 12/10/20
17. Presenter, COVID-19 Our Lady of Victory School, Second Grade 12/10/20
18. Choice Words Presented by Planned Parenthood of Southwest Ohio: Impact of COVID-19 on Health, Wellness and Relationships Panel 5/27/20
19. Tri-State Pulmonary Roundtable: COVID-19 Update Panel 3/29/20
20. Internal Medicine Grand Rounds "Past, Present and Future of HIV (abridged)", University of Cincinnati College of Medicine 2019
21. Southwest Ohio Internal Medicine Update and Board Review "HIV" and "STI's" 2017, 2021
22. Obstetrics and Gynecology Grand Rounds "Zika" University of Cincinnati College of Medicine 2017
23. Urology Grand Rounds (Urinary Tract Infections) University of Cincinnati College of Medicine 2015
24. Internal Medicine Grand Rounds (Urinary Tract Infections) University of Cincinnati College of Medicine 2014
25. Oral and Maxillofacial Surgery Grand Rounds (Osteomyelitis of the Jaw) University of Cincinnati College of Medicine 2012
26. Managing Chronic Pain in HIV-Infected Patients Webinar Pennsylvania/Mid-Atlantic AIDS Education and Training Center 2012
27. Perinatal Testing Integration Care Lecture Ohio Program for Collaboration and Service Integration 2011

B. Course Directorship/ Involvement:

1. Lecturer, UC3 Clinical Conferences: Empiric Antibiotic Decisions 2018- present
2. Course Director for Infectious Diseases Core Lecture Series/Board Review Series University of Cincinnati College of Medicine 2010-present
3. Lecturer, MS 3 Intercession: Clinical Issues in HIV Care 2013-2016

C. Educational Presentations

*** Educational Portfolio with list of Educational Presentations available**

8. RESEARCH

A. Publications

1. Eckman M, Powers-Fletcher M, **Forrester J**, Fichtenbaum C, Lofgren R, Smulian A. Take Your Best Shot: Which SARS-CoV-2 Vaccine Should I Get? MDM Policy and Practice. 2021 July 1: 6 (2).

2. Robertson J, Meier M, **Wall J**, Fichtenbaum C. Immune reconstitution syndrome in HIV: Validating a case definition and identifying clinical predictors in persons initiating antiretroviral therapy. Clin Infect Dis. 2006 Jun 1;42(11):1639-46.
3. Terrell I, **Wall J**, Daley C, et al. YZGD from Paenibacillus thiaminolyticus, a Pyridoxal Phosphatase of the Haloacid Dehalogenase (HAD) Superfamily and a Versatile Member of the Nudix Hydrolase Superfamily. Biochem J. 2006 Mar 15;394(Pt 3):665-74.

B. Oral Presentations

1. **Forrester J,** Townsend M, Roberts K. "Bedside Concierge Service," Vizient Academic Clinical Leaders Forum, June 11-12, 2019 Chicago, IL.
2. **Forrester J**, Cohelo-Prabu N, Ying J, Fichtenbaum C. Durability of Initial HAART in HIV+ Adults: Clinical Efficacy versus Effectiveness, Internal Medicine Trainee's Grand Rounds Oral Presentation, University of Cincinnati, 2008.
3. **Wall J,** Fichtenbaum C. Long-Term Durability of Potent Antiretroviral Therapy In Treatment-Naïve HIV-Infected Persons, Midwest Regional Meeting of the Society of General Internal Medicine (Chicago, IL), September 2006.

C. Abstracts

1. **Forrester J**, Cohelo-Prabu N, Ying J, Fichtenbaum C. Efficacy versus Effectiveness: Differences in Clinical Efficacy and Effectiveness: A Comparison of Clinical Trials to Clinical Practice. Infectious Diseases Society of America Conference (Washington, DC), October 2008.
2. Roberston J, Meier M, **Wall J**, Fichtenbaum C. Case definition and clinical predictors of immune reconstitution syndrome in persons with HIV infection. Infectious Diseases Society of America Conference (San Francisco, CA), October 2005. Abstract 772
3. **Wall J**, Bryant G. Leg Pain as a Presenting Symptom of Carcinoma of the Lung, Clinical Vignette, National Meeting of the Society of General Internal Medicine (Chicago, IL), May 2004.
4. **Wall J**, Bryant G. Leg Pain as a Presenting Symptom of Carcinoma of the Lung, Clinical Vignette. Midwest Regional Meeting of the Society of General Internal Medicine (Chicago, IL), October 2004.
5. **Wall J**, Bryant G. Leg Pain as a Presenting Symptom of Carcinoma of the Lung, Clinical Vignette. American College of Physicians- Ohio State Meeting (Covington, KY), September 2004.
6. **Wall J**, David M, Fichtenbaum C. The Risk of Ischemic Disease is Significant in Persons with HIV Infection, Conference on Retroviruses and Opportunistic Infections (Seattle, WA), February 2002. Abstract 695-T

D. Interviews/ Press Briefings/ Public Service Announcements:

These article and segments include comments from Jennifer Wall Forrester, MD

1. **Dr. SMART YouTube Channel: 1/28/22** "What to Do if you get COVID" Link: What to do if I have COVID? Treatment & Recovery at Home ~ 2022 UPDATE - YouTube)
2. **National Public Radio, 12/23/21:** Morning Edition
3. **WHIO- TV, 12/22/21:** Ohio Department of Health COVID-19 Update
4. **Cincinnati Enquirer, 12/16/21:** With Christmas and Kwanzaa near and COVID-19 a risk, we ask, 'Would you do this, doc?'
5. **Cincinnati Enquirer, 10/6/21:** Boo! Halloween with COVID-19 Again? We Asked Doctors,'Would You Do This?'
6. **Cincinnati Enquirer, 8/23/21:** Children and the Delta Variant
7. **700WLW Radio, Sterling Show, 7/29/21:** Interview with Jennifer Forrester, MD
8. **Cincinnati Enquirer, 6/14/21:** I've had the COVID-19 vaccine but my kids haven't. So what can we do this summer, doc?
9. **Cincinnati Enquirer, 4/8/21:** It's spring. You're vaccinated. We asked docs what they feel is safe, what they'd avoid
10. **HealthLeaders Magazine, 4/7/21:** UC Health Shares 4 Lessons Learned from Coronavirus Pandemic
11. **Cincinnati Enquirer 3/26/21:** Coffee Break with Katherine Nero, Facebook Live
12. **Cincinnati Enquirer, 3/23/21:** Passover, Easter are near. We asked COVID-19 experts: 'Would you do this, doc?'
13. **Cincinnati Enquirer, 3/11/21:** Coronavirus vaccines: Why younger people, women react strongly and other questions answered
14. **Spectrum News One, 3/8/21:** COVID 19 Update.
15. **WLWT- TV, 3/5/21:** Side Effects of the COVID-19 Vaccines
16. **WXIX-TV, 3/3/21:** COVID-19:Common Symptoms - Dr. Jennifer Forrester, infectious disease expert with U.C. Health
17. **Cincinnati Enquirer, 2/25/21:** UC Health doctor: Coronavirus variant likely not last
18. **WVXU, 2/24/21:** Hamilton County Must 'Continue With Our Vigilance' Against UK COVID Variant
19. **WXIX-TV, 2/24/21**: Hamilton County one of 11 in Ohio with COVID-19 variant detected
20. **Hamilton County, OH, 2/24/21:** Commissioner Driehaus holds press conference on VOCID variants.
21. **Spectrum News One, 2/13/21**: Ohioans 65 and Older Struggle to Get COVID-19 Vaccine Appointments
22. **Ohio Department of Health, Public Service Announcement, 2/1/21 (began airing):** Safety of Vaccines for COVID-19
23. **WXIX-TV, 1/6/21**: COVID-19: Fact or Fiction - Dr. Jennifer Forrester, infectious disease expert with U.C. Health
24. **WKRC-TV, 12/21/20**: Health experts say masks, social distance still needed until COVID-19 cases fall
25. **WHIO- TV, 12/15/20:** DeWine Gives COVID-19 Update
26. **WHIO-TV, 12/10/20**: DeWine Gives More Vaccine Distribution Details
27. **Cincinnati Family Magazine, 12/1/20**: The BEST of the Season
28. **Cincinnati Enquirer, 11/24/20**: 'Tis the season! Or is it? We asked COVID-19 experts: 'Would you do this, doc?'
29. **Cincinnati Enquirer, 11/12/20**: COVID-19: Students return soon from college for Thanksgiving; so what would you do, doc?
30. **Columbus Dispatch, 10/23/20**: Tracking the spread: Tracing COVID-19 cases to bars and restaurants easier said than done
31. **WLWT-TV, 10/14/20**: 'COVID fatigue' a factor in surge of new cases

32. **Cincinnati Enquirer, 9/27/20**: Will pandemic hamper Halloween fun? We asked COVID-19 experts, 'Would you do this, doc?'
33. **Cincinnati Enquirer, 9/6/20**: Hang onto your mask and see what COVID-19 experts say when asked, 'Would you do this, doc?'
34. **WLWT-TV, 8/21/20**: Early flu vaccine availability has some wondering if it's too soon for a flu shot
35. **WKRC-TV, 7/22/20**: What to do when someone in your household tests positive for COVID-19
36. **Cincinnati Enquirer, 7/15/20**: Would you do this, doc? This time, COVID-19 experts answer readers' kid-related questions

city of
CINCINNATI

Interdepartmental Correspondence Sheet

Date: February 7, 2022

To: Councilmember Liz Keating

From: Andrew Garth, City Solicitor AWG

Subject: **Resolution – Black History Month Kevin Corey**

Transmitted herewith is a resolution captioned as follows:

> **RECOGNIZING** and expressing the appreciation of the Mayor and the Council of the City of Cincinnati to Kevin Corey as a 2022 City of Cincinnati Black History Month honoree for his continuous servant leadership at Wesley Chapel Mission, located in the Over-the-Rhine neighborhood of Cincinnati, Ohio, and his ongoing efforts to make Cincinnati the best place for every child, without regard to age, race, or economic status.

AWG/CFG/(lnk)
Attachment
357443

CFG

RESOLUTION NO. _____-2022

RECOGNIZING and expressing the appreciation of the Mayor and the Council of the City of Cincinnati to Kevin Corey as a 2022 City of Cincinnati Black History Month honoree for his continuous servant leadership at Wesley Chapel Mission, located in the Over-the-Rhine neighborhood of Cincinnati, Ohio, and his ongoing efforts to make Cincinnati the best place for every child, without regard to age, race, or economic status.

WHEREAS, Wesley Chapel Mission ("WCMC") is a faith-based organization that ministers to the children and families in the Over-the-Rhine neighborhood through education programs, guided social and moral development, and collaboration with the community, serving approximately 400 students in PreK through 12th grades whose family incomes average $13,488; and

WHEREAS, in 2021 WCMC reported that 100% of its high school seniors graduated; twelve high school youth were employed in its Summer Job Readiness Program; it created an organizational policy and procedure manual; experienced an 165% increase in volunteers; and it served 12,306 children through its programming; and

WHEREAS, last year WCMC also introduced new technology to educate youth about coding, robotics, drones, and 3D printing, and partnered with the Cincinnati Police Department to deter crime and lead awareness of the effects of violence in Over-the-Rhine; and

WHEREAS, Kevin Corey grew up in Fort Wayne, Indiana, and retired from the Fort Wayne Police Department in 2012 after 21 years in command and leadership roles, including service as the first statewide president of the Indiana School Resource Officers Association; and

WHEREAS, Mr. Corey moved to Ohio in 2012 to join the Lincoln Heights, Ohio Police Department, and also became a member of the Hamilton County Police Association, the State of Ohio Police Association, the International Association of Chiefs of Police, the National Organization of Black Law Enforcement Executives, and the FBI National Academy Associates, Inc.; and

WHEREAS, after leaving the Lincoln Heights Police Department in 2013, Mr. Corey taught business and criminal justice courses at Brown Mackie College and the University of Cincinnati, subsequently joining Talbert House as its Associate Director; and

WHEREAS, in November 2020, Mr. Corey became the Executive Director of WCMC; and

WHEREAS, Mr. Corey's childhood experiences inspired his passion to serve, help, and lead others; and

WHEREAS, during lengthy school bus rides as a youth, Mr. Corey and his siblings noticed the disparities between different neighborhoods, leading his mother to counsel the family about the effects of racism, and encouraging them to maintain faith in God and pursue education as the path to a better life; and

WHEREAS, as he grew up Mr. Corey greatly benefitted from the local neighborhood community centers, housing authority complex centers, Sunday schools, and church choirs available to him and his family; and

WHEREAS, Mr. Corey remains committed to improving other people's lives, and has worked tirelessly to improve the Over-the-Rhine neighborhood for children; now, therefore,

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

Section 1. That the Mayor and this Council hereby recognize Kevin Corey as a 2022 City of Cincinnati Black History Month honoree for his continuous servant leadership at Wesley Chapel Mission, located in the Over-the-Rhine neighborhood, and his ongoing efforts to make Cincinnati the best place for every child, without regard to age, race, or economic status.

Section 2. That this resolution be spread upon the minutes of Council.

Passed: _____, 2022

_____
Aftab Pureval, Mayor

Attest: _____
Clerk

Submitted by Councilmember Liz Keating

city of
CINCINNATI

Interdepartmental Correspondence Sheet

Date: February 2, 2022

To: Councilmember Greg Landsman

From: Andrew Garth, City Solicitor AWG

Subject: **Resolution – Black History Month Cameron Hardy**

Transmitted herewith is a resolution captioned as follows:

> **RECOGNIZING** and expressing the appreciation of the Mayor and the Council of the City of Cincinnati to Cameron Evan Hardy during Black History Month 2022 for his outstanding service to the City of Cincinnati as an advocate for equity, accessibility, and improvement of our public transit system, especially for the City's Black community, who comprise the majority of Metro transit users.

AWG/CFG/(lnk)
Attachment
357221

{00357338-1}

CFG BWG

RESOLUTION NO. _____- 2022

RECOGNIZING and expressing the appreciation of the Mayor and the Council of the City of Cincinnati to Cameron Evan Hardy during Black History Month 2022 for his outstanding service to the City of Cincinnati as an advocate for equity, accessibility, and improvement of our public transit system, especially for the City's Black community, who comprise the majority of Metro transit users.

WHEREAS, Cameron Evan Hardy, known as "Cam," is a lifetime resident of Cincinnati, Ohio, growing up in the Avondale and College Hill neighborhoods, deeply rooted in the Over-The-Rhine neighborhood, and coming of age in the Avondale and College Hill neighborhoods; and

WHEREAS, Cam has served on the Mt. Airy and Northside Community Councils, providing critical leadership on a diverse array of community projects; and

WHEREAS, as a Cincinnati resident, community advocate, and the founder and president of the Better Bus Coalition, Cam catalyzed successful grassroots campaigns to improve the public transit system and the experience of those who use it, from self-led, pro-bono work to install bus benches, host neighborhood forums, and organize litter cleanup events, to the successful passage of Issue 22, the first step toward an essential renewal and renovation of the regional public transit system; and

WHEREAS, Cam and the Better Bus Coalition continued to play a vital role in the second step of the movement to expand, upgrade, and improve the affordability of the region's public transportation network, by spearheading the Issue 7 campaign, which garnered support from 75% of voters in Hamilton County, Ohio and led to the first-ever countywide public transportation tax levy to expand the region's bus system; and

WHEREAS, the passage of Issue 7 resulted in increased annual funding to SORTA/Metro of over $130 million dollars; and

WHEREAS, in large measure Issue 7's success is due to Cam's consistent dedication to coalition-building between a wide array of neighborhood leaders, transit users and experts, and stakeholders in the public and private sector; and

WHEREAS, before the investment of Hamilton County residents via the passage of Issue 7, Cincinnati's regional transit system had experienced decades of deterioration, budget cuts, dwindling ridership, and increased fares; and

WHEREAS, Issue 7 improved the accessibility of 343,326 jobs across the region, by adding new crosstown routes, more frequent and in some cases 24/7 service, new transit centers, and new, faster Bus Rapid Transit routes; and

WHEREAS, as reported by Bloomberg Economic News, transit systems directly contribute to positive economic growth for cities, with experts estimating the hidden economic value of transit for a city as anywhere from $1.5 million to $1.8 billion per year; and

WHEREAS, transportation data show that women, disabled persons, persons of color, working-class and low-income persons, and senior citizens are the highest consumers of public transit; and

WHEREAS, SORTA/Metro statistics indicate that 60% of Metro riders are Black, are employed either full- or part-time, and do not earn enough to own a vehicle; and

WHEREAS, Cam's unparalleled leadership continuously pushed leaders to center and empower those who use transit — especially those most marginalized — and commit to making Cincinnati a more 'connected' City, thus improving the region for ALL; now, therefore,

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

Section 1. That the Mayor and this Council hereby recognize Cameron Evan Hardy during Black History Month 2022 for his outstanding service to the City of Cincinnati as an advocate for equity, accessibility, and improvement of our public transit system, especially for the City's Black community, who comprise the majority of Metro transit users.

Section 2. That this resolution be spread upon the minutes of Council.

Passed: _____, 2022

_____
Aftab Pureval, Mayor

Attest: _____
Clerk

Submitted by Councilmember Greg Landsman

city of
CINCINNATI
Interdepartmental Correspondence Sheet

Date: February 7, 2022

To: Councilmember Meeka Owens

From: Andrew Garth, City Solicitor

Subject: **Resolution – Black History Month Robert L. Humphries**

Transmitted herewith is a resolution captioned as follows:

> **RECOGNIZING** and expressing the appreciation of the Mayor and the Council of the City of Cincinnati to Mr. Robert L. Humphries during Black History Month 2022 for his dedicated efforts to uplift and empower Black women in the City of Cincinnati.

AWG/CFG(lnk)
Attachment
357427

CFG

BWG

RESOLUTION NO. _____ - 2022

RECOGNIZING and expressing the appreciation of the Mayor and the Council of the City of Cincinnati to Mr. Robert L. Humphries during Black History Month 2022 for his dedicated efforts to uplift and empower Black women in the City of Cincinnati.

WHEREAS, with his wife Jacqueline, Mr. Humphries founded, produced, and directed the Miss Black Cincinnati Pageant from 1979 to 2000, and the Miss Black Teen Cincinnati Pageant from 1990 to 2001; and

WHEREAS, Mr. Humphries and the Cincinnati Black Theatre Company successfully revived the Miss Black Teen Cincinnati Pageant in 2015, and the Miss Black Cincinnati Pageant in 2019; and

WHEREAS, over the past forty years, Mr. Humphries has developed and coordinated multiple programs to benefit City youth, including the "Back on the Block" Citywide Youth Talent Show, the "Say No to Drugs" Back To School Summer Jam Festival, and the Melrose YMCA "Summer Fest"; and

WHEREAS, during this same period Mr. Humphries has served as a mentor and advocate for over 600 Black women in the Cincinnati area and across the United States; now, therefore,

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

Section 1. That the Mayor and this Council hereby recognize Mr. Robert L. Humphries during Black History Month 2022 for his dedicated efforts to uplift and empower Black women in the City of Cincinnati.

Section 2. That this resolution be spread upon the minutes of Council.

Passed: _____, 2022

_____
Aftab Pureval, Mayor

Attest: _____
Clerk

Submitted by Councilmember Meeka D. Owens

City of Cincinnati

801 Plum Street, Suite 348
Cincinnati, Ohio 45202

Phone: (513) 352-3466
Email: meeka.owens@cincinnati-oh.gov
Web: www.cincinnati-oh.gov

Meeka D. Owens
Cincinnati City Council

February 8, 2022

MOTION

In an effort to further environmental development and climate protection in the City of Cincinnati, WE MOVE that the Administration provide a report within thirty (30) days on the status of the 2018 Green Cincinnati Plan, outlining:

1) which recommendations have been completed; and
2) which recommendations have been started but are not yet completed; and
3) which recommendations have yet to be addressed or begun; and
4) the cost, feasibility, and potential timeline to complete the remaining, uncompleted recommendations.

In addition, we further MOVE that the Administration present recommendations for projects that could be undertaken if a Green Cincinnati Fund were to be established within the City of Cincinnati using the rebate of up to $100,000 per year from Dynegy Energy Services, LLC pursuant to the Dynegy Greenback Program, including the rebate that has already been accepted by the City Manager for FY 2022, and the rebates that will be given to the city for FY 2023 through FY 2026.

STATEMENT

In 2011, Cincinnati voters approved a ballot initiative to implement an opt-out electric aggregation program that enables the City to negotiate reduced energy rates on behalf of program participants and take advantage of collective purchasing power. The City entered an agreement with Dynegy Energy Services, LLC ("Dynegy") beginning in May 2021 to administer the electric aggregation program. The City's agreement with Dynegy includes the Dynegy Greenback Program, which offers up to $100,000 in annual rebates for energy efficiency work performed and completed at City services locations each calendar year from 2021 to 2025. City Council authorized the acceptance of these rebates in January 2022.

As the rebates from the Dynegy Greenback Program come from energy efficiency work, the funds saved should be reapplied towards other green projects that fight climate change and improve the environment so that Cincinnati can continue to be a more sustainable, equitable, and resilient city.

Councilmember Meeka D. Owens

Monica windholtz 11:46 am 2/8/22

CAL

City of Cincinnati

801 Plum Street, Suite 348
Cincinnati, Ohio 45202

Phone: (513) 352-3466
Email: meeka.owens@cincinnati-oh.gov
Web: www.cincinnati-oh.gov

202200332

Meeka D. Owens
Cincinnati City Council

February 8, 2022

MOTION

We MOVE that the Administration prepare a report, to be submitted within 30 days, cataloguing the following:

1) All infrastructure projects within the City of Cincinnati that are currently underway; and
2) All infrastructure projects within the City of Cincinnati that have been started or worked on since January 1st, 2019 but have since been paused. In addition, the report should detail why the projects have been paused; and
3) All infrastructure projects that are scheduled to begin at any date after this motion is submitted.

We further MOVE that the Administration organize the above information by the neighborhoods in which the project is located, with an additional section for projects that span across more than one neighborhood.

STATEMENT

The Infrastructure Investment and Jobs Act, also known as the Bipartisan Infrastructure Bill, was signed into law on November 15, 2021. The law includes approximately $1.2 trillion in spending, which will provide expansive funding for both physical infrastructure and human/social infrastructure. This includes projects ranging from transit, highway safety, research, rail programs, broadband access, clean water, and electric grid renewal. Funds from the law are available for municipalities to put towards local projects. In preparation for applications to these funds, it is pivotal that the City of Cincinnati have a reference to the projects that are underway or anticipated to begin soon.

By preparing a report as detailed in this Motion, City Administration will be able to identify areas that could benefit from receipt of funding from the Bipartisan Infrastructure Bill. Maximizing the City's applications and projects addressed will allow the City to improve in countless ways in the future.

Councilmember Meeka D. Owens

monica windholt 11:46am 2/8/22

CAL

City of Cincinnati

801 Plum Street, Suite 346A
Cincinnati, Ohio 45202

Phone: (513) 352-3464
Email: mark.jeffreys@cincinnati-oh.gov
Web: www.cincinnati-oh.gov

Mark Jeffreys
Councilmember

February 1, 2022

MOTION

WE MOVE that, the Administration provide a report within thirty (30) days on the cost and timing of doing a comprehensive, multi-year plan across the 52 neighborhoods for pedestrian safety as a roadmap to achieving the City of Cincinnati's Vision Zero policy. This integrated, neighborhood-by-neighborhood plan should include Complete Streets plans where there are structural changes needed to traffic (e.g. road diets, bump outs, speed humps, etc.), as well as protected bike lanes (connecting anchor point destinations of employment, recreation and shopping), permanent implementation of rush hour parking in neighborhood business districts, and dedicated bus lanes--all of which reduce crashes and make our streets safer. The outcome of this report will be a decision on whether to pursue this comprehensive plan based on the process, costs, and timing outlined.

STATEMENT

Despite an increase in funding for Vision Zero pedestrian safety initiatives in the city in 2021, there were 305 accidents involving pedestrians and cyclists in 2021 that included 7 deaths.[1] The city rightfully seeks a solution to a "problem intersection" when there is an incident; however, that reaction is not grounded in a comprehensive, neighborhood-by-neighborhood pedestrian safety plan.

Data demonstrates that tools used for other transportation objectives have a separate benefit of pedestrian safety but are usually not considered as speed calming measures. Specifically, protected bike lanes reduce crashes by 47% for cars, pedestrians, and cyclists. Data from the Clifton Avenue temporary protected bike lanes reinforced this with 6,300 fewer cars speeding per week as a result of the protected bike lanes. Separate data on dedicated bus lanes, including bus rapid transit lanes, and implementation of rush hour parking in neighborhood business districts has also show a reduction in crashes due to those measures' resulting in a reduction in speeding.

[1] https://insights.cincinnati-oh.gov/stories/s/sj28-dfcf

Development of this comprehensive, 52-neighborhood plan would involve engaging Community Councils, neighborhood stakeholders, and all residents to fully understand the needs of each community as well as advocacy groups. While we would expect this comprehensive roadmap of action could take a year or so to develop, the intent of this motion is not to delay immediate work under way now to address urgent issues involving pedestrian safety over the next year throughout the city.

The expectation is that the ultimate comprehensive plan would require significant investment in time and resources of the Department of Transportation & Engineering (DOTE) to implement changes needed to make our streets safer across all 52 neighborhoods. After we understand that full cost and plan then we can tackle the tough challenge of identifying dedicated funding sources for these multi-year needs rather than the patchwork solution we have today on this issue.

Councilmember Mark Jeffreys

2/9/2022
Calendar
JR

city of CINCINNATI
Interdepartment Correspondence Sheet

February 9, 2022

To: Mayor and Members of City Council 202200260

From: John P. Curp, Interim City Manager

Subject: **Emergency Ordinance – Parks: Sawyer Point Parking Lot Repairs**

Attached is an Emergency Ordinance captioned:

> **ESTABLISHING** capital improvement program project account no. 980x203x222022, "Sawyer Point Parking Lot Repairs," for the purpose of providing resources for restoring the asphalt in the parking lot located at the main entrance and exit to Sawyer Point Park; and AUTHORIZING the transfer and appropriation of up to $74,264 from the unappropriated surplus of Sawyer Point Fund 318 to newly established capital improvement program project account no. 980x203x222022, "Sawyer Point Parking Lot Repairs."

Approval of this Emergency Ordinance would authorize the establishment of new capital improvement program project account no. 980x203x222022, "Sawyer Point Parking Lot Repairs," for the purpose of providing resources for restoring the asphalt in the parking lot located at the main entrance and exit to Sawyer Point Park. Approval of this Emergency Ordinance would also authorize the transfer and appropriation of up to $74,264 from the unappropriated surplus of Sawyer Point Fund 318 to newly established capital improvement program project account no. 980x203x222022, "Sawyer Point Parking Lot Repairs."

Sawyer Point Park sits along the Ohio River on the east side of downtown between Smale Riverfront Park and Berry International Friendship Park. The asphalt restoration will be concentrated at the park's main entry and exit point near Eggleston Avenue.

This Emergency Ordinance is in accordance with the Sustain goal to "Preserve our natural and built environment" as described on pages 193 – 198 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to transfer the funding necessary to avoid project delays.

The Administration recommends passage of this Emergency Ordinance.

cc: Andrew M. Dudas, Budget Director
Karen Alder, Finance Director

Attachment

E M E R G E N C Y

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- 2022

ESTABLISHING capital improvement program project account no. 980x203x222022, "Sawyer Point Parking Lot Repairs," for the purpose of providing resources for restoring the asphalt in the parking lot located at the main entrance and exit to Sawyer Point Park; and AUTHORIZING the transfer and appropriation of up to $74,264 from the unappropriated surplus of Sawyer Point Fund 318 to newly established capital improvement program project account no. 980x203x222022, "Sawyer Point Parking Lot Repairs."

WHEREAS, the parking lot owned by the City at Sawyer Point is in need of restoration primarily at Sawyer Point Park's main entry and exit point near Eggleston Avenue; and

WHEREAS, sufficient resources are currently available in the unappropriated surplus of Sawyer Point Fund 318; and

WHEREAS, this ordinance is in accordance with the "Sustain" goal to "[p]reserve our natural and built environment" as described on pages 193-199 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That capital improvement program project account no. 980x203x222022, "Sawyer Point Parking Lot Repairs," is hereby established for the purpose of providing resources for restoring the asphalt in the parking lot located at the main entrance and exit to Sawyer Point Park.

Section 2. That the transfer and appropriation of up to $74,264 from the unappropriated surplus of Sawyer Point Fund 318 to newly established capital improvement program project account no. 980x203x222022, "Sawyer Point Parking Lot Repairs," is hereby authorized for the purpose of providing resources for restoring the asphalt in the parking lot located at the main entrance and exit to Sawyer Point Park.

Section 3. That the proper City officials are hereby authorized to do all things necessary and proper to implement the provisions of Sections 1 and 2 hereof.

Section 4. 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 the immediate need to transfer the funding necessary to avoid project delays.

Passed: _____, 2022

_____
Aftab Pureval, Mayor

Attest: _____
Clerk

city of CINCINNATI
Interdepartment Correspondence Sheet

February 9, 2022

To: Mayor and Members of City Council 202200261

From: John P. Curp, Interim City Manager

Subject: **Emergency Ordinance – Parks: Acceptance of Cash Donation for Bramble Park**

Attached is an Emergency Ordinance captioned:

> **AUTHORIZING** the City Manager to accept and appropriate a donation in an amount up to $16,925 from private sources to existing capital improvement program project account no. 980x203x202005, "Bramble Park Streambank Restoration" for the purpose of restoring the streambank in, and removing invasive species from, Bramble Park; and AUTHORIZING the Finance Director to deposit the donated funds into existing capital improvement program project account no. 980x203x202005, "Bramble Park Streambank Restoration."

Approval of this Emergency Ordinance will authorize the City Manager to accept and appropriate a donation in the amount of up to $16,925 from private sources to existing capital improvement program project account no. 980x203x202005, "Bramble Park Streambank Restoration" for the purpose restoring the streambank in, and removing invasive species from, Bramble Park. This Emergency Ordinance would also authorize the Finance Director to deposit the donated funds into existing capital improvement program project no. 980x203x202005, "Bramble Park Streambank Restoration."

On January 24, 2019, the City Council passed Ordinance No. 0019-2019, which authorized the City Manager to apply for a grant in the amount of up to $259,650 from the Ohio Public Works Commission (OPWC) Clean Ohio Fund Green Space Conservation Program for the purpose of providing funding for the Bramble Park/Little Duck Creek Nature Preserve Restoration and Trails Project. The project was awarded $129,255 in grant funds on September 9, 2019.

On November 14, 2019, the City Council passed Ordinance No. 0437-2019, which authorized the establishment of capital improvement program account no. 980x203x202005, "Bramble Park Streambank Restoration," accepted and appropriated both the grant award of $129,255, and the 25% local match of $43,075 raised through private donations. The Parks Department has since raised an additional $16,925 in private donations, which will increase the total project budget to $189,225.

This Emergency Ordinance is in accordance with the "Sustain" goal to "Preserve our natural and built environment" and strategy to "Protect our natural resources," as described on pages 193 – 196 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to accept the funds to restore the streambank in, and remove invasive species from, Bramble Park at the earliest possible time.

The Administration recommends passage of this Emergency Ordinance.

cc: Andrew M. Dudas, Budget Director
Karen Alder, Finance Director

Attachment

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-2022

AUTHORIZING the City Manager to accept and appropriate a donation in an amount up to $16,925 from private sources to existing capital improvement program project account no. 980x203x202005, "Bramble Park Streambank Restoration," for the purpose of restoring the streambank in, and removing invasive species from, Bramble Park; and AUTHORIZING the Finance Director to deposit the donated funds into existing capital improvement program project account no. 980x203x202005, "Bramble Park Streambank Restoration."

WHEREAS, on January 24, 2019, Council passed Ordinance No. 0019-2019 authorizing the City Manager to apply for a grant in the amount of up to $259,650 from the Ohio Public Works Commission Clean Ohio Fund Green Space Conservation Program for the purpose of providing funding for the Bramble Park/Little Duck Creek Nature Preserve Restoration and Trails Project ("Project"), which grant was awarded in the amount of $129,255; and

WHEREAS, on November 14, 2019, Council passed Ordinance No. 0437-2019 establishing capital improvement program account no. 980x203x202005, "Bramble Park Streambank Restoration," accepting and appropriating the grant award of $129,255, and accepting and appropriating a 25 percent local match of $43,075 raised through private donations; and

WHEREAS, an additional $16,925 in private donations was raised for the Project, which will increase the total Project budget to $189,225; and

WHEREAS, there is no match requirement associated with the acceptance of this donation; and

WHEREAS, there are no FTEs associated with the acceptance of this donation; and

WHEREAS, this ordinance is in accordance with the "Sustain" goal to "[p]reserve our natural and built environment," and the strategy to "[p]rotect our natural resources," as described on pages 193-196 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the City Manager is hereby authorized to accept and appropriate a donation in an amount up to $16,925 from private sources to existing capital improvement program project account no. 980x203x202005, "Bramble Park Streambank Restoration," for the purpose of restoring the streambank in, and removing invasive species from, Bramble Park.

Section 2. That the Director of Finance is hereby authorized to deposit the donated funds into existing capital improvement program project account no. 980x203x202005, "Bramble Park Streambank Restoration."

Section 3. That the proper City officials are hereby authorized to do all things necessary and proper to comply with the terms of Sections 1 and 2 herein.

Section 4. 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 the immediate need to accept the funds to restore the streambank in, and remove invasive species from, Bramble Park at the earliest possible time.

Passed: _____, 2022

_____
Aftab Pureval, Mayor

Attest: _____
Clerk

city of CINCINNATI
Interdepartment Correspondence Sheet

February 9, 2022

To: Mayor and Members of City Council 202200262

From: John P. Curp, Interim City Manager

Subject: **Ordinance – DOTE: Municipal Road Fund Grant for Fairbanks and Delhi Avenues**

Attached is an Ordinance captioned:

> **ESTABLISHING** new capital improvement program project account no. 980x233x222356**, "**Fairbanks & Delhi Ave MRF Grant," for the purpose of providing resources for curb repairs, pavement repairs, roadway resurfacing, and related needs under the Street Rehabilitation Program on Fairbanks and Delhi Avenues in the neighborhood of Sedamsville; AUTHORIZING the City Manager to accept and appropriate grant resources in an amount of up to $121,000 from the Hamilton County Municipal Road Fund to newly established capital improvement program project account no. 980x233x222356, "Fairbanks & Delhi Ave MRF Grant"; AUTHORIZING the Finance Director to deposit the grant resources into capital improvement program project account no. 980x233x222356, "Fairbanks & Delhi Ave MRF Grant"; and AUTHORIZING the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

This Ordinance establishes capital improvement program project account no. 980x233x222356, "Fairbanks & Delhi Ave MRF Grant," for the purpose of providing resources for curb repairs, pavement repairs, roadway resurfacing, and related needs under the Street Rehabilitation Program on Fairbanks and Delhi Avenues in the neighborhood of Sedamsville. This Ordinance also authorizes the City Manager to accept and appropriate grant resources in an amount of up to $121,000 from the Hamilton County Municipal Road Fund to new capital improvement program project account no. 980x233x222356, "Fairbanks & Delhi Ave MRF Grant." This Ordinance also authorizes the Finance Director to deposit resources into capital improvement program project account no. 980x233x222356. Finally, this Ordinance authorizes the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

On October 14, 2020, the City Council passed Ordinance No. 0344-2020, which authorized the City Manager to apply for these Hamilton County Municipal Road Fund grant resources, but City Council's authorization is required to accept and appropriate the grant resources.

The grant requires local matching funds in the amount of $2,279,000, which will be provided from resources available in existing capital improvement program project

account nos. 980x233x222308, “Street Rehabilitation,” and 980x233x212339, “Fairbanks and Delhi Avenues Safety OPWC Grant.” No new FTEs are required.

The rehabilitation project on Fairbanks and Delhi Avenues is in accordance with the “Connect” goal to “develop a regional transportation system that promotes economic vitality,” and the strategy to “use the City’s transportation network to help facilitate economic development opportunities,” as described on pages 139-143 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

cc: Andrew M. Dudas, Budget Director
Karen Alder, Finance Director

Attachment

MSS

- 2022

ESTABLISHING new capital improvement program project account no. 980x233x222356**,** "Fairbanks & Delhi Ave MRF Grant," for the purpose of providing resources for curb repairs, pavement repairs, roadway resurfacing, and related needs under the Street Rehabilitation Program on Fairbanks and Delhi Avenues in the neighborhood of Sedamsville; AUTHORIZING the City Manager to accept and appropriate grant resources in an amount of up to $121,000 from the Hamilton County Municipal Road Fund to newly established capital improvement program project account no. 980x233x222356, "Fairbanks & Delhi Ave MRF Grant"; AUTHORIZING the Finance Director to deposit the grant resources into capital improvement program project account no. 980x233x222356, "Fairbanks & Delhi Ave MRF Grant"; and AUTHORIZING the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

WHEREAS, on October 14, 2020, Council passed Ordinance No. 0344-2020, which authorized the City Manager to apply for Hamilton County Municipal Road Fund grant resources, but Council's authorization is required to accept and appropriate the grant resources awarded to the City; and

WHEREAS, the grant resources will be used for the rehabilitation of Fairbanks and Delhi Avenues in the neighborhood of Sedamsville; and

WHEREAS, the grant requires local matching funds in the amount of $2,279,000, which will be provided from resources available in existing capital improvement program project account nos. 980x233x222308, "Street Rehabilitation," and 980x233x212339, "Fairbanks and Delhi Avenues Safety OPWC Grant"; and

WHEREAS, there are no new FTE requirements associated with the acceptance of these grant resources; and

WHEREAS, the rehabilitation project on Fairbanks and Delhi Avenues is in accordance with the "Connect" goal to "[d]evelop a regional transportation system that promotes economic vitality," and the strategy to "[u]se the City's transportation network to help facilitate economic development opportunities," as described on pages 139-143 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the establishment of new capital improvement program project account no. 980x233x222356, "Fairbanks & Delhi Ave MRF Grant," is hereby authorized for the purpose

of providing resources for curb repairs, pavement repairs, roadway resurfacing, and related needs under the Street Rehabilitation Program on Fairbanks and Delhi Avenues in the neighborhood of Sedamsville.

Section 2. That the City Manager is authorized to accept and appropriate grant resources in an amount of up to $121,000 from the Hamilton County Municipal Road Fund to newly established capital improvement program project account no. 980x233x222356, "Fairbanks & Delhi Ave MRF Grant."

Section 3. That the Finance Director is hereby authorized to deposit the grant resources into capital improvement program project account no. 980x233x222356, "Fairbanks & Delhi Ave MRF Grant."

Section 4. That the City Manager is authorized to enter into any agreements necessary for the receipt and administration of these grant resources.

Section 5. That the proper City officials are hereby authorized to do all things necessary and proper to carry out the terms of Sections 1 through 4 hereof.

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

Passed: _____, 2022

_____
Aftab Pureval, Mayor

Attest: _____
Clerk

city of CINCINNATI
Interdepartment Correspondence Sheet

February 9, 2022

To: Mayor and Members of City Council 202200263

From: John P. Curp, Interim City Manager

Subject: **Emergency Ordinance – OPDA: Moral Obligation to Tyler Technologies, Inc.**

Attached is an Emergency Ordinance captioned:

> **AUTHORIZING** the payment of $23,884 from the General Fund Enterprise Software and License non-departmental non-personnel budget account no. 050x952x0000x7418 as a moral obligation to Tyler Technologies, Inc. for software and technical support services provided to the City.

This Emergency Ordinance authorizes the payment of $23,884 from the General Fund Enterprise Software and License non-departmental non-personnel operating budget account no. 050x952x0000x7418 as a moral obligation to Tyler Technologies, Inc. for software and technical support services provided to the City.

In April 2019, the City of Cincinnati entered into a contract with Socrata, Inc. ("Socrata"), a wholly owned subsidiary of Tyler Technologies, Inc. ("Tyler"), to provide software and technical support. The contract with Socrata expired on October 31, 2021. Socrata continued to provide support for the City's Open Data Portal after the contract expired. On December 31, 2021, Socrata merged into its parent company, Tyler, which continued to provide software and technical support to the City. The term of services after the contract's expiration is from November 1, 2021 to February 28, 2022, which necessitates a moral obligation payment.

Sufficient resources are available in General Fund Enterprise Software License non-departmental non-personnel operating budget account no. 050x952x0000x7418 to pay for the services provided by Tyler. The City Council desires to provide payment of such services in the amount of $23,884.

The reason for the emergency is the immediate need to pay Tyler Technologies, Inc. for services provided to the City of Cincinnati.

The Administration recommends passage of this Emergency Ordinance.

cc: Andrew M. Dudas, Budget Director
Karen Alder, Finance Director

Attachment

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- 2022

AUTHORIZING the payment of $23,884 from the General Fund Enterprise Software and License non-departmental non-personnel budget account no. 050x952x0000x7418 as a moral obligation to Tyler Technologies, Inc. for software and technical support services provided to the City.

WHEREAS, in April 2019, the City of Cincinnati entered into a contract with Socrata, Inc. ("Socrata"), a wholly owned subsidiary of Tyler Technologies, Inc. ("Tyler"), to provide software and technical support; and

WHEREAS, the contract with Socrata expired on October 31, 2021; and

WHEREAS, Socrata continued to provide support for the City's Open Data Portal after October 31, 2021; and

WHEREAS, on December 31, 2021, Socrata merged into its parent company Tyler, with Tyler continuing to honor the obligations and terms of the City's contract with Socrata by providing software and technical support to the City; and

WHEREAS, the term of services after the contract's expiration is from November 1, 2021 to February 28, 2022; and

WHEREAS, sufficient resources are available in General Fund Enterprise Software and License non-departmental non-personnel budget account no. 050x952x0000x7418 to pay for the services provided by Tyler; and

WHEREAS, City Council desires to provide payment for such services in the amount of $23,884; now, therefore,

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

Section 1. That the Finance Director is authorized to make a payment in the amount of $23,884 from the General Fund Enterprise Software and License non-departmental non-personnel budget account no. 050x952x0000x7418 to Tyler Technologies, Inc. as a moral obligation of the City of Cincinnati for payment of charges owed for software and technical support services provided to the City.

Section 2. That the proper City officials are authorized to do all things necessary and proper to carry out the provisions of Section 1 hereof.

Section 3. 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 the immediate need to pay Tyler Technologies, Inc. for services provided to the City of Cincinnati.

Passed: _____, 2022

_____
Aftab Pureval, Mayor

Attest: _____
Clerk

city of CINCINNATI
Interdepartment Correspondence Sheet

February 9, 2022

To: Mayor and Members of City Council 202200264

From: John P. Curp, Interim City Manager

Subject: **Ordinance – Health: Health Resources and Services Administration (HRSA) Health Center Program Grant**

Attached is an Ordinance captioned:

> **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant in an amount of up to $2,542,904 from the United States Department of Health and Human Services, Health Resources and Services Administration, assistance listing 93.224, for the purpose of supplementing the operating expenses of the City of Cincinnati Primary Care Health Centers; and AUTHORIZING the Finance Director to deposit the grant funds into Public Health Research Fund 350.

Approval of this Ordinance authorizes the City Manager to apply for, accept, and appropriate a Health Center Program Grant in an amount of up to $2,542,904 from the United States Department of Health and Human Services, Health Resources and Services Administration for the purpose of providing support for the City of Cincinnati Primary Care Health Centers. This Ordinance further authorizes the Finance Director to deposit such grant funds into Public Health Research Fund 350.

No additional FTEs or local matching funds are required to accept this grant.

The Cincinnati Health Department applied for the grant on August 11, 2021, and was notified of a grant award on November 23, 2021, but CHD will not accept the grant funding without City Council approval.

This Ordinance is in accordance with the Sustain goal to "Become a healthier Cincinnati" as described on page 181 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

cc: Andrew M. Dudas, Budget Director
Karen Alder, Finance Director

PLAN CINCINNATI

Attachment

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- 2022

AUTHORIZING the City Manager to apply for, accept, and appropriate a grant in an amount of up to $2,542,904 from the United States Department of Health and Human Services, Health Resources and Services Administration, assistance listing 93.224, for the purpose of supplementing the operating expenses of the City of Cincinnati Primary Care Health Centers; and AUTHORIZING the Finance Director to deposit the grant funds into Public Health Research Fund 350.

WHEREAS, grant resources are available from the United States Department of Health and Human Services, Health Resources and Services Administration, assistance listing 93.224, for the purpose of supporting primary care health centers; and

WHEREAS, the Cincinnati Health Department ("CHD") will use such grant funds, if accepted, to supplement the operating expenses of the City of Cincinnati Primary Care Health Centers; and

WHEREAS, no additional FTEs or local matching funds are required to accept this grant; and

WHEREAS, CHD applied for this grant on August 11, 2021, and was notified of being awarded grant resources on November 23, 2021, but no funds will be accepted without Council approval; and

WHEREAS, this ordinance is in accordance with the "Sustain" goal to "[b]ecome a healthier Cincinnati" as described on page 181 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the City Manager is hereby authorized to apply for, accept, and appropriate a grant in an amount of up to $2,542,904 from the United States Department of Health and Human Services, Health Resources and Services Administration, assistance listing 93.224, for the purpose of supplementing the operating expenses of the City of Cincinnati Primary Care Health Centers.

Section 2. That the Director of Finance is hereby authorized to deposit the grant funds into Public Health Research Fund 350.

Section 3. That the proper City officials are hereby authorized to do all things necessary and proper to comply with the terms of Sections 1 and 2 hereof.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2022

_____
Aftab Pureval, Mayor

Attest: _____
Clerk

city of CINCINNATI
Interdepartment Correspondence Sheet

February 9, 2022

To: Mayor and Members of City Council 202200268

From: John C. Curp, Interim City Manager

Subject: Ordinance – Text Amendments – Urban Agriculture Chapter 1422

Transmitted is a Resolution captioned:

> **MODIFYING** Title XIV, "Zoning Code of the City of Cincinnati, "of the Cincinnati Municipal Code, by AMENDING the provisions of Sections 1403-05, "Land Use Regulations," 1405-05, "Land Use Regulations," 1422-03, "Land Use Regulations," and 1422-05, "Development Regulations," to modify the process for establishing certain agricultural facilities in residential zoning districts.

Summary

In May and June 2017, Cincinnati City Council passed two motions requesting that the City Administration, working cooperatively and interdepartmentally, create a plan for incorporating urban agriculture into City plans and to allow urban agriculture, both indoor and outdoor, in appropriate zoning districts throughout the City. The goal was to make urban agriculture more accessible, yet also have regulations that protect neighboring property owners and provide clarity for enforcement.

On November 19, 2021, staff gave an update to the CPC regarding gardens and farms to further explain accessory structures in Chapter 1422 of the Zoning Code. The CPC requested that staff of the Department of City Planning and Engagement and the Law Department prepare text amendments to require a Conditional Use hearing on accessory agricultural structures on vacant lots in residential areas.

The goal of the proposed modifications to the specific sections of Title XIV, "Zoning Code of the City of Cincinnati," is to continue to build streamlined and cohesive development processes and add transparency to City requirements and development procedures. These additional Conditional Use hearings will provide the public input requested by communities prior to these accessory agricultural structures being installed.

On December 17. 2021, the City Planning Commission voted to recommend approval of the proposed text amendments for Urban Agricultural Chapter 1422 of the Cincinnati Zoning Code to City Council.

City Planning Commission and the Administration recommends approval of this Ordinance.

cc: Katherine Keough-Jurs, AICP, Director, Department of City Planning and Engagement

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City of Cincinnati

An Ordinance No._____ - 2022

MODIFYING Title XIV, "Zoning Code of the City of Cincinnati," of the Cincinnati Municipal Code, by AMENDING the provisions of Sections 1403-05, "Land Use Regulations," 1405-05, "Land Use Regulations," 1422-03, "Land Use Regulations," and 1422-05, "Development Regulations," to modify the process for establishing certain agricultural facilities in residential zoning districts.

WHEREAS, at its regularly scheduled meeting on August 20, 2021, the City Planning Commission moved the Department of City Planning and Engagement to study concerns raised at its meeting regarding the process for establishing agricultural facilities in residential zoning districts; and

WHEREAS, at its regularly scheduled meeting on November 19, 2021, the Department of City Planning and Engagement reported on its findings, and thereafter the City Planning Commission moved the Department of City Planning and Engagement to produce proposed text amendments requiring conditional use review for certain agricultural facilities in residential zoning districts to ensure impacted residents would be engaged before the construction of those facilities; and

WHEREAS, at its regularly scheduled meeting on December 17, 2021, the Department of City Planning and Engagement presented the proposed text amendments to the City Planning Commission, and the commission recommended their approval; and

WHEREAS, a committee of Council held a public hearing to review and consider the proposed text amendments following due and proper notice pursuant to Cincinnati Municipal Code Section 111-1; and

WHEREAS, the text amendments are in accordance with the Live Initiative Area of Plan Cincinnati (2012), particularly the goal to "create a more livable community" by supporting and stabilizing our neighborhoods (p. 156); and

WHEREAS, the Council finds the proposed text amendments to be in the best interest 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 Section 1403-05, "Land Use Regulations," of the Cincinnati Municipal Code is hereby amended as follows:

§ 1403-05. - Land Use Regulations.

Schedule 1403-05 below prescribes the land use regulations for SF Districts. Uses are defined in Chapter 1401, Definitions. Uses not listed in the Schedule 1403-05 are prohibited.

The regulations for each subdistrict are established by letter designations as follows:

(a) "P" designates permitted uses. These uses may be subject to additional regulations as indicated.

(b) "L" designates uses that are permitted, subject to certain limitations. Numeric suffixes refer to limitations listed at the bottom of Schedule 1403-05. Except as otherwise indicated, modifications of a numerical, locational or dimensional limitation requires a variance under Chapter 1445 - Variances, Special Exceptions and Conditional Uses.

(c) "C" designates uses permitted only after review and approval of the conditional use by the Zoning Hearing Examiner. These uses may be subject to additional regulations as indicated.

Schedule 1403-05: Use Regulations - Single-family Districts

Use Classifications	SF-20	SF-10	SF-6	SF-4	SF-2	Additional Regulations
Residential Uses						
Bed and breakfast home	—	C	C	C	C	See § 1419-09
Child day care home	L4	L4	L4	L4	L4	
Group residential						
Convents and monasteries	C	C	C	C	C	
Fraternities and sororities	—	—	—	—	—	
Patient family homes	—	—	—	—	—	
Rooming houses	—	—	—	—	—	
Shared housing for the elderly	—	—	—	L3	L3	
Permanent residential						
Single-family dwelling	P	P	P	P	P	See § 1403-11

Attached single-family dwelling	L13	L13	L13	P	P	See § 1403-11
Two-family	L11	L11	L11	L11	L11	
Multi-family	L11	L11	L11	L11	L11	
Residential care facilities						
Developmental disability dwelling	P	P	P	P	P	
Public and Semipublic Uses						
Cemeteries	—	—	—	L1	L1	
Cultural institutions	—	—	C	C	C	
Park and recreation facilities	L12	L12	L12	L12	L12	
Public safety facilities	—	—	—	C	C	
Religious assembly	C	C	C	C	C	
School, public or private	C	C	C	C	C	See § 1419-12
Transportation, Communication and Utilities						
Public utility distribution system	C	C	C	C	C	
Wireless communication antenna	L2	L2	L2	L2	L2	See § 1419-33
Wireless communication tower	C	C	C	C	C	See § 1419-33
Agriculture and Extractive Uses						
Animal keeping	P	P	P	P	P	See Chapter 1422
Farms	C	C	C	C	C	See Chapter 1422
Gardens	~~P~~ L14	~~P~~ L14	~~P~~ L14	~~P~~ L14	~~P~~ L14	See Chapter 1422

Accessory Uses						
Any accessory use not listed below	L8	L8	L8	L8	L8	
Home Occupation	P	P	P	P	P	See § 1419-17
Commercial Vehicle Parking	L5	L5	L5	L5	L5	
Child day-care centers	L4,6	L4,6	L4,6	L4,6	L4,6	
Refuse storage areas	P	P	P	P	P	See § 1421-35
Drive Box	L7	L7	L7	L7	L7	
Fences and walls	P	P	P	P	P	See § 1421-33
Exterior lighting	P	P	P	P	P	See § 1421-39
Cemetery, incidental buildings and structures	—	—	—	L9	L9	
Rooming Unit	—	—	L10	L10	L10	
Portable storage containers	P	P	P	P	P	See § 1419-24
Nonconforming Uses						See Chapter 1447

Specific Limitations

L1 Only expansion of existing cemeteries allowed with a conditional use approval.

L2 Antenna height may not exceed 20 feet; greater height requires a conditional use approval. The antenna may only be attached to a permitted agricultural, public or semi-public or public utility building or structure.

L3 The minimum lot area for every resident is 800 square feet and the minimum living area for every resident is 250 square feet.

L4 Fencing, a minimum of four feet in height must be provided for purposes of securing outdoor play areas which must be located in the rear yard only.

L5 One commercial vehicle completely enclosed in a garage may be parked or stored on the lot with the following exceptions:

a. An unlimited number of commercial vehicles conveying the necessary tools, materials and equipment to a premises where labor using such tools, materials and equipment is to be performed during actual time of parking.

b. One commercial vehicle with current license owned by a resident of the residential property on which it is stored or parked not to exceed two tons in capacity.

c. Recreational vehicles, watercraft and personal trailers may be parked on the lot beyond the front yard.

L6 Only if accessory to a public or semi-public use.

L7 Accessory to a public or semi-public use, provided the drive-box is at least 100 feet from any property used for residential purposes.

L8 Accessory uses determined by the Zoning Administrator to be customarily incidental to a use of the district are permitted. All others require conditional use approval.

L9 Mausoleums, columbaria and other incidental buildings and structures within and accessory to cemeteries, may be no less than 100 feet from abutting properties in the residential district and may not exceed the height limitation for principal buildings of the district in which it is located.

L10 No more than two rooming units may be rented or leased in a single-family dwelling.

L11 This use must be legally established prior to the effective date of this Zoning Code. The use has the rights of Chapter 1447, Nonconforming Uses and Structures except for the provisions of § 1447-09 Expansion of Nonconforming Use and § 1447-11 Substitution of a Nonconforming Use.

L12 Publicly owned or operated park and recreation facilities are permitted. All park and recreation facilities, private or non-profit, require a conditional use approval.

L13 Attached single-family is only permitted as part of a cluster housing development. See § 1403-13.

<u>L14 The installation or construction of an agricultural structure exceeding 200 square feet on a lot that does not does not contain a dwelling or other principal structure requires conditional use approval from the Zoning Hearing Examiner pursuant to Chapter 1445.</u>

Section 2. That Section 1405-05, "Land Use Regulations," of the Cincinnati Municipal Code is hereby amended as follows:

§ 1405-05. Land Use Regulations.

Schedule 1405-05 below prescribes the land use regulations for RM Districts. Use classifications are defined in Chapter 1401, Definitions. Use classifications not listed in Schedule 1405-05 below are prohibited.

The regulations for each subdistrict are established by letter designations as follows:

(a) "P" designates permitted uses. These uses may be subject to additional regulations as indicated.

(b) "L" designates uses that are permitted, subject to certain limitations. Numeric suffixes refer to limitations listed at the bottom of Schedule 1405-05. Except as otherwise indicated, modifications of a numerical, locational or dimensional limitation requires a variance under Chapter 1445 - Variances, Special Exceptions and Conditional Uses.

(c) "C" designates uses permitted only after review and approval of the conditional use by the Zoning Hearing Examiner. These uses may be subject to additional regulations as indicated.

Schedule 1405-05: Use Regulations - Residential Multi-family Districts

Use Classifications	RMX	RM-2.0	RM-1.2	RM-0.7	Additional Regulations
Residential Uses					
Bed and breakfast home	P	P	P	P	See § 1419-09
Day care home - Adult	C	C	P	P	
Day care home - Type A	C	C	L4	L4	
Day care home - Type B	L4	L4	L4	L4	
Group residential					
Congregate housing	—	—	P	P	
Convents and monasteries	P	P	P	P	
Fraternities, sororities, dormitories	—	—	C	P	
Patient family homes	—	—	P	P	
Rooming houses	—	—	—	L2	

Shared housing for the elderly	L1	L1	L1	L1	
Permanent residential					
Single-family dwelling	P	P	P	P	See § 1403-11
Attached single-family dwelling	L15	P	P	P	See § 1403-11
Rowhouse, single-family dwelling	L15	P	P	P	
Two-family dwelling	P	P	P	P	
Three-family dwelling	P	P	P	P	
Multi-family dwelling	L3	P	P	P	
Residential care facilities					
Assisted living	C	C	P	P	
Developmental disability dwelling	P	P	P	P	
Nursing home	C	C	P	P	
Special assistance shelter	—	—	—	C	
Transitional housing					
Programs 1—4	—	P	P	P	
Programs 5—6	—	—	—	—	
Public and Semipublic Uses					
Clubs and lodges	C	C	C	C	
Community service facilities	C	C	C	P	
Cultural institutions	C	C	C	P	

Parks and recreation facilities	P	P	P	P	
Public safety facilities	C	C	P	P	
Religious assembly	P	P	P	P	
Schools, public or private	P	P	P	P	
Commercial Uses					
Bed and breakfast inns	C	C	C	P	See § 1419-09
Business services	—	—	—	L6,7	
Convenience markets	—	L16	L16	L7	
Food markets	—	L16	L16	L7	
Funeral and interment services	—	—	—	L6	
Loft dwelling units	—	L14	L14	L14	See § 1419-23
Medical services and clinics	—	—	—	L6,7	
Offices	—	—	—	L6,7	
Parking facilities	—	C	C	C	See Chapter 1425
Personal instructional services	—	—	—	L6,7	
Personal services	—	—	—	L6,7	
Recreation and entertainment					
Indoor or small-scale	—	—	—	L6,7	

Transportation, Communication and Utilities					
Public utility distribution system	C	C	C	C	
Transportation facilities					
Railroad right-of-way	P	P	P	P	
Wireless communication antenna	L9	L9	L9	L9	See § 1419-33
Wireless communication tower	C	C	C	C	See § 1419-33
Agriculture and Extractive Uses					
Animal keeping	P	P	P	P	See Chapter 1422
Farms	P	P	P	P	See Chapter 1422
Gardens	~~P~~ L18	~~P~~ L18	~~P~~ L18	~~P~~ L18	See Chapter 1422
Accessory Uses					
Any accessory use not listed below	L8	L8	L8	L8	
Home occupations	P	P	P	P	See § 1419-17
Commercial vehicle parking	L11	L11	L11	L11	
Day care center	L4, L17	L4, L17	L4, L17	L4, L17	
Rooming unit	L10	L10	L10	L10	
Transitional housing	L13	L13	L13	L13	

Commercial services	—	P	P	P	See § 1419-35, 1419-37
Refuse storage areas	P	P	P	P	See § 1421-35
Drive box	L12	L12	L12	L12	
Fences and walls	P	P	P	P	See § 1421-33
Exterior lighting	P	P	P	P	See § 1421-39
Portable storage containers	P	P	P	P	See § 1419-24
Nonconforming Uses					See Chapter 1447

Specific Limitations

L1 The minimum lot area for every resident is 500 square feet and the minimum living area for every resident is 250 square feet.

L2 Only rooming houses licensed pursuant to Chapter 855. Rooming Houses of the Municipal Code; the maximum number of rooming units is five, and a separate entrance for access to rooming units must be provided. The minimum rental is seven days. See § 1421-43.

L3 Multi-family dwellings of four or more units must be legally established prior to the effective date of this Zoning Code. The use has the rights of Chapter 1447, Nonconforming Uses and Structures except for the provisions of §1447-09 Expansion of Nonconforming Use and §1447-11 Substitution of a Nonconforming Use.

L4 Fencing, a minimum of four feet in height must be provided for purposes of securing outdoor play areas which must be located in the rear yard only.

L5 Not to exceed 3,000 square feet in gross floor area.

L6 Permitted only on arterial streets.

L7 Permitted on the ground floor occupying less than 2,500 sq. ft.; more space requires a conditional use approval.

L8 Accessory uses determined by the Zoning Administrator to be customarily incidental to a use of the district are permitted. All others require conditional use approval.

L9 Antenna height may not exceed 20 feet; greater height requires a conditional use approval. The antenna may be attached to a multi-family, public and semi-public or public utility building or structure.

L10 No more than two rooming units may be rented or leased in any dwelling.

L11 One commercial vehicle completely enclosed in a garage may be parked or stored on the lot with the following exceptions:

a. An unlimited number of commercial vehicles conveying the necessary tools, materials and equipment to a premises where labor using such tools, materials and equipment is to be performed during actual time of parking.

b. One commercial vehicle with current license owned by a resident of the residential property on which it is stored or parked not to exceed two tons in capacity.

c. Recreational vehicles, watercraft and personal trailers may be parked on the lot beyond the front yard.

L12 Accessory to a public or semi-public use, provided the drive box is at least 100 feet from any property used for residential purposes.

L13 Limited to transitional housing conforming to Paragraph 1401-03-T(c)(5) as an accessory use to public and semi-public uses. The use requires conditional use approval.

L14 Limited to City Council designated Live/Work Districts.

L15 Attached single-family dwellings and Rowhouse single-family dwellings of four or more units require conditional use approval.

L16 Permitted on the ground floor in multi-family buildings with a minimum of 50 dwelling units, occupying 1,200 square feet or less of gross floor area and having a separate exterior entrance: structures with less than 50 dwelling units require conditional use approval; food markets occupying more than 1,200 square feet of gross floor area require conditional use approval.

L17 Permitted only if accessory to a public or semi-public use.

<u>L18 The installation or construction of an agricultural structure exceeding 200 square feet on a lot that does not does not contain a dwelling or other principal structure requires conditional use approval from the Zoning Hearing Examiner pursuant to Chapter 1445.</u>

Section 3. That Section 1422-03, "Land Use Regulations," of the Cincinnati Municipal Code is hereby amended as follows:

§ 1422-03. Land Use Regulations.

(a) *Garden.* Gardens may be grown in all zoning districts, subject to the limitations of this chapter. Gardens must consist of less than 20,000 square feet of cultivated land. Use of large-scale commercial agricultural equipment such as tractors, tillers, or other machinery equal to or exceeding the size of an economy automobile is prohibited.

(b) *Farm.* A farm consists of 20,000 square feet or more of cultivated land. Use of large-scale commercial agricultural equipment is permitted, however such equipment must be completely enclosed in an Agricultural Structure when not in use. Farms located in residential districts require Conditional Use approval pursuant to Chapter 1445.

(c) *Agricultural Structures.* Where a parcel contains no dwelling or other Principal Structure, any proposed Agricultural Structures other than fences shall be deemed

accessory to a required operational Garden, Farm and/or Animal Keeping Use as a Principal Use and shall be used solely for agricultural purposes and practices. All Agricultural Structures shall require at a minimum a Zoning Certificate of Compliance and any required building permits, and Agricultural Structures that are accessory to a Garden and exceed 200 square feet require conditional use approval from the Zoning Hearing Examiner pursuant to Chapter 1445 before they may be installed or constructed on a lot in a residential district that does not does not contain a dwelling or other principal structure. Permanently constructed Agricultural Structures, located on a parcel containing no dwelling or principal structure, shall require a recorded deed restriction, approved as to form by the City Solicitor, that limits it to use as an Agricultural Structure. Release of the deed restriction by the Department of Buildings and Inspections shall constitute abandonment of the Principal and Accessory uses per Chapter 1447 and may require removal of any permanent structures prior to release.

(d) *Animal Keeping.* Where permitted, animal keeping is subject to the density restrictions and sheltering limitations established in this Chapter.

(e) *Conditional Use.* If the principal use of the property is a conditional use in the zoning district in which the property is located, any expansion of the conditional use, including a Horticulture and Animal Keeping Use and its Agricultural Structures, requires conditional use approval from the Zoning Hearing Examiner per Chapter 1445.

(f) *Landscaping and Buffer Yard Regulations.* New development, redevelopment, and changes of land use may require landscaping or the creation of a buffer yard in compliance with Chapter 1423.

(g) *Standards for Producing Agricultural Products Intended for Human or Animal Consumption in Manufacturing and Related Districts.* The production of agricultural products intended for human or animal consumption or the raising of agricultural animals in the ME, MG, ML, UM and RF-M zoning districts is permitted subject to the following limitations:

(1) The agricultural activity is conducted in an appropriate indoor location in compliance with all related regulations; or

(2) Where such agricultural activity is conducted outdoors, the owner of the subject property shall obtain a Zoning Certificate of Compliance from the Zoning Administrator based upon demonstration of either:

(i) Due diligence via soil testing by a licensed professional indicating that the soil shows no contamination with chemicals, metals, or other compounds at a level not exceeding that allowed by federal, state, and local standards for residential areas; or

(ii) Plans showing that such agricultural activity will take place only on rooftops, in raised beds, or in other containers sufficient to prevent any potential contamination.

Section 4. That Section 1422-05, "Development Regulations," of the Cincinnati Municipal Code is hereby amended as follows:

§ 1422-05. Development Regulations.

(a) *Agricultural Structures and Uses.* Agricultural Structures must be located, developed and operated in compliance with the following:

(1) *Permanent Agricultural Structures.* Permanent Agricultural Structures exceeding 200 square feet require a building permit. Prior to their installation or construction on a lot in a residential district that does not does not contain a dwelling or other principal structure, permanent Agricultural Structures exceeding 200 square feet that are accessory to a Garden must obtain conditional use approval from the Zoning Hearing Examiner pursuant to Chapter 1445.

(2) *Animal Keeping Structures.* Agricultural Structures, including fences and walls, used for animal keeping must comply with both the requirements established below and per Schedule 1422-05.

(3) *Agricultural Structures in Non-Residential Districts.* In non-residential zoning districts, Agricultural Structures not used for Animal Keeping are subject to the principal and accessory structure standards of the zoning district.

(4) *Agricultural Structures in Residential Districts.* In residential zoning districts, Agricultural Structures not used for Animal Keeping are subject to the standards of §1421-01, "Accessory Residential Structures," and §1421-05, "Accessory Structures on Corner Lots."

(5) *Agricultural Structures on Lots Containing No Principal Structure or Dwelling in Residential Districts.*

(i) *Required Rear Yard Location.* In residential districts, where a parcel contains no dwelling or principal structure, Agricultural Structures must be located to the rear of the line determined by rear yard averaging of the adjoining parcels principal structures.

(6) *Temporary Agricultural Structures.* Temporary structures, particularly greenhouse and membrane structures, shall be regulated as identified below.

(i) Temporary Agricultural Structures less than four (4) ft. in height, and of minimum structural character; the maximum area requirement is no greater than the minimum yard setback requirements.

(ii) Temporary Agricultural Structures greater than four (4) ft. in height, shall be regulated as follows:

(A) Structures shall comply with Chapter 3103 of the Ohio Basic Building Code and are limited to 400 sq. ft. in area with 12 ft. spacing between structures.

(B) Structures meeting any of the following requirements, shall submit for appropriate building permits: Structures greater than 400 sq. ft. in area; Structures proposed to remain for greater 180 days.

(iii) Prior to their installation or construction on a lot in a residential district that does not does not contain a dwelling or other principal structure, temporary Agricultural Structures exceeding 200 square feet that are accessory to a

Garden must obtain conditional use approval from the Zoning Hearing Examiner pursuant to Chapter 1445

(7) *Fences and Walls.* Fences and walls must comply with §1421-33.

(b) *Animal Keeping.* The provisions set forth herein and in Schedule 1425-05 below prescribe the development regulations governing minimum area size, containment, and setback and maintenance requirements for animal keeping.

(1) *Maximum Number of Categories/Species of Animals.*

(i) Keeping more than two categories/species of animals requires a cumulative minimum land area based on the requirements for each category/species as set forth in Schedule 1422-05. This provision does not apply to dogs, cats, common indoor household pets, and bees.

(ii) Exceeding the maximum number of categories/species of animals requires Conditional Use approval.

(2) *Animal Keeping Shelter Structure Requirements.* Animal Keeping Shelter Structures shall:

(i) Provide adequate protection from the elements and predators;

(ii) Provide thorough ventilation;

(iii) Be designed to be readily accessed and cleaned; and,

(iv) Provide access for fowl, rabbits, and other small animals to an outdoor enclosure adequately bounded to prevent escape or access by predators.

(3) *Animal Keeping Enclosures.* Animal keeping enclosures should be of sufficient height and durability to contain the species of animal.

Schedule 1422-05: Animal Keeping Requirements

Animal Category/ Species	Adult Animals Permitted Per Lot Area	Containment Required	Shelter Structure Requirements	Location and Minimum Setbacks for Shelter Structures, Feeders, and Water Stations
Bees	Minimum 2,500 square feet per apiary.	Yes, with a 6-foot flyway screen (fence or hedge) within three feet of any hive entry is required, unless the apiary is more than 150	A maximum two Apiaries of 30 cubic feet per 10,000 square feet.	Apiaries may be located on the ground or on rooftops. Apiaries shall be setback a minimum of 10 feet from any property line and

		feet from all property lines.		25 feet from the nearest inhabited structure when a flyway screen is provided. Apiaries located on rooftops shall be setback a minimum of six feet from the edge of roof. Bee warning or notice signs shall be placed at property lines per Ohio Dept. of Agriculture rules and regulations.
Chickens, Ducks, Quail, Doves, and other Smaller Birds	6 permitted for lots less than 10,000 square feet. 12 permitted for 10,000 to 20,000 square foot lots. A maximum of 24 permitted for lots exceeding 20,000 square feet. 1 rooster permitted per every 15 hens.	Yes, if animals are permitted to range outside of a structure. More than 1 rooster requires tethering. Roosters must be kept a minimum of 50 feet from all property lines.	A minimum of 4 square feet per adult.	A setback of 10 feet from all property lines.
Rabbits	6 permitted for lots less than 10,000 square feet. 12 permitted for	Yes, if animals are permitted to range outside of a structure.	A minimum of 4 square feet per adult.	A setback of 10 feet from all property lines.

	10,000 to 20,000 square foot lots. A maximum of 24 permitted for lots exceeding 20,000 square feet.			
Geese, Turkeys, and other Medium-Sized Birds	4 permitted for lots less than 10,000 square feet. 8 permitted for 10,000 to 20,000 square foot lots. A maximum of 16 permitted for lots exceeding 20,000 square feet.	Yes, if animals are permitted to range outside of a structure.	A minimum of 6 square feet per adult.	A setback of 10 feet from all property lines.
Dehorned Goats and Sheep	2 permitted for lots less than 10,000 square feet. 4 permitted for 10,000 to 20,000 square foot lots, A maximum of 8 permitted for lots exceeding 20,000 square feet.	Yes, with a minimum of a 5-foot setback from property lines. No temporary or permanent structures are permitted within 10 feet of a fence that would enable an animal to climb or jump over a fence.	A minimum of 20 square feet per adult.	A setback of 50 feet from all property lines.
Swine	A minimum of 20,000 square feet per adult; a maximum of 2.	Yes, with a setback of 20 feet from property lines.	A minimum of 30 square feet per adult.	A setback of 50 feet from all property lines.

Horses and Cattle and like-size animals	A minimum of 20,000 square feet per adult; a maximum of 2.	Yes, with a setback of 5 feet from property lines.	A minimum of 100 square feet per adult.	A setback of 50 feet from all property lines.
Alpacas and Llamas	A minimum of 20,000 square feet per adult; a maximum of 2.	Yes, with a setback of 5 feet from property lines.	A minimum 100 square feet per adult.	A setback of 50 feet from all property lines.
Ostriches, Emus, and other Large Birds	A minimum of 20,000 square feet per adult; a maximum of 2.	Yes, with a setback of 5 feet from property lines.	A minimum of 20 square feet per adult.	A setback of 50 feet from all property lines.

Section 5. That existing Sections 1403-05, "Land Use Regulations," 1405-05, "Land Use Regulations," 1422-03, "Land Use Regulations," and 1422-05, "Development Regulations," of the Cincinnati Municipal Code are hereby repealed.

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

Passed: _____, 2022

_____
Aftab Pureval, Mayor

Attest: _____
Clerk

New language underscored. Deleted language indicated by strike through.

Honorable City Planning Commission
Cincinnati, Ohio

February 4, 2022

SUBJECT: A report and recommendation on proposed zoning text amendments to modify Title XIV, "Zoning Code of the City of Cincinnati," of the Cincinnati Municipal Code by amending the provisions of Section 1405-03, "Specific Purposes of Multi-Family Subdistricts," Section 1405-07, "Development Regulations," Section 1407-07, "Development Regulations," Section 1409-09, "Development Regulations," Section 1410-07, "Development Regulations," Section 1413-07, "Development Regulations," and Section 1415- 09, "Development Regulations," to reduce or remove density limitations in certain zoning districts and thereby remove a barrier to the creation of housing within the city.

EXHIBITS:

Provided in addition to this report are:

- Exhibit A – Original Ordinance by Councilmember Liz Keating
- Exhibit B – Revised proposed Ordinance by Councilmember Liz Keating after initial public comment
- Exhibit C – Council report 202100478
- Exhibit D – Maps of affected zoning districts by neighborhood
- Exhibit E – Density variances approved by the Historic Conservation Board since 2017
- Exhibit F – Correspondence before the June 4, 2021, City Planning Commission meeting
- Exhibit G – Correspondence after the June 4, 2021, City Planning Commission meeting

BACKGROUND:

On May 7, 2021, the Department of City Planning and Engagement received an Ordinance sponsored by Councilmember Liz Keating that would remove land area/unit (density) limitations in the Zoning Code to allow for construction of more housing within Residential Multi-Family, Office, Commercial, Urban Mix, Manufacturing, and Riverfront zoning districts. The removal of these limitations is among the strategies the City Administration recommended for increasing the supply, availability, and affordability of housing within the City in a March 16, 2021 report to City Council (Exhibit C). Upon receipt of this proposed Ordinance, the Department of City Planning and Engagement initiated the process for its consideration by the City Planning Commission and City Council.

The original proposed Ordinance was presented to the City Planning Commission on June 4, 2021. During this meeting, residents and neighborhood leaders expressed concern that neighborhoods were not given enough time to review the proposal. The City Planning Commission held the proposal and asked City Planning and Engagement staff to do additional education and outreach. After the feedback from the meeting, the website was updated with additional information to help make this proposal easier to understand. Councilmember Keating's office also conducted additional outreach to neighborhood leaders and through Invest in Neighborhoods.

A second public staff conference was held on August 4, 2021. After the feedback received at this meeting from neighborhood leaders, the Ordinance was amended to allow for double the density in Residential Multi-Family (RM-0.7, RM-1.2, and RM-2.0) instead of allowing unlimited density, along with limiting the permitted maximum building height in the RM-0.7 zoning district to 50 feet instead of an unlimited height tied to additional building setbacks from property lines. All other development regulations still apply.

A third public staff conference to discuss the changes to this proposal was held on December 14, 2021. The proposed revised Ordinance only impacts zoning regulations that impose land area/unit (density) limitations. There are other forms of regulating density in the Zoning Code that this proposed revised Ordinance does not

impact—including use restrictions, building height, setbacks, Overlay Districts (Historic, Hillside, Urban Design), parking requirements, etc. Density in Single-Family zoning districts is not affected by this proposal, as density in these areas is primarily regulated by minimum lot size versus a land area/unit limitation.

The proposed changes are to:

Section 1405-07 "Development Regulations – Multi-Family"

- Removes the minimum lot size requirement of 2,500 square feet per residential unit for two and three-family dwellings in the Residential Mixed 1-3 family (RMX) zoning district. It does not allow for more than 3 units per lot.
- Changes the minimum lot size requirement of 2,000 square feet per residential unit to 1,000 square feet per residential unit for two-family and multi-family dwellings in the Residential Multi-Family 2.0 (RM-2.0) zoning district.
- Changes the minimum lot size requirement of 1,200 square feet per residential unit to 600 square feet per residential unit for two-family and multi-family dwellings in the Residential Multi-Family 1.2 (RM-1.2) zoning district.
- Changes the minimum lot size requirement of 700 square feet per residential unit to 350 square feet per residential unit for two-family and multi-family dwellings in the Multi-Family 0.7 (RM-0.7) zoning district.
- Changes the maximum height in the Multi-Family 0.7 (RM-0.7) zoning district from unlimited to a maximum of 50 feet.

Section 1407-07 "Development Regulations – Office Districts"

- Removes the minimum lot size requirement of 1,200 square feet per residential unit in the Office Limited (OL) zoning district.
- Removes the minimum lot size requirement of 700 square feet per residential unit in Office General (OG) zoning district.

Section 1409-09 "Development Regulations – Commercial Districts"

- Removes the minimum lot size requirement of 700 square feet per residential unit (new construction) in all Commercial zoning districts.
- Removes the minimum lot size requirement of 500 square feet per residential unit (using an existing building) in all Commercial zoning districts.

Section 1410-07 "Development Regulations – Urban Mix"

- Removes the minimum lot size requirement of 700 square feet per residential unit.
- Removes the minimum lot size requirement of 700 square feet per residential unit for interior and exterior row houses.
- Removes the minimum lot size requirement of 2,000 square feet for "other uses."

Section 1413-07 "Development Regulations – Manufacturing Districts"

- Removes the minimum lot size requirement of 2,000 square feet per dwelling unit in the Manufacturing Limited (ML) zoning district.

Section 1415-09 "Development Regulations – Riverfront Districts"

- Removes the minimum lot size requirement of 2,000 square feet per dwelling unit in the Riverfront Residential/Recreational (RF-R) zoning district.

A full list of proposed changes is attached in the Ordinance as Exhibit B.

PUBLIC COMMENT:

The first public staff conference was held on May 25, 2021, via Zoom. Notice was sent to all active Community Councils and Community Development Corporations via email and regular mail since this proposal would make text amendments to the Zoning Code, which is applied City-wide. Besides City staff, six people attended the initial public staff conference.

There were questions as to how this would affect more traditional neighborhoods outside of the urban core neighborhoods close to downtown since commercial and multi-family zoning districts could be built denser. There were also questions if this would incentivize demolishing older existing historic structures to build new buildings at a higher density. Many of these older buildings have little or no parking, so demolishing them would require current parking requirements to be met.

A Pendleton resident stated concerns that removing density requirements on top of Urban Parking Overlay District #1: Urban Core, which removed off-street parking requirements, would negatively impact Pendleton, where she stated street parking is full even for existing residents, not including commercial activity. She also stated that public parking garages are not convenient for Pendleton and are expensive. There were also questions about certain projects in Oakley and how those were approved and if they benefited from this proposal. There were also concerns from several attendees about notification and that there was not enough time for Community Councils to react.

Staff received a letter from the Northside Planning and Zoning Committee which is generally supportive of the proposed changes. Staff also received a letter from a Northside resident who is opposed to the changes.

A second public staff conference was held on August 4, 2021 via Zoom. Notice was sent to all active Community Councils and Community Development Corporations via email and regular mail. Anyone who had signed up for the previous public staff conference or City Planning Commission meeting also received an email notification.

General statements of support included that more housing is needed at all price points, as more housing units at any price point would help to allow demand pressure to slow, that solving the lack of housing supply requires incremental, broad-based changes are needed to help bring down housing costs, and that many smaller development projects aren't feasible without adding a government subsidy or additional density.

General statements of concern were that these changes are too broad based instead of looking at them neighborhood by neighborhood, that adding additional density could overburden additional infrastructure, that this proposal could make it easier to steer additional low-income housing into low-income neighborhoods, that this proposal negatively affects Over-the-Rhine and Pendleton as there are no off-street parking requirements in those neighborhoods, and that families need three bedroom units, when most units in higher density developments are one or two bedroom units. The question was also asked why the City isn't looking at amending single-family zoning districts as well. Another legislative proposal is being discussed to allow accessory dwelling units (ADUs) in single-family zoning districts, which was a proposal originating from the Property Tax Working Group.

A third public staff conference was held on December 14, 2021 via Zoom. Notice was sent to all active Community Councils and Community Development Corporations via email and regular mail. Anyone who had signed up for a previous public staff conference or City Planning Commission meeting also received an email notification. At this meeting, the proposed changes to residential multi-family zoning districts were presented, statements of support and opposition were generally unchanged, specifically the points that the City needs more housing that is more affordable, and although the City looks at housing as a regional issue, the changes should be made on a neighborhood level instead of a blanket approach across the City.

Throughout this process, Councilmember Keating's Office attended Community Council meetings and Invest in

Neighborhoods meetings to present and answer questions related to this topic.

City Planning and Engagement staff have also received several letters on this topic, including one from Invest in Neighborhoods, which provided a summary of participating neighborhoods. The letters of support and opposition generally echo the feedback received at the three public staff conferences and City Planning Commission meetings, and are attached as Exhibit F.

ANALYSIS:

This proposal affects approximately 25% of land area in the City. Maps of how this proposal would affect each neighborhood are attached as Exhibit D. The existing land area/unit density regulations are an obstacle to creating high density housing and walkable, pedestrian-friendly, mixed-use environments. Additionally, the historic purpose for this type of density regulation was to regulate development for public safety and health reasons—a concern that is now adequately addressed by modern building codes, fire codes, and other government regulation. Lifting these existing density requirements will simplify the approval process for the creation of dense housing developments, encouraging increased housing supply and promoting housing affordability.

Under existing regulations, the minimum density is based on the zoning district for new construction:

Zoning District	Density Requirement for Multi-family
Residential Mixed (RMX)	2,500 SF per unit/parcel area
Residential Multi-family 2.0 (RM-2.0)	2,000 SF per unit/parcel area
Residential Multi-family 1.2 (RM-1.2)	1,200 SF per unit/parcel area
Residential Multi-family 0.7 (RM-0.7)	700 SF per unit/parcel area
Office Limited (OL)	1,200 SF per unit/parcel area
Office General (OG)	700 SF per unit/parcel area
All Commercial Districts	700 SF per unit/parcel area (new) 500 SF per unit/parcel area (existing)
Urban Mix (UM)	700 SF per unit/parcel area
Manufacturing Limited (ML)	2,000 SF per unit/parcel area
Riverfront Residential/Recreational (RF-R)	2,000 SF per unit/parcel area

Much of the City's historic building stock has density in excess of currently permitted levels. For example, most residential buildings in Cincinnati's oldest neighborhoods (Over-the-Rhine, West End, Lower Price Hill, Northside, Mount Auburn, Mount Adams, Walnut Hills, etc.) that were built in the late 1800s or early 1900s have a higher density than 500 square feet of land area per unit. Even in commercial districts, where rehabbing an existing building has the lowest density requirements at 500 square feet per unit/parcel area, many existing buildings still do not meet this requirement and require a density variance from the Zoning Hearing Examiner or extensive renovations will be required to the building to convert it to less units. These examples typically happen in older neighborhoods, where buildings were constructed before zoning requirements were in place. For example, the historic San Marco apartments in East Walnut Hills on the corner of Gilbert Avenue and Madison Road has 30 units for a residential density of 217.8 square feet of land area per unit. Many other units, such as the "four-plex" buildings throughout Cincinnati often do not meet minimum density requirements and would have to go through a variance process if they sit vacant for more than 365 days. Requirements for variances add time, cost, and uncertainty to the development process—creating a disincentive for development of housing. Further, allowing more units per building drives down the per unit development costs of housing development by allowing for economies of scale. Therefore, removal of land area/unit limitations both eliminates a disincentive and creates an incentive for housing production.

The proposed revised Ordinance only impacts zoning regulations that impose land area/unit (density) limitations. There are other forms of regulating density in the Zoning Code that this proposed revised Ordinance does not

impact and still remain—including use regulations, building height, setbacks, Overlay Districts (Historic, Hillside, Urban Design), parking requirements, etc. Density in Single-Family zoning districts is not affected by this proposal, as density in these areas is primarily regulated by minimum lot size and not a land area/unit limitation.

Reducing or removing land area/unit density limitations could encourage the development of denser housing projects, increasing housing supply and promoting housing affordability. Though there are still other regulations that impact density, the removal of land area/unit density limitations is an important step to increasing supply and to expand the City's tax base, improve housing affordability, support neighborhood small businesses, be more sustainable, promote desegregation, and reduce blight.

CONSISTENCY WITH PLANS:

The proposed text amendments are consistent with several areas of *Plan Cincinnati* (2012), including the vision of Thriving Re-Urbanization (p. 71), along with the Guiding Policy Principles to "Increase our Population" (p. 74), "Build on our Assets" (p. 75), and to "Be aggressive and strategic in future growth and development" (p. 77). A short-range strategy under the Live Initiative Area is to "Revise the City's Building and Zoning Codes…with standards that emphasize traditional neighborhood development over suburban development" (p. 157) and the Sustain Initiative Area to "Develop changes to zoning regulations to remove barriers to the adaptive reuse of buildings" (p. 197).

A recommendation in the *Green Cincinnati Plan* (2018) is to "Encourage population density and transit-oriented development in appropriate locations through zoning and incentives" (p. 50).

The existing minimum density regulations emphasize suburban development patterns, obstruct the renovation and rehabilitation of existing buildings, and endanger the urban fabric and historic character of the city by lowering the desired density in this area, contrary to the recommendations of these plans and existing development patterns. Though these City and neighborhood plans also provide additional strategies to increase the number of affordable housing units within the City to ensure everyone has a place to live, increasing the allowable density is an important step to increasing affordability within the urban core.

CONCLUSIONS:

The proposed elimination of land area/unit density limitations for multi-family housing will remove a disincentive and create an incentive for development of dense housing projects by removing the need for density variances and leveraging economics of scale efficiencies to reduce the cost per unit of development. By encouraging an increase in supply of housing, this proposal will promote housing affordability. The proposed zoning regulations affect land area/unit (density) limitations; however, this proposal does not impact other forms of density regulation in the Cincinnati Zoning Code—including use restrictions, building height, setbacks, Overlay Districts (Historic, Hillside, Urban Design), parking requirements, etc. Further, density in Single-Family zoning districts is not affected by this proposal, as density in these areas is primarily regulated by minimum lot size and not a land area/unit limitation.

RECOMMENDATION:

The staff of the Department of City Planning and Engagement recommends that the City Planning Commission take the following actions:

> **APPROVE** the proposed zoning text amendments to modify Title XIV, "Zoning Code of the City of Cincinnati," of the Cincinnati Municipal Code by amending the provisions of Section 1405-03, "Specific Purposes of Multi-Family Subdistricts," Section 1405-07, "Development Regulations," Section 1407-07, "Development Regulations," Section 1409-09, "Development Regulations," Section 1410-07, "Development Regulations," Section 1413-07, "Development Regulations," and Section 1415- 09, "Development Regulations," to reduce or remove density limitations in certain zoning districts and thereby remove a barrier to the creation of housing within the city.

Respectfully Submitted:

James Weaver, AICP, Senior City Planner
Department of City Planning and Engagement

Approved:

Katherine Keough-Jurs, AICP, Director
Department of City Planning and Engagement

Exhibit A

city of CINCINNATI

Interdepartmental Correspondence Sheet

Date: May 7, 2021

To: Councilmember Liz Keating

From: Andrew Garth, City Solicitor AWG

Subject: **Ordinance – Removal of Density Restrictions from Zoning Code**

Transmitted herewith is an emergency ordinance captioned as follows:

> **MODIFYING** Title XIV, "Zoning Code of the City of Cincinnati," of the Cincinnati Municipal Code by AMENDING the provisions of Section 1405-03, "Specific Purposes of Multi-Family Subdistricts," Section 1405-07, "Development Regulations," Section 1407-07, "Development Regulations," Section 1409-09, "Development Regulations," Section 1410-07, "Development Regulations," Section 1413-07, "Development Regulations," and Section 1415-09, "Development Regulations," to remove density limitations in certain zoning districts and thereby remove a barrier to the creation of housing within the city.

AWG/MEH/(lnk)
Attachment
336148

{00338396-1}

Exhibit A

City of Cincinnati

MEH

BWG

An Ordinance No. _____ - 2021

MODIFYING Title XIV, "Zoning Code of the City of Cincinnati," of the Cincinnati Municipal Code by AMENDING the provisions of Section 1405-03, "Specific Purposes of Multi-Family Subdistricts," Section 1405-07, "Development Regulations," Section 1407-07, "Development Regulations," Section 1409-09, "Development Regulations," Section 1410-07, "Development Regulations," Section 1413-07, "Development Regulations," and Section 1415-09, "Development Regulations," to remove density limitations in certain zoning districts and thereby remove a barrier to the creation of housing within the city.

WHEREAS, in response to City Council's desire to increase the supply and availability of housing that is affordable across a broad spectrum, the Administration has explored a number of strategies that would facilitate the production of housing in the city, which strategies are more particularly described in a March 16, 2021 report to the Council (item no. 202101105); and

WHEREAS, the Administration's recommendations for increasing the housing supply include a recommendation to legislatively streamline housing production by, among other things, lifting density restrictions in certain targeted areas; and

WHEREAS, the Council hereby resolves to lift density restrictions in certain targeted areas to remove a barrier to the creation of housing in the city, consistent with its desire to increase the supply and availability of housing; and

WHEREAS, at its regularly scheduled meeting on _____, the City Planning Commission reviewed the proposed amendments to the zoning code and recommended their approval, finding them to be in the interest of the public's health, safety, morals, and general welfare; and

WHEREAS, a committee of Council held a public hearing on the proposed text amendments following due and proper notice pursuant to Cincinnati Municipal Code Section 111-1, and the committee approved the proposed text amendments; and

WHEREAS, the text amendments are consistent with Plan Cincinnati (2012), including the "Live" goal to "provide a full spectrum of housing options, and improve housing quality and affordability" (p. 164); and

WHEREAS, the Council finds the proposed text amendments 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 Section 1405-03, "Specific Purposes of Multi-Family Subdistricts," of the Cincinnati Municipal Code is hereby amended as follows:

§ 1405-03. - Specific Purposes of the Multi-Family Subdistricts.

The specific purposes of the RM Residential Multi-family subdistricts are to create, maintain and enhance neighborhood residential areas with multi-family housing that are typically located near the city's major arterials and characterized by a mix of attached housing, small and large multi-unit buildings and community facilities, where appropriate. Future development will be primarily residential in character, although some small-scale public and non-residential uses on the ground floor in a mixed use building on an arterial street may be allowed with specific limitations. Four RM District subdistricts are established:

(a) *RMX Residential Mixed.* This subdistrict is intended to create, maintain and enhance areas of the city that have a mix of lot sizes and house types at moderate intensities (one to three dwelling units). Existing multi-family buildings of four or more units are acknowledged but new construction is not permitted.

(b) *RM-2.0 Multi-family.* This subdistrict is intended to provide for a medium density mix of residential housing predominantly duplexes and multi-family on lots that have already been platted. The scale of buildings is generally similar to a large single-family home on a small lot. Where land is assembled, the same scale should be maintained. ~~The minimum land area for every dwelling unit is 2,000 square feet.~~

(c) *RM-1.2 Multi-family.* This subdistrict is intended to provide for mixed residential uses at moderately high densities. This is an intense district with an urban character. ~~The minimum land area for every dwelling unit is 1,200 square feet.~~

(d) *RM-0.7 Multi-family.* This subdistrict is the most intense residential district and it will normally consist of tall multi-family or condominium structures. The character is intended to be urban and should be used where high intensity residential is needed to provide a residential base for important commercial areas. ~~The minimum land area for every dwelling unit is 700 square feet.~~

FIGURES 1405-03-A-D The following illustrations represent examples of the multi-family districts in this chapter:

Figure 1405-03-A, B

Figure 1405-03-C, D

Section 2. That existing Section 1405-03, "Specific Purposes of Multi-Family Subdistricts," of the Cincinnati Municipal Code is hereby repealed.

Section 3. That Section 1405-07, "Development Regulations," of the Cincinnati Municipal Code is hereby amended as follows:

§ 1405-07. - Development Regulations.

Schedule 1405-07 below prescribes the development regulations for the RM Districts, including ~~lot area for every unit,~~ minimum lot width, setbacks and maximum height. Figure 1405-07 illustrates the setbacks for the RM Districts. Where an overlay district applies, the provisions of that district take precedence if there is conflict with the standards of this Section.

Schedule 1405-07 Development Regulations - Residential Multi-family Districts

				Setbacks (ft.)			
Building Form and Location	Lot Area (sq. ft.)	~~Lot Area/Unit (sq. ft.)~~	Lot width (ft.)	Front Yard	Side Yard Min./Total	Rear Yard	Maximum Height (ft.)
RMX single-family	2,500	—	25	20	0/5	20	35
RMX rowhouse exterior	2,500	—	—	20	0/5	20	35
RMX rowhouse interior	2,000	—	—	20	0/0	20	35
RMX two-family	5,000	~~2,500~~	25	20	3/6	20	35
RMX three-family	7,500	~~2,500~~	25	20	3/6	20	35

RMX other			25	20	3/6	20	35
RM 2.0 single-family	2,000	—	25	20	0/5	20	35
RM 2.0 rowhouse exterior	2,500	—	—	20	0/5	20	35
RM 2.0 rowhouse interior	2,000	—	—	20	0/0	20	35
RM 2.0 two-family	4,000	~~2,000~~	25	20	3/6	20	35
RM 2.0 multi-family	—	~~2,000~~	—	20 [1]	5/17 [3]	35	45
RM 2.0 other			25	20 [1]	5/17 [3]	35	45
RM 1.2 single-family	2,000	—	25	20	0/5	20	35
RM 1.2 rowhouse exterior	2,000	—	—	20	0/5	20	35
RM 1.2 rowhouse interior	1,500	—	—	20	0/0	20	35
RM 1.2 two-family	2,400	~~1,200~~	25	20	3/6	20	35
RM 1.2 multi-family	—	~~1,200~~	—	20 [2]	5/17 [3]	30 [2]	-
RM 1.2 other				20 [2]	5/17 [3]	30 [2]	—
RM 0.7 single-family	2,000	—	25	5	0/5	20	35
RM 0.7 rowhouse exterior	2,000	—	—	5	0/5	20	35
RM 0.7 rowhouse interior	1,500	—	—	5	0/0	20	35

RM 0.7 two-family	2,000	~~700~~	25	5	0/5	20	35
RM 0.7 multi-family	—	~~700~~	—	5	0/5 [4]	25 [2]	—
RM 0.7 other				5	0/5 [4]	25 [2]	—

"Yes" means additional regulations apply.

Regulations	RMX	RM 2.0	RM 1.2	RM 0.7	Additional Regulations
Vehicle Accommodation Driveways and Parking					
Location of parking	Yes	Yes	Yes	Yes	See § 1425-17
Parking lot landscaping	Yes	Yes	Yes	Yes	See § 1425-31
Parking lot screening	Yes	Yes	Yes	Yes	See § 1425-29
Truck docks; loading and service areas	Yes	Yes	Yes	Yes	See § 1405-09
Other Regulations					
Buffering along district boundaries	Yes	Yes	Yes	Yes	See § 1423-13
Accessory structures	See Chapter 1421				
General site standards	See Chapter 1421				
Landscaping and buffer yards	See Chapter 1423				
Nonconforming uses and structures	See Chapter 1447				
Off-street parking and loading	See Chapter 1425				
Signs	See Chapter 1427				
Additional development regulations	See Chapter 1419				

[1] Additional 1-foot of setback for each 1-foot of building height above 35 feet.

[2] Additional 1-foot of setback for each five feet of building height above 35 feet.

[3] Addition 0.5-foot of minimum side yard and 1-foot sum of side yard setback for each 1-foot of building height above 35 feet.

[4] Additional 1-foot of minimum side yard and 2-foot sum of side yard setback for each five feet of building height above 35 feet.

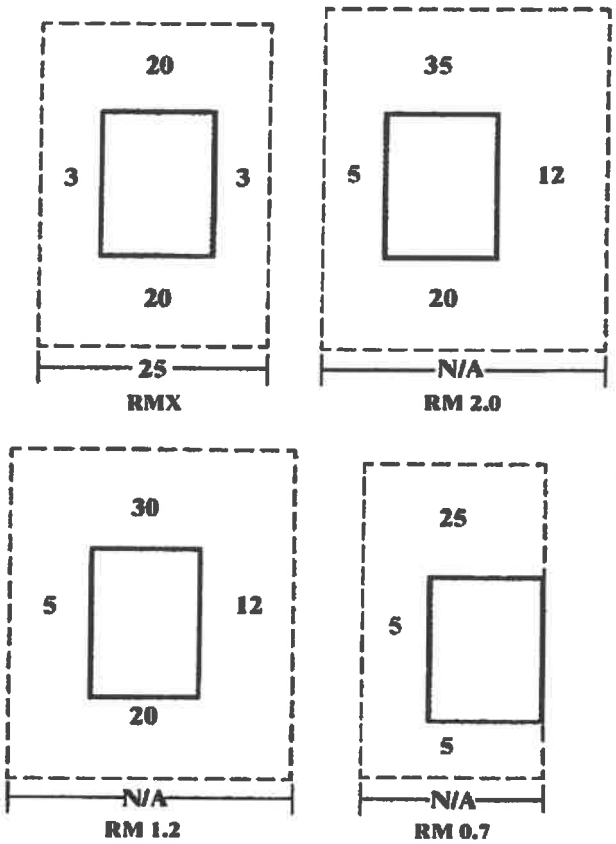

Figure 1405-07 Minimum Setbacks for Multi-Family Buildings 35 ft. in Height

Section 4. That existing Section 1405-07, "Development Regulations," of the Cincinnati Municipal Code is hereby repealed.

Section 5. That Section 1407-07, "Development Regulations," of the Cincinnati Municipal Code is hereby amended as follows:

§ 1407-07. - Development Regulations.

Schedule 1407-07 prescribes the development regulations for O Office Districts, including ~~minimum lot area,~~ maximum floor area ratio (FAR), maximum building height, minimum yards, driveways and parking and other standards that apply. Letter designations in the additional regulations column refer to regulations that follow Schedule 1407-07.

Exhibit A

Schedule 1407-07: Development Regulations - Office Districts

Regulations	OL	OG	Additional Regulations
Building Scale - Intensity of Use			
~~Minimum lot area for every dwelling unit~~	~~1200~~	~~700~~	
Maximum gross floor area ratio	0.6	1.75	
Building Form and Location			
Maximum building height	45	100	
Minimum yard (ft.)			
Front	20	20	See § 1407-09
Side (minimum/total)	5/10	5/20	See § 1407-11
Side rowhouse (minimum/total)			
Exterior lot	0/5	—	
Interior lot	0/0	—	
Rear	20	20	See § 1407-13
Vehicle Accommodation - Driveways and Parking			
Driveway restrictions	Yes	Yes	See § 1407-15
Location of parking	Yes	Yes	See § 1425-15
Parking lot landscaping	Yes	Yes	See § 1425-29
Truck docks; loading and service areas	Yes	Yes	See § 1407-17
Other Regulations			
Buffering along district boundaries	Yes	Yes	See § 1423-13
Accessory uses and structures	See Chapter 1421		
General site standards	See Chapter 1421		
Landscaping and buffer yards	See Chapter 1423		
Nonconforming uses and structures	See Chapter 1447		
Off-street parking and loading	See Chapter 1425		
Signs	See Chapter 1427		
Additional development regulations	See Chapter 1419		

Section 6. That existing Section 1407-07, "Development Regulations," of the Cincinnati Municipal Code is hereby repealed.

Section 7. That Section 1409-09, "Development Regulations," of the Cincinnati Municipal Code is hereby amended as follows:

§ 1409-09. - Development Regulations.

Schedule 1409-09 prescribes the development regulations for Commercial Districts, maximum building height, minimum setbacks, driveways and parking and other standards that apply. Yes means regulations apply.

Schedule 1409-09: Development Regulations - Commercial Districts

Regulations	CN-P	CN-M	CC-P	CC-M	CC-A	CG-A	Additional Regulations
Building Scale-Intensity of Use							
Minimum Lot Area	0	0	0	0	0	0	
Building Form and Location							
Maximum building height (ft.)	50	50	85	85	85	85	
Minimum building height (ft.)	15	15	15	15	15	15	
Minimum front yard setbacks (ft.)	0	0	0	0	0	0	
Maximum front yard setbacks (ft.)	0	12	0	12	—	—	See § 1409-19
Building placement requirements	Yes	Yes	Yes	Yes	No	No	See § 1409-17 and § 1409-21
Ground floor transparency standards	Yes	Yes	Yes	Yes	No	No	See § 1409-23
Vehicle Accommodation - Driveways and Parking							
Driveway restrictions	Yes	Yes	Yes	Yes	Yes	Yes	See § 1409-11
Drive-through facilities	Yes	Yes	Yes	Yes	Yes	Yes	See § 1409-13 and 1419-13
Location of parking	Yes	Yes	Yes	Yes	No	No	See § 1409-25
Parking lot landscaping	Yes	Yes	Yes	Yes	Yes	Yes	See § 1425-29
Truck docks; loading and service areas	Yes	Yes	Yes	Yes	Yes	Yes	See § 1409-15
Other Regulations							
Buffering along district boundaries	Yes	Yes	Yes	Yes	Yes	Yes	See § 1423-13
Accessory structures	See Chapter 1421						
General site standards	See Chapter 1421						

Landscaping and buffer yards	See Chapter 1423						
Nonconforming structures	See Chapter 1447						
Parking and loading	See Chapter 1425						
Signs	See Chapter 1427						
Additional development regulations	See Chapter 1419						
Residential Regulations							
New residential only							
~~Lot area/unit (sq. ft.)~~	~~700~~	~~700~~	~~700~~	~~700~~	~~700~~	~~700~~	
Front yard setback	0	0	0	0	0	0	
Interior side yard setback	0	0	0	0	0	0	
Corner side yard setback	0	0	0	0	0	0	
Rear yard setback	25	25	25	25	25	25	
~~Residential development in existing buildings~~							
~~Lot area/unit (sq./ft.)~~	~~500~~	~~500~~	~~500~~	~~500~~	~~500~~	~~500~~	

Section 8. That existing Section 1409-09, "Development Regulations," of the Cincinnati Municipal Code is hereby repealed.

Section 9. That Section 1410-07, "Development Regulations," of the Cincinnati Municipal Code is hereby amended as follows:

§ 1410-07. - Development Regulations.

Schedule 1410-07 below prescribes the development regulations for the UM district, including ~~lot area for every unit,~~ minimum lot width, setbacks and maximum height. Where an overlay district applies, the provisions of that district take precedence if there is conflict with the standards of this Section.

Schedule 1410-07 Development Regulations—Urban Mix District

Building Form and Location				Setbacks (ft.)			
	Lot Area (sq. ft.)	~~Lot Area/Unit (sq. ft.)~~	Lot width (ft.)	Front Yard (Min./Max.)	Side Yard Min./Total	Rear Yard (Min.)	Maximum Height (ft.)
UM Residential	2,000	~~700~~	25	0/10	0/0	10	45

Exhibit A

UM Non-residential	2,000	~~0~~	25	0/0	0/0	10	45
UM Rowhouse							
Interior	1,500	~~700~~	25	0/10	0/0	10	45
Exterior	1,500	~~700~~	25	0/10	0/0	10	45
UM Other Use	2,000	~~2,000~~	25	0/0	0/0	10	45
~~Regulations~~			~~UM~~	~~Additional Regulations~~			

Vehicle Accommodation—Driveways and Parking		
Driveway Restrictions	NO	
Drive-Through Facilities	NO	
Required Parking	YES	See 1410-09
Location of Parking	YES	See 1425-15
Parking Lot Landscaping	NO	
Parking Lot Screening	YES	See 1425-27
Truck Dock; Loading; Service Areas	YES	See 1403-09
Other Regulations		
Buffering along District Boundaries	YES	See 1423-14
Accessory Structures	YES	See Chapter 1421
General Site Standards	YES	See Chapter 1421
Landscaping and Buffer Yards	YES	See Chapter 1423
Nonconforming Structures	YES	See Chapter 1447
Off Street Parking & Loading	YES	See Chapter 1425
Signs	YES	See Chapter 1427
Additional Development Regulations	YES	See Chapter 1419

"Yes" means additional regulations apply.

Section 10. That existing Section 1410-07, "Development Regulations," of the Cincinnati Municipal Code is hereby repealed.

Section 11. That Section 1413-07, "Development Regulations," of the Cincinnati Municipal Code is hereby amended as follows:

§ 1413-07. - Development Regulations.

Schedule 1413-07 below prescribes the development regulations for M Manufacturing Districts, including minimum lot area, maximum height, minimum yards and other standards. Additional standards are included in Chapter 1419.

Schedule 1413-07: Development Regulations - Manufacturing Districts

Regulations	MA	ML	MG	ME	Additional Regulations
Building Scale - Intensity of Use					
Minimum Lot Area (sq. ft.)					
Residential Uses	20,000	4,000	—	—	
Non-residential Uses	20,000	0	0	0	
~~Land area for every dwelling unit~~	—	~~2,000~~	—	—	
Building Form and Location					
Maximum Building Height (ft.)	35	45	85	85	
Minimum Yard (ft.)					
Front Residential	40	20	0	0	
Front Non-Residential	25	20	0	0	
Side Residential (minimum/total)	10/20	3/12	0	0	
Side Non-Residential (minimum/total)	10/20	10/20	0	0	
Rear Residential	35	25	0	0	
Rear Non-Residential	20	10	0	0	
Vehicle Accommodation - Driveways and Parking					
Driveway Restrictions	Yes	Yes	Yes	Yes	See § 1413-09
Parking Lot Landscaping	Yes	Yes	Yes	Yes	See § 1425-29
Truck Docks; Loading and Service Areas	Yes	Yes	Yes	Yes	See § 1413-11
Other Regulations					
Buffering Along District Boundaries	Yes	Yes	Yes	Yes	See § 1423-13
Accessory Uses and Structures			See Chapter 1421		
General Site Standards			See Chapter 1421		
Landscaping and Buffer Yards			See Chapter 1423		
Nonconforming Uses and Structures			See Chapter 1447		
Off-Street Parking and Loading			See Chapter 1425		
Signs			See Chapter 1427		

Additional Development Regulations			See Chapter 1419

Section 12. That existing Section 1413-07, "Development Regulations," of the Cincinnati Municipal Code is hereby repealed.

Section 13. That Section 1415-09, "Development Regulations," of the Cincinnati Municipal Code is hereby amended as follows:

§ 1415-09. - Development Regulations.

Schedule 1415-09 below prescribes the property development regulations for RF Riverfront Districts, including minimum lot area, maximum height, setback, parking and driveways and other standards. Additional standards are included in Chapter 1419, Additional Development Regulations.

Schedule 1415-09: Development Regulations - Riverfront Districts

Regulations	RF-R	RF-C	RF-M	Additional Regulations
Building Scale - Intensity of Use				
Minimum lot area (sq. ft.)	4,000	—	—	
Minimum lot area (sq. ft.) rowhouse	2,000	—	—	
~~Minimum area for every dwelling unit~~	~~2,000~~	—	—	
Building Form and Location				
Maximum building height (ft.)	35	100	—	See § 1415-11
Minimum yard (ft.)				
Front	10	25	20	
Side least width/sum	3/6	10/20	5/10	
Side rowhouse exterior, least width/sum	0/3	—	—	
Side rowhouse interior, least width/sum	0/0	—	—	
Rear	30	10	5	
Maximum building coverage (%)	60	70	80	See § 1415-13
Vehicle Accommodation - Driveways and Parking				
Parking lot landscaping	Yes	Yes	Yes	See § 1425-29
Truck docks; loading and service areas	Yes	Yes	Yes	See § 1415-15
Other Standards				
Buffering along district boundaries	Yes	Yes	Yes	See § 1415-17

Ohio River bank area	Yes	Yes	Yes	See § 1415-19
Little Miami Riverfront area	Yes	Yes	Yes	See § 1415-21
Accessory uses and structures			See Chapter 1421	
General site standards			See Chapter 1421	
Landscaping and buffer yards			See Chapter 1423	
Nonconforming uses and structures			See Chapter 1447	
Off-street parking and loading			See Chapter 1425	
Signs			See Chapter 1427	
Additional development regulations			See Chapter 1419	

Section 14. That existing Section 1415-09, "Development Regulations," of the Cincinnati Municipal Code is hereby repealed.

Section 15. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2021

_____
Mayor

Attest: _____
Clerk

New language underscored. Deleted language indicated by strike through.

Exhibit B

MEH/B

- 2021

MODIFYING Title XIV, "Zoning Code of the City of Cincinnati," of the Cincinnati Municipal Code by AMENDING the provisions of Section 1405-03, "Specific Purposes of Multi-Family Subdistricts," Section 1405-07, "Development Regulations," Section 1407-07, "Development Regulations," Section 1409-09, "Development Regulations," Section 1410-07, "Development Regulations," Section 1413-07, "Development Regulations," and Section 1415-09, "Development Regulations," to reduce or remove density limitations in certain zoning districts and thereby remove a barrier to the creation of housing within the city.

WHEREAS, in response to City Council's desire to increase the supply and availability of housing that is affordable across a broad spectrum, the Administration has explored a number of strategies that would facilitate the production of housing in the city, which strategies are more particularly described in a March 16, 2021 report to the Council (item no. 202101105); and

WHEREAS, the Administration's recommendations for increasing the housing supply include a recommendation to legislatively streamline housing production by, among other things, lifting density restrictions in certain targeted areas; and

WHEREAS, the Council hereby resolves to lift or reduce density restrictions in certain targeted areas to remove a barrier to the creation of housing in the city, consistent with its desire to increase the supply and availability of housing; and

WHEREAS, at its regularly scheduled meeting on _____, the City Planning Commission reviewed the proposed amendments to the zoning code and recommended their approval, finding them to be in the interest of the public's health, safety, morals, and general welfare; and

WHEREAS, a committee of Council held a public hearing on the proposed text amendments following due and proper notice pursuant to Cincinnati Municipal Code Section 111-1, and the committee approved the proposed text amendments; and

WHEREAS, the text amendments are consistent with Plan Cincinnati (2012), including the "Live" goal to "provide a full spectrum of housing options, and improve housing quality and affordability" (p. 164); and

WHEREAS, the Council finds the proposed text amendments 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 Section 1405-03, "Specific Purposes of Multi-Family Subdistricts," of the Cincinnati Municipal Code is hereby amended as follows:

§ 1405-03. - Specific Purposes of the Multi-Family Subdistricts.

The specific purposes of the RM Residential Multi-family subdistricts are to create, maintain and enhance neighborhood residential areas with multi-family housing that are typically located near the city's major arterials and characterized by a mix of attached housing, small and large multi-unit buildings and community facilities, where appropriate. Future development will be primarily residential in character, although some small-scale public and non-residential uses on the ground floor in a ~~mixed-use~~ mixed-use building on an arterial street may be allowed with specific limitations. Four RM District subdistricts are established:

(a) *RMX Residential Mixed.* This subdistrict is intended to create, maintain and enhance areas of the city that have a mix of lot sizes and house types at moderate intensities (one to three dwelling units). Existing multi-family buildings of four or more units are acknowledged but new construction is not permitted.

(b) *RM-2.0 Multi-family.* This subdistrict is intended to provide for a medium density mix of residential housing predominantly duplexes and multi-family on lots that have already been platted. The scale of buildings is generally similar to a large single-family home on a small lot. Where land is assembled, the same scale should be maintained. ~~The minimum land area for every dwelling unit is 2,000 square feet.~~

(c) *RM-1.2 Multi-family.* This subdistrict is intended to provide for mixed residential uses at moderately high densities. This is an intense district with an urban character. ~~The minimum land area for every dwelling unit is 1,200 square feet.~~

(d) *RM-0.7 Multi-family.* This subdistrict is the most intense residential district and it will normally consist of tall multi-family or condominium structures. The character is intended to be urban and should be used where high intensity residential is needed to provide a residential base for important commercial areas. ~~The minimum land area for every dwelling unit is 700 square feet.~~

FIGURES 1405-03-A-D The following illustrations represent examples of the multi-family districts in this chapter:

Figure 1405-03-A, B

Figure 1405-03-C, D

Section 2. That existing Section 1405-03, "Specific Purposes of Multi-Family Subdistricts," of the Cincinnati Municipal Code is hereby repealed.

Section 3. That Section 1405-07, "Development Regulations," of the Cincinnati Municipal Code is hereby amended as follows:

§ 1405-07. - Development Regulations.

Schedule 1405-07 below prescribes the development regulations for the RM Districts, including lot area for every unit, minimum lot width, setbacks and maximum height. Figure 1405-07 illustrates the setbacks for the RM Districts. Where an overlay district applies, the provisions of that district take precedence if there is conflict with the standards of this Section.

Schedule 1405-07 Development Regulations - Residential Multi-family Districts

				Setbacks (ft.)			
Building Form and Location	Lot Area (sq. ft.)	Lot Area/Unit (sq. ft.)	Lot width (ft.)	Front Yard	Side Yard Min./Total	Rear Yard	Maximum Height (ft.)
RMX single-family	2,500	—	25	20	0/5	20	35
RMX rowhouse exterior	2,500	—	—	20	0/5	20	35
RMX rowhouse interior	2,000	—	—	20	0/0	20	35
RMX two-family	5,000	~~2,500~~	25	20	3/6	20	35
RMX three-family	7,500	~~2,500~~	25	20	3/6	20	35

Exhibit B

RMX other			25	20	3/6	20	35
RM 2.0 single-family	2,000	—	25	20	0/5	20	35
RM 2.0 rowhouse exterior	2,500	—	—	20	0/5	20	35
RM 2.0 rowhouse interior	2,000	—	—	20	0/0	20	35
RM 2.0 two-family	4,000	1,000~~2,000~~	25	20	3/6	20	35
RM 2.0 multi-family	—	1,000~~2,000~~	—	20 [1]	5/17 [3]	35	45
RM 2.0 other			25	20 [1]	5/17 [3]	35	45
RM 1.2 single-family	2,000	—	25	20	0/5	20	35
RM 1.2 rowhouse exterior	2,000	—	—	20	0/5	20	35
RM 1.2 rowhouse interior	1,500	—	—	20	0/0	20	35
RM 1.2 two-family	2,400	600~~1,200~~	25	20	3/6	20	35
RM 1.2 multi-family	—	600~~1,200~~	—	20 [2]	5/17 [3]	30 [2]	-
RM 1.2 other				20 [2]	5/17 [3]	30 [2]	—
RM 0.7 single-family	2,000	—	25	5	0/5	20	35
RM 0.7 rowhouse exterior	2,000	—	—	5	0/5	20	35
RM 0.7 rowhouse interior	1,500	—	—	5	0/0	20	35

RM 0.7 two-family	2,000	350~~700~~	25	5	0/5	20	35
RM 0.7 multi-family	—	350~~700~~	—	5	0/5 [4]	25 [2]	50—
RM 0.7 other				5	0/5 [4]	25 [2]	—

"Yes" means additional regulations apply.

Regulations	RMX	RM 2.0	RM 1.2	RM 0.7	Additional Regulations
Vehicle Accommodation Driveways and Parking					
Location of parking	Yes	Yes	Yes	Yes	See § 1425-17
Parking lot landscaping	Yes	Yes	Yes	Yes	See § 1425-31
Parking lot screening	Yes	Yes	Yes	Yes	See § 1425-29
Truck docks; loading and service areas	Yes	Yes	Yes	Yes	See § 1405-09
Other Regulations					
Buffering along district boundaries	Yes	Yes	Yes	Yes	See § 1423-13
Accessory structures	See Chapter 1421				
General site standards	See Chapter 1421				
Landscaping and buffer yards	See Chapter 1423				
Nonconforming uses and structures	See Chapter 1447				
Off-street parking and loading	See Chapter 1425				
Signs	See Chapter 1427				
Additional development regulations	See Chapter 1419				

[1] Additional 1-foot of setback for each 1-foot of building height above 35 feet.

[2] Additional 1-foot of setback for each five feet of building height above 35 feet.

[3] Addition 0.5-foot of minimum side yard and 1-foot sum of side yard setback for each 1-foot of building height above 35 feet.

[4] Additional 1-foot of minimum side yard and 2-foot sum of side yard setback for each five feet of building height above 35 feet.

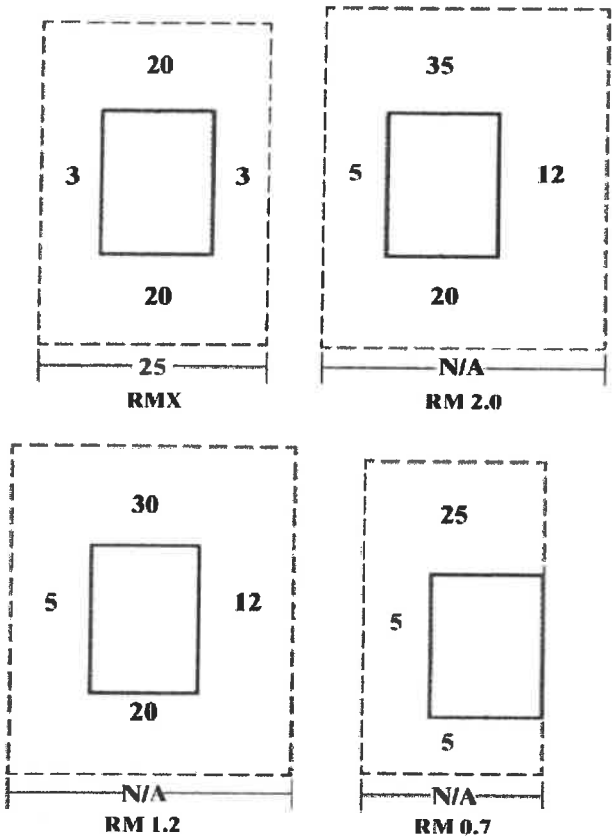

Figure 1405-07 Minimum Setbacks for Multi-Family Buildings 35 ft. in Height

Section 4. That existing Section 1405-07, "Development Regulations," of the Cincinnati Municipal Code is hereby repealed.

Section 5. That Section 1407-07, "Development Regulations," of the Cincinnati Municipal Code is hereby amended as follows:

§ 1407-07. - Development Regulations.

Schedule 1407-07 prescribes the development regulations for O Office Districts, including ~~minimum lot area,~~ maximum floor area ratio (FAR), maximum building height, minimum yards, driveways and parking and other standards that apply. Letter designations in the additional regulations column refer to regulations that follow Schedule 1407-07.

Schedule 1407-07: Development Regulations - Office Districts

Regulations	OL	OG	Additional Regulations
Building Scale - Intensity of Use			
~~Minimum lot area for every dwelling unit~~	~~1200~~	~~700~~	
Maximum gross floor area ratio	0.6	1.75	
Building Form and Location			
Maximum building height	45	100	
Minimum yard (ft.)			
Front	20	20	See § 1407-09
Side (minimum/total)	5/10	5/20	See § 1407-11
Side rowhouse (minimum/total)			
Exterior lot	0/5	—	
Interior lot	0/0	—	
Rear	20	20	See § 1407-13
Vehicle Accommodation - Driveways and Parking			
Driveway restrictions	Yes	Yes	See § 1407-15
Location of parking	Yes	Yes	See § 1425-15
Parking lot landscaping	Yes	Yes	See § 1425-29
Truck docks; loading and service areas	Yes	Yes	See § 1407-17
Other Regulations			
Buffering along district boundaries	Yes	Yes	See § 1423-13
Accessory uses and structures	See Chapter 1421		
General site standards	See Chapter 1421		
Landscaping and buffer yards	See Chapter 1423		
Nonconforming uses and structures	See Chapter 1447		
Off-street parking and loading	See Chapter 1425		
Signs	See Chapter 1427		
Additional development regulations	See Chapter 1419		

Section 6. That existing Section 1407-07, "Development Regulations," of the Cincinnati Municipal Code is hereby repealed.

Section 7. That Section 1409-09, "Development Regulations," of the Cincinnati Municipal Code is hereby amended as follows:

§ 1409-09. - Development Regulations.

Schedule 1409-09 prescribes the development regulations for Commercial Districts, maximum building height, minimum setbacks, driveways and parking and other standards that apply. Yes means regulations apply.

Schedule 1409-09: Development Regulations - Commercial Districts

Regulations	CN-P	CN-M	CC-P	CC-M	CC-A	CG-A	Additional Regulations
Building Scale-Intensity of Use							
Minimum Lot Area	0	0	0	0	0	0	
Building Form and Location							
Maximum building height (ft.)	50	50	85	85	85	85	
Minimum building height (ft.)	15	15	15	15	15	15	
Minimum front yard setbacks (ft.)	0	0	0	0	0	0	
Maximum front yard setbacks (ft.)	0	12	0	12	—	—	See § 1409-19
Building placement requirements	Yes	Yes	Yes	Yes	No	No	See § 1409-17 and § 1409-21
Ground floor transparency standards	Yes	Yes	Yes	Yes	No	No	See § 1409-23
Vehicle Accommodation - Driveways and Parking							
Driveway restrictions	Yes	Yes	Yes	Yes	Yes	Yes	See § 1409-11
Drive-through facilities	Yes	Yes	Yes	Yes	Yes	Yes	See § 1409-13 and 1419-13
Location of parking	Yes	Yes	Yes	Yes	No	No	See § 1409-25
Parking lot landscaping	Yes	Yes	Yes	Yes	Yes	Yes	See § 1425-29
Truck docks; loading and service areas	Yes	Yes	Yes	Yes	Yes	Yes	See § 1409-15
Other Regulations							
Buffering along district boundaries	Yes	Yes	Yes	Yes	Yes	Yes	See § 1423-13
Accessory structures	See Chapter 1421						
General site standards	See Chapter 1421						

Landscaping and buffer yards	See Chapter 1423						
Nonconforming structures	See Chapter 1447						
Parking and loading	See Chapter 1425						
Signs	See Chapter 1427						
Additional development regulations	See Chapter 1419						
Residential Regulations							
New residential only							
~~Lot area/unit (sq. ft.)~~	~~700~~	~~700~~	~~700~~	~~700~~	~~700~~	~~700~~	
Front yard setback	0	0	0	0	0	0	
Interior side yard setback	0	0	0	0	0	0	
Corner side yard setback	0	0	0	0	0	0	
Rear yard setback	25	25	25	25	25	25	
~~Residential development in existing buildings~~							
~~Lot area/unit (sq./ft.)~~	~~500~~	~~500~~	~~500~~	~~500~~	~~500~~	~~500~~	

Section 8. That existing Section 1409-09, "Development Regulations," of the Cincinnati Municipal Code is hereby repealed.

Section 9. That Section 1410-07, "Development Regulations," of the Cincinnati Municipal Code is hereby amended as follows:

§ 1410-07. - Development Regulations.

Schedule 1410-07 below prescribes the development regulations for the UM district, including ~~lot area for every unit,~~ minimum lot width, setbacks and maximum height. Where an overlay district applies, the provisions of that district take precedence if there is conflict with the standards of this Section.

Schedule 1410-07 Development Regulations—Urban Mix District

Building Form and Location				Setbacks (ft.)			
	Lot Area (sq. ft.)	~~Lot Area/Unit (sq. ft.)~~	Lot width (ft.)	Front Yard (Min./Max.)	Side Yard Min./Total	Rear Yard (Min.)	Maximum Height (ft.)
UM Residential	2,000	~~700~~	25	0/10	0/0	10	45

UM Non-residential	2,000	~~0~~	25	0/0	0/0	10	45
UM Rowhouse							
Interior	1,500	~~700~~	25	0/10	0/0	10	45
Exterior	1,500	~~700~~	25	0/10	0/0	10	45
UM Other Use	2,000	~~2,000~~	25	0/0	0/0	10	45
~~Regulations~~			~~UM~~	~~Additional Regulations~~			

Vehicle Accommodation—Driveways and Parking		
Driveway Restrictions	NO	
Drive-Through Facilities	NO	
Required Parking	YES	See 1410-09
Location of Parking	YES	See 1425-15
Parking Lot Landscaping	NO	
Parking Lot Screening	YES	See 1425-27
Truck Dock; Loading; Service Areas	YES	See 1403-09
Other Regulations		
Buffering along District Boundaries	YES	See 1423-14
Accessory Structures	YES	See Chapter 1421
General Site Standards	YES	See Chapter 1421
Landscaping and Buffer Yards	YES	See Chapter 1423
Nonconforming Structures	YES	See Chapter 1447
Off Street Parking & Loading	YES	See Chapter 1425
Signs	YES	See Chapter 1427
Additional Development Regulations	YES	See Chapter 1419

"Yes" means additional regulations apply.

Section 10. That existing Section 1410-07, "Development Regulations," of the Cincinnati Municipal Code is hereby repealed.

Section 11. That Section 1413-07, "Development Regulations," of the Cincinnati Municipal Code is hereby amended as follows:

§ 1413-07. - Development Regulations.

Schedule 1413-07 below prescribes the development regulations for M Manufacturing Districts, including minimum lot area, maximum height, minimum yards and other standards. Additional standards are included in Chapter 1419.

Schedule 1413-07: Development Regulations - Manufacturing Districts

Regulations	MA	ML	MG	ME	Additional Regulations
Building Scale - Intensity of Use					
Minimum Lot Area (sq. ft.)					
Residential Uses	20,000	4,000	—	—	
Non-residential Uses	20,000	0	0	0	
~~Land area for every dwelling unit~~	—	~~2,000~~	—	—	
Building Form and Location					
Maximum Building Height (ft.)	35	45	85	85	
Minimum Yard (ft.)					
Front Residential	40	20	0	0	
Front Non-Residential	25	20	0	0	
Side Residential (minimum/total)	10/20	3/12	0	0	
Side Non-Residential (minimum/total)	10/20	10/20	0	0	
Rear Residential	35	25	0	0	
Rear Non-Residential	20	10	0	0	
Vehicle Accommodation - Driveways and Parking					
Driveway Restrictions	Yes	Yes	Yes	Yes	See § 1413-09
Parking Lot Landscaping	Yes	Yes	Yes	Yes	See § 1425-29
Truck Docks; Loading and Service Areas	Yes	Yes	Yes	Yes	See § 1413-11
Other Regulations					
Buffering Along District Boundaries	Yes	Yes	Yes	Yes	See § 1423-13
Accessory Uses and Structures			See Chapter 1421		
General Site Standards			See Chapter 1421		
Landscaping and Buffer Yards			See Chapter 1423		
Nonconforming Uses and Structures			See Chapter 1447		
Off-Street Parking and Loading			See Chapter 1425		
Signs			See Chapter 1427		

Additional Development Regulations			See Chapter 1419

Section 12. That existing Section 1413-07, "Development Regulations," of the Cincinnati Municipal Code is hereby repealed.

Section 13. That Section 1415-09, "Development Regulations," of the Cincinnati Municipal Code is hereby amended as follows:

§ 1415-09. - Development Regulations.

Schedule 1415-09 below prescribes the property development regulations for RF Riverfront Districts, including minimum lot area, maximum height, setback, parking and driveways and other standards. Additional standards are included in Chapter 1419, Additional Development Regulations.

Schedule 1415-09: Development Regulations - Riverfront Districts

Regulations	RF-R	RF-C	RF-M	Additional Regulations
Building Scale - Intensity of Use				
Minimum lot area (sq. ft.)	4,000	—	—	
Minimum lot area (sq. ft.) rowhouse	2,000	—	—	
~~Minimum area for every dwelling unit~~	~~2,000~~	—	—	
Building Form and Location				
Maximum building height (ft.)	35	100	—	See § 1415-11
Minimum yard (ft.)				
Front	10	25	20	
Side least width/sum	3/6	10/20	5/10	
Side rowhouse exterior, least width/sum	0/3	—	—	
Side rowhouse interior, least width/sum	0/0	—	—	
Rear	30	10	5	
Maximum building coverage (%)	60	70	80	See § 1415-13
Vehicle Accommodation - Driveways and Parking				
Parking lot landscaping	Yes	Yes	Yes	See § 1425-29
Truck docks; loading and service areas	Yes	Yes	Yes	See § 1415-15
Other Standards				
Buffering along district boundaries	Yes	Yes	Yes	See § 1415-17

Ohio River bank area	Yes	Yes	Yes	See § 1415-19
Little Miami Riverfront area	Yes	Yes	Yes	See § 1415-21
Accessory uses and structures			See Chapter 1421	
General site standards			See Chapter 1421	
Landscaping and buffer yards			See Chapter 1423	
Nonconforming uses and structures			See Chapter 1447	
Off-street parking and loading			See Chapter 1425	
Signs			See Chapter 1427	
Additional development regulations			See Chapter 1419	

Section 14. That existing Section 1415-09, "Development Regulations," of the Cincinnati Municipal Code is hereby repealed.

Section 15. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2021

_____
Mayor

Attest: _____
Clerk

New language underscored. Deleted language indicated by strike through.

Exhibit C

city of CINCINNATI
Interdepartment Correspondence Sheet

March 16, 2021

To: Mayor and Members of City Council

From: Paula Boggs Muething, City Manager

Subject: Affordable Housing: Recommendations

REFERENCE DOCUMENT #202100478

Economic Growth and Zoning Committee at its meeting on February 3, 2021 referred the following item for review and report:

> WE MOVE that the City Administration produce a report on affordable housing within the City of Cincinnati that includes, but is not limited to: Identification of building inventory currently in the Port Authority's Land Bank which may be suited for affordable housing. Methods for inclusion/equity in the transfer of property from the Land Bank to any individual or developer. Accounting of all current funds in the Affordable Housing Trust and identification of potential sources of additional funds.

Summary and Context

This report provides an overview of the role of the City in the production of affordable housing, information on the City's current activities, and recommendations on how the City can facilitate preserving and increasing the supply of affordable housing.

The term "affordable housing" encompasses a broad array of housing products—from lower cost housing primarily created by market forces to publicly funded or even publicly owned housing units. This term encompasses both single-family housing or multi-family housing and either rental or owner-occupied. The degree of affordability of a particular housing option is relative to an individual's or household's income—the general standard of affordability is that no more than thirty percent of a household's gross income should be committed to housing expenses.[1]

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[1] For renters, expenses include both rent and utilities. For homeowners, expenses include mortgage payments, property taxes, utilities, homeowner's insurance, and maintenance expenses.

The price of housing in a particular market is driven by the basic economic forces of supply and demand.[2] Real estate prices are particularly affected by the cost of producing additional supply since housing development is resource-intensive, high-risk, and requires extensive, time consuming planning. There is a long history of local, state, and federal government intervention in the private housing market to achieve public policy goals, such as affordability; these steps have had mixed success.

Current market conditions in the City of Cincinnati regarding affordability are ever evolving and have been studied in-depth by multiple external groups. This report is not intended as a statement on current market conditions or a description of all City activities or policies that assist lower income households with housing, such as eviction prevention or job training programs. The purpose of this report is to contextualize current City activities in the housing market to facilitate production of new affordable housing and to recommend strategies for preserving and increasing housing affordability throughout the City.

City's Role in New Affordable Housing Production and Current Programs

The City is not a developer and does not directly develop housing; therefore, all housing production in the City and all City efforts in this area are dependent upon a willing developer to invest resources in creating new units or rehabilitating existing housing units. These developers are primarily for-profit private parties, supplemented in our region by the activities of several non-profit developers and quasi-governmental entities, such as the Port of Greater Cincinnati Development Authority and the Cincinnati Metropolitan Housing Authority.

The City generally plays two roles in direct housing production: (1) regulatory and (2) providing incentives.

The City's regulatory function includes its role in administering and enforcing the State of Ohio building code and, as a home-rule municipality, in passing and enforcing a zoning code.

The current City programs that incentivize housing production focus on: (1) decreasing the costs of creating or operating housing, primarily through property tax exemptions, or (2) providing direct funding to subsidize the cost of producing new housing.

Current Programs

The City Administration has previously reported and presented on current City programs that facilitate new affordable housing production. Accordingly, this section is a high-level overview of existing programs.

[2] Glaeser, Edward and Gyourko, Joseph. 2018. "The Economic Implications of Housing Supply" *Journal of Economic Perspectives* 32(1): 3-30.

The City's activities to encourage and support affordable homeownership are detailed in a recent report dated 12/16/2020 (Item #202002025), filed in response to a motion from Councilmember Kearney. These activities include offering tax incentives or direct funding, with funding programs focused primarily on subsidizing repairs for homeowners, down-payment assistance for first-time homebuyers with an income at or below 80% of the area median income, or subsidizing projects developing single-family homes.

The City's primary program to fund affordable multi-family housing production is through NOFA – Notice of Funding Availability. Through this competitive program the City deploys available local and federal funding to developers in the form of loans or grants. This includes the deployment of available HOME and CDBG funding and any City capital funds appropriated for these purposes. In 2019 and 2020, this program facilitated the creation of over 700 units of affordable housing. The effectiveness of the NOFA program in creating new housing units is largely tied to the ability of developers to integrate and leverage the City's funding with other subsidy programs (such as the federal Low-Income Housing Tax Credits, state or federal New Markets Tax Credits, or state or federal historic tax credits). NOFA is cyclical and typically deploys funding through two application cycles each calendar year.

Recommendations

Over the past seven months, the City Manager's office has reviewed financing options, engaged City partners, and benchmarked programs in other cities. As a result, we have developed the following recommendations for preserving and increasing housing affordability within the City.

Recommendation: Create a Structure to Encourage Informed Public Discourse on Affordable Housing Development and the Strategic Deployment and Oversight of Available Public Funding

At present, there are many perspectives in the public discourse about the best way to address the issue of affordable housing within the City. In order to promote a more formalized and informed public discussion of this issue and to generate a comprehensive strategy with public and private support, the City Administration recommends appointing a Housing Advisory Board pursuant to Cincinnati Municipal Code Chapter 209 and Ohio Revised Code Chapter 176. Under state and local law, this board is intended, among other purposes, to review and advise upon comprehensive plans for the preservation and development of affordable housing in the City. At present, the City of Cincinnati relies on the Community Development Advisory Board, known as CDAB, to serve as the City's housing advisory board for use as both the housing advisory board required for federal sources and as required under Ohio Revised Chapter 176.

The City Administration recommends separating the state law-based housing advisory board into a distinct board that would be solely focused on developing, in cooperation with the City Administration, comprehensive priorities for the

development and maintenance of affordable housing within the boundaries of the City and deployment of funding described herein. This separate board will have expertise in issues affecting housing development and affordability and can consider the broad range of resources and solutions available to address these issues as it develops priorities to meet the challenge. Once finalized, these priorities will be submitted to Council for approval and will inform the implementation of the programs described below.

The Housing Advisory Board is appointed by the Mayor with consent from Council, and, as set forth in state law and in the municipal code, would include representation from the following groups:

- Institutions that lend money for housing;
- Nonprofit builders and developers of housing;
- For-profit builders and developers of housing;
- For-profit builders and developers of rental housing;
- Real estate brokers licensed under Ohio Revised Code Chapter 4735;
- Other persons with professional knowledge regarding local housing needs and fair housing issues;
- Residents of Cincinnati that could receive housing assistance from the City;
- The Cincinnati Metropolitan Housing Authority;
- City Councilmembers;
- Additional groups or individuals that are necessary to provide balanced advice on housing plans and programs.

Recommendation: Formalize Finance and Development Partnerships into Structured Programming

Urban redevelopment projects face many challenges. Large urban development sites are often difficult to assemble and costly to acquire; intensive site work, demolition, or environmental remediation may be required; developers must navigate complex regulatory frameworks and approval processes; and some projects will face community opposition. These factors result in higher development costs. To be financially feasible, a project's revenue must support the higher costs of development. Accordingly, in the City of Cincinnati, many market-rate development projects are not financially feasible without some level of subsidy.

Lowering rents or sale prices in order to increase housing affordability reduces the amount of revenue that a project produces. This introduces a further challenge to developing an affordable housing product. To make affordable housing projects financially feasible, this reduced revenue must be accounted for with additional equity or debt financing to subsidize the development costs. Given these conditions, addressing today's affordable housing needs requires government intervention and subsidy.

The two industry professional groups most critical for improving housing production are financers and developers. Many effective partner organizations already exist in our region in these areas—including but not limited to the Cincinnati Development Fund, LISC, and the Port of Greater Cincinnati Development Authority. The City Administration recommends formalizing partnerships with existing organizations and creating programming to achieve two goals: (1) to increase available financing tools to encourage the production of new housing units and the preservation of existing affordable housing units and (2) to increase capacity within the development industry for production of housing units.

From the financing perspective, the City Administration recommends establishing a partnership with a local CDFI[3] for deployment of the funding described below. The program structure would focus on providing low-cost financing and direct subsidy to facilitate the development of affordable housing.

1) Section 108 Loan Pool – The City would pursue a Section 108 Loan from the United States Department of Housing and Urban Redevelopment under the Community Development Block Grant program in a minimum amount of $20 million to fund a loan pool for financing the acquisition and rehabilitation costs of residential properties where the developer/borrower will make between 51% and 100% of the units available to low to moderate income individuals. The loan pool would be structured to provide loans with favorable interest rates to encourage the private market, non-profit or for-profit organizations, to utilize this financing to acquire, rehabilitate, and preserve already existing housing units. As a requirement of the loan, a restrictive covenant would be placed on the property securing the long-term maintenance of the units as affordable.

2) Affordable Housing Trust Fund – The City would pursue consolidation of all local funding currently earmarked for affordable housing into a fund that will be utilized to provide loans—including, when feasible and appropriate, forgivable loans—to provide for flexible local financing and subsidy for affordable housing projects. To increase overall impact, program parameters would ensure that the fund could leverage other sources of funding for affordable housing projects, including private funding, federal and state tax credit programs, etc. Any principal repaid on the primary loans will be recycled for new projects. The forgivable loans would be similar to grants, but would provide enhanced accountability and would only be forgiven once certain affordability benchmarks are satisfied. City funding sources would include all funds that have been committed to the Affordable Housing Trust Fund and any additional sources appropriated by Council for this purpose. As described below, this local public investment would be utilized to raise as much private funding as possible to supplement and leverage public resources.

[3] Community Development Finance Institution.

As described above, all housing development that occurs in the City is dependent upon a willing and effective developer. To make a material impact on housing affordability, our City needs increased capacity in both for-profit and non-profit housing developers. To begin this process, the City Administration recommends establishing a program with the Port of Greater Cincinnati Development Authority, including its affiliated organizations the Landbank and the Homestead Urban Redevelopment Corporation. This program would focus on the goal of building development capacity in community development corporations and similar community-based development organizations.

These community-based development entities play a critical role in both completing development projects in their neighborhood but also facilitating larger development projects being undertaken by other developers, providing a bridge between for-profit developers and residents. These organizations also function to balance community concerns and feedback with project viability, creating successful projects with community support. All City neighborhoods deserve the benefits provided by a community-based development organization, so this program will work to provide those benefits where organizations do not currently exist. In areas where we already have excellent community-based development organizations, this program will seek to increase capacity.

The City Administration recommends development of additional programming in this area to address targeted housing development capacity needs, based on feedback and input from the Housing Advisory Board.

Throughout these proposed programs, there will be an emphasis on participation by minority-owned and women-owned business enterprises to increase capacity and access to opportunity for these organizations.

Recommendation: Leverage City Investment to Fundraise from Private Parties

While government subsidy is critical to addressing affordable housing needs, government alone cannot solve this societal issue. To increase overall funding, the City Administration recommends a strategy of consolidating all available City funding in order to leverage the public investment to attract private funding. The consolidated fund would be deployed, as described above, through the Affordable Housing Trust Fund programmatic structure for provision of loans to provide flexible local financing and subsidy for affordable housing projects.

To accomplish this purpose, the City Administration recommends formalizing a fundraising campaign with financing partner(s), members of the Housing Advisory Board, and other key public and private organizations.

Recommendation: Legislatively Streamline Housing Production

Regulatory costs increase the overall cost of housing development and can often serve as a barrier to market entry for small or less-experienced developers—in both

instances constraining the production of additional housing supply. Over the years, regulations have been enacted on a one-off basis and often without providing the legislative body with a clear picture of the impacts on overall development costs. Given the increasing need for all housing products, the City Administration recommends a concentrated effort to reduce portions of the regulatory framework that can serve as an impediment to housing production. This process would include amendments to the zoning code to streamline approvals, re-alignment of staff involved in regulation of housing production, and removal of other barriers to housing development. This focused realignment of the City's regulatory functions would reduce costs and the timelines associated with producing additional housing supply.

The City Administration does not recommend as a strategy for production of affordable housing the maintenance of existing or creation of new regulatory barriers to housing production—such as inclusionary zoning regulations. Research shows that, even in the strongest of markets, inclusionary zoning is ineffective at producing material amounts of affordable housing. Some evidence suggests that it may contribute to higher overall housing prices and reduced construction of new units.[4] Cincinnati is not a leading housing market and city officials must be cognizant of regulations that will suppress market participation. Reducing regulatory barriers to development while providing additional resources to proactively assist the development of affordable housing, as described above, balances the local market realities with housing needs to materially increase affordable housing units.

The City Administration will present legislation and internal updates to implement this recommendation, including but not limited to legislation focused on lifting parking requirements and density restrictions in targeted areas; amending the administrative code to realign development focused city staff and improve operations; allowing more as-of-right housing development options, including accessory dwelling units; clarifying variance standards; pre-approvals of certain affordable housing incentives, such as CRA incentives for projects that meet certain affordable housing benchmarks; and adjustments to clarify and streamline other development regulations, including hillside overlays and setback regulations.

Conclusion

The production of housing is a complex and expensive undertaking; however, increased production of all housing, affordable projects to market-rate, is critical to addressing the need for increased housing affordability. To facilitate increased supply, the City Administration is recommending a multi-pronged approach that focuses on building a cohesive strategy to be executed through partnerships and structured programs. Public investment will be utilized to attract private investment in order to expand impact and the City will take steps to streamline the regulatory framework that constricts supply. Deploying these recommendations will leverage

[4] Freeman, Lance and Schuetz, Jenny. 2017. "Producing Affordable Housing in Rising Markets: What Works?" *Cityscape: A Journal of Policy Development and Research* 19(1): 225-227.

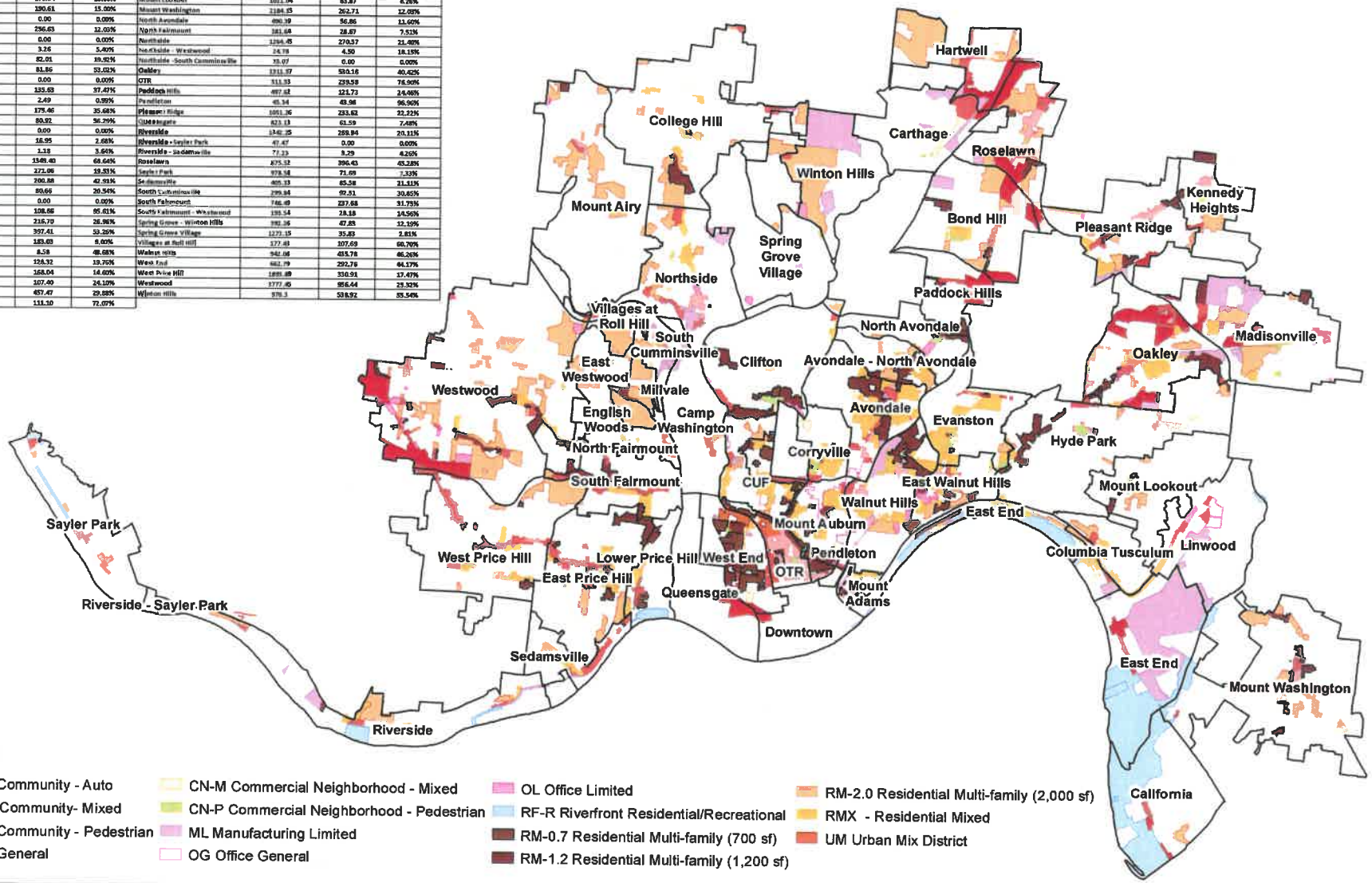
limited public resources and encourage private investment, meaningfully advancing the goal of materially increasing housing affordability throughout Cincinnati.

Exhibit D

Density Proposal Breakdown by Neighborhood

NEIGHBORHOOD	NEIGHBORHOOD ACRES	AFFECTED ACRES	PERCENT AFFECTED
Avondale	921.45	423.05	45.91%
Avondale - North Avondale	377.01	133.67	35.46%
Bond Hill	1249.33	321.79	25.76%
California	1314.56	553.36	42.09%
Camp Washington	777.77	42.86	5.51%
Carthage	871.78	176.94	20.30%
Clifton	1270.35	190.61	15.00%
Clifton - Spring Grove Village	54.46	0.00	0.00%
College Hill	2133.7	256.63	12.03%
College Hill - Spring Grove	53.95	0.00	0.00%
College Hill - Winton Hills	60.54	3.26	5.40%
Columbia Tusculum	413.77	82.01	19.82%
Columbia Tusculum - East End	154.38	81.86	53.02%
Columbia Tusculum - Mt Lookout	28.4	0.00	0.00%
Corryville	362	135.63	37.47%
Corryville - Heights	250.63	2.49	0.99%
CUF	491.76	175.46	35.68%
CUF - Heights	343.75	80.92	56.29%
CUF - Mount Auburn	1.94	0.00	0.00%
Downtown	631.48	16.95	2.68%
Downtown - Pendleton	32.41	1.18	3.64%
East End	1965.88	1349.40	68.64%
East Price Hill	1357.71	272.06	19.93%
East Walnut Hills	468.15	200.88	42.91%
East Westwood	392.69	80.66	20.54%
East Westwood - Westwood	2.62	0.00	0.00%
English Woods	113.65	108.66	95.61%
Evanston	803.85	216.70	26.96%
Hartwell	746.14	397.41	53.26%
Hyde Park	2034.3	183.03	9.00%
Hyde Park - Oakley	17.63	8.58	48.68%
Kennedy Heights	849.27	126.92	19.76%
Linwood	1150.68	163.04	14.00%
Lower Price Hill	445.58	107.40	24.10%
Madisonville	1531.02	457.47	29.88%
Millvale	154.16	111.10	72.07%

NEIGHBORHOOD	NEIGHBORHOOD ACRES	AFFECTED ACRES	PERCENT AFFECTED
Mount Adams	134.16	63.17	46.91%
Mount Airy	1195.89	227.46	19.36%
Mount Airy - Westwood	117.49	0.00	0.00%
Mount Auburn	110.62	297.08	58.18%
Mount Auburn - Walnut Hills	12.95	11.15	86.09%
Mount Lookout	1021.04	63.87	6.26%
Mount Washington	2184.15	262.71	12.03%
North Avondale	490.39	56.86	11.60%
North Fairmount	381.69	28.87	7.51%
Northside	1264.45	270.57	21.40%
Northside - Westwood	24.78	4.50	18.15%
Northside -South Cumminsville	33.07	0.00	0.00%
Oakley	1311.37	530.16	40.42%
OTR	311.33	239.58	76.96%
Paddock Hills	497.62	121.73	24.46%
Pendleton	45.34	43.98	96.90%
Pleasant Ridge	1051.36	233.62	22.22%
Queensgate	823.13	61.59	7.48%
Riverside	1342.25	269.84	20.11%
Riverside - Sayler Park	47.47	0.00	0.00%
Riverside - Sedamsville	71.23	3.29	4.26%
Roselawn	875.52	396.43	45.28%
Sayler Park	978.58	71.69	7.33%
Sedamsville	405.33	85.58	21.11%
South Cumminsville	299.84	92.51	30.85%
South Fairmount	746.49	237.68	31.75%
South Fairmount - Westwood	193.54	28.18	14.56%
Spring Grove - Winton Hills	392.36	47.88	12.19%
Spring Grove Village	1273.15	35.83	2.81%
Villages at Roll Hill	177.43	107.69	60.70%
Walnut Hills	942.06	435.78	46.26%
West End	662.79	292.76	44.17%
West Price Hill	1895.89	330.91	17.47%
Westwood	3777.45	956.44	25.32%
Winton Hills	976.3	538.92	55.24%



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Camp Washington	777.77	42.86	5.51%
Carthage	872.78	176.94	20.30%
Clifton	1270.35	190.61	15.00%
Clifton - Spring Grove Village	54.46	0.00	0.00%
College Hill	2133.7	256.63	12.03%
College Hill - Spring Grove	33.95	0.00	0.00%
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Columbia Tusculum - East End	154.38	81.86	53.02%
Columbia Tusculum - Mt Lookout	28.4	0.00	0.00%
Corryville	362	135.63	37.47%
Corryville - Heights	250.63	2.49	0.99%
CUF	491.76	175.46	35.68%
CUF - Heights	142.75	80.92	56.29%
CUF - Mount Auburn	1.34	0.00	0.00%
Downtown	631.48	16.95	2.68%
Downtown - Pendleton	32.41	1.18	3.64%
East End	1965.88	1349.40	68.64%
East Price Hill	1387.71	271.06	19.53%
East Walnut Hills	468.15	200.88	42.91%
East Westwood	392.69	80.66	20.54%
East Westwood - Westwood	2.62	0.00	0.00%
English Woods	113.65	108.66	95.61%
Evanston	803.85	216.79	26.96%
Hartwell	746.14	397.41	53.28%
Hyde Park	2034.3	183.03	9.00%
Hyde Park - Oakley	17.63	8.58	48.68%
Kennedy Heights	649.27	128.32	19.76%
Linwood	1150.68	168.04	14.60%
Lower Price Hill	445.58	107.40	24.10%
Madisonville	1531.02	457.47	29.88%
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Mount Lookout	1021.04	63.87	6.26%
Mount Washington	2184.15	262.71	12.03%
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North Fairmount	381.64	28.67	7.51%
Northside	1264.45	270.57	21.40%
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Northside -South Cumminsville	35.87	0.00	0.00%
Oakley	1511.57	330.16	48.42%
OTR	311.33	239.58	76.90%
Paddock Hills	497.82	121.73	24.46%
Pendleton	45.14	43.96	96.96%
Pleasant Ridge	1011.38	293.62	22.22%
Queensgate	823.13	61.59	7.48%
Riverside	1340.25	269.94	20.11%
Riverside - Sayler Park	47.87	0.00	0.00%
Riverside - Sedamsville	77.13	3.29	4.26%
Roselawn	875.32	396.43	45.28%
Sayler Park	978.38	71.69	7.33%
Sedamsville	405.33	85.58	21.11%
South Cumminsville	299.44	92.51	30.85%
South Fairmount	746.49	237.68	31.75%
South Fairmount - Westwood	193.34	28.18	14.56%
Spring Grove - Winton Hills	392.26	47.83	12.19%
Spring Grove Village	1273.15	35.83	2.81%
Villages at Roll Hill	177.43	107.69	60.70%
Walnut Hills	942.08	435.78	46.26%
West End	662.79	292.76	44.17%
West Price Hill	1899.89	330.91	17.47%
Westwood	3777.45	866.44	23.32%
Winton Hills	970.1	538.92	55.54%

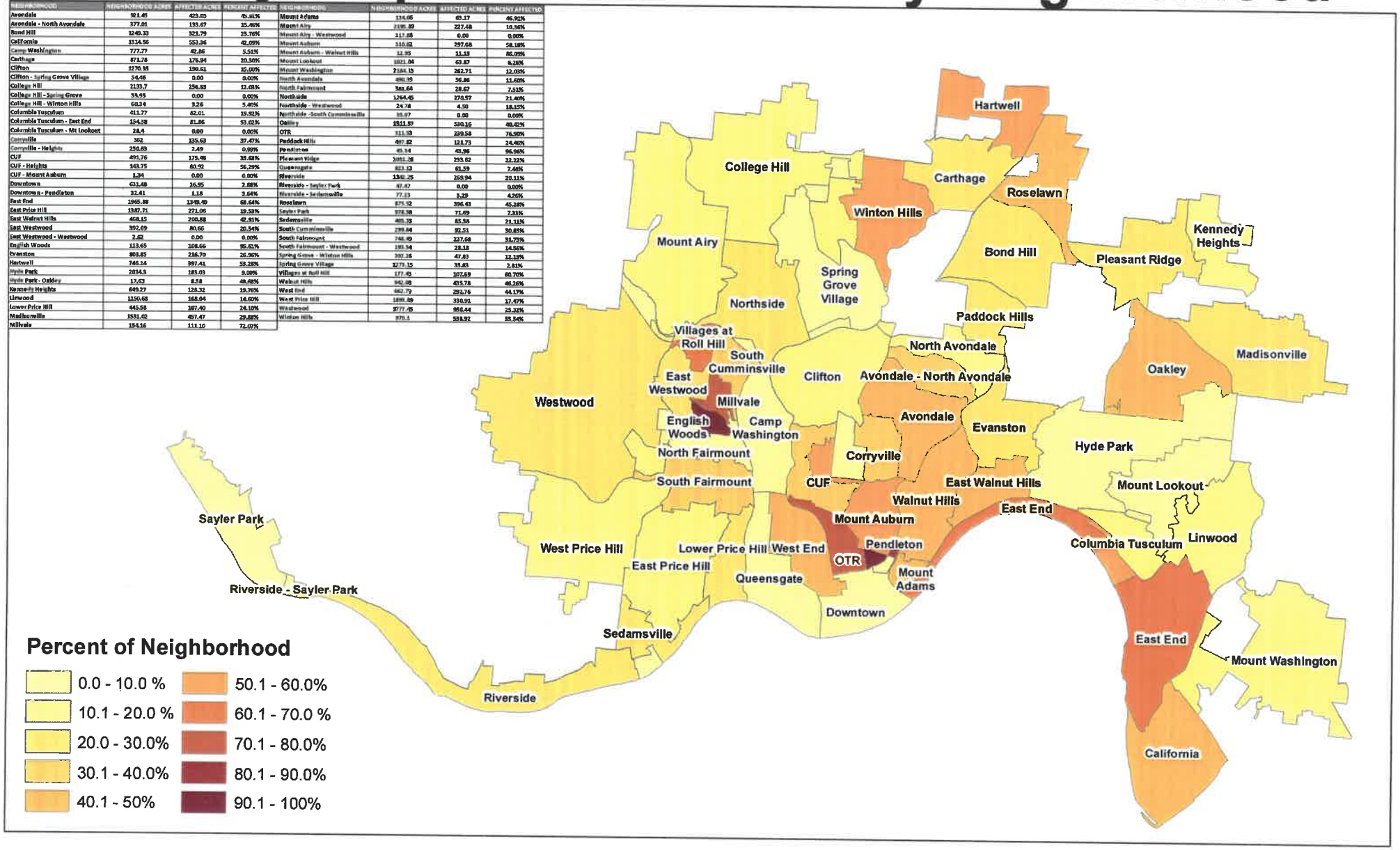


Exhibit E - Density Variances pproved in Historic Districts

Case	Address	District	Variance	Additional Variance	NC/existing	Decision	Notes
ZH20160169	1632 Central Pkwy	OTR	CU	Ground Floor residential	existing	Approved	44 units = 431 sf/unit (existing bldg) - 0 units existing - 37 permitted by Code
ZH20160213	1925 Vine	OTR	Density		existing		20 units = 283 sf/unit (existing bldg) - 17 units existing - 11 permitted by Code
ZH20170033	1216-1218 Race	OTR	Density	Setbacks	New Construction	Approved	22 units = 324 sf/unit (new bldg) - 10 permitted by Code
ZH20170136	203 E Clifton	OTR	Density	Setbacks	Existing	Approved	7 units = 354 sf/unit (existing bldg) - 6 units existing - 3 permitted by Code
ZH20170145	1437 Elm	OTR	Density	Setbacks	New Construction	Approved	3 units = 466 sf/unit (new bldg) - 2 permitted by Code
ZH20170162	1531 Elm	OTR	Density	Ground Floor residential	Existing	Approved	8 units = 253 sf/unit (existing bldg) - 7 units existing - 4 permitted by Code
ZH20170163	1533 Elm	OTR	Density	Ground Floor residential	Existing	Approved	8 units = 275 sf/unit (existing bldg) - 6 units existing - 4 permitted by code
ZH20180066	161 E McMicken	OTR	Density		Existing	Approved	5 units = 357 sf/unit (existing bldg) - 6 units existing - 3 permitted by Code
ZH20180099	1431 Republic	OTR	Density		Exisitng	Approved	3 units = 864 sf/unit (existing bldg) - 2 units existing - 2 permitted by Code
ZH20180128	24-26 W 15th	OTR	Density	Parking	Exisitng	Approved	12 units = 150 sf/unit (existing bldg) - unknown number of previous units - 3 permitted by Code
ZH20180142	1518 Race	OTR	Density	Parking	New Construction	DENIED	16 units = 281 sf/unit (new) - 6 units permitted by Code
ZH20180150	1118 Sycamore	OTR	Density	Parking	New Construction	Approved	155 units = 261 sf/unit (new bldg) - 58 permitted by Code
ZH20180151	2806-2808 Woodburn	Woodburn Ave	Density	Parking	Exisitng	Approved	19 units = 362 sf/unit (existing bldg) - 10 units existing - 12 permitted by Code
ZH20180181	1505 Republic	OTR	Density		Exisitng	Approved	7 units = 211 sf/unit (existing bldg) - 6 units existing - 1 permitted by code
ZH20180182	1513 Republic	OTR	Density		Exisitng	Approved	8 units = 185 sf/unit (existing bldg) - 6 units existing - 1 permitted by Code
ZH20180183	1515 Republic	OTR	Density		Exisitng	Approved	8 units = 185 sf/unit (existing bldg) - 6 units existing - 1 permitted by Code
ZH20180193	528 E 12th	OTR	Density	Buffer Yard, articulation	New Construction	DENIED	56 units = 287 sf/unit (new bldg) - 23 permitted by Code
ZHUV180007	2415 Maplewood	Kinsey Apt Bldg	Density	Parking, landscaping	Exisitng	Approved	14 units = 855 sf/unit (existing bldg) - 7 units existing - 3 permitted by Code (RMX - 4 by density)
ZH20190017	1505 Vine	OTR	Density	Sign	New Construction	Approved	12 units = 458 sf/unit (new construction) - 7 permitted by Code
ZH20190021	1735 Vine	OTR	Density		Exisitng	Approved	6 units = 413 sf/unit (existing building) - original number unknown - 4 permitted by Code
ZH20190061	1733 Elm	OTR	Density		Exisitng	Approved	10 units = 278.75/unit (existing bldg) - 9 units existing - 5 permitted by Code
ZH20190108	1512 Republic	OTR	Density	Setbacks	New Construction	Approved	27 units = 283 sf/unit (new) - 10 permitted by Code
ZH20190109	1521 Vine	OTR	Density		New Construction	Approved	18 units = 321 sf/unit (new) - 8 permitted by Code
ZH20190110	1600-1602 Pleasant	OTR	Density	Setbacks	New Construction	Approved	24 units = 247 sf/unit (new) - 4 permitted by Code
ZH20190111	1617 Race	OTR	Density	Setbacks	New Construction	Approved	15 units = 366 sf/unit (new) - 7 permitted by Code

ZH20190117	211 Woodward	OTR	Density		Exisitng	Approved	7 units = 392 sf/unit (existing) - 4 units existing - 5 permitted by Code
ZH20190119	1604 Pleasant	OTR	Density		Exisitng	Approved	6 units = 283 sf/unit (existing) - 5 units existing - 3 permitted by Code
ZH20190121	1601 Race	OTR	Density		Exisitng	Approved	12 units = 300 sf/unit (existing) - 11 units existing - 7 permitted by Code
ZH20190122	20 E 15th	OTR	Density		Exisitng	Approved	8 units = 345 sf/unit (existing) - 6 units existing - 5 permitted by Code
ZH20190123	1510 Moore	OTR	Density		Exisitng	Approved	6 units = 300 sf/unit (existing) - 5 units existing - 3 permitted by Code
ZH20190124	215 Woodward	OTR	Density		Exisitng	Approved	5 units = 260 sf/unit (existing - 2 units existing - 2 permitted by Code
ZH20200007	68 E McMicken Ave	OTR	Density		Exisitng	Approved	11 units = 327 sf/unit (existing - 6 unnits. Permitted 7 units by code)
ZH20200101	528 E 12th Street	OTR	Density	Buffer yard, articulation	New Construction	Approved	33 Units = 404 sf/unit (allowed 19 units permitted by code)
ZH20200102	600 E 12th Street	OTR	Density	Buffer yard, articulation, setbacks	New Construction	Approved	23 units = 426 sf/unit (allowed 14 units permitted by code)

Exhibit F

Northside
Northside Community Council

24 May 2021

James Weaver, Senior City Planner
805 Central Ave
Cincinnati, Ohio 45202

Mr. Weaver,

In response to the notice sent regarding "Proposed Removal of Density Restrictions from the Cincinnati Zoning Code," the Chair of the Planning and Zoning Committee solicited comments from Committee members for your consideration. Comments are as follow.

"This is very, very good. These density limitations are a serious problem when it comes to affordability. And they make it really hard for small developments to happen. Basically, under the current regime, only folks who can amass large numbers of contiguous parcels are able to develop anything in these districts. This should help us take a step toward encouraging more of the "missing middle" type housing. Smaller apartment buildings, duplexes, triplexes, etc. The city should take this further and consider reducing or eliminating parking minimums, setbacks, etc. that have a similar effect of reducing the housing supply. We should also look at allowing duplexes, triplexes, small apartment buildings, and ADUs in our current single-family zone. We have these housing types spread throughout the neighborhood but most are illegal to build today."

"I think increased density in theory. I become concerned with 3 and 4 story structures being built adjacent to single family homes in traditional low-rise areas. Ideally these developments can infill areas left where larger commercial, retail, and manufacturing has left the neighborhood. These developments can then restore a street edge (similar to what the Apple Street Senior Living building will do). One big issue with increased density with apartments and condos is the demands it puts on greenspace. Many of the residents of these places must seek out outdoor spaces for recreation. There has to be a way to require enlarging and increasing outdoor space in the form of parks and public spaces alongside the increase in density. The proposed amendments appear to eliminate the minimum lot sizes in districts altogether. It seems safer to me to just find what an optimal reduction in the minimum lot size is and then amend the number.

"I'm generally supportive of the changes as needing a minimum amount of lot square footage per unit incentivizes buying up lots of adjacent parcels to create a sprawling apartment building due to small lot sizes and irregular lot shapes which unnecessarily decreases the number of units that can be built."

"I support removing the limitations. During the recent discussions of the failed ballot effort around affordable housing, it occurred to me that loosening density and use restrictions to allow for more multi-unit and mixed use development is the best way to do achieve more affordable housing and more amenities as neighborhoods densify, all without a controversial budget allocations."

Exhibit F

Northside
Northside Community Council

If you have any questions about these comments, feel free to contact me.

Jason Schneider, AIA
Chair, Planning and Zoning Committee
planning@northsidecouncil.com

CC: Becky Smolenski-Finnigan

Exhibit F

Weaver, James

From:	Jim Albers <jalbers@earthlink.net>
Sent:	Monday, May 24, 2021 9:13 AM
To:	Weaver, James
Cc:	planning@northsidecouncil.com; president@northsidecouncil.com
Subject:	[External Email] Proposal to modifyTitle XIV, Zoning Code of the City of Cincinnati of the Cincinnati Municipal Code

External Email Communication

24 May 2021

James Weaver, Senior City Planner

Department of Planning, City of Cincinnati

Re: Proposal to modify Title XIV, "Zoning Code of the City of Cincinnati," of the Cincinnati Municipal Code by amending the provisions of Section 1405-03, Section 1405-07, Section 1407-07, Section 1409-09, Section 1410-07, Section 1413-07, and Section 1415-09

Mr. Weaver,

I'm a 27 year City of Cincinnati Northside resident and homeowner, a member of the Northside Community Council and a new member of the Planning and Zoning committee. I'm submitting comments in opposition to the proposed elimination of zoning density requirements in the above referenced sections for the following reasons.

First, I'm opposed to eliminating zoning provisions that can help to regulate the pace and cost of neighborhood/community change that otherwise would be driven by market forces unconcerned the residents needs or the character and/or values of the community. Northside, long known as a racially and socioeconomic diverse community, has lost much of that diversity during the past 10 – 20 years as rents and housing prices have dramatically increased.

According to the Northside Housing Research Institute, (February 2021), between 2010-2019, median gross rent and home value, respectively, increased by 40% and 43%. while median household income increased 53%.

Second, eliminating density requirements to allow developers to build more smaller units can reduce construction costs, but does not necessarily result in an increase in affordable units that can sustain a diverse racial and socioeconomic neighborhood. Market forces will not meet the housing needs, for example, of a lower-wage service sector workers and their families.

Smaller units do not beget affordable housing, as small studio and one-bedroom apartments in new multi-family residences in Northside currently rent from $800+ to $1300 per month, respectively, exceeding the 30% AMI of a large section of the Cincinnati workforce.

Third, I believe the period allowed for comment is inadequate and the city administration has not adequately

solicited the input of communities in this rush to change the zoning density requirements.

Finally, minority and working class residents have been uprooted and/or priced out of the new and renovated housing in neighborhoods where were born, because we have a housing market driven almost exclusively by the profit motive. Eliminating zoning requirements can only exacerbate this process. We need a commitment to stabilize communities impacted by anarchic market forces, not add government assistance to those forces. We need to recognize that affordable housing is a right and can only be met with the necessary public investment.

Respectfully,

James Albers

4312 Langland Street

Cincinnati, OH 45223

jalbers@earthlink.net

Exhibit G

INVEST IN neighborhoods
NEIGHBORHOOD COUNCILS ACTION COALITION
www.investinneighborhoods.org/ncac/

Community Council Opposition to Proposed Density Legislation

Dear Councilmembers, and members of the Planning Commission,

We are writing on behalf of Invest in Neighborhood's **Neighborhood Councils Action Coalition,** and as individuals who have researched, discussed, and engaged with this issue for many months.

The goal of the proposed legislation is to increase density which will increase affordable housing. This is a laudable goal and we do not oppose the idea of creating affordable housing.

However, we do not agree that this blanket approach to modifying the density restrictions within specific zoning codes is the correct approach. A blanket approach through a code change across the board would result in unintended consequences that would negatively impact the diversity of our neighborhoods.

First, and significantly, this would remove the ability of neighborhoods to have their voices heard and to have any influence on the development in their neighborhood. Second, and related, the proposed change does not recognize the distinctly different neighborhoods with different needs and different concerns in their communities. Both of these problems would consequently limit the ability of communities to manage growth while maintaining what is unique to their neighborhood.

In order to emphasize that this is not merely "NIMBYISM", we have gathered concerns from different neighborhoods which demonstrate that specific needs and problems cannot be solved with a universal approach. We have appended (lightly edited) representative examples from individuals from different communities across the City that provide very specific and valid concerns.

In addition to reviewing these, we also encourage the Planning Commission and City Council to listen to the recordings of the public meetings, reach out to the communities and hear their arguments before voting on this critical issue.

Again, we are NOT opposed to affordable housing and looking at ways to increase density in ways which can improve affordability, but we are opposed to a blanket approach.

Finally, we feel that a legislative approach that works toward meeting these objectives can be crafted in collaboration with us which would lead to a stronger city and have long lasting positive effects on those who live here and will choose to live here.

Thank you for your consideration,

Signed,

{signatories below}

Signatories

Andria Carter	Avondale
Celeste Wonson	Bond Hill
Theodora Fambrough	Bond Hill
Dorothy Brundidge	Bond Hill
Carolyn White	Bond Hill
Winfred White	Bond Hill
Morris Williams	Bond Hill
Robbe Bluestein	Camp Washington
Karen Bluestein	Camp Washington
Peter Block	Clifton
John Osterman	Clifton
Malcolm Montgomery	Clifton
Linda Keegan	Clifton
Drew Asimus	College Hill
Phyllis Slusher	College Hill
Chip Kussmaul	CUF
Maureen France	CUF
Linda Ziegler	CUF
Kurt Grossman	Downtown
Natasha Mitchell	East Price Hill
Eric Buhrer	East Price Hill
Reginald Roberts	East Westwood
Robert Moore	East Westwood
Rodney Christian	East Westwood
Georgia Brown	Evanston
Laura Feldman	Hartwell
Norman Lewis	Hyde Park
Janet Buening	Hyde Park
Michael Mauch	Hyde Park
John Isch	Hyde Park
Andy Corn	Hyde Park
Karen Planet	Hyde Park
Douglas Burkey	Hyde Park
Jean Bange	Kennedy Heights
Nancy Dickson	Mt. Airy
Terrance F. Crooker	Mt. Airy
Belle Walsh	Mt. Airy
Mark Menkhaus	Mt. Airy
Laura Whitman	Mt. Lookout
Brian Spitler	Mt Lookout
Pamela J. Adams	North Fairmount
Joe Groh	Oakley
Myra Greenberg	Over-the-Rhine
Linda Plevyak	Over-the-Rhine
William Leavitt	Over-the-Rhine
Victoria Leavitt	Over-the-Rhine
Margy Waller	Over-the-Rhine
Michael Bootes	Over-the-Rhine
Lynne Stone	Paddock Hills
Lina Orr	Paddock Hills
Luekiucius Brown	Paddock Hills
Elizabeth Swain	Paddock Hills
Shirley Rosenzweig	Pendelton
Abbigail Tissot	Pendelton
Patricia Schneider	Pendelton
Michelle Avery Keely	Pendelton
Adam Tissot	Pendelton
Kertsze Nunes	Pendelton
Sarah Baker	Pendelton
Deborah Mays	Pendelton
Mark Rosenzweig	Pendelton
Ken Jones	Pendelton
Bonnie Dixon	Pleasant Ridge
Bella Amor	Pleasant Ridge
Nancy Sunnenberg	Roselawn
Ward Wenstrup	Roselawn
Melvina Murdock	Roselawn
Robin Woods	Roselawn
Mary Dornette	Sayler Park
Lois Mingo	South Cumminsville
Jim Casey	South Fairmount
Jerry Carrico	Spring Grove Village
Karen Ball	West Price Hill
Kim Hale-McCarty	West End

Specific Neighborhood Concerns addressing the impact of blanket change to code:

Neighborhood: OTR

"The various zoning variances requested by developers here are some of our only opportunities to register our objections to outsized and architecturally insensitive development proposals. As we understand the proposals they are nothing more than carte blanche concessions to developers who too often ignore the preferences and character of neighborhoods.

Zoning variances give us a chance to demand affordable housing units in exchange for infrastructure and tax abatement subsidies. The current lame duck administration has made repeated concessions to corporate development interests that have left the City budget impoverished and have displaced 43% of the black population of OTR in the last 10 years. Further concessions such as the proposed density changes are egregious."

Neighborhood: Paddock Hills

I think the only concern for our neighborhood is that we do have a significant amount of multi-family housing that could be replaced with larger, taller buildings with less parking

Neighborhood: West End

Speaking solely as a resident of the West End I feel that universally removing density limitations from residential multifamily districts will disproportionally harm people and communities of color. Removing density limitations in the West End, and other communities that are racially concentrated areas of poverty, will have the effect of exacerbating concentrated poverty and perpetuate segregation. The proposed zone changes specifically target the city's most dense areas, including entire communities which are primarily poor and black. Removing density limitations in these historically disinvested areas will continue to steer low-income (aka affordable housing) developers to the very areas that are struggling with the residual effects of past (then legal) discriminatory housing patterns that relegated black people to poor black communities.

As an aside, with this knowledge it should not come as a surprise to understand why these areas contain most of the regions affordable housing units. The city is fully aware that 94% of residents in low-income, aka affordable housing, are African American. When that housing, now being hyper-incentivized to only be built in poor, predominately black areas/communities, is sited in those communities, this has the effect of dictating where poor, predominately black people will live. It is shameful. No child's zip code should determine her future.

Neighborhood: Evanston

There is and has been locally and nationwide the concern of inequities in Neighborhoods populated with people of color and or limited income. To be honest, it seems no money no voice. Unfortunately, we don't seem to have enough leadership representation willing to discuss and work together to consider that concern. Limited concern about maintaining the historic layout and structures of communities already there when there is money to be made. There is a realization that each community has it's needs.

Funds seem to be and are limited to maintain existing structure and no concerned in working to revitalize what exists, which has a better quality of material. New means more money and tax

abatements. There needs to be more discussion on this and other ongoing issues that really affect the total welfare of every community. We are really one big community, just different boundaries

Neighborhood: Hartwell

Hartwell is a small neighborhood. Our neighborhood is already directly impacted by apartment housing, specifically the boarding houses.

Our area would not be able to handle higher density housing in a mostly residential area. Not only would it be completely out of place, we do not have the police presence to handle an influx of residents

Neighborhood: Kennedy Heights

Kennedy Heights is experiencing a mind-blowing surge in housing prices. We are seeing homes being bought up, demolished, and new constructions going for three times the price of the home that had been there previously. A recent addition to the market is priced at a point that I can only assume is based on a buyer wanting its noticeable acreage, with the end goal of adding more housing. All this is occurring within the restraints of current zoning allowances. We are also facing a drastic shortage of affordable senior housing, and a growing senior population that is struggling to keep up with rising property taxes and physical maintenance of their properties.

Kennedy Heights is in the middle of our neighborhood plan right now, and the overwhelming response we are hearing is that our priorities as a neighborhood is to preserve our diversity—this includes socioeconomic level and age. A universal removal of density requirements, while pitched to the public as increasing inventory and therefore affordability, does not offer the desired protections against profit-motivated developers who would continue to fill our neighborhood with luxury homes and luxury apartment complexes, thus continuing to change Kennedy Heights into a more homogeneous population.

Neighborhood: Oakley

This impacts a significant portion of Oakley properties, and the impacted properties are in areas that contain most of our most affordable housing.

- *By including all RM zoned districts, this would allow developers to buy an existing 1/2/3 family unit/property, demo it, build up to 10/12 units *with off street parking* without needing any OCC approvals.*
- *They also tout "affordable housing", but this would have the opposite impact, as there is no way a developer is going to take on the expense to buy/demo/build/ and then offer the units at a price lower than current rent/mortgage is.*
- *Additionally, by adding units in the same footprint, you will run off families as the new units would simply be too small.*
- *Net impact - most of the more affordable housing, as documented in the recent Oakley Housing Inventory study, would likely be replaced by more expensive housing units.*
- *The ordinance was done *without any community input*, which is concerning. Thankfully, Liz is willing to have the town hall - mainly because the feedback has been overwhelmingly negative.*
- *I have no real issue with the changes to the other zoning districts, just the RM.*
- *My recommendation is to remove RM from the ordinance/proposal, and allow that to continue to be an item that each neighborhood has the ability to have input on, on an individual development basis.*
- *I've been very clear, when I've voiced my opinion, that I'm speaking as an individual resident, and not on behalf of the OCC - because we've not discussed this as a group, nor have we voted to make a statement on the issue.*

- *I'll also add that, one reason the city put forth for doing this is really to make their job a little easier - they commented that most of the zoning requests that get submitted for land/size variances get approved, so why not just do away with the need to have a hearing. Sorry, IMHO that is a weak rationale for taking control (what limited control/influence we do have) away from the neighborhoods.*

Neighborhood: Linwood

Future development based on increased density could, and most likely would, result in high priced rental units, for one or two occupants, not conducive to affordable housing for families which is what our City is lacking. Our neighborhood, Linwood, already has a rental percentage of 45%+ even while having 700K+ new single family housing built in the last ten years driven by development (developers') pressure. Linwood has some zoning for manufacturing making its housing less concentrated around a neighborhood center where some density might be acceptable and desirable. Any residential building with many units, accommodating only one or two occupants, built in a non-walkable environment can only increase unwanted traffic in a City where mass transit is not practically available. There appears to be no actual universal planning by the City to create suitable profiles for each neighborhood; ours could use affordable SF housing, possibly attached, as a nod to density.

Neighborhood: Clifton

For Clifton: loss of historic homes and other historic structures that would be replaced with new builds that are made of cheap materials, out of scale for the neighborhood and inconsistent with the "Clifton aesthetic" that is part of its charm.

Neighborhood: Downtown Residents Council

1. The downtown core is already quite dense so it's not clear what the impact of this specific overlay would be here. But it can have dramatic impacts on other neighborhoods. We should be supportive of our neighbors as our 52 neighborhoods make us "Cincinnati".

2. The concern from the downtown perspective, in my opinion, is two-fold based on things that have been largely unsaid. This zoning issue is, I believe, one part if a bigger effort that can be much more troubling.

2.A For example, I understand that there will also be efforts to reduce parking minimums with more dense developments. Downtown already has parking challenges which, if made worse, will (i) cause fewer people to want to come downtown for business or pleasure and (I) will cause existing parking to increase (possibly by a lot!) their fees which will not only deter people from coming but merely line the pockets of those controlling the parking lots. And other neighborhoods may have similar or even more compelling problems. By way of example, OTR has been quite vocal about the struggle from lack of available parking even for their existing residents. Density should not be looked at without understanding "what's next".

2.B. There may also be a background effort to ease setback requirements in the downtown core that will mean narrower and even more dangerous sidewalks for pedestrians (who already have to share with scooters and bikes). Other neighborhoods likely share these same concerns. Again, what's the bigger picture?

Neighborhood: CUF

Since September 5, 2002, I have been a Residential Home Owner living in the CUF (Clifton Heights-University Heights-Fairview) Neighborhood which is already the "most densely populated" neighborhood in the City of Cincinnati, primarily due to the large amount of older housing stock located in Clifton Heights, which is normally rented by UC Students and sometimes other Temporary Renters. The large amount of Transient and Temporary Residents co-existing among the Long-Term Home and Business Owners in the area poses a unique and often "very challenging" set of issues with vandalism, trash, littering, poorly maintained yards/exterior housing facades (one can only guess about the interiors), large unsupervised noisy parties, drug dealing in our local Parks and Streets, lack of enforced parking rules, too many cars without enough parking spaces, inability of the City to operate a Proper/Tax Payer Funded Street Sweeping Program, and young College Students walking around with targets on their backs as potential/actual robbery and assault victims. While some of these issues listed are mostly applicable to CUF and other nearby UC Campus neighborhoods, many more of the other issues listed will begin to "exponentially and negatively" impact other City Neighborhoods if "common sense" Zoning and Density Requirements are removed. The City of Cincinnati currently can't (or won't) stay on top of most of these Quality-of-Life and Infrastructure/Population Support Issues on a "consistent" basis as it is, let alone allowing Get-Rich-Quick Developers to build new Cheap, Shoddy, and possibly Toxic Multi-Housing Structures all over the City that probably won't last a couple of decades (if that) without needing to be bulldozed and replaced.

I also "highly concur with" every comment that I read pertaining to the Importance of Preservation of our Historic Buildings and the need to "prioritize" Community and Economic Incentives to properly rehab our existing building stock, much of which has sadly been allowed to deteriorate and rot over time by Irresponsible and Immoral Greedy Slumlords. Some of these properties exist where I live in the lower Fairview portion of CUF, around W. McMicken Avenue. Fortunately, we also have some of the opposite, beautiful historic older buildings (Single and Multi Family) that have been well maintained and cared for for over a Century by their Owners. Adding more density of people and buildings to a City that currently lacks in Adequately Safe Modern Street Lighting in ALL Neighborhoods, and is still scrambling to comply with Federally Mandated Sewer Pipe and Drainage Systems, and has an Inadequately Staffed Police/Safety Department needed to properly protect ALL of our Neighborhoods is Totally Asinine, Fiscally Irresponsible, and Structurally Unsustainable!!!

Neighborhood: Camp Washington

Parking, traffic congestion, loss of neighborhood character

Neighborhood: Northside

Very few negative issues beyond constraining the on-street parking supply. My neighborhood (Northside) already has a strong mix of 1, 2, 3, and 4 family homes which has kept the area diverse and with multiple kinds of housing options for people. Interestingly as the neighborhood became less dense over the years and more buildings were converted to single-family homes, the on-street parking issue became much worse. This may be because people who live in single-family homes tend to have multiple personal vehicles, whereas people who live in denser housing tend to have fewer or no personal vehicles. Very few Northside homes have driveways so on-street parking is key. As the neighborhood has become more attractive to higher earners and more single-family homes were built (as the current zoning only allows that) the on-street parking problem has actually gotten worse. Northside now has fewer housing units than a decade ago, but far more cars.

Neighborhood: Hyde Park

City Homes, on Wasson Road (across from Hyde Park Kroger) - the project is too dense for the site; there are multiple serious environmental and traffic concerns related to the development; it is not an optimal use for this property, which is adjacent to the Wasson Way Trail; the development will not be a good architectural fit in the community; there has been no progress on the development since Ken French was granted City approval for the project, and the land is vacant, overgrown, and an eyesore to the neighboring properties. More than 2,000 Hyde Park residents signed a petition opposing the variances and other zoning relief that was granted for this project, and had City Council support to prevent the development, but the Mayor remanded the project to Planning Commission and they were able to approve the lot splits and variances without City Council approval.

A new development, by PLK, on property zoned CCA on Wasson Rd. between Michigan and Shaw does not require a zone change or any zoning relief. The developer intentionally did not engage with the community in any way, nor did the City send notice about the development. What is being proposed fits into the requirements for CCA - though they are being very fudgy about the commercial use requirement (that will be only 219 sq ft of office space that the developer will use as a leasing office for the property.) The proposed use (1 and 2 BR apartments) is too dense for the space and the adjacent neighborhood; the 100+ new residents (and cars) it will bring in will present serious traffic and pedestrian safety issues. The height of the building (72 ft) and proximity to neighboring residences, and the balconies that will look down into those properties, will diminish property values as well as the neighbors' enjoyment of their homes. Also, the architecture is completely out of character with the neighboring homes, and screening for the 2-story above-ground garage on which the apartments will be built appears to be marginal and ineffective. This project is, on every level, a case study for bad community development.

Neighborhood: Pendleton

Creation of new buildings that have too many people for the existing resources of the area (ex: too little parking, green space, room for trash cans), resulting in a worse quality of life for all existing residents/neighbors and thus changing the entire living context of the small neighborhood. Example: proposed Bennett Point project by CMHA.

Neighborhood: Pendleton

Historical district architectural characteristics (height etc) must be preserved. Affordable housing Act requires keeping dignity to all. Allowing many people to live within small confined apartments (after allowed with high density affordable housing) in old or new buildings without entertainment areas, hot rooms and noise environment with high density living, is illegal based on the federal law act above.

Neighborhood: Mt. Lookout

We have RM areas nestled in the midst of SF zoning. Increasing density will directly affect those in SF areas - more traffic, more noise, more strain on infrastructure and local services. Our sewers are already over capacity. Adding more is not as feasible in neighborhoods as opposed to more commercial areas. Also, developers are already buying contiguous properties and then combining to build bigger multi-family developments. Eliminating density restrictions will encourage this practice and existing property owners will bear the brunt (it's already happening now) as open space and views of trees and sky are replaced with walls of new buildings and parking lots. This irrevocably changes the character of the neighborhood and has a gross negative impact on the families that have already invested financially and emotionally here.

Neighborhood: College Hill

Neighborhoods join the City in recognizing the need for more people and higher density to grow our City. We would rather see the City work with us to develop a comprehensive plan for making that happen than to expect great things from a piecemeal ordinance. Developers should not be the drivers for density. Bring a plan to us. Don't just deal with each developer as it comes to the City seeking subsidies and tax breaks.

Exhibit G

Weaver, James

From:	John Brannock
Sent:	Tuesday, July 27, 2021 1:49 PM
To:	Weaver, James
Cc:	#COUNCIL; info@mtlookout.org
Subject:	[External Email] PROPOSED REMOVAL OF DENSITY RESTRICTIONS

External Email Communication

Hello Mr. Weaver (City Council and MLCC cc'd),

I'm a resident of Mt. Lookout and served as President and other various positions on the Mt. Lookout Community Council for 15 years (dropped out a couple years ago due to other commitments with my kids' schools). I am writing to say I am not in favor of the proposal to remove density restrictions for RM 1.2 and RM 2.0 and here are some reasons why:

1. With all the recent tear downs of single family homes, lot splits, and apartment/condo development in Mt. Lookout, Hyde Park, Columbia Tusculum, and Oakley, traffic has become a huge problem. The existing roads cannot be modified and that becomes a problem when you add a few thousand more residents to this area that was already pretty congested. This removal of density restrictions will only make this worse especially since the areas most affected are new the business districts.

2. There are many modest single family homes within this zoning that are very desirable for middle class young families, single people, elderly, etc. that will be torn down and replaced with large apartments/condo because it will provide a large profit for developers at the expense of the previously mentioned groups that desire these homes in these great neighborhoods. We will be losing the character that comes with these homes as well as the opportunities that these groups want and desire. With this proposal, all of Ellison Ave and Van Dyke, for example, could be wiped out and replaced with huge apartment buildings (I know the size could be the same as today but more units makes it much more profitable for a developer to do so) which would be a travesty to the character of this area.

3. Sewers - please contact MSD and ask them how much more flooding has occurred in the past few years because of all the new development and the runoff now going into gutters and into the sewers instead of natural runoff like it was when there were greenspace and single family yards. More development will add to this issue as again, like the roads, the sewers cannot be easily, if at all, modified.

4. There isn't parking available for the large increase of residents. On street parking is already maxed out in many areas and this will just make it more difficult (think of Chicago neighborhoods if you have been there - driving around for hours to find a spot within a couple blocks of your residence). Again, not fair for the elderly that live in these areas.

5. Schools - the public schools in this area (Kilgour, Hyde Park, etc) are way over capacity today and this will likely add to that problem.

6. Perhaps a compromise would be to limit this density to those neighborhoods that can use it like Madisonville, Linwood, East End, Westwood, Mt. Washington, etc. HP, ML, Oak, and CT don't need more density due to the reasons stated above.

Unfortunately, I will be on vacation on 8/4 so I will not be able to attend the meeting but wanted to send you my comments ahead of time for your review.

Please feel free to reach out to me for any further comments or questions. I have lived in HP and ML for about 26 years and have seen a lot of changes (some good and some bad) and would love to share more if needed.

Thank you for your time.
John Brannock

Exhibit G

Weaver, James

From: David Petersen <dcpetersen808@gmail.com>
Sent: Wednesday, July 28, 2021 10:03 AM
To: Weaver, James
Subject: [External Email] Fwd: Proposed Zoning text amendments to Chapter XIV, "Zoning Code of the City of Cincinnati" to remove density limitations for multi-family development in certain districts Citi-wide per City Planning Commission Staff Conference of Jun...
Attachments: USPSNoticeofPublicHStaffConferenceCoCPlanningCommission07292021.pdf

External Email Communication

Sorry, I had the wrong email address in this first email.

Begin forwarded message:

From: David Petersen <dcpetersen808@gmail.com>
Subject: Proposed Zoning text amendments to Chapter XIV, "Zoning Code of the City of Cincinnati" to remove density limitations for multi-family development in certain districts Citi-wide per City Planning Commission Staff Conference of June, 4 2021.
Date: July 28, 2021 at 9:56:32 AM EDT
To: james.weaver@cinci-oh.gov, andy.juengling@cincinnati-oh.gov
Cc: cgriffin.nati@yahoo.com, Noah O'Brien <noahjobrien@gmail.com>, Sherri King <sherribarberphotography@gmail.com>, Kim Hale-McCarty <KimHaleMcCarty@gmail.com>, Keith Blake <kablake@live.com>, Linda Petersen <lpetersen808@gmail.com>, CityCouncil@cincinnati-oh.gov, "Cranley, Mayor" <mayor.cranley@cincinnati-oh.gov>, Crystal Kendrick <crystal@thevoiceofyourcustomer.com>, john valentine <johnv913@gmail.com>, "Keough-Jurs, Katherine" <katherine.keough-jurs@cincinnati-oh.gov>, lbrunner@cincinnatiport.org, Ashley White <ericashley.cook@icloud.com>, Deaven Williams <dwmichelle89@gmail.com>, Abdiel Acevedo <alacevedo05@gmail.com>, Ingrid Jones <bluedogjones@me.com>

Hello Mr. Weaver and Mr. Juengling,

At its meeting of July 20, 2021, the West End Community Council (WECC) voted to oppose the proposed zoning text amendments that included removing "density limitation for multi-family development in certain zoning districts..."

It also voted to notify you in writing to inform you of the WECC's position.

I'm sending you this email today so that this information might be included in tomorrow's "virtual public staff meeting".

Newly elected WECC President Griffin's letter has not yet been published, and I wanted to be certain that you both were aware of the WECC's position prior to your July 29, 2021 meeting. Please include this email in your proceedings.

Personally, I strongly oppose the proposed zoning text amendment as well. I additionally support Councilman Goodin's suggestion to prohibit additional subsidized housing in neighborhoods with subsidized housing exceeding 50% of existing units.

Studies show that subsidized housing rates above 20% tend to concentrate poverty, increase segregation and is harmful to the well being of a community.

Thank you,
Dave Petersen. (West End)
808 Dayton Street

Exhibit G

Cincinnati, OH 45214

(513) 651 1890

Exhibit G

Weaver, James

From: GEORGE ELLIOTT <gsewine@aol.com>
Sent: Thursday, July 29, 2021 2:48 PM
To: Weaver, James
Subject: [External Email] PROPOSED REMOVAL OF DENSITY RESTRICTIONS FROM CITY ZONING CODES

External Email Communication

We are totally opposed to the above proposal as it relates to both Mt Lookout and Hyde Park. Developers have ripped apart these 2 neighborhoods and they don't need any further encouragement from the city to continue. We don't need any more of their devastation. Thanks.

Regards,
George & Jeane Elliott
Hyde Park

Sent from my iPhone

Exhibit G

West End Community Council

PO Box 14424
Cincinnati, Ohio 45250

July 25, 2021

Dear Mr. Weaver and Mr. Juengling,

At its meeting of July 20, 2021, the West End Community Council (WECC) voted to oppose the proposed zoning text amendments that included removing "density limitations for multi-family development in certain zoning districts..."

Please enter this letter into the record and include it in your upcoming planning meetings on this subject.

Regards,

Chris Griffin
President, WECC

Exhibit G

Weaver, James

From: Juengling, Andy
Sent: Wednesday, July 21, 2021 8:00 AM
To: Weaver, James
Subject: FW: [External Email] RE: Zone amendments & Segregation

Follow Up Flag: Follow up
Flag Status: Flagged

Another one with your email address misspelled.

Andy Juengling, AICP | Senior City Planner
City of Cincinnati | Department of City Planning and Engagement
Two Centennial Plaza | 805 Central Avenue, Suite 720 | Cincinnati, OH 45202
(p): 513.352.4840 | (f): 513.352.4853 | Website | Twitter | Plan Cincinnati

city of CINCINNATI
CITY PLANNING & ENGAGEMENT

From: Crystal Kendrick <crystal@thevoiceofyourcustomer.com>
Sent: Tuesday, July 20, 2021 11:31 PM
To: Kim Hale-McCarty <kimhalemccarty@gmail.com>; 'David Petersen' <dcpetersen808@gmail.com>; Goodin, Steven <steven.goodin@cincinnati-oh.gov>
Cc: Landsman, Greg <Greg.Landsman@cincinnati-oh.gov>; Sundermann, Betsy <Betsy.Sundermann@cincinnati-oh.gov>; Keating, Liz <liz.keating@cincinnati-oh.gov>; Mann, David <david.mann@cincinnati-oh.gov>; Kearney, Jan-Michele <Jan-Michele.Kearney@cincinnati-oh.gov>; Seelbach, Chris <Chris.Seelbach@cincinnati-oh.gov>; Cranley, Mayor <mayor.cranley@cincinnati-oh.gov>; 'Noah O'Brien' <noahjobrien@gmail.com>; 'Sherri King' <sherribarberphotography@gmail.com>; 'Linda Petersen' <lpetersen808@gmail.com>; alacevedo05@gmail.com; 'Ingrid Jones' <bluedogjones@me.com>; 'john valentine' <johnv913@gmail.com>; 'Ashley White' <ericashley.cook@icloud.com>; 'Deaven Williams' <dwmichelle89@gmail.com>; 'Jay D' <jdovertherhine@gmail.com>; johnwalter@cinci.rr.com; 'Tom Walter' <klotterbldr@aol.com>; 'Sharon' <buyartscg@aol.com>; james.weaver@cinci-oh.gov; Juengling, Andy <Andy.Juengling@cincinnati-oh.gov>; 'Matt Landers' <mlanders07@yahoo.com>; 'matthew king' <matt@beerfestinfo.com>; 'John Rogers' <johnrogers714@hotmail.com>; 'Jim W' <jnw847@gmail.com>; 'Michelle Holley' <holleyma@ucmail.uc.edu>; 'Clay Jones' <claytojones@gmail.com>; alacevedo05@me.com; aogletree03@gmail.com; ashbs@ucmail.uc.edu; bcannon1111@yahoo.com; begleyh@yahoo.com; bhook306@gmail.com; bluedogjones@mac.com; craig@beerfestinfo.com; fortsillies@gmail.com; grldbates@aol.com; hayes.shanesy@gmail.com; jamesw190@aol.com; jerinmcintosh@gmail.com; jon@jonentine.com; JoshuaKimber1@gmail.com; Kevin Macey <realtorkevinm@gmail.com>; kovacsbr@gmail.com; kparkercincy@gmail.com; kyhm@cinci.rr.com; larry.morris@cinbell.com; loganpreynolds@gmail.com; luke.citystation@gmail.com; mueller-william@sbcglobal.net; onherhook@gmail.com; patrick.jeremy@ymail.com; san.carr66@yahoo.com; sean.caldwell@caplaw.com; slater.anytime@gmail.com; terranceupshaw11@gmail.com; valerieoh4@aol.com; willowtreehouse@aol.com
Subject: [External Email] RE: Zone amendments & Segregation

External Email Communication

To our illustrious city leaders~

As other West End residents have done, I also want to express my concern about the proposed zoning amendments. Overriding the parking requirements in the multi-family districts reduces the quality of life for the residents and, in some cases, is dangerous for the following reasons:

1) For years, developers have been permitted to override the parking requirements. As such, parking is limited. We do not want to think about parking permits as our colleagues in other communities have done.
2) Property owners are replacing green space with driveways, thus eliminating parking spaces on the streets
3) Parking violations such as abandoned, unmoved and unregistered vehicles, illegal parking and neighborhood mechanics using parking spaces as workspaces are not addressed
4) When law enforcement is contacted about violations such as parking or noise, officers have been known to issue warnings and name the callers on the citations, thus creating safety concerns for residents

The lack of parking results in cars parked outside of legal spaces, which makes it difficult to see moving cars at cross-sections, blocks fire hydrants and makes it very difficult for school buses and delivery trucks to navigate residential streets safely.

The parking requirements were established for meaningful reasons. I hope you will not overlook the safety and quality of life of the residents when reviewing these requests. I encourage developers to look at how they can add parking to the design of the property lot.

Thank you.

Crystal L. Kendrick, President
The Voice of Your Customer
513.281.3228
www.thevoiceofyourcustomer.com
www.thevoiceofblackcincinnati.com

From: Kim Hale-McCarty <kimhalemccarty@gmail.com>
Sent: Sunday, July 18, 2021 11:15
To: 'David Petersen' <dcpetersen808@gmail.com>; 'Goodin, Steven' <steven.goodin@cincinnati-oh.gov>
Cc: greg.landsman@cincinnati-oh.gov; 'Sundermann, Betsy' <betsy.sundermann@cincinnati-oh.gov>; liz.keating@cincinnati-oh.gov; 'Mann, David' <david.mann@cincinnati-oh.gov>; 'Kearney, Jan-Michele' <jan-michele.kearney@cincinnati-oh.gov>; chris.seelbach@cincinnati-oh.gov; 'Cranley, Mayor' <mayor.cranley@cincinnati-oh.gov>; 'Noah O'Brien' <noahjobrien@gmail.com>; 'Sherri King' <sherribarberphotography@gmail.com>; 'Linda Petersen' <lpetersen808@gmail.com>; 'Abdiel Acevedo' <alacevedo05@gmail.com>; 'Ingrid Jones' <bluedogjones@me.com>; Crystal Kendrick <crystal@thevoiceofyourcustomer.com>; 'john valentine' <johnv913@gmail.com>; 'Ashley White' <ericashley.cook@icloud.com>; 'Deaven Williams' <dwmichelle89@gmail.com>; 'Jay D' <jdovertherhine@gmail.com>; 'John Walter' <johnwalter@cinci.rr.com>; 'Tom Walter' <klotterbldr@aol.com>; 'Sharon' <buyartscg@aol.com>; james.weaver@cinci-oh.gov; andy.juengling@cincinnati-oh.gov; 'Matt Landers' <mlanders07@yahoo.com>; 'matthew king' <matt@beerfestinfo.com>; 'John Rogers' <johnrogers714@hotmail.com>; 'Jim W' <jnw847@gmail.com>; 'Michelle Holley' <holleyma@ucmail.uc.edu>; 'Clay Jones' <claytojones@gmail.com>; alacevedo05@me.com; aogletree03@gmail.com; ashbs@ucmail.uc.edu; bcannon1111@yahoo.com; begleyh@yahoo.com; bhook306@gmail.com; bluedogjones@mac.com; craig@beerfestinfo.com; fortsillies@gmail.com; grldbates@aol.com; hayes.shanesy@gmail.com; jamesw190@aol.com; jerinmcintosh@gmail.com; jon@jonentine.com; JoshuaKimber1@gmail.com; Kevin Macey <realtorkevinm@gmail.com>; kovacsbr@gmail.com; kparkercincy@gmail.com; kyhm@cinci.rr.com; larry.morris@cinbell.com; loganpreynolds@gmail.com;

Exhibit G

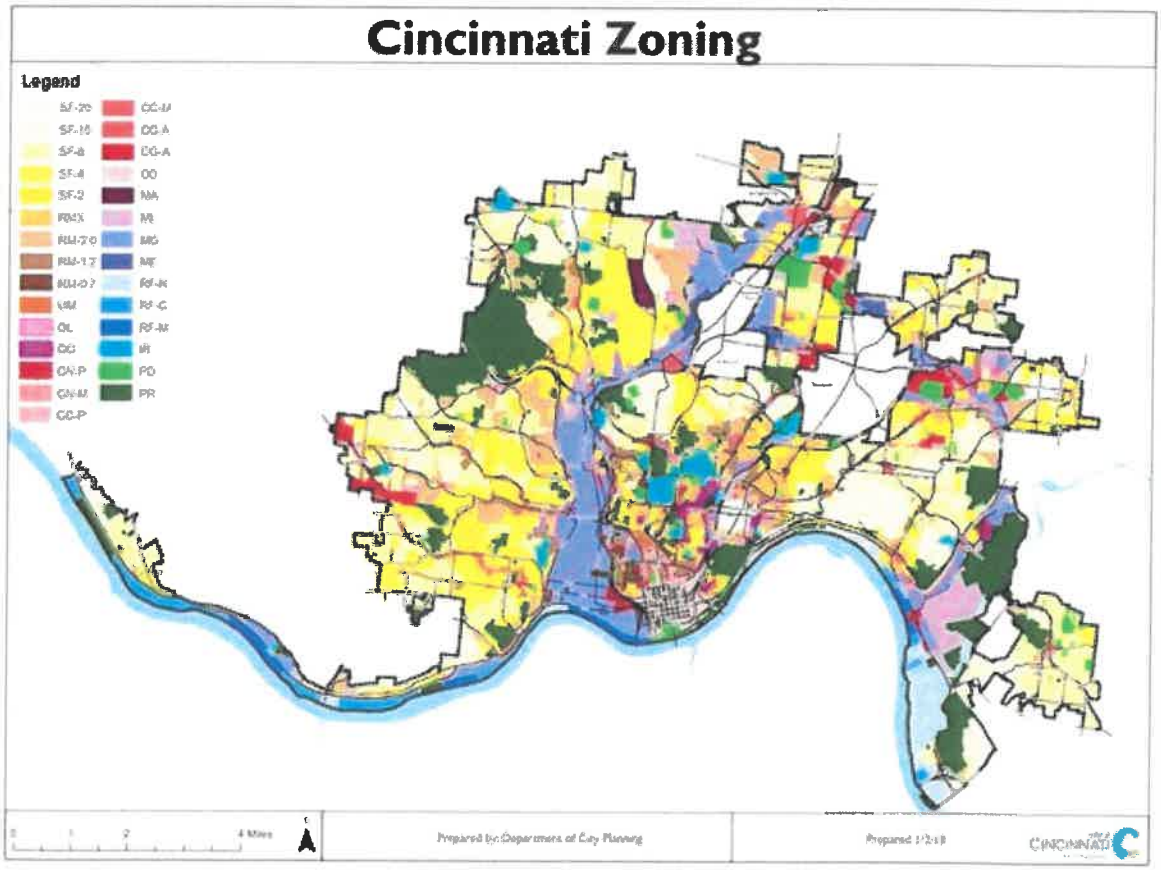
luke.citystation@gmail.com; mueller-william@sbcglobal.net; onherhook@gmail.com; patrick.jeremy@ymail.com; san.carr66@yahoo.com; sean.caldwell@caplaw.com; slater.anytime@gmail.com; terranceupshaw11@gmail.com; valerieoh4@aol.com; willowtreehouse@aol.com
Subject: RE: Zone amendments & Segregation

Mayor, Council, and city residents,

I would like to add to Mr. Petersen's comments regarding the proposed amendments to the city's Zoning Code. While the proposed policy may appear neutral on its face, it could have a disparate impact on African Americans, exacerbate concentrated poverty and perpetuate segregation.

While it is commendable to consider ways to increase the overall housing supply as a method to increase housing affordability, the amendments, however, will ease density restrictions in residential multi-family districts - the city's already *least* restrictive zones. Zones, where naturally most residential rental units, including most income-based affordable housing units are already concentrated.

Regarding the impact these changes would have Cincinnati's West End, eighty-four percent of residential housing units in the community are rental units – there are less than 500 homeowners. And, to correct Mr. Petersen's data, more than 70% of all occupied/occupiable rental units in the community are long term, deed-restricted income-based affordable housing units (aka, affordable housing).



The proposed amendments will increase density in the tan/dark brown areas on the map, yet does nothing to open up the **expansive** single-family districts that dominate Cincinnati (cream's & yellow's). The targeted zones are miniscule and assure concentrated poverty and segregation in perpetuity. This is striking.

Exclusionary single-family zoning is seen by Civil Rights and Fair Housing Advocates as a tool that was created to replace "redlining". As historian Richard Rothstein has demonstrated, single family zoning arose shortly after the U.S. Supreme Court handed down its 1917 decision, Buchanan v. Warley, which struck down zoning laws that forbade Black people from buying in White neighborhoods. In fact, when in 2020 Minneapolis moved to eliminate single-family zoning citywide, it explicitly pointed to the racist roots of the original policy.

Single family exclusionary zoning limits housing supply and affects housing affordability. And regrettably in Cincinnati, zoning laws that prohibit the construction of relatively affordable homes (including income-based affordable housing — duplexes, triplexes, quads and larger multifamily units), disproportionately impacts African Americans. Ninety-four percent of occupants in income-based affordable housing are African American.

When public, and/or otherwise assisted housing (aka, affordable housing) continues to be funded / built exclusively in poor black communities which dictates where (predominately) poor black people will live, this action violates the Civil Rights of thousands of black residents in Cincinnati and beyond. (Title VIII of the Civil Rights Act made segregation illegal in 1968).

As past HUD Secretary Julian Castro stated, "Too often, zoning regulations trap low-income families, especially families of color, in segregated neighborhoods and price them out of housing opportunity." If anything, Cincinnati's Legislatures should be implementing policy that prohibits additional income-based affordable housing in its racially segregated areas of concentrated poverty and incentivizing housing in areas that offer more opportunity.

Further, it is terribly disingenuous in Mrs. Keating's proposed Ordinance of the zone changes to cite compliance to Plan Cincinnati's "Live" goal; to "provide a full spectrum of housing options and improve housing quality and affordability" without including the verbiage of the entire goal:

3. Provide a full spectrum of housing options, and improve housing quality and affordability.

A. Provide quality healthy housing for all income levels.

B. Incentivize housing options of varied sizes and types for residents at all stages of life.

C. **Evenly distribute housing that is affordable throughout the city.**

D. Affirmatively further fair housing

The proposed Ordinance does not, in any shape or form, incentivize housing, particularly income-based affordable housing to be built anywhere other than where it always has – in poor predominantly black communities. The proposed Ordinance does not, in any shape or form work to "evenly distribute housing that is affordable throughout the city. And, regrettably, the proposed Ordinance cannot in any shape or form affirmatively further fair housing.

In conclusion, the topic of systemic racism is finally being addressed in a meaningful manner in Cincinnati and across the United States. It is policies and practices like the proposed zone changes

that are being *removed* from the books, not plowed in. Dismantling systemic racism includes systemic changes to our built environment. It is for these reasons I urge you to sincerely consider the unintended consequences the proposed zone changes will have on Cincinnati and its people.

Kim Hale-McCarty

From: David Petersen <dcpetersen808@gmail.com>
Sent: Saturday, July 17, 2021 8:14 PM
To: Goodin, Steven <steven.goodin@cincinnati-oh.gov>
Cc: greg.landsman@cincinnati-oh.gov; Sundermann, Betsy <betsy.sundermann@cincinnati-oh.gov>; liz.keating@cincinnati-oh.gov; Mann, David <david.mann@cincinnati-oh.gov>; Kearney, Jan-Michele <jan-michele.kearney@cincinnati-oh.gov>; chris.seelbach@cincinnati-oh.gov; Cranley, Mayor <mayor.cranley@cincinnati-oh.gov>; Noah O'Brien <noahjobrien@gmail.com>; Sherri King <sherribarberphotography@gmail.com>; Linda Petersen <lpetersen808@gmail.com>; Abdiel Acevedo <alacevedo05@gmail.com>; Ingrid Jones <bluedogjones@me.com>; Crystal Kendrick <crystal@thevoiceofyourcustomer.com>; john valentine <johnv913@gmail.com>; Ashley White <ericashley.cook@icloud.com>; Deaven Williams <dwmichelle89@gmail.com>; Kim Hale-McCarty <KimHaleMcCarty@gmail.com>; Jay D <jdovertherhine@gmail.com>; John Walter <johnwalter@cinci.rr.com>; Tom Walter <klotterbldr@aol.com>; Sharon <buyartscg@aol.com>; james.weaver@cinci-oh.gov; andy.juengling@cincinnati-oh.gov; Matt Landers <mlanders07@yahoo.com>; matthew king <matt@beerfestinfo.com>; John Rogers <johnrogers714@hotmail.com>; Jim W <jnw847@gmail.com>; Michelle Holley <holleyma@ucmail.uc.edu>; Clay Jones <claytojones@gmail.com>
Subject: Proposed zoning changes

Hello Steve,

The attached proposed zoning changes and City Planning meeting on text amendments will enable more dense and subsidized housing in the West End and will certainly continue the concentration of poverty in our community.

It is my hope and belief that these changes will be opposed at July's West End Community Council Meeting (WECC). I am absolutely opposed to them.

I am directing this to you because of your idea of limiting support of subsidized housing when a community has more than 50% level of subsidized housing. National studies show that an excess of 20% is dangerous.

The West End has well over 50% and perhaps over 80% when vouchers are considered.

These proposed zoning changes will certainly further concentrate poverty in the West End and I ask for your help and support in opposing these harmful zoning changes.

Thank you,
Dave Petersen

808 Dayton Street
Cincinnati, OH 45214

513 651 1890

Exhibit G

Weaver, James

From: Dave Rosekrans <cdrosekrans@gmail.com>
Sent: Tuesday, August 3, 2021 10:47 AM
To: Weaver, James
Subject: [External Email] Zoning Density

External Email Communication

Please send me a link to the August 4 meeting.
Real estate property taxes are driving people away from Cincinnati and forcing elderly to move from life long homes. Increased density will provide additional income to hold down property taxes. There would be little negative effect in Mt Lookout from the increased density and would increase business in the square.
David Rosekrans
3256 Hardsity Ave
Cincinnati 45208

Sent from Mail for Windows 10

Exhibit G

Weaver, James

From: Kathleen Balog <katie.balog@gmail.com>
Sent: Tuesday, August 3, 2021 11:08 AM
To: Weaver, James; president@mtlookout.org
Subject: [External Email] Zoning - Mt Lookout

External Email Communication

Dear Mr. Weaver,

As a 2+ yr Mt Lookout Resident (Beverly Hill Drive), and the recipient of ~$50,000+ worth of home damage (currently paying out of pocket, wasted one week of vacation, hours of my life I'll never get back negotiating between Sewer and Storm on the phone, still dealing with the fall out and rebuild, a missed wedding for my college roommate, and strong emotional toll of this whole situation) due to the **over-taxed Cincinnati Sewer & Storm System** (appx 1 month ago), I'm strongly against the proposed re-zoning that would allow for higher density, particularly in my vicinity on Linwood. Additionally, as I am on the corner of Linwood and Beverly, I hear daily the cars going by at over 50 miles an hour regularly, as if Linwood were a race track. It feels like I'm taking my life into my hands turning onto Linwood because of the speed and density of the traffic, and it scares me to think about how much worse it could get if more homes (and thus drivers) are added on Linwood.

If the concern is adding taxpayer dollars to help increase funds for things like infrastructure or community services, as a tax paying citizen, I would love to see the prolific tax abatements in this area be taken away. Adding more homes isn't going to solve the problem, it's only going to make it worse for those already here. At a minimum, more surveying to understand these problems and concerns would be a start.

Best,
Katie Balog
732-948-9957

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Weaver, James

From: Seth Maney <seth@8kconstruction.com>
Sent: Tuesday, August 3, 2021 12:10 PM
To: Weaver, James
Subject: [External Email] Removal of density requirements

External Email Communication

Hi James,

I want to voice my support for the removal of density requirements in commercial districts in the city. I would also like a link to join the meeting so I may attend virtually.

Thank you,
Seth

Exhibit G

Weaver, James

From: wendy ellis gardner <wegardner@hotmail.com>
Sent: Tuesday, August 3, 2021 2:11 PM
To: Weaver, James
Subject: [External Email] Fw: Dissatisfaction with City Zoning & Comments

External Email Communication

Hello
I am forwarding a note I sent to other planners, having seen your name referenced as contact for the upcoming Planning meeting on August 4. We are not in favor of the proposed increase in density, given the already strained situations of the Mt Lookout neighborhood (high traffic, overcrowded Kilgour school, stormwater challenges, as well as other proposed developments that will significantly impact our tree canopy (read - reduce!) and associated issues with that (increase UHI, air and noise pollution).

Thank you

Wendy Ellis Gardner

From: wendy ellis gardner <wegardner@hotmail.com>
Sent: Friday, July 30, 2021 9:00 PM
To: alex.peppers@cincinnati-oh.gov <alex.peppers@cincinnati-oh.gov>
Subject: Fw: Dissatisfaction with City Zoning

See note below...thank you.

Wendy Ellis Gardner
513.484.1182

From: wendy ellis gardner
Sent: Friday, July 30, 2021 8:59 PM
To: Andy.Juengling@cincinnati-oh.gov <Andy.Juengling@cincinnati-oh.gov>; Stacey.Hoffman@cincinnati-oh.gov <Stacey.Hoffman@cincinnati-oh.gov>
Subject: Dissatisfaction with City Zoning

Hello,

This is a note to communicate our extreme dissatisfaction with recent zoning moves and approvals by the city that harm our most beautiful neighborhoods of Hyde Park and Mt Lookout. From the allowance of the removal of hundreds of mature trees to make way for unneeded development, to increases in unit and plot densities, to a lack of focus on traffic and congestion, the city zoning department is knowingly and blatantly eroding our quality of life. We do not understand even the consideration of such awful developments as Redstone on Linwood, Wasson Tower, Brookfield Dev and the development behind UDF on Mt Lookout Sq (unsure of the name). As someone in landscape architecture, and hence, somewhat familiar with urban planning, none of these projects seem to align with ideals of fostering a welcoming, thriving city neighborhood

with a strong quality of life. These will only serve to increase air and water pollution (CSO issues that already exist with current population), increase traffic and noise in areas that are already congested, and increase the heat island effect with the additional hardscape and impervious surfaces, while simultaneously destroying valuable city tree canopy. And this does not even consider the impact of erosion and additional potential landslide issues where extreme excavation will be necessary.

All of this only seems to serve the pockets of the developers, who do not live here, and frankly, do not care about our home. What is the purpose, from your perspective, of approving these awful projects? It's can't be 'progress.' We just cannot understand why all of this is being allowed. Such a shame and will create areas that can't be regenerated in our lifetimes once allowed.

The city is making it much tougher to want to stay.

Wendy & Todd Gardner
1225 Hayward Ave
45208

Wendy Ellis Gardner
513.484.1182

Exhibit G

Weaver, James

From: Doug Moormann <DMoormann@devstrategiesgroup.com>
Sent: Tuesday, August 3, 2021 2:25 PM
To: Weaver, James
Cc: Florea, Lindsey; Gerhardt, William
Subject: [External Email] Staff Conference Wednesday 8/4 re: Density

External Email Communication

James:

Over the last decade, my firm, Development Strategies Group, has represented dozens of developers working to increase and improve the housing stock in the City of Cincinnati. The city has made progress, especially with the attraction of residents to the downtown-area, but much work remains to be done. As I am sure you noted, just last week a Cincinnati Chamber report highlighted the region's outstanding housing needs.

One strategy to continue promoting new housing opportunities in the city is to remove land area/unit (density) limitations in specifically targeted areas. This will, in turn, allow for construction of more housing within these often-times desirable, commercially zoned business districts located across Cincinnati. These locations offer both the walkability and live, work, play environments many residents desire. The introduction of new residents to these neighborhoods also provides the base of regular customers needed to maintain and increase the viability of neighborhood businesses.

Removal of the density restrictions accomplished many public policy objectives:

- Creating new housing opportunities
- Creating housing opportunities in close proximity to jobs
- Helping to stabilize or improve neighborhood business districts
- Adding to the mix of housing stock available in a neighborhood

I encourage the city to embrace these zoning code changes and open a door leading to more and a greater variety of housing opportunities.

Thank you.

Doug

Doug Moormann
Vice President
700 Walnut Street, Suite 450
Cincinnati, OH 45202
O: 513.651.4100 ext 305
M: 513.237.2466

www.DevStrategiesGroup.com

Follow DSG & GSG on Facebook, Twitter, and Instagram

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Weaver, James

From: Sarah Thomas <sarah@greyrockdevelopment.com>
Sent: Tuesday, August 3, 2021 3:55 PM
To: Weaver, James
Subject: [External Email] Support for Proposed Removal of Density Restrictions

External Email Communication

Hello,

I am writing to convey strong support for the proposed removal of density restrictions. I am an independent developer of low/mod and market rate housing and believe this would lead to significant benefits for our city, especially in neighborhood and affordable housing development.

Thank you,
Sarah Thomas, Owner
1546 Knowlton St.
Cincinnati, Ohio 45223

Exhibit G

Weaver, James

From: Adam Gelter <agelter@3cdc.org>
Sent: Tuesday, August 3, 2021 4:32 PM
To: Weaver, James
Subject: [External Email] Proposed Removal of Density Restrictions from the Cincinnati Zoning Code

External Email Communication

James – I am writing to voice 3CDC's strong support for the Proposed Removal of Density Restrictions from the Cincinnati Zoning Code. This change will have a significant positive impact on housing development and affordable housing in particular.

Thank you,

Adam

Adam Gelter, Executive Vice President
agelter@3cdc.org
p: 513-977-8004
f: 513-621-5900

1203 Walnut Street, 4th Floor
Cincinnati, OH 45202

3CDC.org
myfountainsquare.com
washingtonpark.org
zieglerpark.org
memorialhallotr.com
downtowncincinnati.com

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Weaver, James

From: Jan McNerney <janmcnern@gmail.com>
Sent: Tuesday, August 3, 2021 5:56 PM
To: Weaver, James
Subject: [External Email] Increase in density to neighborhoods

External Email Communication

Dear Mr Weaver:
Hyde Park/Mt Lookout has already been negatively impacted by the city's decision to abate taxes thus reducing city income, demolishing lovely residences, and allowing builders to put up two or more homes on one lot. Please do not increase the density of our neighborhood further. The character of Mt Lookout has been damaged, two hillside areas are in the crosshairs of developers who will remove anchoring trees, and I worry about traffic increase. Please be the person in city management who cares for the residents and the neighborhoods.

Best regards,

Jan McNerney
1331 Park Ridge Pl
Cincinnati, Oh 45208

Exhibit G

Weaver, James

From: J.A. Raabe <jaraabe@aol.com>
Sent: Wednesday, August 4, 2021 11:19 AM
To: Weaver, James
Subject: [External Email] Regarding the Density issue

External Email Communication

Dear Jeff,

Per your interest in receiving comments from the community, I'd like to offer some of my thoughts on the city's Density issue.

1. First, why should this change be considered at this time? The 1960 city area and housing unit capacity is still the same. What we need to do is fill the empty buildings and already-zoned land, not add density when we aren't even at 1960 levels. Then we can discuss the need for more density.

2. An increase in population can be achieved under the current zoning.

3. Just because it's built doesn't mean people will come. This seems a thinly veiled attempt to add density to certain neighborhoods, not the entire city. And those neighborhoods are already experiencing a barrage of development.

4. Per a comment you made at a meeting in June, you consider making this change easy, "low-hanging fruit." But easy does not make it right or good. How healthy is a city that bends to developers' will against the quality of life rights of its tax-paying citizens who do not want this? We need a more enlightened approach to increasing the city's population, more study on the consequences of this action.

5. We have a right to expect the city's administration to thoughtfully study and present a fully developed analysis to Cincinnati's citizens regarding how they will deal with the consequences of this change. How many police officers will they add? How many more emergency vehicles and personnel will they fund? How will stormwater issues be addressed? Where is there room in the already-full impacted schools for more students? How will the hills of the "City of Seven Hills" be protected?

6. Before this is given the green light, the livability aspects that such a change would affect need to be studied and addressed. Social issues—the quality of life of existing residents in the city of Cincinnati—need to be addressed in tandem with economic issues.

Please come back to us in six months with a full report before moving forward on this change.

Thank you for your consideration,

Tony Raabe
Mt. Lookout

Exhibit G

Weaver, James

From: Laura Whitman <laurawmlcc@gmail.com>
Sent: Wednesday, August 4, 2021 5:01 PM
To: Weaver, James
Cc: Brian Spitler; Renee LaFaive; Rob Pasquinucci
Subject: [External Email] Proposed Density Amendments to the CZC

Follow Up Flag: Follow up
Flag Status: Flagged

External Email Communication

Good afternoon James,

I had hoped to be able to participate in tomorrow's staff conference regarding the proposed elimination of density limits to certain zoning code designations. Unfortunately, I no longer believe I will be able to attend due to a family issue. Instead, I'm submitting my comments in written form below. I would appreciate it if you can share these comments with the team reviewing public input on this topic.

Thank you very much,

Laura Whitman
Mt. Lookout resident

Good afternoon -

Following a recent conversation with Assistant City Manager Billy Weber and Councilmember Keating (as well as past conversations with Mr. Sittenfeld), I came to understand that the drive to change density limits in certain zoning code areas is in large part a desire to increase housing stock to bring more residents to the City, thus generating more tax dollars to pay for public services and poverty assistance programs. I also understand that there is a hope that this strategy will have a positive, though indirect, impact on the availability of affordable housing.

While these are laudable goals, the proposed solution will be to the benefit of some communities but at the cost of others. This core issue is that, as proposed, the elimination of density limits to certain zoning designations, affects <u>all</u> areas within those zoning designations in <u>all</u> of Cincinnati's 52 neighborhoods.

This is the same approach that the City used for the tax abatement program, which has proven to be problematic. The baseline concept behind that strategy (provide incentives to encourage development in areas that want and need it) was also laudable, but we've now seen and experienced the problems that the blanket application of that program created. Rather than focus on communities in need, developers have instead flocked to communities where they can get the biggest return on their investments - healthy communities that don't need new development. The City has now spent multiple years dealing with the repercussions and community outcry due to overdevelopment in these neighborhoods, but not enough development in others. As a result, the City has spent hundreds of hours discussing the issue and is now soliciting proposals to study restructuring the program into a tiered format that would provide more incentive in some neighborhoods, less in others. **Proceeding with the density changes as currently proposed would be repeating the same mistake previous administrations made with the tax abatement program.**

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Before making the proposed density modifications to the zoning code, the City needs to step back and thoroughly evaluate the potential impacts to each neighborhood that would be affected by the changes. **With this information in hand, zoning modifications can be formulated to specifically target new development and growth to the appropriate areas**. Perhaps this might include developing a new Density Growth Overlay program or limiting the elimination of density limits to certain types of locations, such as along major roadway arterials and in commercial areas, rather than internal residential streets. There are many options that would serve the cause better than a blanket application that, like tax abatements, will generate unintended negative consequences in thriving neighborhoods while leaving those in need still in need.

With this in mind, I ask that the City pull back on these proposed changes for now and instead pursue a more deliberate and targeted effort, developed with community input regarding the potential impacts to their neighborhoods, so that any changes made will have a more positive and useful impact.

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September 10, 2021

Via email to the Commission

City Planning Commission
Byron Stallworth, Chair
John Eby, Vice-Chair
Olivia McKinney
Anne Sesler
Jacob Samad
Paula Boggs
Christopher Smitherman

Dear City Planning Commission Members:

Affordable Housing Advocates urges the Planning Commission to defer action on the proposed changes in density restrictions, and to consider amendments that would promote more affordable housing in Cincinnati. We support increases in residential density only if it includes requirements for housing affordable to low and moderate income households. However, the current proposal serves to increase development of high-market and luxury housing, without any requirement of inclusivity and diversity. In addition, the current proposal would result in further losses of affordable housing and displacement.

The current proposal is part of a national trend toward increasing density for housing. However, the proposal does nothing to address the gap in affordable housing in our community. By contrast, using density variances as an incentive for affordable housing development is a long-term useful strategy that we support.

Affordable Housing Advocates would be happy to work with the Commission and staff to develop inclusionary zoning proposals that allow for increasing density in ways that support inclusive development rather than incentivizing further affordable housing loss. We also believe that the concepts proposed by Councilmember Jan-Michele Lemon Kearney should be included in amendments to density restrictions. For example, permitting two and three family residences in some single family zones can increase affordable housing and also promote owner occupied housing.

Affordable Housing Advocates
117 E. 12th Street, Cincinnati, OH 45202-7203
www.cincyaha.org

Mission: To promote the availability of high quality, safe, accessible, affordable housing in the Greater Cincinnati Area.

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Affordable Housing Advocates
Opening doors.

Please give more consideration to the need to promote affordable housing as part of this proposal, and thank you for considering our comments.

Sincerely,

John E. Schrider, Jr.
Chair, Affordable Housing Advocates

JS/sb

Affordable Housing Advocates
117 E. 12th Street, Cincinnati, OH 45202-7203
www.cincyaha.org

Mission: To promote the availability of high quality, safe, accessible, affordable housing in the Greater Cincinnati Area.

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East Walnut Hills
CINCINNATI, OHIO
www.eastwalnuthills.org
The East Walnut Hills Assembly, Inc.
PO Box 68050
Cincinnati, OH 45206

September 10, 2021

By electronic mail

Cincinnati Planning Commission
planning@cincinnati-oh.gov

RE: Proposed Changes to Density Restrictions

Dear Commission Members:

I am writing as the President of The East Walnut Hills Assembly, Inc., the community council for East Walnut Hills. The board of trustees has considered the proposed removal of the density restrictions, and has concerns about the impact of the proposal on our community and the rushed process related to the proposal. If passed, we would feel a need to review the current zoning for various parts of our neighborhood, and consider making requests for re-zoning.

The proposed zoning deregulation ordinance would remove density restrictions from most zoning districts with the exception of single-family zoning districts. While supporters of this change note the increased density would be allowed along commercial and major transportation corridors, in practice, this change would extend throughout neighborhoods, even to the smallest residential streets. In communities such as East Walnut Hills, this change has the potential to change the character of the community. There are several residential connector streets with single-family and two-family homes that are zoned Residential Multi-Family that would be open to multi-family buildings under the proposed zoning update. No map has been created and shared so that communities can begin to understand the potential impact of broad density deregulation in their communities. By increasing the number of units without changes to other development regulations, the proposal would necessarily allow for more, smaller units.

The proposal is a blunt solution to a complex challenge. The presentation framing the proposal references other cities that have increased density. These cities have studied the issue extensively and have undertaken community engagement that has informed the solutions. The solutions they arrived at increased building heights adjacent to transit corridors, increased allowance of accessory dwelling units, and increased density permitted in single-family zoning districts. None is as simplistic as Cincinnati's proposal. In Portland, zoning updates in single-family districts allow for attached units and four- or six-plexes if half of the units are affordable, and maximum square footage by type. Minneapolis' zoning updates include elimination of single-family zoning (following its long-term redevelopment plan, Minneapolis 2040). Minneapolis has also allowed taller buildings along transit corridors. Finally, I will add that

Indianapolis has just updated its zoning code to allow for increased density along transit corridors.

While the City administration and ordinance sponsor have attended meetings and hosted meetings to receive feedback on the proposal, we ask that they be open to making changes in response to the feedback they have heard. This is an overly simplistic and highly impactful change to Cincinnati's zoning code, and it deserves the time, attention, and authentic engagement of all stakeholders in shaping the change. It should not be rushed through, and the needs of all of our neighborhoods need to be considered.

We recommend the City administration bring together communities, developers, and a range of other neighborhood stakeholders to collaboratively develop a more nuanced proposal to increase density and improve affordability. This approach can ensure the stated objective is met through a process that values all stakeholders. Communities have demonstrated their support for increased density and ability to work as partners with developers, as East Walnut Hills did through its support of Woodburn Exchange. We ask that the City administration build on these successes to create a sustainable, predictable outcome, not rush through a broad sweeping change that is sure to have unintended negative consequences.

Thank you for your consideration.

Sincerely yours,

M. Freeman Durham
President

cc: Cincinnati City Council citycouncil@cincinnati-oh.gov

Timestamp	Neighborhood	For or Against Current Proposal	Comments	Alternatives or Suggestions
8/28/2021 12:22:52	Camp Washington	Against	**Parking, traffic congestion, loss of neighborhood character**	
1/22/2022 9:37:50	Camp Washington	Against	**Neighborhoods need to have final decision making input because one size ordinance does not fit all.**	
8/30/2021 11:48:14	CUF	Against	Since September 5, 2002, I have been a Residential Home Owner living the **CUF (Clifton Heights-University Heights-Fairview) Neighborhood which is already the "most densely populated" neighborhood in the City of Cincinnati, primarily due to the large amount of older housing stock located in Clifton Heights, which is normally rented by UC Students and sometimes other Temporary Renters. The large amount of Transient and Temporary Residents co-existing among the Long-Term Home and Business Owners in the area poses a unique and often "very challenging" set of issues with vandalism, trash, littering, poorly maintained yards/exterior housing facades** (one can only guess about the interiors), large unsupervised noisy parties, drug dealing in our local Parks and Streets, lack of enforced parking rules, too many cars without enough parking spaces, inability of the City to operate a Proper/Tax Payer Funded Street Sweeping Program, and young College Students walking around with targets on their backs as potential/actual robbery and assault victims. While some of these issues listed are mostly applicable to CUF and other nearby UC Campus neighborhoods, many more of the other issues listed will begin to "exponentially and negatively" impact other City Neighborhoods if "common sense" Zoning and Density Requirements are removed. T**he City of Cincinnati currently can't (or won't) stay on top of most of these Quality-of-Life and Infrastructure/Population Support Issues on a "consistent" basis as it is, let alone allowing Get-Rich-Quick Developers to build new Cheap, Shoddy, and possibly Toxic Multi-Housing Structures all over the City that probably won't last a couple of decades (if that) without needing to be bulldozed and replaced.** I also "highly concur with" every comment that I read pertaining to the Importance of Preservation of our Historic Buildings and the need to "prioritize" Community and Economic Incentives to properly rehab our existing building stock, much of which has sadly been allowed to deteriorate and rot over time by Irresponsible and Immoral Greedy Slumlords. Some of these properties exist where I live in the lower Fairview portion of CUF, around W. McMicken Avenue. Fortunately, we also have some of the opposite, beautiful historic older buildings (Single and Multi Family) that have been well maintained and cared for for over a Century by their Owners. Adding more density of people and buildings to a City that currently lacks in Adequately Safe Modern Street Lighting in ALL	**I also "highly concur with" every comment that I read pertaining to the Importance of Preservation of our Historic Buildings and the need to "prioritize" Community and Economic Incentives to properly rehab our existing building stock, much of which has sadly been allowed to deteriorate and rot over time**
1/12/2022 20:59:45	CUF	Against	Restoration of Historic Houses for Residential Home Ownership to offset the large density of temporary College Student Renters who don't permanently contribute to the Neighborhood.	**Restoration of Historic Houses for Residential Home Ownership to offset the large density of temporary College Student Renters**
December 2021 email	East Price Hill	Against	See link for all points.	**Plan Cincinnati calls for an inclusionary zoning proposal to increase affordable housing. In my opinion, we should be working on that. To me, the current proposal will wind up being a developer giveaway that doesn't benefit the intended population and may even harm them. It's classic Cincinnati. In my opinion, we can do better.**

8/30/2021 0:12:04	Evanston	Neutral?	There is and has been locally and nation wide the concern of enquities in Neighborhoods populated with people of color and or limited income. To be honest, it seems no money no voice. Unfortunately we don't seem to have enough leadership representation willing to discuss and work together to consider that concern. **Limited concern about maintaining the historic layout and structures of communities already there, when there is money to be made. There is a realization that each community has it's needs. Funds seem to be and are limited to maintain existing structure and no concerned in working to revitalize what exists, which has a better quality of material. New means more money and tax abatements. There needs to be more discussion on this and other on going issues that really affect the total welfare of every community.** We are really one big community, just different boundaries. I am not interested in editing my response because there is a need to consider. I really appreciate what Ms Keating is attempting to do.	There is a realization that each community has it's needs. Funds seem to be and are limited to maintain existing structure and no concerned in working to revitalize what exists, which has a better quality of material. New means more money and tax abatements. There needs to be more discussion on this and other on going issues that really affect the total welfare of every community.
8/30/2021 11:51:39	Hartwell	Against	Hartwell is a small neighborhood. Our neighborhood is already directly impacted by apartment housing, specifically the boarding houses. **Our area would not be able to handle higher density housing in a mostly residential area. Not only would it be completely out of place, we do not have the police presence to handle an influx of residents.** Thank you, Laura Feldman President Hartwell Improvement Association	
8/29/2021 13:19:31	Hyde Park	Against	I am entering this on behalf of Hyde Park from their comments in the survey -EG: City Homes, on Wasson Road (across from Hyde Park Kroger) - the project is too dense for the site; there are multiple serious environmental and traffic concerns related to the development; it is not an optimal use for this property, which is adjacent to the Wasson Way Trail; the development will not be a good architectural fit in the community; there has been no progress on the development since Ken French was granted City approval for the project, and the land is vacant, overgrown, and an eyesore to the neighboring properties. More than 2,000 Hyde Park residents signed a petition opposing the variances and other zoning relief that was granted for this project, and had City Council support to prevent the development, but the Mayor remanded the project to Planning Commission and they were able to approve the lot splits and variances without City Council approval. A new development, by PLK, on property zoned CCA on Wasson Rd. between Michigan and Shaw does not require a zone change or any zoning relief. The developer intentionally did not engage with the community in any way, nor did the City send notice about the development. What is being proposed fits into the requirements for CCA - though they are being very fudgy about the commercial use requirement (that will be only 219 sq ft of office space that the developer will use as a leasing office for the property.) **The proposed use (1 and 2 BR apartments) is too dense for the space and the adjacent neighborhood; the 100+ new residents (and cars) it will bring in will present serious traffic and pedestrian safety issues. The height of the building (72 ft) and proximity to neighboring residences, and the balconies that will look down into those properties, will diminish property values as well as the neighbors enjoyment of their homes. Also, the architecture is completely out of character with the neighboring homes, and screening for the 2-story above-ground garage on which the apartments will be built appears to be marginal and ineffective. This project is, on every level, a case study for bad community development.**	

9/7/2021 17:36:59	Hyde Park	Against	Over the past decade, developers have demonstrated that they will build the most dense development allowable since Hyde Park is considered a desirable and profitable place to build. Capital Investment Group tried to build a too-dense mix of residential rental and retail/office by obliterating Besuden Ave for a parking garage to serve the development on Madison between Besuden and Zumstein. HPNC was successful in combating this. Currently PLK is planning to shoehorn a large apt complex along Wasson between Michigan and Shaw; apt dwellers will look down from their balconies into adjacent single family homes and yards. There is a need for multi-family residential (both rental and condo) but sized to be a good fit into this community of mostly single-family residences and respectful to the adjoining property owners. The Wasson Way trail seems to attract and encourage dense development, to maximize ROI for the developers. **Removing density restrictions would exacerbate the situation and be detrimental to the residential character and quality of our community.**	
8/30/2021 11:18:50	Kennedy Heights	Against	Kennedy Heights is experiencing a mind-blowing surge in housing prices. We are seeing homes being bought up, demolished, and new constructions going for three times the price of the home that had been there previously. A recent addition to the market has clearly been priced at a point that I can only assume is based on a buyer wanting to take advantage of its noticeable acreage—a tactic that succeeds only with the end goal of adding more housing. All this is occurring within the restraints of current zoning allowances. Meanwhile, **we are also facing a drastic shortage of affordable senior housing, and a growing senior population that is struggling to keep up with rising property taxes and physical maintenance of their properties. These challenges mean that housing inventory and affordability are a great concern to our residents. I am not sure, however, that universal removal of density requirements is the best approach.** Kennedy Heights is in the middle of updating our neighborhood plan right now, and the overwhelming response we are hearing is that our priorities as a neighborhood is to preserve our diversity—this includes socioeconomic level and age. **A universal removal of density requirements, without offering the desired protections against profit-motivated developers who would fill our neighborhood with luxury homes and luxury apartment complexes, thus continuing to change Kennedy Heights into a more homogeneous population.**	
	Linwood	Against	The tax abatements that City Council already tried was a perfect example of an idea great in theory, but terrible in practice. Instead of encouraging developers to create new projects in a broad array of neighborhoods in the city, especially those that need it the most, it has concentrated development into only a few of the more "desireable" neighborhoods and therefore increasing populations disproportionaltely in the City and not fostering a diverse range of residents nor properties to purchase. In those locations there were only two primary constructions, 1. luxury homes that are unaffordable to most in the city, or 2. sprawling apartment complexes, in order to maximize the developers' profits. There is little to no focus on family starter homes or middle class homes. This may lead to families leaving the city proper (and taking their property taxes with them) if they cannot find an affordable home to pruchase to raise their families.	**Focus on the family unit, not apartment units.**
	Linwood	Against	Linwood needs more family homes that can be purchased. There are already too many apartments/transient residents in this city and it is affecting traffic, health and safety, and the economies of residents, including propery values. **Home ownership and a focus housing that is conducive to this (which is available in a multitude of price ranges) will help foster community, property value (and taxes), and sense of ownership in neighborhoods.**	**More SF1,2,4 zones to create affordale homes/residences for purchase.**

8/29/2021 8:33:15	Linwood	Neutral?	**Future development based on increased density could, and most likely would, result in high priced rental units, for one or two occupants, not conducive to affordable housing for families which is what our City is lacking. Our neighborhood, Linwood, already has a rental percentage of 45%+ even while having 700K+ new single family housing built in the last ten years driven by development (developers') pressure.** Linwood has some zoning for manufacturing making its housing less concentrated around a neighborhood center where some density might be acceptable and desirable. **Any residential building with many units, accommodating only one or two occupants, built in a non-walkable environment can only increase unwanted traffic in a City where mass transit is not practically available. There appears to be no actual universal planning by the City to create suitable profiles for each neighborhood; ours could use affordable SF housing, possibly attached, as a nod to density.** I did not attend Ms. Keating's presentation, so my contribution is a general one, probably not speaking to her specific points.	**ours could use affordable SF housing, possibly attached, as a nod to density.**
8/30/2021 8:32:31	Mt. Lookout	Against	**We have RM areas nestled in the midst of SF zoning. Increasing density will directly affect those in SF areas - more traffic, more noise, more strain on infrastructure and local services. Our sewers are already over capacity. Adding more is not as feasible in neighborhoods as opposed to more commercial areas. Also, developers are already buying contiguous properties and then combining to build bigger multi-family developments. Eliminating density restrictions will encourage this practice and existing property owners will bare the brunt (it's already happening now) as open space and views of trees and sky are replaced with walls of new buildings and parking lots. This irrevocably changes the character of the neighborhood and has a gross negative impact on the families that have already invested financially and emotionally here.**	
December 2021 email conversation	Northside	For	density limits are in addition to all kinds of other things that limit density on a site, like minimum lot sizes, setbacks, etc. Having all of those things, PLUS density limits are actually very uncommon and, in all the places I've lived and worked professionally as a planner, Cincinnati is the only place that has this. **It creates another layer of friction that prevents new housing development from happening and continues to limit supply. Developers end up building a lot fewer units and the prices of those units have to be higher to make up for it. That contributes greatly to our housing crisis.**	
8/28/2021 12:44:40	Northside	For	**Very few negative issues beyond constraining the on-street parking supply.** My neighborhood (Northside) already has a strong mix of 1, 2, 3, and 4 family homes which has kept the area diverse and with multiple kinds of housing options for people. Interestingly as the neighborhood became less dense over the years and more buildings were converted to single-family homes, the on-street parking issue became much worse. This may be because people who live in single-family homes tend to have multiple personal vehicles, whereas people who live in denser housing tend to have fewer or no personal vehicles. Very few Northside homes have driveways so on-street parking is key. As the neighborhood has become more attractive to higher earners and more single-family homes were built (as the current zoning only allows that) the on-street parking problem has actually gotten worse. Northside now has fewer housing units than a decade ago, but far more cars.	
December 2021 email	Oakley	Against	I'll add that this **Keating proposal would actually have negative impact on both affordability & sustainability in most neighborhoods. Passing city-wide changes like these take away what little control we in the communities have over what happens to us, will not have the impact the supporters claim**. I see no common sense at all.	

8/31/2021 11:04:46	Oakley	Against	**Traffic congestion and traffic problems surrounding Oakley business districts have increased exponentially over the last 12 years that I have lived in Oakley. Removing density restrictions would only exacerbate this problem.** This presents a serious safety issue in terms of increased traffic accidents and danger to pedestrians.	
8/30/2021 11:48:43	Paddock Hills	Neutral?	**I think the only concern for our neighborhood is that we do have a significant amount of multi-family housing that could be replaced with larger, taller buildings with less parking**	
8/29/2021 22:43:58	Pendleton	Against	**Creation of new buildings that have too many people for the existing resources of the area (ex: too little parking, green space, room for trash cans), resulting in a worse quality of life for all existing residents/neighbors and thus changing the entire living context of the small neighborhood**. Example: proposed Bennett Point project by CMHA.	
8/29/2021 23:38:50	Pendleton	Against	**Historical district architectural characteristics (hight etc) must be preserved. Affordable housing act requires keeping dignity to all. Allowing many people to live within small confined apartments (after allowed with high density affordable housing) in old or new buildings without entertainment areas, hot rooms and noise environment with high density living , is illegal based on the federal law act above.**	
8/29/2021 21:53:14	South Fairmont	For	Lower density could lead to more high speed roadways. **We as a group support higher density walkable development that encourages neighbors to interact with each other.**	
8/30/2021 11:51:15	West End	Against	Hi Elizabeth and Brian: Please know although the West End voted to oppose the proposed zone changes, I am speaking only on behalf of myself. **Universally removing density limitations from residential multifamily districts will disproportionally harm people and communities of color. Removing density limitations in the West End, and other communities that are racially concentrated areas of poverty, will have the effect of exacerbating concentrated poverty and perpetuate segregation. The proposed zone changes specifically target the city's most dense areas, including entire communities which are primarily poor and black. Removing density limitations in these historically disinvested areas will continue to steer low-income (aka affordable housing) developers to the very areas that are struggling with the residual effects of past (then legal) discriminatory housing patterns that related black people to poor black communities.** As an aside, with this knowledge it should not come as a surprise to understand why these areas contain most of the regions affordable housing units. The city is fully aware that 94% of residents in low-income, aka affordable housing, are African American. When that housing, now being hyper-incentivized to only be built in poor, predominately black areas/communities, is sited in those communities, this has the effect of dictating where poor, predominately black people will live. It is shameful. No child's zip code should determine her future. Here is a map of the current zoning in Cincinnati. The targeted residential areas are orangish, tan/s and dark brown. I believe the Chamber's recent report indicated that nearly 70% of our land mass is zoned single family (creams, yellows). If this effort was sincerely about easing a housing crisis as Mrs. Keating kept insisting, why not target	

8/30/2021 11:47:28		Against	**Creation of new buildings that have too many people for the existing resources of the area (ex: too little parking, green space, room for trash cans), resulting in a worse quality of life for all existing residents/neighbors and thus changing the entire living context of the small neighborhood.** Example: proposed Bennett Point project by CMHA.	
December 2021 email	Unknown	For	I generally agree...on the need for more density and am a bit disappointed that parking requirements are not addressed in this proposal. If we still require the 1-1.5 parking spaces per unit we're not really going to see major density changes because of how much space the parking lot would take up for a development with more units and the huge expense of building structured parking. Most neighborhoods don't have large expanses of vacant or redevelop-able land that could accommodate a larger building and a lot of surface parking together.	
	Total Neighborhoods: 15	**For: 4 Neutral: 2 Against: 17**		
	For: Northside, S.Fairmont			
	Against: Camp Washington **CUF** **East Price Hill** **Hartwell** **Hyde Park** **Kennedy Heights** **Linwood** **Mt. Lookout** **Oakley** **Pendleton**			

Proposed Removal of Density Restrictions - Cincinnati Planning Commission 2/4/2022
Opposition Statement 01/30/2022

Dear Members of the Cincinnati Planning Commission:

This proposed ordinance has sunset status, the date of final action is listed as 12/31/2021 in the City record (attached), and should not be heard today since its has expired. It was a product of the previous City Administration and one newly appointed Councilmember and should be left dead. The proposed Zoning amendments have not been studied for human impacts on current moderate- and low-income residents of specific neighborhoods , impacts on the general health and livability of Cincinnati's 52 various neighborhoods, or even its ability to bring housing prices down where needed. This is not the way - any increases in allowable density must done in a measured way and only in neighborhoods where appropriate, so as not to overburden and overcrowd already dense areas.

The housing shortage and affordable housing needs in Cincinnati must be studied and understood, to make sure that whatever is done now does not just reshuffle the problem and make it worse for many. Affordable housing needs: how many units and best locations, income levels to target in order the meet the greatest regional needs, what amenities give residents a chance for a decent life and opportunities.

The proposed ordinance was conceived by Mayor Cranley's Administration, and sponsored by Councilmember Liz Keating on 5/7/2021. Just five days later it was "referred as indicated" by the mayor during a Council meeting on 5/12/2021 - directly to the Planning Commission without ever being debated or voted upon by the previous City Council or any Council Committees.

A member of CCM Liz Keating's staff explained during the Public Staff Conference #2, 8/4/2021, that they went to the City Manager's office to discuss initiating a motion to enact Density Overlay Zoning and were talked out of this more measured approach by the City Manager's office and convinced to sponsor the current proposed zoning amendment instead. (The above is paraphrased from my notes of Conference #2.) James Weaver, the Senior Planner in charge, refused to record this Conference #2 with 65 people in attendance even though it was requested by an attendee up front and it was pointed out that other staff conferences around this same time period were being recorded. 65 members of Cincinnati's various neighborhoods showed up, and the majority of those in attendance were opposed to the proposed ordinance and gave specific examples of how it would harm their neighborhood. Much of this detail is lost in the notes provided on the City website. This is a shame.

The Planning Department still has not provided any evidence or studies to show that the proposed amendments will make housing more affordable. In fact, in the most desirable neighborhoods it is likely cause rising housing prices, and displacement of modest- and lower-income households.

If the ordinance is intended to help low income residents -- this is definitely not the way forward in the neighborhood in which I work: Over-the-Rhine and its Pendleton neighborhood. Here the Parking Overlay has in effect eliminated parking requirements. Every project that is allowed an increased density variance (without providing parking) increases the parking shortage. Current residents have and need cars and nearby places to park them. The 2019 ACS Census estimates that nearly 37% of Pendleton households were living below the Federal Poverty Guidelines. This is 1.4 times the rate of poverty in Cincinnati overall, and more than double the rate in Hamilton County.

A recent flood of Increased density variances are turning OTR/Pendleton into an area where only people who can afford to pay for parking can comfortably live here. Those losing out are the elderly, families, persons with mobility challenges and low income households. And in Pendleton the walk to the nearest parking garage is one-half mile in many cases. Public transit is not efficient to connect workers to good jobs throughout the region. Less than 25% of the regions jobs can be reached by a 90 minute or less bus ride. And 56% of current Pendleton workers drive to work.

500 Block of E. 12th St., narrow one lane for traffic frequently blocked, parking full when workers are home

500 Block of E. 13th St., parking full when workers are home

The recent flood of Increased density variances being granted in OTR and Pendleton has also led to increased pressures to approve and resulting approvals of many other variances such as the elimination of required yards and granting COA's for many projects that are oversized and incompatible with the historic guidelines. This threatens to destroy the accessible and friendly scale, character and quality of the OTR Historic District, and is a slap in the face to all those who have invested so much into restoring their properties while following the historic guidelines. We have also begun to see several projects where historic buildings are emptied of tenants and then converted to double the number of units. This will lead to more displacement, substandard sized apartments excluding families, high turnover of residents, and the weakening of community cohesion and lessening diversity.

Senior Planner, James Weaver, admitted after being asked in Conference #3 on 12/12/2021 with 44 in attendance, that to his knowledge, no other major City has tried this approach to increasing the housing supply. Related to the removal of Density Restrictions, the City has not performed or presented a study of the human impacts; nor the impacts on infrastructure in terms of traffic, parking, green space, even the currently undersized sewer capacity in the various neighborhoods. This is reckless and careless! The proposed ordinance is an extremely blunt instrument that will not accomplish the stated goals and will do much harm to long-time moderate- and low-income residents in many neighborhoods.

At this same Conference #3, Councilmember Liz Keating made her first appearance. She defended her motion, with an article/paper titled "The Effect of Density Zoning on Racial Segregation in U.S. Urban Areas" which was sent out to us after the conference for our review. The article/paper does not support her proposal. From the abstract: "Results estimated using ordinary least squares indicate a strong and significant cross-sectional relationship between low-density zoning and racial segregation." And from the Summary: "Our results suggest that, whatever their racial motivations, homeowners reveal their political preferences to exclude households of modest means through low density zoning under certain predictable conditions." This paper seems to have nothing to do with predicting the outcomes of increasing the allowable density in the City's densest areas?

Many of the high density areas of the city are already crowded, and removing density restrictions will cause overcrowding, reduced quality of life and increased hardships to current residents, many of whom live in modest and low-income households. In these areas, the current density allowed by Zoning is high enough. There are still many vacant buildings, and spaces that will allow for more housing to be added. There is a need for policies that help keep low-income residents in their homes and to protect tenant's rights.

The low density areas, ie Single Family districts which make up the majority of the City land area, should be the first target for any initiatives to increase the allowable density. Before implementing any comprehensive strategy, the issues and demographics must be understood while keeping in mind what amenities are needed for good housing in this City, such as adequate green space (keep required yards), play areas for children, parking and much more.

Mayor Pureval and Councilmember Harris made the following motions last week related to beginning the work of determining what policy changes will be helpful in increasing the supply of affordable housing. Please see next page.

202200163	1	5. Motion	MOTION, submitted by Mayor Aftab Pureval, WE MOVE that the City Administration engage in a collaborative review of city housing incentives & zoning policies with the express purpose of matching incentives with Mayoral & Council priorities of increased housing development within the City of Cincinnati, specifically including mixed-income, workforce, and affordable housing developments. WE FURTHER MOVE that this review process should include stakeholder engagement sessions that are racially & economically diverse, including renters, homeowners, M/WBE developers, large developers, and tenant advocacy & assistance organizations, among others. Topics of review should include zoning reforms to remove barriers to new, high-quality housing and to pursue policies targeting our most lucrative tax incentives to mixed-income, workforce, and affordable developments.
202200178	1	7. Motion	MOTION, submitted by Councilmember Harris, WE MOVE that the Administration provide a report within thirty (30) days outlining the number, neighborhood geography and Adjusted Median Income (AMI) range for new housing units that have come online in the City of Cincinnati for at least the last five (5) years. The administration shall take into consideration a variety of date sources, considering but not limited to: Building & Inspections, CAGIS, Cincinnati Waterworks, and other feasible and accurate sources. (STATEMENT ATTACHED).

Let's let the current mayor and council review and act upon housing challenges, as we have elected them to do so. Hopefully they can enact policies that will focus on the development of vacant sites, preserve existing housing and encourage new development that is compatible with and supportive of the positive qualities of residential neighborhoods.

Please disapprove today's proposed Zoning amendments to Remove Density Restrictions.

Thank you for your consideration.

Sincerely,

Michelle Avery Keely, RA
Ken Jones & Associates
542 East 12th Street

Attachment: City Record of Ordinance

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File #:	202101677 Version: 1		
Type:	Ordinance	Status:	Sunset
File created:	5/7/2021	In control:	City Planning
On agenda:	5/12/2021	Final action:	12/31/2021
ORD/RES# date:		ORD/RES#:	
Title:	ORDINANCE (EMERGENCY), dated 05/07/2021, submitted by Councilmember Keating, from Andrew W. Garth, City Solicitor, MODIFYING Title XIV, "Zoning Code of the City of Cincinnati," of the Cincinnati Municipal Code by AMENDING the provisions of Section 1405-03, "Specific Purposes of Multi-Family Subdistricts," Section 1405-07, "Development Regulations," Section 1407-07, "Development Regulations," Section 1409-09, "Development Regulations," Section 1410-07, "Development Regulations," Section 1413-07, "Development Regulations," and Section 1415-09, "Development Regulations," to remove density limitations in certain zoning districts and thereby remove a barrier to the creation of housing within the city.		
Sponsors:	Liz Keating		
Attachments:	1. Transmittal, 2. Emergency Ordinance		

History (1) | Text

1 record | Group | Export

Date	Ver.	Action By	Action	Result	Action Details	Meeting Details	Video
5/12/2021	1	Cincinnati City Council	Referred to City Planning Commission		Action details	Meeting details	Not available

February 9, 2022

Cincinnati City Council
Council Chambers, City Hall
Cincinnati, Ohio 45202

Dear Members of Council:

We are transmitting herewith an Ordinance captioned as follows:

> **MODIFYING** Title XIV, "Zoning Code of the City of Cincinnati, "of the Cincinnati Municipal Code, by AMENDING the provisions of Sections 1403-05, "Land Use Regulations," 1405-05,"Land Use Regulations," 1422-03, "Land Use Regulations," and 1422-05, "Development Regulations," to modify the process for establishing certain agricultural facilities in residential zoning districts.

Summary

In May and June 2017, Cincinnati City Council passed two motions requesting that the City Administration, working cooperatively and interdepartmentally, create a plan for incorporating urban agriculture into City plans and to allow urban agriculture, both indoor and outdoor, in appropriate zoning districts throughout the City. The goal was to make urban agriculture more accessible, yet also have regulations that protect neighboring property owners and provide clarity for enforcement.

On November 19, 2021, staff gave an update to the CPC regarding gardens and farms to further explain accessory structures in Chapter 1422 of the Zoning Code. The CPC requested that staff of the Department of City Planning and Engagement and the Law Department prepare text amendments to require a Conditional Use hearing on accessory agricultural structures on vacant lots in residential areas.

The goal of the proposed modifications to the specific sections of Title XIV, "Zoning Code of the City of Cincinnati," is to continue to build streamlined and cohesive development processes and add transparency to City requirements and development procedures. These additional Conditional Use hearings will provide the public input requested by communities prior to these accessory agricultural structures being installed.

On December 17. 2021, the City Planning Commission voted to recommend approval of the proposed text amendments for Urban Agricultural Chapter 1422 of the Cincinnati Zoning Code to City Council.

City Planning Commission and the Administration recommends approval of this Ordinance.

Motion to Approve the Administration's recommendation:	Mr. Smitherman	Ayes:	Mr. Juech
			Mr. Smitherman
Seconded:	Mr. Eby		Mr. Eby
			Mr. Stallworth
			Ms. Sesler
			Ms. McKinney
		Nays:	Mr. Samad

THE CITY PLANNING COMMISSION

_____

Katherine Keough-Jurs, AICP, Director
Department of City Planning and Engagement

Interdepartment Correspondence Sheet

February 9, 2022

To: Mayor and Members of City Council 202200272

From: John Curp, Interim City Manager

Subject: Designating the Benjamin Stewart Home at 5540 Madison Avenue in Madisonville

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Transmitted is an Ordinance captioned:

> **DESIGNATING** the Benjamin Stewart Home located at 5540 Madison Road in the Madisonville neighborhood as a historic landmark.

The City Planning Commission recommended approval of the designation at its February 4, 2022 meeting.

Summary:
On November 2, 2021, a complete local historic landmark designation application was submitted to the Department of City Planning and Engagement for the Benjamin Stewart Home by the Madisonville Community Council and PLK Communities. According to the Cincinnati Zoning Code, an application for the designation of a local historic landmark shall be forwarded to the City Planning Commission following a public hearing of the Historic Conservation Board.

On December 20, 2021, the Historic Conservation Board (HCB) held a public hearing on the local historic landmark designation application. The Historic Conservation Board members present throughout the hearing and constituting a quorum, voted unanimously to recommend Benjamin Stewart Home Building to the City Planning Commission and City Council for approval.

The City Planning Commission voted unanimously to approve and forward the application to City Council after considering the relationship of the proposed designation to the comprehensive plans of the city and of the community in which the proposed local historic landmark is located; the effect of the proposed designation on the surrounding areas and economic development plans of the city; and other planning and historic preservation considerations.

The City Planning Commission recommended the following on February 4, 2022 to City Council:

1) **APPROVE** the proposed designation of the Benjamin Stewart Home as a Local Historic Landmark at 5540 Madison Road under Criterion 2 and 3 of the Cincinnati Zoning Code (§1435-07-1a) and;

2) **ADOPT** the conservation guidelines for the Benjamin Stewart Home.

cc: Katherine Keough-Jurs, AICP, Director, Department of City Planning and Engagement

EMERGENCY

DBS

BWG

City of Cincinnati

An Ordinance No. _____ - 2022

DESIGNATING the Benjamin Stewart Home located at 5540 Madison Road in the Madisonville neighborhood as a historic landmark.

WHEREAS, the Madisonville Community Council and PLK Communities ("Petitioners") have applied to designate the structure commonly known as the Benjamin Stewart Home and located at 5540 Madison Road in the Madisonville neighborhood as a local historic landmark; and

WHEREAS, the Benjamin Stewart Home is a two and a half story American bond brick building that was constructed between 1837-1844 at the intersection of Madison Road and Stewart Road by Benjamin Stewart, a prominent businessperson who played an integral role in the development of Madisonville; and

WHEREAS, the land that contains the Benjamin Stewart Home was granted to Joseph Ward, the first permanent settler of Madisonville, by the U.S. government for his services in the Patriot Army during the Revolutionary War, and it was eventually sold by Ward to Benjamin Stewart; and

WHEREAS, the Benjamin Stewart Home is architecturally significant as one of the oldest standing examples of the Greek Revival architectural style in the Madison-Stewart Historic District containing features such as columns that mimic marble, entablatures, trim between the roof and columns, multi-paneled windows, pilasters, and doric columns on the covered front porch; and

WHEREAS, following a public staff conference, the Historic Conservation Board, at its regularly scheduled meeting on December 20, 2021, and upon considering the factors set forth in Cincinnati Municipal Code Section 1435-07-1, recommended designation of the Benjamin Stewart Home as a local historic landmark and further recommended adoption of conservation guidelines governing the maintenance, rehabilitation, and modification of the proposed historic landmark; and

WHEREAS, upon receipt of the recommendation of the Historic Conservation Board, the City Planning Commission, at its regularly scheduled meeting on February 4, 2022, and upon considering the factors set forth in Cincinnati Municipal Code Section 1435-07-2-B(c), recommended the designation of the Benjamin Stewart Home as a historic landmark and the adoption of conservation guidelines governing the maintenance, rehabilitation, and modification of the proposed historic landmark; and

WHEREAS, a committee of Council held a public hearing to review and consider the proposed designation following due and proper notice pursuant to Cincinnati Municipal Code Section 111-1; and

WHEREAS, the Council finds that the Benjamin Stewart Home has historic significance pursuant to Cincinnati Municipal Code Section 1435-07-01(a)(2) for its association with the lives of persons significant in our past, particularly Joseph Ward and Benjamin Stewart; and

WHEREAS, the Council additionally finds that the Benjamin Stewart Home has historic significance pursuant to Cincinnati Municipal Code Section 1435-07-01(a)(3) because it embodies the distinctive characteristics of a type, period, and method of construction, namely the Greek Revival Style of architecture; and

WHEREAS, the Council finds that the historic designation of the Benjamin Stewart Home is in accordance with the *Plan Cincinnati* (2012) goal to "[p]reserve our natural and built environment" (p. 193); and

WHEREAS, the Council finds that the historic designation of the Benjamin Stewart Home conforms to the *Madisonville Neighborhood Business District Urban Renewal Plan* (2002) and its Strategy to "[e]mpower local development entities such as private developers, Madisonville Community Urban Redevelopment Corporation (MCURC), local church groups and other organizations and non-profits to renovate or upgrade existing vacant and underutilized properties throughout the neighborhood business district" (p. 14); and

WHEREAS, the Council considers the designation of the Benjamin Stewart Home as a historic landmark and the adoption of related conservation guidelines to be in the best interest of the City and the general public's health, safety, and general welfare; now, therefore,

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

Section 1. That the Council approves the Designation Report for the structure located at 5540 Madison Road ("Benjamin Stewart Home"), which report is attached hereto as "Exhibit A," and specifically adopts as its own findings that the Benjamin Stewart Home, depicted on the attached "Exhibit B" and located on the real property more particularly described on the attached "Exhibit C," has historic significance and qualifies in all respects for designation as a historic landmark under Chapter 1435 of the Zoning Code of the City of Cincinnati ("Zoning Code"); specifically, Council designates the Benjamin Stewart Home as a local historic landmark under Zoning Code Sections 1435-07-1-(a)(2) and 1435-07-1-(a)(3). By reference, Exhibits A, B, and C are incorporated herein and made a part hereof.

Section 2. That the Zoning Map of the City of Cincinnati is amended to superimpose over the existing underlying zoning district the designation of the Benjamin Stewart Home as a local historic landmark.

Section 3. That, pursuant to Zoning Code Chapter 1435, Council hereby adopts the "Benjamin Stewart Home Historic Conservation Guidelines," attached hereto as "Exhibit D" and made a part hereof, which guidelines shall govern the preservation, rehabilitation, or modification of the Benjamin Stewart Home historic landmark.

Section 4. That the Clerk of Council is directed to promptly notify the Historic Conservation Board, the City Planning Commission, the Director of City Planning and Engagement, the Director of Buildings and Inspections, and the City Solicitor of the Benjamin Stewart Home historic landmark designation.

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 the immediate need to ensure that any alterations or demolitions of the Benjamin Stewart Home are reviewed by the Historic Conservation Board pursuant to Cincinnati Municipal Code Chapter 1435, "Historic Preservation," which is immediately necessary to preserve and protect the landmark's historic significance.

Passed: _____, 2022

_____
Aftab Pureval, Mayor

Attest: _____
Clerk

EXHIBIT A

Landmark Designation Request

Benjamin Stewart Home in Madisonville

5540 Madison Rd

Cincinnati, Ohio 45227

Submitted to:

Cincinnati Historic Conservation Office

By: Eric S. Stringer, PLK Communities

For the Benefit of

Madisonville Community Council

Table of Contents

Introduction

Prepared by Eric Stringer of PLK Communities for the Benefit of The Madisonville Community Council, this report represents the findings and recommendations for local Historic Landmark designation of the Stewart Home.

Background

The owner PLK Communities, and Madisonville Community Council have an interest in the preservation of the property for the future. The building is architecturally and historically significant as a good example of The Greek Revival style that contributed to many homes of its era and is a significant structure in the Madison-Stewart Historic District in Cincinnati, OH. The building presently serves as the clubhouse and leasing offices for a townhome development.

Description of Property

Site

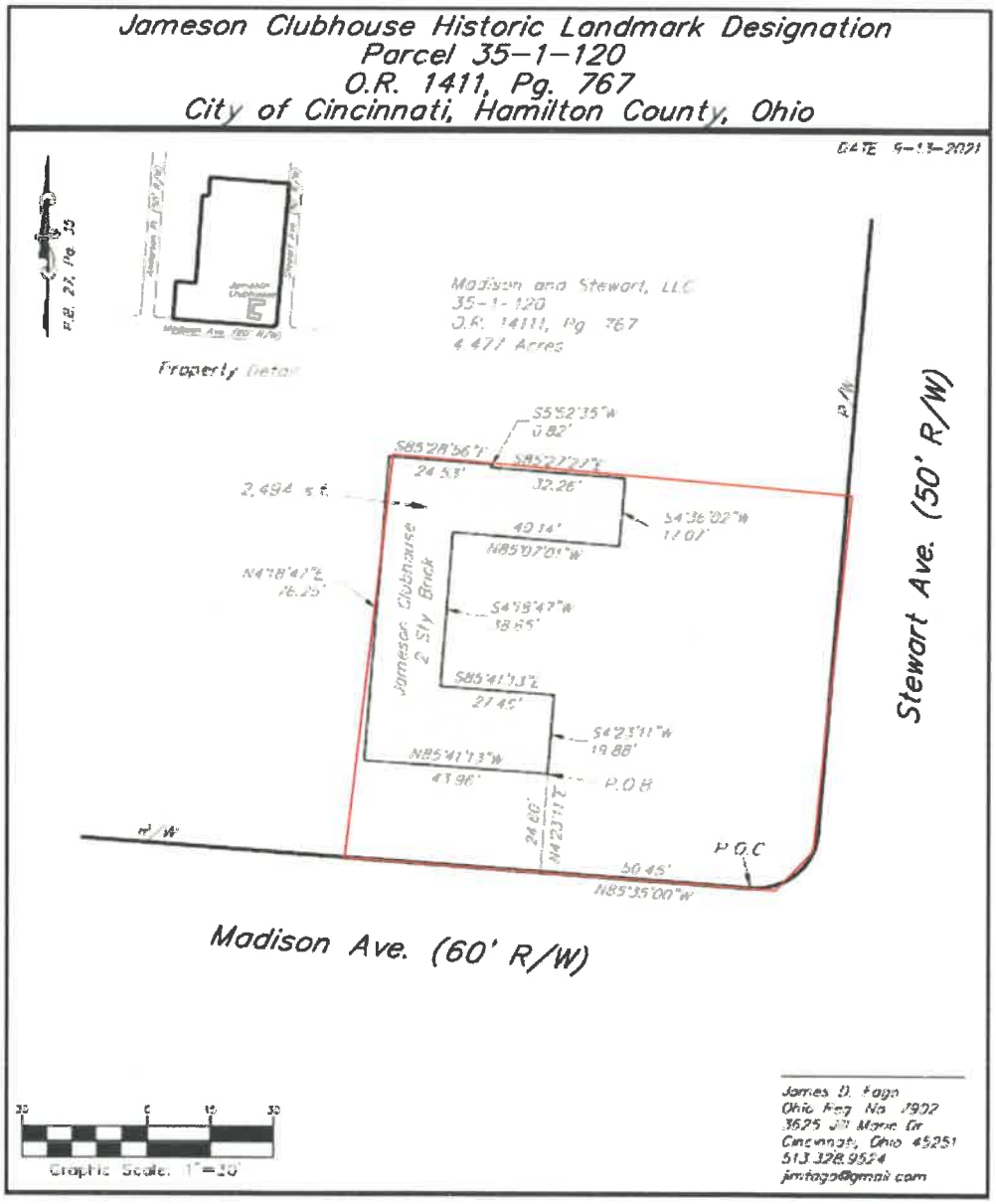
The Benjamin Stewart home at 5540 Madison Road sits along the line of latitude of 39° 09′ 40″, and line of longitude at 84° 23′ 52″. The home sits on a site that is 4.447 acres that it shares with multiple multi-family residential dwellings (noncontributing to landmark) that were built between 2020 and 2021.

Legal Description

Situate in Section 16, Town 4, Fractional Range 2, Columbia Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Madison and Stewart, LLC in O.R. 14111, Pg. 767 and being more particularly described as follows:

Commencing at the intersection of the west line Stewart Avenue, 50' R/W and the north line of Madison Avenue, 60' R/W; thence with the north line of said Madison Avenue, North 85°35'00" West, 50.45 feet to a point; thence leaving said Madison Avenue, North 04°23'11" East, 24.60 feet to the Place of Beginning; thence with the exterior of the existing Jameson Clubhouse the following ten courses; North 85°41'13" West, 43.96 feet to a point; thence North 04°18'47" East, 76.25 feet to a point; thence South 85°28'56" East, 24.53 feet to a point; thence South 05°52'35" West, 0.82 feet to a point; thence South 85°27'27" East, 32.26 feet to a point; thence South 04°36'02" West, 17.07 feet to a point; thence North 85°07'01" West, 40.14 feet to a point; thence South 04°18'47" West, 38.65 feet to a point; thence South 85°41'13" East, 27.45 feet to a point; thence South 04°23'11" West, 19.88 feet to the Place of Beginning. Containing 2,494 square feet of land more or less. Bearings based on P.B. 27, Page 35 H.C.R.O.. Subject to all legal highways, easements and restrictions of record. This description is based on a survey performed under the direction of James D. Fago, Ohio Reg. No. 7902.

Map Showing Designation Boundaries (See Below)



Boundary

The home is identified as parcel 035-1-120 of the Hamilton County Auditors Records. The historic home is set on the corner of Madison Road and Stewart Ave as the eastern boundary. Anderson Place is the next street to the west and Chandler Street is to the north.

Justification of Boundary

The above-listed parcel is both the original and legally recorded boundary line for the property for which designation is being requested. The building occupies the parcel and the parcel designated for Landmark Designation is for the Stewart home only and no other structures.

Setting

Located on the northwest corner of Madison Road and Stewart Avenue in Madisonville, the Benjamin Stewart home sits prominently on a small slope, roughly 15 feet from the street front. In its historic setting, the home may have been surrounded by similar residential dwellings and tucked away from the busy streets of downtown, but today Madison Road is a thoroughfare for commuters moving between Cincinnati's various neighborhoods and many businesses operate within a short vicinity of the property. Today, such businesses include MedPace, a publicly traded company with 2,800 employees, as well as a multitude of independent shops and restaurants.

Statement of Significance

The Benjamin Stewart home according to one source, was built in 1833 from lumber that Stewart had floated down the Ohio River on flatboats[1]. However, it should be stated that this is a legend, as the deeds indicate that Stewart bought the land in 1844 from Jonathan Ward. Jonathan Ward bought the property from the state in 1837 and the house was built between 1837-1844 when the property was sold to Benjamin Stewart. The house is a two and a half story American bond brick building with an L-shaped floor plan. Constructed in the Greek Revival Style, this home is one of the oldest standing examples of this type of architecture in the district.

The Madison-Stewart District was designated by the National Register of Historic Places on May 29, 1975 (No. 75001419). The Stewart home sites prominently on the intersection of Stewart and Madison Road and is representative of an iconic architectural style as well as an anchor building to the historic district. Benjamin Stewart became a successful businessman in Cincinnati via his lumber enterprise and the home is on land that has been inhabited by Jonathon Ward, the grandson of Madisonville's first settler, Joseph Ward.

According to CZC 1435-07-1 (2) the home is associated with the lives of persons significant in our past and, (3) the Stewart home embodies the distinctive characteristics of a type, period, or method of construction (Greek Revival) that represents a significant and distinguishable entity. The request for Historic Landmark designation of the Stewart home also is consistent with the desire to have a prominent structure represented. The style of the home, as well said historic ownership, combine and fulfill the requirements to have such a building landmarked and to avoid the loss or demolition of the structure.

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[1]Busald, Ruth Ann, et. Al., *Images of America: Madisonville*, Charleston, Arcadia Publishers, 2012.

Historical Significance

The designation of the Madison-Stewart district in 1975 reflects the desire and need to highlight and preserve our city's rich architectural and cultural landmarks. This home requested for Historic Landmark status has the attributes of not only reflecting a culturally significant style of building (Greek Revival), but also of a descendant of both the Revolutionary War and Madisonville's first permanent resident. Madisonville, named in honor of President Madison, was a settlement to the north of Columbia, where some settlers left due to being in a flood zone in the early 19th century. The Madison-Stewart district derives its name from Benjamin Stewart, whose residence being the most prominent in the district, as well as President Madison.

The first permanent settler of Madisonville was Joseph Ward. He and his three eldest sons were soldiers in the patriot army during the Revolutionary War. Born in New Jersey in 1784, Ward emigrated from New Jersey to Ohio in 1797. Originally, Ward arrived in the settlement of Columbia, but due to the flooding of the area, moved to a plot of land of what is now the neighborhood of Madisonville.

Joseph Ward and his two sons Nehemiah and Amos were granted land to them by the government for their services in the Revolutionary War. In all, Joseph and his wife Phebe had 9 children. Joseph Ward's grandson, Jonathan, would eventually live on the property that is the site of the Stewart home. According to records, the property would have been sold by Jonathan to Benjamin Stewart in 1844.

Benjamin Stewart, to whom the home is named after, was a prominent businessman of Madisonville. Stewart made a living from lumber, which is potentially where the legend that he made the home on Madison and Stewart from lumber he floated down the river. Stewart's daughter Sarah and his son in law James White, would also live in the home. The home would have a descendent of Benjamin Stewart living in it until the 1940's.

The Ward family extends back to the very beginning of Madisonville, and the home on Stewart and Madison Road is fully renovated and stands as a prominent fixture to this historic district. In 1911 the City of Cincinnati annexed the neighborhood of Madisonville and now Madisonville is one of fifty-two neighborhoods in the city, being situated to the east of the neighborhood of Oakley on the east side of the city.

Architectural Significance

The Benjamin Stewart home has been characterized as being Greek Revival. The move from Georgian-Colonial style homes was an intended move and the early 19th century settlers wanted an architectural style that was distinct from their British ancestors. The Stewart home exemplifies the characteristics of Greek revival style in that it is constructed with several features such as columns to mimic marble, entablatures, trim between roof and columns, pilasters, and a covered front porch.

From the 1820's to 1860's, homes were being built in the Greek Revival style. Typical features included a gabled and/or low pitch roof, entry porch supported by square or round prominent columns. Greek Revival architecture was favored for its elegant yet simplistic style. One of the first published works on this style of architecture was James Stuart's *Antiquities of Athens and Other Monuments of Greece,* in 1762. Architects drew inspiration from the temples found throughout Greece and Italy and began incorporating these design features into their own buildings. The style would be referred to as the national style due to its popularity as a symbol of Democracy.

The features of the Benjamin Stewart home include the low-pitched roof as well as the Doric columns on the front porch and entryway. Another element that the home features are the multi paneled windows. The building was constructed in an L shape, and the chimneys were placed on the side and in the back of the building. Greek temples are usually built from marble or stone, so to replicate the light color, the wooden finishes would have been painted white due to the lack of resources to make homes from marble. The Stewart home also incorporates the use of entablatures at the roof trim. The entablature is the band of trim at the base of the roof.

While many homes built in the Greek Revival style have rather grand or large porticos, the Stewart house was built with a more modest portico, giving the home a refined yet modest look. The columns on the portico similarly were not built above the second story but were below the window trim line of the second story. The Doric columns similarly were the more simplistic of the three traditional styles: Doric, Ionian, and Corinthian.

Planning Considerations

Consistency with CZC Chapter 1435, Historic Preservation

The designation of the Stewart home meets the requirements of chapter 1435-07-1, a site of Historic Significance and chapter 1435-03, of the Cincinnati Zoning Code (Historic Conservation),

> "To safeguard the heritage of the city by preserving districts and landmarks which reflect elements of its history, architecture and archeology, engineering or culture"

The documentation in this designation report provides conclusive evidence that all the required findings may be made for the proposed designation.

Research Methodology

Research was conducted using various sources, both on-line and hard copy. Sources include the National Register of Historic Places Inventory-Nomination Form, the book *Images of America: Madisonville*, as well the Hamilton County Auditor and Recorder for deed and plat research.

References

Records of the Hamilton County Auditor and Recorder.

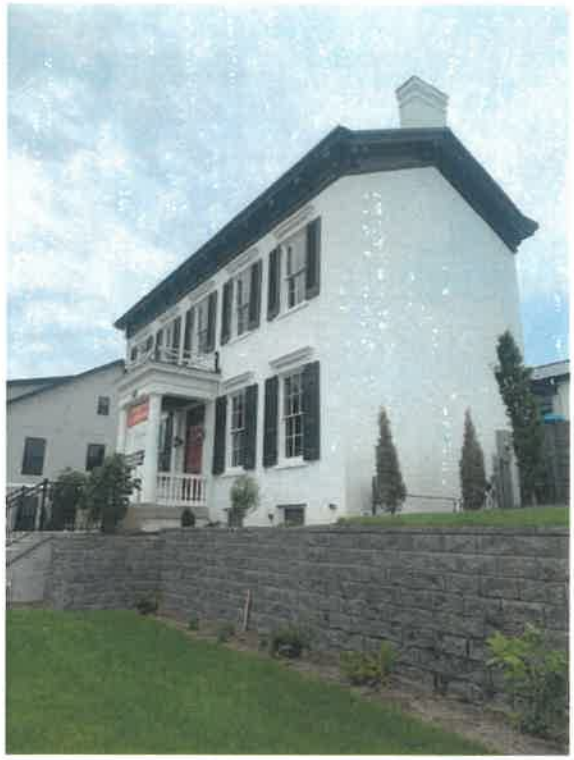
Editorial Staff State History Publications, *Ohio Historic Places Dictionary, Volume 2.*, Ohio: Native American Books, 2008.

Busald, Ruth Ann, et. Al., *Images of America: Madisonville*, Charleston: Arcadia Publishers, 2012.

The National Register of Historic Places, Volume 2. Berkeley: United States Department of the Interior National Park Service, 1976.

Recent Interior and Exterior Renovations

Exterior Remodeled in 2020



Original Staircase in foyer

Courtyard (East Facing)

Exterior Rear Entrance

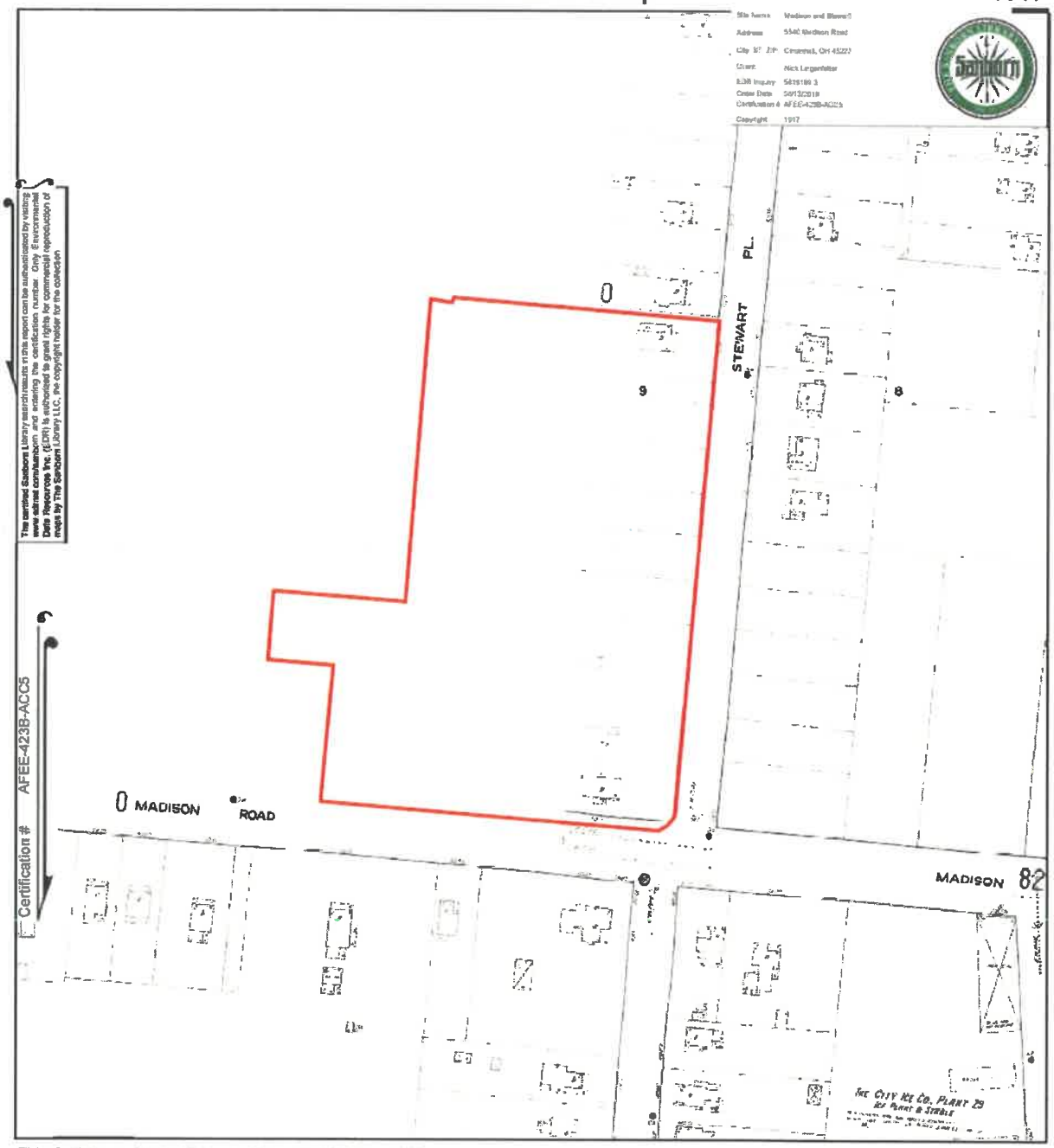
Upstairs room with original fireplace and support beams.

Original hardwood floors restored in upstairs room, currently serves as guest lounge and co-working space for residents.

Original fireplace restored and redesigned in guest lounge.

Certified Sanborn® Map

1917



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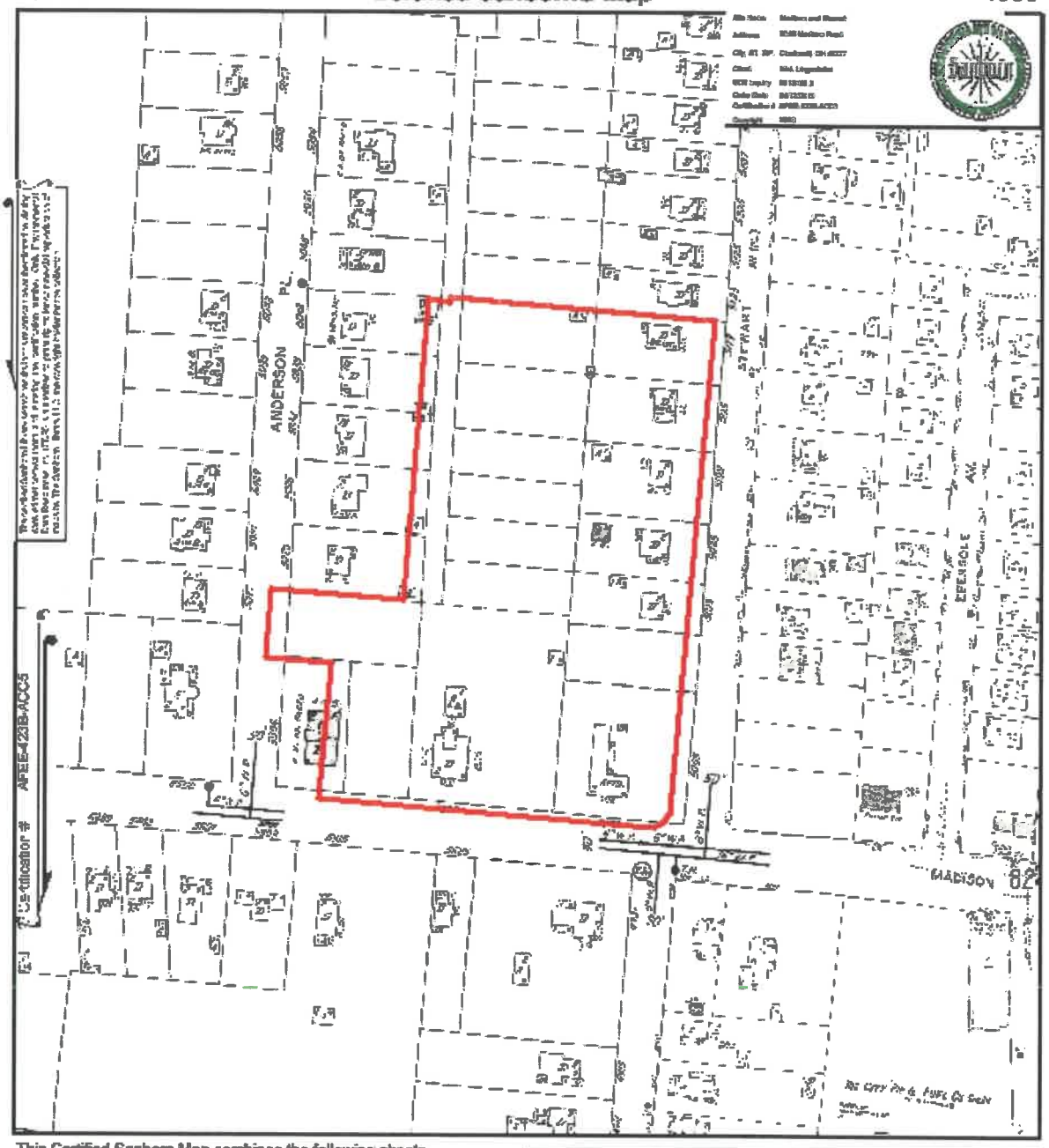
Certified Sanborn® Map

1950



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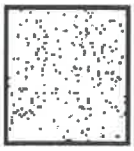

Volume 6, Sheet 832
Volume 6, Sheet 831
Volume 6, Sheet 824

0 Feet 150 300 600

5818186 - 8 page 8

Neighborhood of Madisonville, Cincinnati, OH

Madison-Stewart Historic District

Benjamin Stewart home located at 5540 Madison Road

Latitude 39° 09' 40", Longitude 84° 23' 52"

EXHIBIT B

Proposed Local Landmark Designation of the Benjamin Stewart Home at 5540 Madison Road in Madisonville

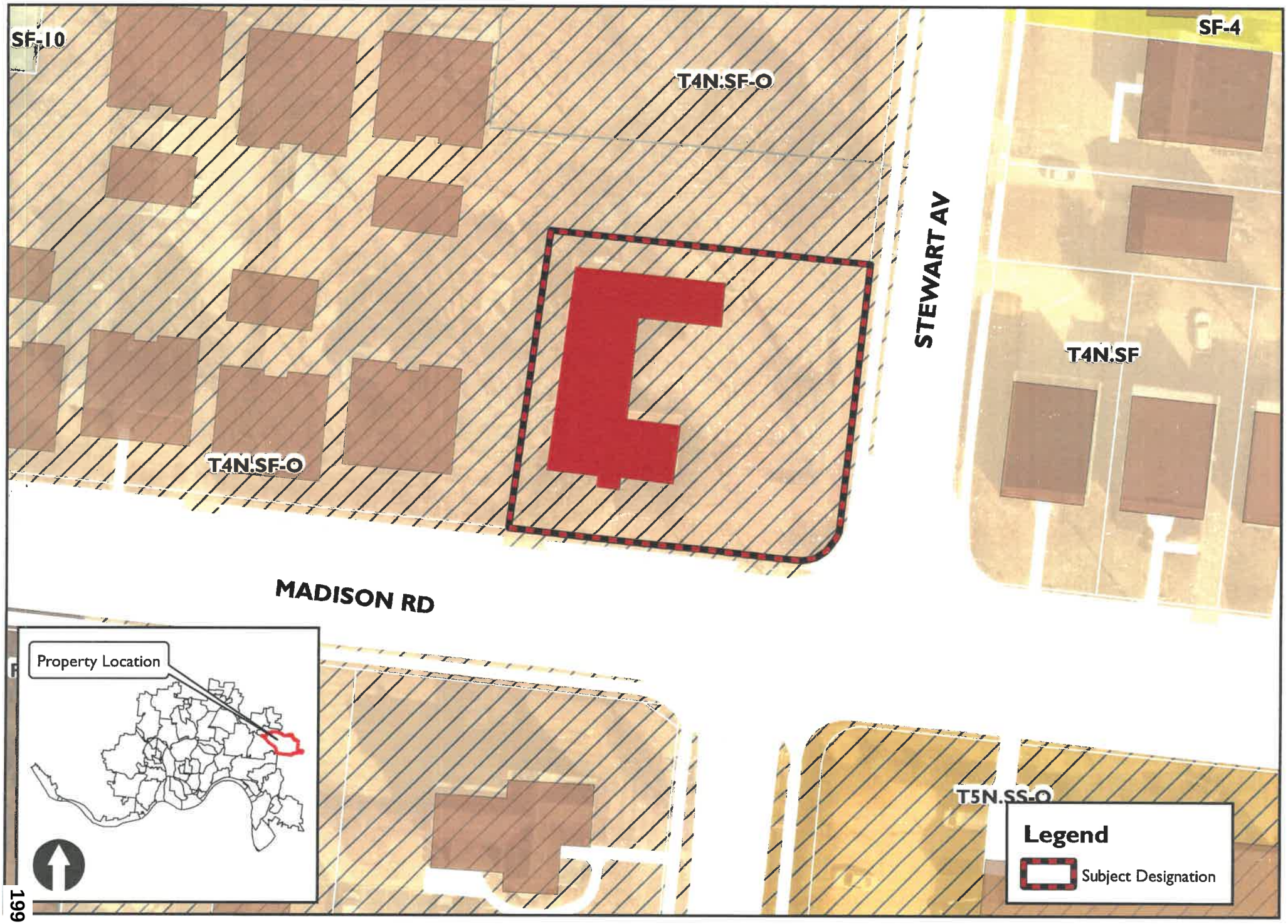

EXHIBIT C

Legal Description:

Situated in the City of Cincinnati, Hamilton County, Ohio and being more particularly described as follows:

Beginning at the intersection between the centerlines of Madison Road and Stewart Avenue; thence, northwardly with the centerline of Stewart Avenue for approximately 27-feet to the point of intersection with the easterly extension of the south parcel line of Parcel 120, HCAP Book 35, Page 1; thence westwardly along the easterly extension of the south parcel line of said parcel for approximately 36.1-feet, **THE POINT OF THE BEGINNING**; thence westwardly along the south parcel line of said parcel for approximately 99-feet; thence northwardly, at a 90-degree angle, for approximately 103.6-feet; thence eastwardly, at a 90-degree angle, for approximately 111.1-feet to the point of intersection with the east parcel line of Parcel 120, HCAP Book 35, Page 1; thence, southwardly along the east parcel line of said parcel, following the southeast curve of said parcel to the point of intersection with the south parcel line of Parcel 120, HCAP Book 35, Page 1, **THE POINT OF THE BEGINNING.**

Containing approximately 10,890 square feet of land.

EXHIBIT D

Historic Conservation Guidelines

Benjamin Stewart Home, Madisonville, Cincinnati, OH

Rehabilitation

General Terminology

Within these guidelines, the "Stewart-Ward Home" refers to the building located at 5540 Madison Road, Cincinnati, OH 45227.

Intent and General Guidelines

The following general approaches are recommended:

1. Repair and maintenance: Ordinary repair and maintenance of like and kind for matching the original construction, where visible, and that does not change the appearance of the buildings, is acceptable under these guidelines. Rehabilitation may include preservation, restoration, reconstruction, or a combination of these, as appropriate and reasonable for the building.

2. Maintenance: Existing visible features that contribute to the building's overall character and are in good condition should be maintained, preserved, or conserved, where possible. Damaged visible features which can be repaired should be repaired whenever possible.

3. Replacements: Replacements of significant features damaged beyond repair, deteriorated beyond reasonable repair, or missing significant features should sensitively harmonize with the characteristics or the original feature. Replication is appropriate but not required.

Specific Guidelines

The following specific approaches to exterior elements, features, and visible components are recommended:

1. Materials: Materials for significant features on primary façades visible from the street that are badly damaged, deteriorated beyond reasonable repair, or missing should be replaced with materials or components that closely match the style, shape, color, treatment, and texture of the element replaced. Composition, type of joint, size of units, visible measures,

placement, and detailing should be appropriate for the building. Synthetic materials, where closely matching the existing characteristics, may be utilized.

2. Masonry Repointing: Repointing of deteriorated and/or missing mortar shall match the existing historic as close as possible. Elements of the new repointing mix shall be consistent with the existing mortar in formulation, aggregate size, texture, color, and method of application. It is recommended that test patches be applied adjacent to existing mortar and allowed to dry. An assessment should be made of new repointing mix with respect to varied constituents to be matched. The sample that closely matches the original mortar should be used for the repointing. Refer to Preservation Brief for general approach to undertaking masonry repointing.

3. Masonry Cleaning: Sandblasting diminishes the integrity of building materials. It is not an approved cleaning method. Should cleaning of exterior materials be undertaken, no harm should result from the approach taken to do the work. If cleaning of building materials is undertaken, use the gentlest method possible to accomplish good results. Scrubbing with a bristle brush and a mild non-iconic detergent is recommended. Should this method be found ineffective, the use of approved chemical cleaning application can be used only after test patches have determined the gentlest means with respect to composition of cleaning agent, method of application, and cleaning results.

4. Water-Repellent Coatings: Use of water-repellent coatings on historic buildings is not permitted. The problem of water infiltration into a building is associated with structural or maintenance issues. Water-repellent coatings compound problems because the coating encapsulates moisture and does not allow it to evaporate naturally.

5. Window and door openings: Window and door openings are important features of these buildings. The size and location of openings are an essential part of the overall design and an important feature of these buildings' architecture. Original wall openings on primary façades should not be altered or filled. On secondary façades, original wall openings should not be significantly altered without consideration of the impact to the overall character of the original design.

6. Window replacement: new windows should be appropriate in material, scale, configuration, style, and size.

7. Ornamentation: Significant architectural features including brick and stone detailing elements should be preserved or conserved. Do not make replacements or substitutions of different size, scale, design, or incompatible materials. Replacement ornamentation should closely match originals in character, scale, configuration, style, size, texture, and color. Some synthetic materials, including fiberglass castings or composite materials, may be considered.

8. Roofs: Chimneys, parapets, and other architectural features that define the buildings' roofline should be maintained. New asphalt shingles are acceptable for the roof.

9. Painting: Repainting existing features that were historically painted is acceptable. Existing exterior elements that were historically not painted, such as brick, stone, and terra cotta, should be left unpainted. Use colors that are appropriate to the buildings' age, history, and style.

10. Outside attachments: Exterior light fixtures should be appropriate for the building's style and should be simple and contemporary.

11. Awnings: Awnings are acceptable provided they adhere to the National Park Service Preservation Brief 44 for the use of awnings on historic buildings.

12. Signs: Signs should be designed for clarity, legibility, and compatibility with the building or property on which they are located. Signs should not cover or obscure architectural features. Temporary signage is permitted without review by the Historic Conservation Board.

Additions and Exterior Alterations

Intent and General Guidelines

1. Additions: Additions should follow new construction guidelines, codes, and regulations. Any addition should be compatible in character with the original building, with sensitivity to existing massing and scale, site, and appearance within the building's existing context. Additions should be sympathetic, may be complementary, but need not be imitative in design. Additions should be designed to relate architecturally, not overwhelming the original building.
2. Alterations: Alterations should follow construction guidelines for alterations, codes, and regulations. Alterations should not change or alter significant features.
3. Appropriateness: The appropriate addition and alteration design solutions should include:
    a. How well the proposed design for the addition or alteration relates to the original building and neighboring buildings.
    b. How closely the proposed addition or alteration meets the specific intentions of these guidelines.

Site Improvements

Intent and General Guidelines

1. Site improvements, such as improvement and/or alteration to existing paving, fences, and landscaping should be in keeping with the character of the building and not detract from its setting or architectural character.
2. The design of any new site improvement construction should be in keeping with the character of the existing building and not detract from its setting or architectural character.

3. Any design of site improvements should capitalize on the unique setting and location of the Stewart-Ward home. The existing views towards the facades should be maintained as an important visual contribution to the integrity of the building.

Demolition

Any demolition, alterations, or modifications to the Stewart-Ward home, and minimum maintenance requirements, are governed by Section 1435-09: Alterations and Demolitions; Certificates of Appropriateness; Minimum Maintenance, of the Cincinnati Zoning Code, ordained by Ordinance No. 217-2012, §1, effective July 20, 2012. Any updates, modifications, or amendments to this section of the Cincinnati Zoning Code or legislation that supersedes Chapter 1435 of the Cincinnati Zoning Code which is established as the "Historic Preservation Code," shall be considered the governing law.

Landmark Designation Request

Benjamin Stewart Home in Madisonville

5540 Madison Rd

Cincinnati, Ohio 45227

Submitted to:

Cincinnati Historic Conservation Office

By: Eric S. Stringer, PLK Communities

For the Benefit of

Madisonville Community Council

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The owner PLK Communities, and Madisonville Community Council have an interest in the preservation of the property for the future. The building is architecturally and historically significant as a good example of The Greek Revival style that contributed to many homes of its era and is a significant structure in the Madison-Stewart Historic District in Cincinnati, OH. The building presently serves as the clubhouse and leasing offices for a townhome development.

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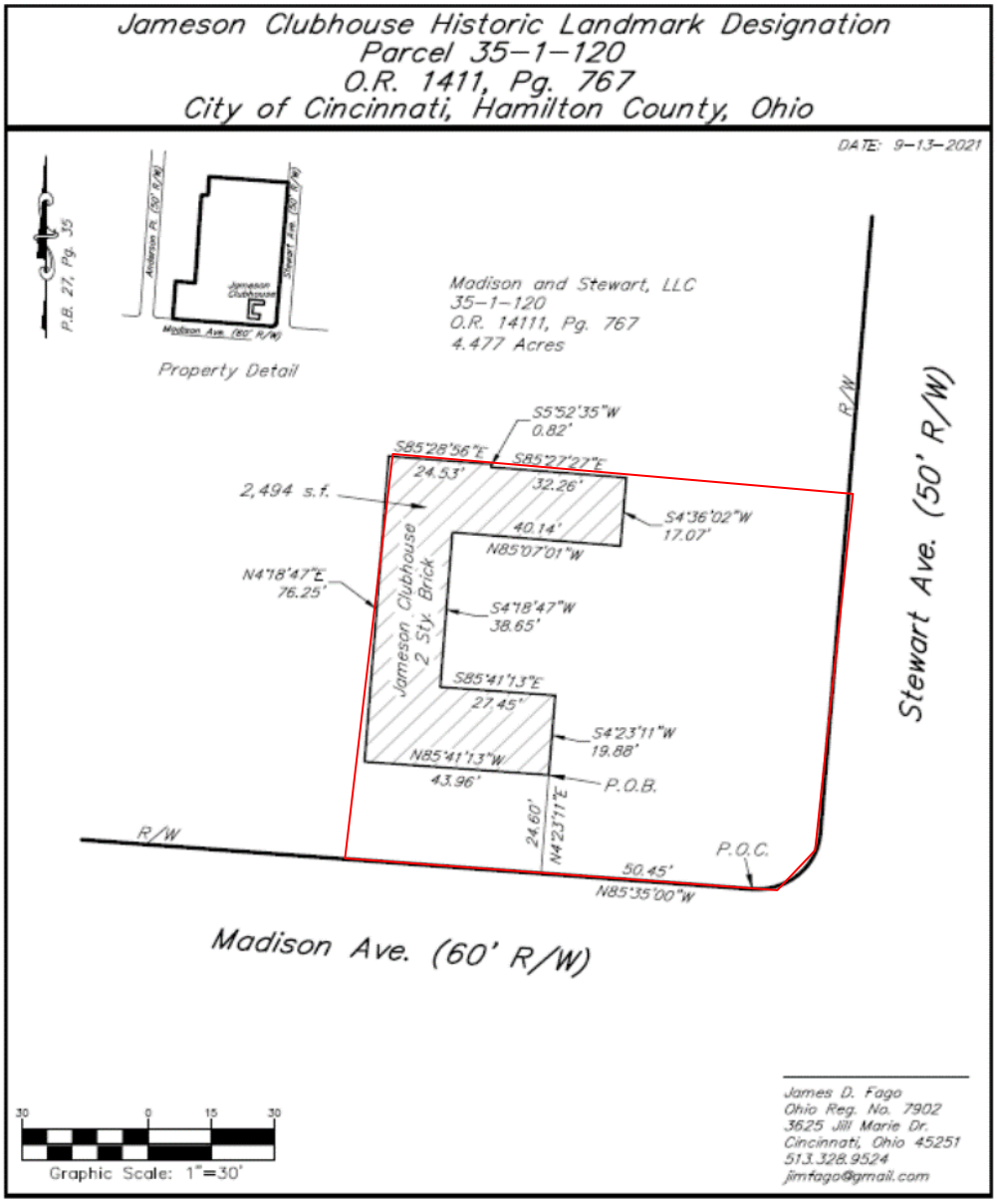

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The Benjamin Stewart home according to one source, was built in 1833 from lumber that Stewart had floated down the Ohio River on flatboats[1]. However, it should be stated that this is a legend, as the deeds indicate that Stewart bought the land in 1844 from Jonathan Ward. Jonathan Ward bought the property from the state in 1837 and the house was built between 1837-1844 when the property was sold to Benjamin Stewart. The house is a two and a half story American bond brick building with an L-shaped floor plan. Constructed in the Greek Revival Style, this home is one of the oldest standing examples of this type of architecture in the district.

The Madison-Stewart District was designated by the National Register of Historic Places on May 29, 1975 (No. 75001419). The Stewart home sites prominently on the intersection of Stewart and Madison Road and is representative of an iconic architectural style as well as an anchor building to the historic district. Benjamin Stewart became a successful businessman in Cincinnati via his lumber enterprise and the home is on land that has been inhabited by Jonathon Ward, the grandson of Madisonville's first settler, Joseph Ward.

According to CZC 1435-07-1 (2) the home is associated with the lives of persons significant in our past and, (3) the Stewart home embodies the distinctive characteristics of a type, period, or method of construction (Greek Revival) that represents a significant and distinguishable entity. The request for Historic Landmark designation of the Stewart home also is consistent with the desire to have a prominent structure represented. The style of the home, as well said historic ownership, combine and fulfill the requirements to have such a building landmarked and to avoid the loss or demolition of the structure.

[1]Busald, Ruth Ann, et. Al., *Images of America: Madisonville*, Charleston, Arcadia Publishers, 2012.

Historical Significance

The designation of the Madison-Stewart district in 1975 reflects the desire and need to highlight and preserve our city's rich architectural and cultural landmarks. This home requested for Historic Landmark status has the attributes of not only reflecting a culturally significant style of building (Greek Revival), but also of a descendant of both the Revolutionary War and Madisonville's first permanent resident. Madisonville, named in honor of President Madison, was a settlement to the north of Columbia, where some settlers left due to being in a flood zone in the early 19th century. The Madison-Stewart district derives its name from Benjamin Stewart, whose residence being the most prominent in the district, as well as President Madison.

The first permanent settler of Madisonville was Joseph Ward. He and his three eldest sons were soldiers in the patriot army during the Revolutionary War. Born in New Jersey in 1784, Ward emigrated from New Jersey to Ohio in 1797. Originally, Ward arrived in the settlement of Columbia, but due to the flooding of the area, moved to a plot of land of what is now the neighborhood of Madisonville.

Joseph Ward and his two sons Nehemiah and Amos were granted land to them by the government for their services in the Revolutionary War. In all, Joseph and his wife Phebe had 9 children. Joseph Ward's grandson, Jonathan, would eventually live on the property that is the site of the Stewart home. According to records, the property would have been sold by Jonathan to Benjamin Stewart in 1844.

Benjamin Stewart, to whom the home is named after, was a prominent businessman of Madisonville. Stewart made a living from lumber, which is potentially where the legend that he made the home on Madison and Stewart from lumber he floated down the river. Stewart's daughter Sarah and his son in law James White, would also live in the home. The home would have a descendent of Benjamin Stewart living in it until the 1940's.

The Ward family extends back to the very beginning of Madisonville, and the home on Stewart and Madison Road is fully renovated and stands as a prominent fixture to this historic district. In 1911 the City of Cincinnati annexed the neighborhood of Madisonville and now Madisonville is one of fifty-two neighborhoods in the city, being situated to the east of the neighborhood of Oakley on the east side of the city.

Architectural Significance

The Benjamin Stewart home has been characterized as being Greek Revival. The move from Georgian-Colonial style homes was an intended move and the early 19th century settlers wanted an architectural style that was distinct from their British ancestors. The Stewart home exemplifies the characteristics of Greek revival style in that it is constructed with several features such as columns to mimic marble, entablatures, trim between roof and columns, pilasters, and a covered front porch.

From the 1820's to 1860's, homes were being built in the Greek Revival style. Typical features included a gabled and/or low pitch roof, entry porch supported by square or round prominent columns. Greek Revival architecture was favored for its elegant yet simplistic style. One of the first published works on this style of architecture was James Stuart's *Antiquities of Athens and Other Monuments of Greece,* in 1762. Architects drew inspiration from the temples found throughout Greece and Italy and began incorporating these design features into their own buildings. The style would be referred to as the national style due to its popularity as a symbol of Democracy.

The features of the Benjamin Stewart home include the low-pitched roof as well as the Doric columns on the front porch and entryway. Another element that the home features are the multi paneled windows. The building was constructed in an L shape, and the chimneys were placed on the side and in the back of the building. Greek temples are usually built from marble or stone, so to replicate the light color, the wooden finishes would have been painted white due to the lack of resources to make homes from marble. The Stewart home also incorporates the use of entablatures at the roof trim. The entablature is the band of trim at the base of the roof.

While many homes built in the Greek Revival style have rather grand or large porticos, the Stewart house was built with a more modest portico, giving the home a refined yet modest look. The columns on the portico similarly were not built above the second story but were below the window trim line of the second story. The Doric columns similarly were the more simplistic of the three traditional styles: Doric, Ionian, and Corinthian.

Planning Considerations

Consistency with CZC Chapter 1435, Historic Preservation

The designation of the Stewart home meets the requirements of chapter 1435-07-1, a site of Historic Significance and chapter 1435-03, of the Cincinnati Zoning Code (Historic Conservation),

> "To safeguard the heritage of the city by preserving districts and landmarks which reflect elements of its history, architecture and archeology, engineering or culture"

The documentation in this designation report provides conclusive evidence that all the required findings may be made for the proposed designation.

Research Methodology

Research was conducted using various sources, both on-line and hard copy. Sources include the National Register of Historic Places Inventory-Nomination Form, the book *Images of America: Madisonville*, as well the Hamilton County Auditor and Recorder for deed and plat research.

References

Records of the Hamilton County Auditor and Recorder.

Editorial Staff State History Publications, *Ohio Historic Places Dictionary, Volume 2.*, Ohio: Native American Books, 2008.

Busald, Ruth Ann, et. Al., *Images of America: Madisonville*, Charleston: Arcadia Publishers, 2012.

The National Register of Historic Places, *Volume 2*. Berkeley: United States Department of the Interior National Park Service, 1976.

Recent Interior and Exterior Renovations

Exterior Remodeled in 2020

Original Staircase in foyer

Courtyard (East Facing)

Exterior Rear Entrance

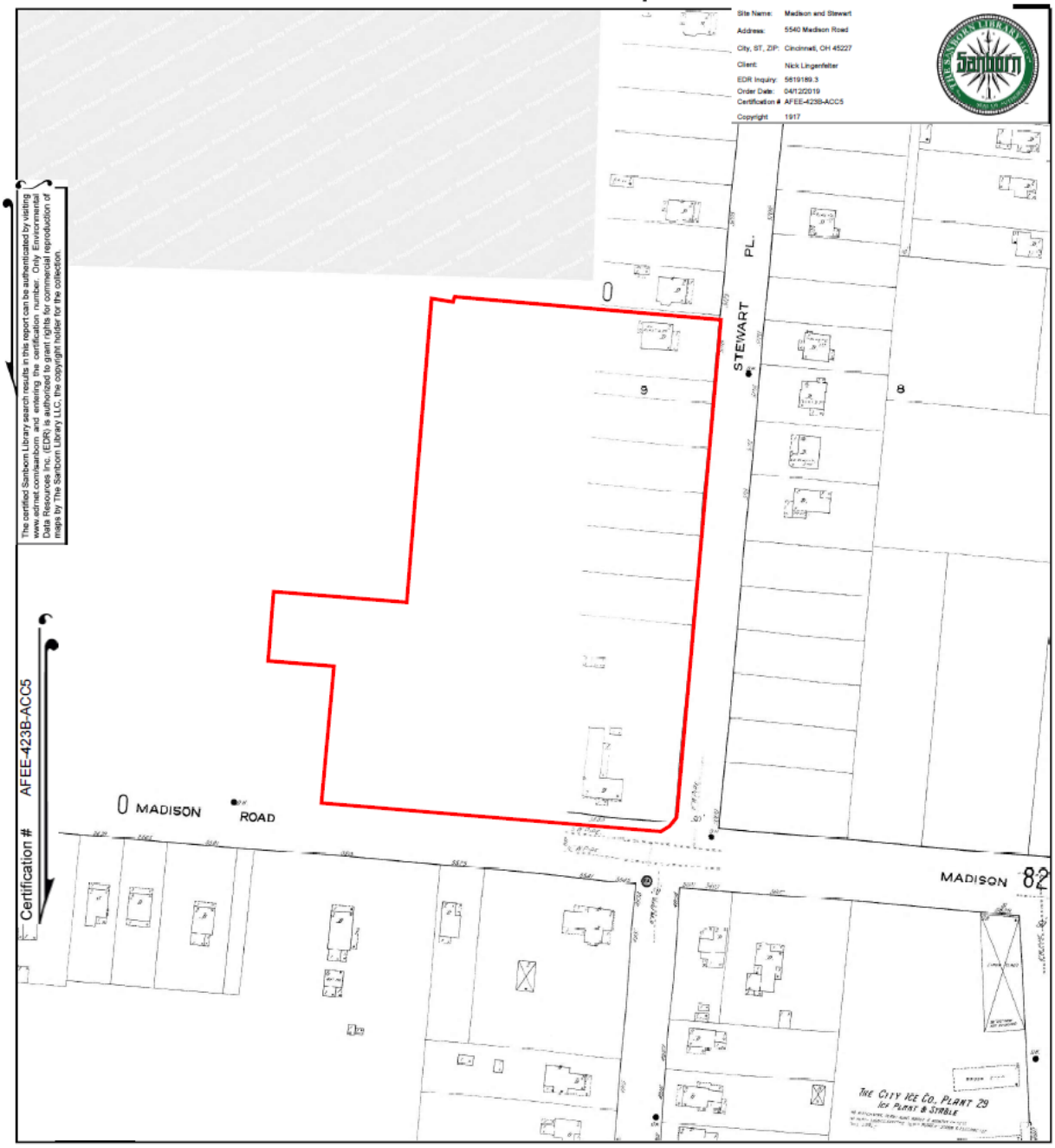
Upstairs room with original fireplace and support beams.

Original hardwood floors restored in upstairs room, currently serves as guest lounge and co-working space for residents.

Original fireplace restored and redesigned in guest lounge.

Certified Sanborn® Map

1917



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Outlined areas indicate map sheets within the collection.

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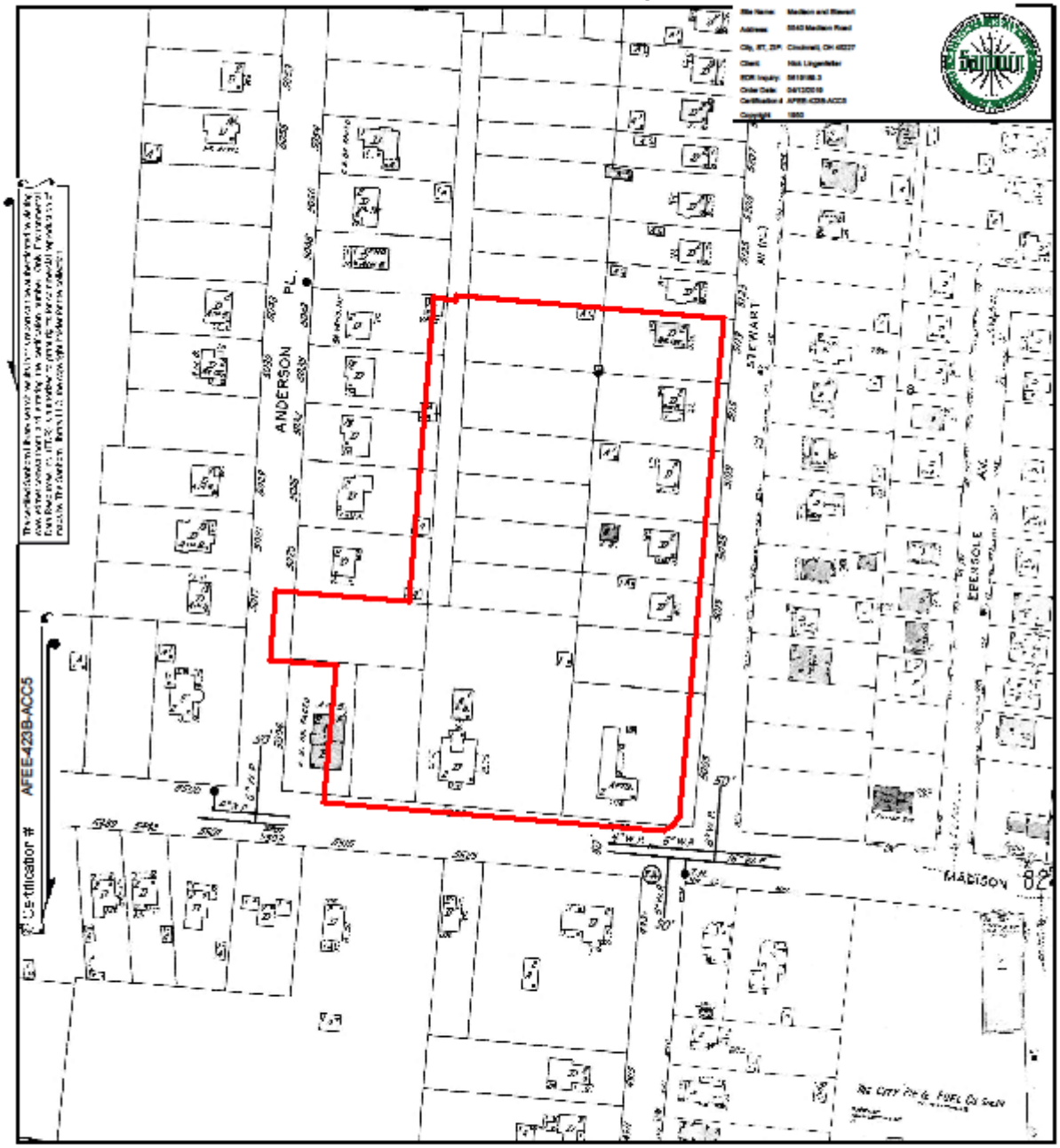
Certified Sanborn® Map

1950



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Outlined areas indicate map sheets within the collection.

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Volume 9, Sheet 832
Volume 9, Sheet 831
Volume 9, Sheet 824

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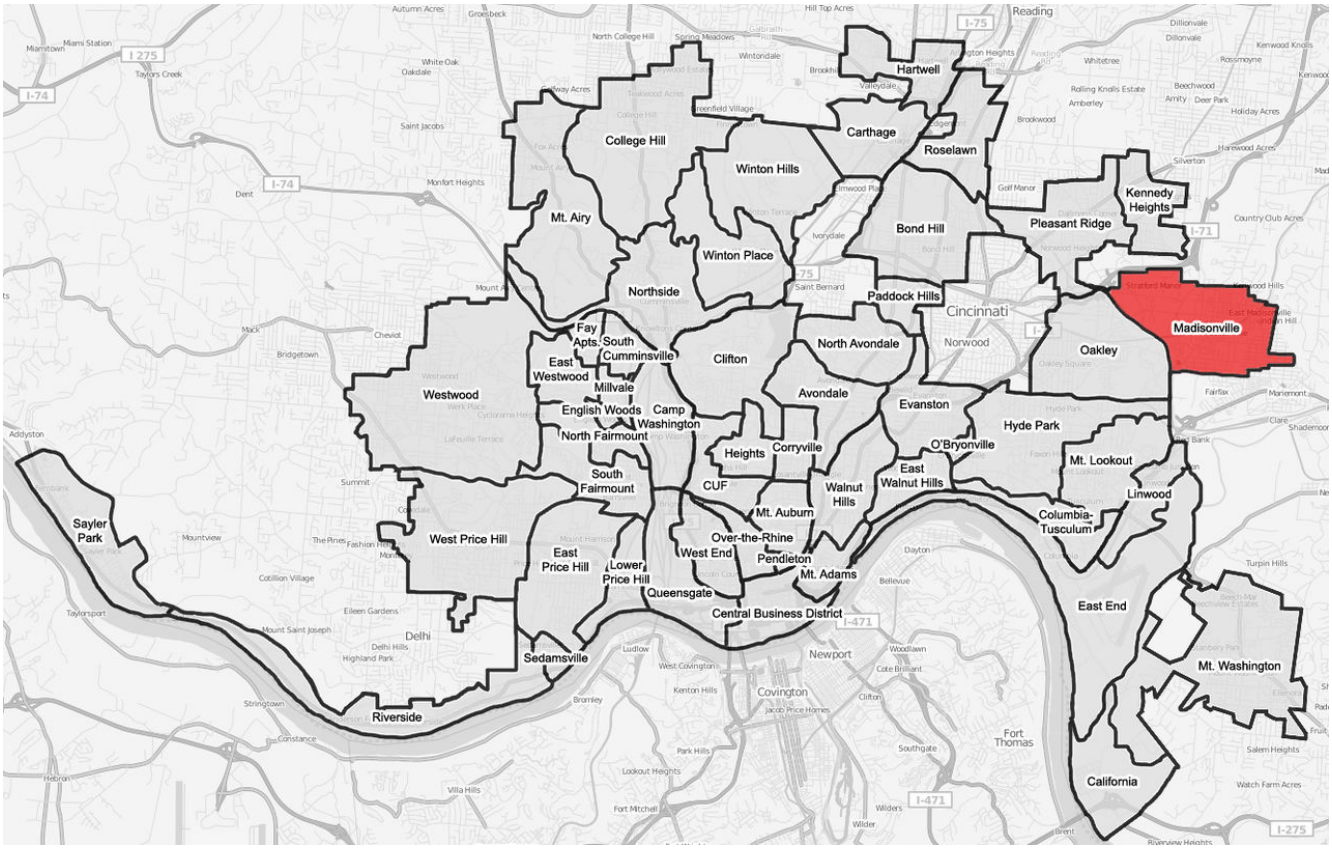
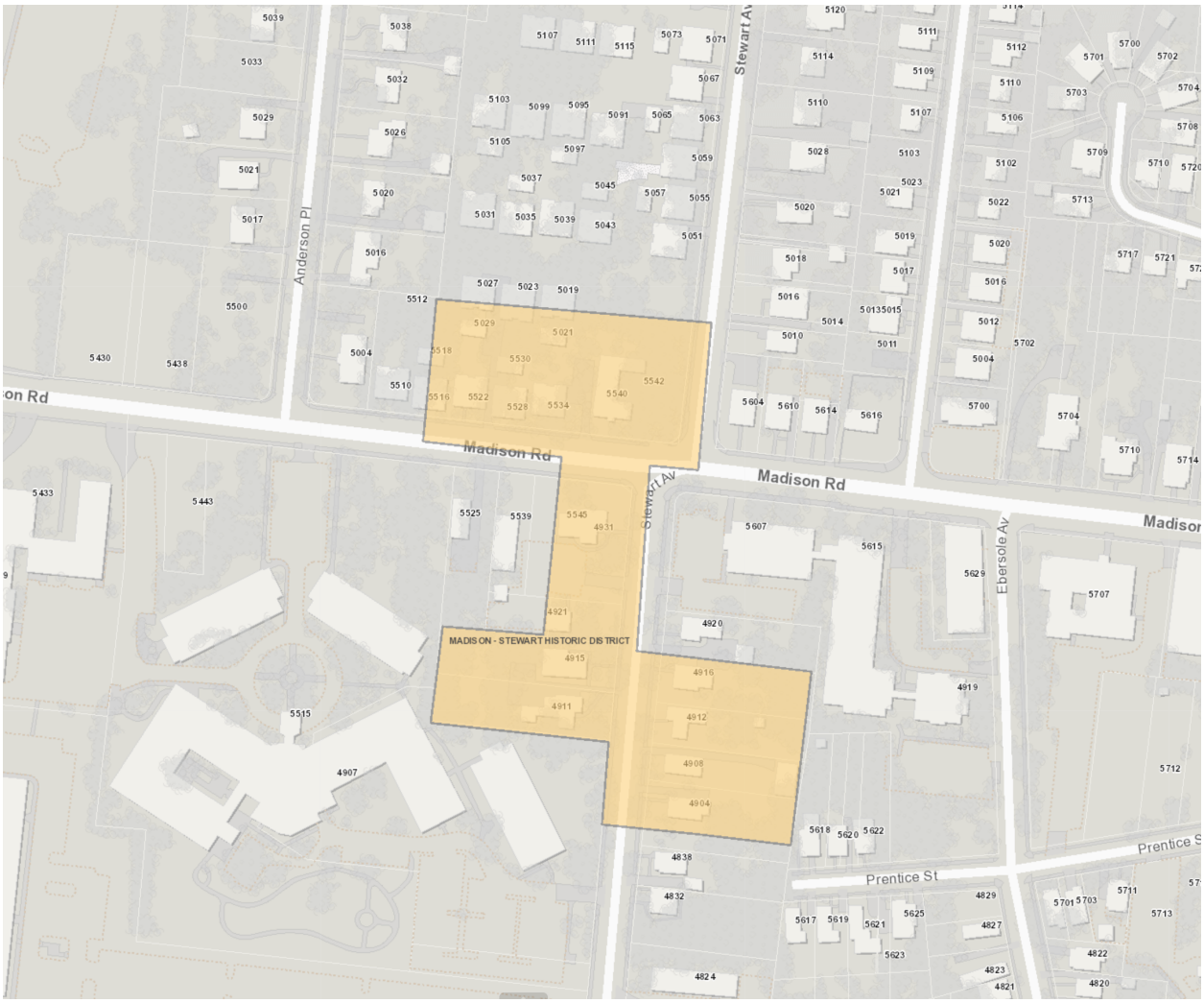
Neighborhood of Madisonville, Cincinnati, OH



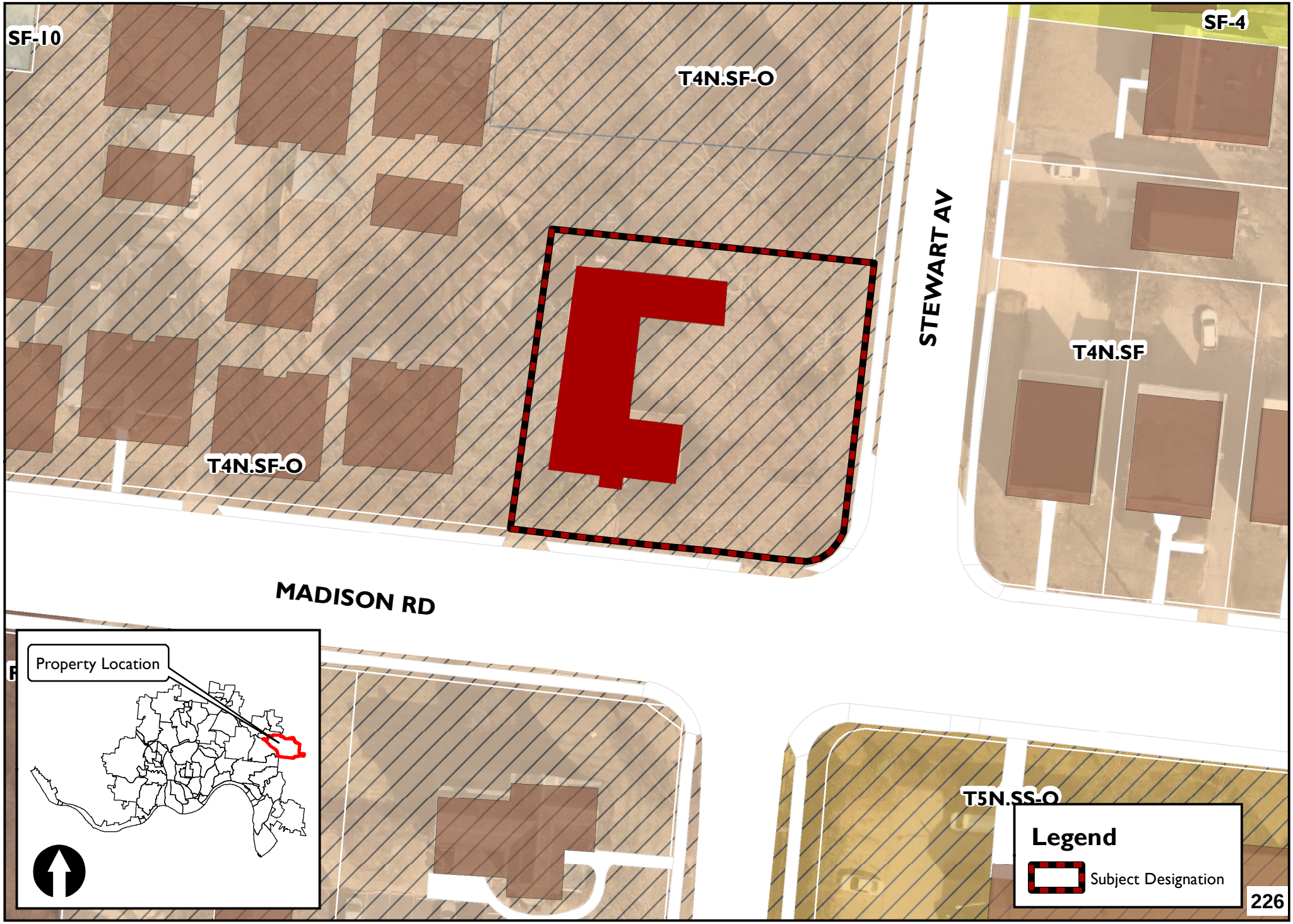
Madison-Stewart Historic District

Benjamin Stewart home located at 5540 Madison Road

Latitude 39° 09’ 40”, Longitude 84° 23’ 52”



Proposed Local Landmark Designation of the Benjamin Stewart Home at 5540 Madison Road in Madisonville



Legal Description:

Situated in the City of Cincinnati, Hamilton County, Ohio and being more particularly described as follows:

Beginning at the intersection between the centerlines of Madison Road and Stewart Avenue; thence, northwardly with the centerline of Stewart Avenue for approximately 27-feet to the point of intersection with the easterly extension of the south parcel line of Parcel 120, HCAP Book 35, Page 1; thence westwardly along the easterly extension of the south parcel line of said parcel for approximately 36.1-feet, **THE POINT OF THE BEGINNING**; thence westwardly along the south parcel line of said parcel for approximately 99-feet; thence northwardly, at a 90-degree angle, for approximately 103.6-feet; thence eastwardly, at a 90-degree angle, for approximately 111.1-feet to the point of intersection with the east parcel line of Parcel 120, HCAP Book 35, Page 1; thence, southwardly along the east parcel line of said parcel, following the southeast curve of said parcel to the point of intersection with the south parcel line of Parcel 120, HCAP Book 35, Page 1, **THE POINT OF THE BEGINNING.**

Containing approximately 10,890 square feet of land.

Historic Conservation Guidelines

Benjamin Stewart Home, Madisonville, Cincinnati, OH

Rehabilitation

General Terminology

Within these guidelines, the "Stewart-Ward Home" refers to the building located at 5540 Madison Road, Cincinnati, OH 45227.

Intent and General Guidelines

The following general approaches are recommended:

1. Repair and maintenance: Ordinary repair and maintenance of like and kind for matching the original construction, where visible, and that does not change the appearance of the buildings, is acceptable under these guidelines. Rehabilitation may include preservation, restoration, reconstruction, or a combination of these, as appropriate and reasonable for the building.

2. Maintenance: Existing visible features that contribute to the building's overall character and are in good condition should be maintained, preserved, or conserved, where possible. Damaged visible features which can be repaired should be repaired whenever possible.

3. Replacements: Replacements of significant features damaged beyond repair, deteriorated beyond reasonable repair, or missing significant features should sensitively harmonize with the characteristics or the original feature. Replication is appropriate but not required.

Specific Guidelines

The following specific approaches to exterior elements, features, and visible components are recommended:

1. Materials: Materials for significant features on primary façades visible from the street that are badly damaged, deteriorated beyond reasonable repair, or missing should be replaced with materials or components that closely match the style, shape, color, treatment, and texture of the element replaced. Composition, type of joint, size of units, visible measures,

placement, and detailing should be appropriate for the building. Synthetic materials, where closely matching the existing characteristics, may be utilized.

2. Masonry Repointing: Repointing of deteriorated and/or missing mortar shall match the existing historic as close as possible. Elements of the new repointing mix shall be consistent with the existing mortar in formulation, aggregate size, texture, color, and method of application. It is recommended that test patches be applied adjacent to existing mortar and allowed to dry. An assessment should be made of new repointing mix with respect to varied constituents to be matched. The sample that closely matches the original mortar should be used for the repointing. Refer to Preservation Brief for general approach to undertaking masonry repointing.

3. Masonry Cleaning: Sandblasting diminishes the integrity of building materials. It is not an approved cleaning method. Should cleaning of exterior materials be undertaken, no harm should result from the approach taken to do the work. If cleaning of building materials is undertaken, use the gentlest method possible to accomplish good results. Scrubbing with a bristle brush and a mild non-iconic detergent is recommended. Should this method be found ineffective, the use of approved chemical cleaning application can be used only after test patches have determined the gentlest means with respect to composition of cleaning agent, method of application, and cleaning results.

4. Water-Repellent Coatings: Use of water-repellent coatings on historic buildings is not permitted. The problem of water infiltration into a building is associated with structural or maintenance issues. Water-repellent coatings compound problems because the coating encapsulates moisture and does not allow it to evaporate naturally.

5. Window and door openings: Window and door openings are important features of these buildings. The size and location of openings are an essential part of the overall design and an important feature of these buildings' architecture. Original wall openings on primary façades should not be altered or filled. On secondary façades, original wall openings should not be significantly altered without consideration of the impact to the overall character of the original design.

6. Window replacement: new windows should be appropriate in material, scale, configuration, style, and size.

7. Ornamentation: Significant architectural features including brick and stone detailing elements should be preserved or conserved. Do not make replacements or substitutions of different size, scale, design, or incompatible materials. Replacement ornamentation should closely match originals in character, scale, configuration, style, size, texture, and color. Some synthetic materials, including fiberglass castings or composite materials, may be considered.

8. Roofs: Chimneys, parapets, and other architectural features that define the buildings' roofline should be maintained. New asphalt shingles are acceptable for the roof.

9. Painting: Repainting existing features that were historically painted is acceptable. Existing exterior elements that were historically not painted, such as brick, stone, and terra cotta, should be left unpainted. Use colors that are appropriate to the buildings' age, history, and style.

10. Outside attachments: Exterior light fixtures should be appropriate for the building's style and should be simple and contemporary.

11. Awnings: Awnings are acceptable provided they adhere to the National Park Service Preservation Brief 44 for the use of awnings on historic buildings.

12. Signs: Signs should be designed for clarity, legibility, and compatibility with the building or property on which they are located. Signs should not cover or obscure architectural features. Temporary signage is permitted without review by the Historic Conservation Board.

Additions and Exterior Alterations

Intent and General Guidelines

1. Additions: Additions should follow new construction guidelines, codes, and regulations. Any addition should be compatible in character with the original building, with sensitivity to existing massing and scale, site, and appearance within the building's existing context. Additions should be sympathetic, may be complementary, but need not be imitative in design. Additions should be designed to relate architecturally, not overwhelming the original building.
2. Alterations: Alterations should follow construction guidelines for alterations, codes, and regulations. Alterations should not change or alter significant features.
3. Appropriateness: The appropriate addition and alteration design solutions should include:
    a. How well the proposed design for the addition or alteration relates to the original building and neighboring buildings.
    b. How closely the proposed addition or alteration meets the specific intentions of these guidelines.

Site Improvements

Intent and General Guidelines

1. Site improvements, such as improvement and/or alteration to existing paving, fences, and landscaping should be in keeping with the character of the building and not detract from its setting or architectural character.
2. The design of any new site improvement construction should be in keeping with the character of the existing building and not detract from its setting or architectural character.

3. Any design of site improvements should capitalize on the unique setting and location of the Stewart-Ward home. The existing views towards the facades should be maintained as an important visual contribution to the integrity of the building.

Demolition

Any demolition, alterations, or modifications to the Stewart-Ward home, and minimum maintenance requirements, are governed by Section 1435-09: Alterations and Demolitions; Certificates of Appropriateness; Minimum Maintenance, of the Cincinnati Zoning Code, ordained by Ordinance No. 217-2012, §1, effective July 20, 2012. Any updates, modifications, or amendments to this section of the Cincinnati Zoning Code or legislation that supersedes Chapter 1435 of the Cincinnati Zoning Code which is established as the "Historic Preservation Code," shall be considered the governing law.

CPC ITEM # 3
February 4, 2022

Honorable City Planning Commission
Cincinnati, Ohio

SUBJECT: A report and recommendation on the proposed designation of 5540 Madison Road, known as the Benjamin Stewart Home, as a Local Historic Landmark in Madisonville.

GENERAL INFORMATION:

Location: Benjamin Stewart Home in Madisonville, 5540 Madison Road, Cincinnati, OH 45227

Petitioner: Eric S. Stringer, PLK Communities c/o Madisonville Community Council

Owner: Madison and Stewart LLC, 5905 E Galbraith Road, Cincinnati, OH 45236

EXHIBITS:

Provided in addition to this report are the following exhibits:

- Exhibit A Location Map
- Exhibit B Designation Report
- Exhibit C Historic Conservation Board Staff Report and Historic Conservation Guidelines
- Exhibit D Historic Conservation Board Recommendation

BACKGROUND:

The subject property located at 5540 Madison Road, was granted a zone change from Single-family (SF-4) to T4 Neighborhood Small Footprint – Open (T4N.SF-O) from the City Planning Commission on November 1, 2019 and approved by City Council on December 11, 2019. The zone change was crucial for the proposed luxury, multi-family development, "The Jameson." On November 2, 2021, a complete application for a Local Historic Landmark designation of the Benjamin Stewart Home was submitted by the Madisonville Community Council. This was done in conjunction with PLK Communities in response to a community benefits agreement that was signed between the two parties, in association with the new development on the same parcel as the proposed landmarked building. According to the Cincinnati Zoning Code (§1435-07-2-B), an application for the designation of a Local Historic Landmark shall be forwarded to the City Planning Commission following a public hearing of the Historic Conservation Board.

On December 20, 2021, the Historic Conservation Board (HCB) held a public hearing on the Local Historic Landmark designation application. After receiving evidence and testimony from the Urban Conservator and proponents of the designation, a quorum of five board members voted unanimously to approve and recommend the Benjamin Stewart Home to City Planning Commission and City Council for approval.

The City Planning Commission is charged with determining whether to follow the recommendation of the Historic Conservation Board (§1435-07-2-B-C). In making such determination, the City Planning Commission shall consider the following factors:

1) The relationship of the proposed designation to the comprehensive plans of the city and of the community in which the proposed Historic Landmark is located; and
2) The effect of the proposed designation on the surrounding areas and economic development plans of the city; and
3) Such other planning and historic preservation considerations as may be relevant to the proposed designation.

The City Planning Commission has the duty to decide whether to approve or disapprove the designation and forward its decision, whether favorable or not, along with the conservation guidelines, to City Council.

SETTING:

The Benjamin Stewart Home occupies a 4.447-acre site that it shares with multi-family luxury residential development, "The Jameson" - noncontributing to the proposed landmark - that was constructed between 2020 and 2021. The Jameson consists of 36 buildings that house 1-to-2-bedroom (plus dens) luxury apartments in addition to carriage houses with a total of 151 units. The development includes a resort-style swimming pool and sundeck, fitness center, on-site dog park, as well as the clubhouse situated in the subject proposed landmark.

Located on the northwest corner of Madison Road and Stewart Avenue in Madisonville, the Benjamin Stewart Home sits prominently on a small slope, roughly 15 feet from the public right-of-way. The structure sits on the identified parcel 035-1-120 of the Hamilton County Auditor Records. This request is solely for the historic designation of the structure. Anderson Place is the next street to the west and Chandler Street is to the north. The above-listed parcel is both the original and legally recorded boundary line for the property for which designation is being requested. The proposed Local Historic Landmark designation is for the Benjamin Stewart Home only and no other structures.

In its historic setting, the home may have been surrounded by similar residential dwellings and tucked away from the busy streets of downtown. Today Madison Road is a major thoroughfare for commuters moving between Cincinnati's various neighborhoods and many businesses operate within a short vicinity of the property. Today, such businesses and organizations surrounding the subject site include MedPace, a publicly traded company with 2,800 employees, as well as the John P. Parker School, The Children's House, The Summit Hotel, United Dairy Farmers, Mazunte Taqueria, Rally's and more.

HISTORICAL OVERVIEW:

The Benjamin Stewart Home, according to one source, was built in 1833 from lumber that Stewart had floated down the Ohio River on flatboats. However, it should be stated that this is a legend, as the deeds indicate that Stewart bought the land in 1844 from Jonathan Ward. Jonathan Ward bought the property from the state in 1837 and the house was built between 1837-1844 when the property was sold to Benjamin Stewart. Benjamin Stewart became a successful businessman in Cincinnati via his lumber enterprise and the home is on land that had been inhabited by Jonathon Ward, the grandson of Madisonville's first settler, Joseph Ward. The Home is a two and a half story American bond brick building with an L-shaped floor plan. Constructed in the Greek Revival Style, this home is one of the oldest standing examples of this type of architecture in the district.

HISTORIC SIGNIFICANCE:

The Benjamin Stewart Home is architecturally and historically significant as an example of the Greek Revival style that contributed to many homes of its era and is a significant structure in the Madison-Stewart Historic District in Cincinnati. The house presently serves as the clubhouse and leasing offices for The Jameson.

The features of the Benjamin Stewart Home include the low-pitched roof as well as the Doric columns on the front porch and entryway. Another element that the home features are the multi paneled windows. The building was constructed in an L shape, and the chimneys were placed on the side and in the back of the building. Greek temples are usually built from marble or stone, so to replicate the light color, the wooden

finishes would have been painted white due to the lack of resources to make homes from marble. The Stewart Home also incorporates the use of entablatures at the roof trim.

While many homes built in the Greek Revival style have rather grand or large porticos, the Stewart Home was built with a more modest portico, giving the home a refined yet modest look. The columns on the portico similarly were not built above the second story but were below the window trim line of the second story.

ANALYSIS:

In making a determination, the City Planning Commission shall consider all of the following factors:

(1) The relationship of the proposed designation to the comprehensive plans of the city and of the community in which the proposed Historic Landmark, Historic District or Historic Site is located; and

The proposed designation of the Benjamin Stewart Home as a Local Historic Landmark is consistent with Plan Cincinnati (2012), within the Sustain Initiative Area, specifically the Goal to, "Preserve our natural and built environment" (p. 193). The Historic Conservation Board voted to determine that this designation meets the criteria.

(2) The effect of the proposed designation on the surrounding areas and economic development plans of the city; and

Designating the Benjamin Stewart Home as a Local Historic Landmark contributes to the surrounding areas and economic development plans of Madisonville and the City as a whole.

(3) Such other planning and historic preservation considerations as may be relevant to the proposed designation.

This designation is consistent with the Madisonville Neighborhood Business District Urban Renewal Plan (2002).

The Benjamin Stewart Home is nominated under Criterion 2, "Association with the lives of persons significant in our past" and Criterion 3, "Embodies the distinctive characteristics of a type, period, method of construction or that represent a significant and distinguishable entity whose components may lack individual distinction".

SIGNIFICANCE:

According to the Cincinnati Zoning Code (§1435-01-H3), certain findings must be made before a Local Historic Landmark can be designated by City Council. The building must be found to have historic significance. Historic significance means that the attributes of the landmark must possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

1. That are associated with events that have made a significant contribution to the broad patterns of our history; or
2. That are associated with the lives of persons significant in our past; or
3. That embody the distinctive characteristics of a type, period or method of construction, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
4. That has yielded, or may be likely to yield information important in history or prehistory.

The Benjamin Stewart Home is nominated as significant under Criterion 2 and 3 of the Cincinnati Zoning Code (§1435-07-1):

2. *Association with the lives of persons significant in our past.*
3. *Embodies the distinctive characteristics of a type, period, method of construction or that represent a significant and distinguishable entity whose components may lack individual distinction;*

The Benjamin Stewart Home meets Criterion 2 for being associated with the lives of persons significant in our past for:

- The House was built by Jonathan Ward who was part of the founding family of Madisonville.
- The house was lived in by Benjamin Stewart or his descendants for almost 100 years.
- Benjamin Stewart was a prominent businessman who was integral to the development of Madisonville.

The Benjamin Stewart Home meets Criterion 3 by embodying the distinctive characteristics of a type, period, method of construction or that represent a significant and distinguishable entity whose components may lack individual distinction for:

- The building is an excellent example of Greek Revival Architecture and is one of the oldest buildings remaining in Madisonville.

CONCLUSION:

Per Chapter 1435- 07-2-C. - Adoption of Conservation Guidelines.

"At the time of designation of a Historic Landmark, Historic District or Historic Site, Council has the duty to adopt conservation guidelines for each Historic Landmark, Historic District or Historic Site. Conservation guidelines shall promote the conservation, development and use of the Historic Landmark, Historic District or Historic Site and its special historic, architectural, community or aesthetic interest or value. Insofar as practicable, conservation guidelines shall promote redevelopment and revitalization of Historic Structures and compatible new development within the Historic District. The guidelines shall not limit new construction within a Historic District to a single period or architectural style but may seek to preserve the integrity of existing Historic Structures. Conservation guidelines shall take into account the impact of the designation of a Historic Landmark, Historic District or Historic Site on the residents of the affected area, the effect of the designation on the economic and social characteristics of the affected area, the projected impact of the designation on the budget of the city."

In summary, staff of the Department of City Planning and Engagement recommends the Benjamin Stewart Home as a Local Historic Landmark per section §1435-07-1(a)(3) of the Zoning Code. The documentation in the attached designation and staff reports provides conclusive evidence that all required findings may be made for the proposed designation under Criterion 2 and 3. The proposed conservation guidelines for the structure are sufficient and have been included.

PUBLIC COMMENT AND ENGAGEMENT:

The Department of City Planning and Engagement held a joint virtual public staff conference on the proposed designation on November 30, 2021. Notices were sent to property owners within a 400-foot radius of the subject property, the property owner, the Madisonville Community Urban Redevelopment Corporation (MCURC) and the Madisonville Community Council. The applicant team and City staff were in attendance. No other members of the public were present at the staff conference.

The Historic Conservation Board (HCB) held a public hearing on the proposal at its meeting on December

20, 2021. The only people in attendance during the HCB meeting were representatives from the Madisonville Community Council and PLK Communities. No members of the public spoke during the hearing. All property owners within a 400-foot radius of the subject property, the property owner, MCURC and the Madisonville Community Council were sent notification of the February 4, 2022 City Planning Commission. No additional correspondence has been received to-date.

CONSISTENCY WITH PLANS:

Plan Cincinnati (2012)

The proposed Local Historic Landmark designation of the Benjamin Stewart Home is consistent with the Sustain Initiative Area of *Plan Cincinnati*, specifically the Goal to, "Preserve our natural and built environment" (p. 193). This designation will help to preserve this architecturally significant building.

Madisonville Neighborhood Business District Urban Renewal Plan (2002)

The proposed designation is consistent with the Strategy to "Empower local development entities such as private developers, Madisonville Community Urban Redevelopment Corporation (MCURC), local church groups and other organizations and non-profits to renovate or upgrade existing vacant and underutilized properties throughout the neighborhood business district" (p. 14). Even though the subject property sits directly outside the neighborhood business district, this strategy can still be applied as the Benjamin Stewart Home was sitting vacant and then was converted into "The Jameson" clubhouse to serve the new adjacent multi-family development.

RECOMMENDATION:

The staff of the Department of City Planning and Engagement recommends that the City Planning Commission take the following actions:

1) **APPROVE** the proposed designation of the Benjamin Stewart Home as a Local Historic Landmark at 5540 Madison Road under Criterion 2 and 3 of the Cincinnati Zoning Code (§1435-07-1a) and;

2) **ADOPT** the conservation guidelines for the Benjamin Stewart Home as shown in Exhibit C.

Respectfully submitted:

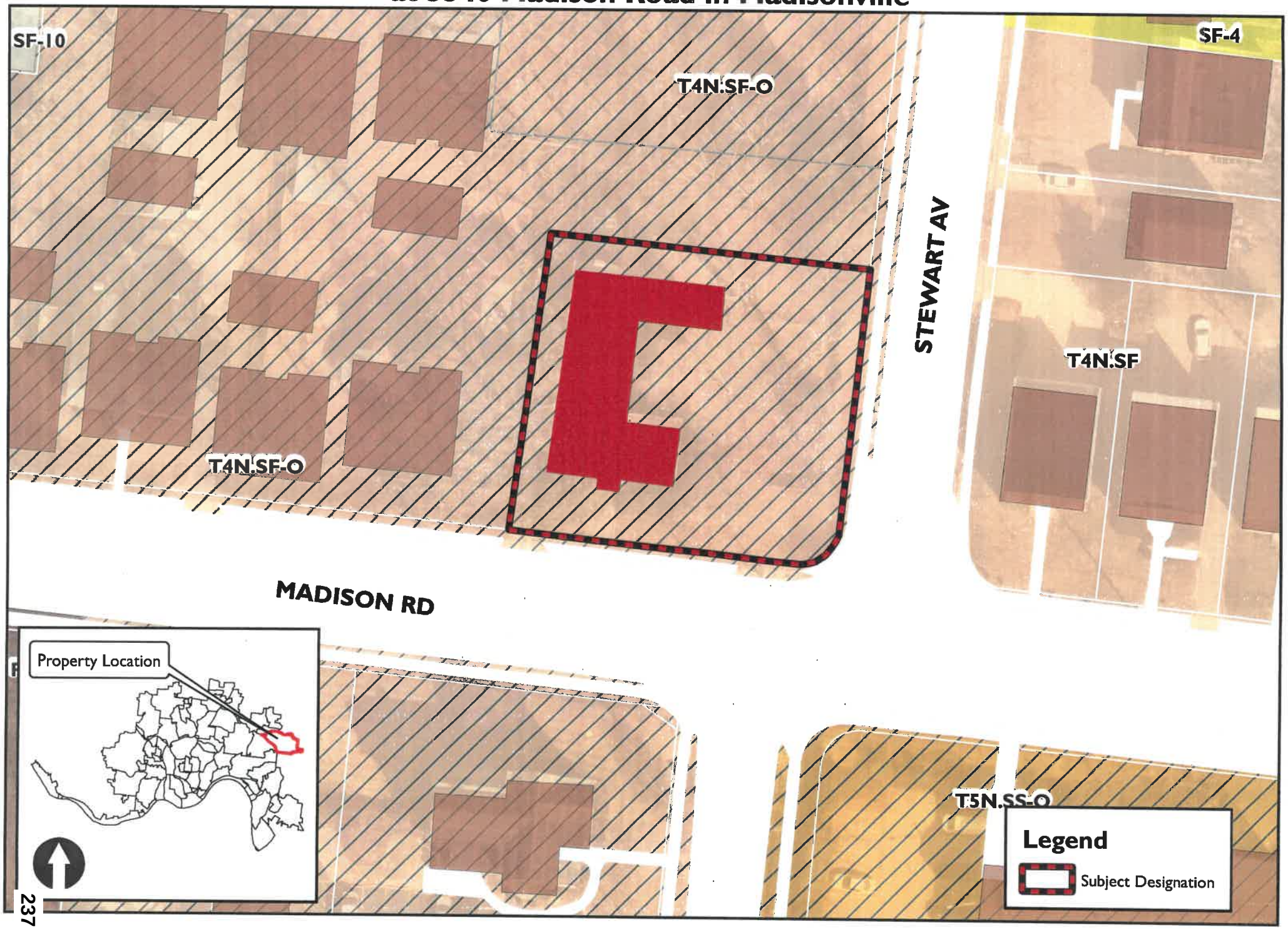
Jesse Urbancsik, City Planner
Department of City Planning and Engagement

Approved:

Katherine Keough-Jurs, AICP, Director
Department of City Planning and Engagement

Proposed Local Landmark Designation of the Benjamin Stewart Home at 5540 Madison Road in Madisonville

Exhibit A



Landmark Designation Request

Benjamin Stewart Home in Madisonville

5540 Madison Rd

Cincinnati, Ohio 45227

Submitted to:

Cincinnati Historic Conservation Office

By: Eric S. Stringer, PLK Communities

For the Benefit of

Madisonville Community Council

Table of Contents

Introduction

Prepared by Eric Stringer of PLK Communities for the Benefit of The Madisonville Community Council, this report represents the findings and recommendations for local Historic Landmark designation of the Stewart Home.

Background

The owner PLK Communities, and Madisonville Community Council have an interest in the preservation of the property for the future. The building is architecturally and historically significant as a good example of The Greek Revival style that contributed to many homes of its era and is a significant structure in the Madison-Stewart Historic District in Cincinnati, OH. The building presently serves as the clubhouse and leasing offices for a townhome development.

Description of Property

Site

The Benjamin Stewart home at 5540 Madison Road sits along the line of latitude of 39° 09' 40", and line of longitude at 84° 23' 52". The home sits on a site that is 4.447 acres that it shares with multiple multi-family residential dwellings (noncontributing to landmark) that were built between 2020 and 2021.

Legal Description

Situate in Section 16, Town 4, Fractional Range 2, Columbia Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Madison and Stewart, LLC in O.R. 14111, Pg. 767 and being more particularly described as follows:

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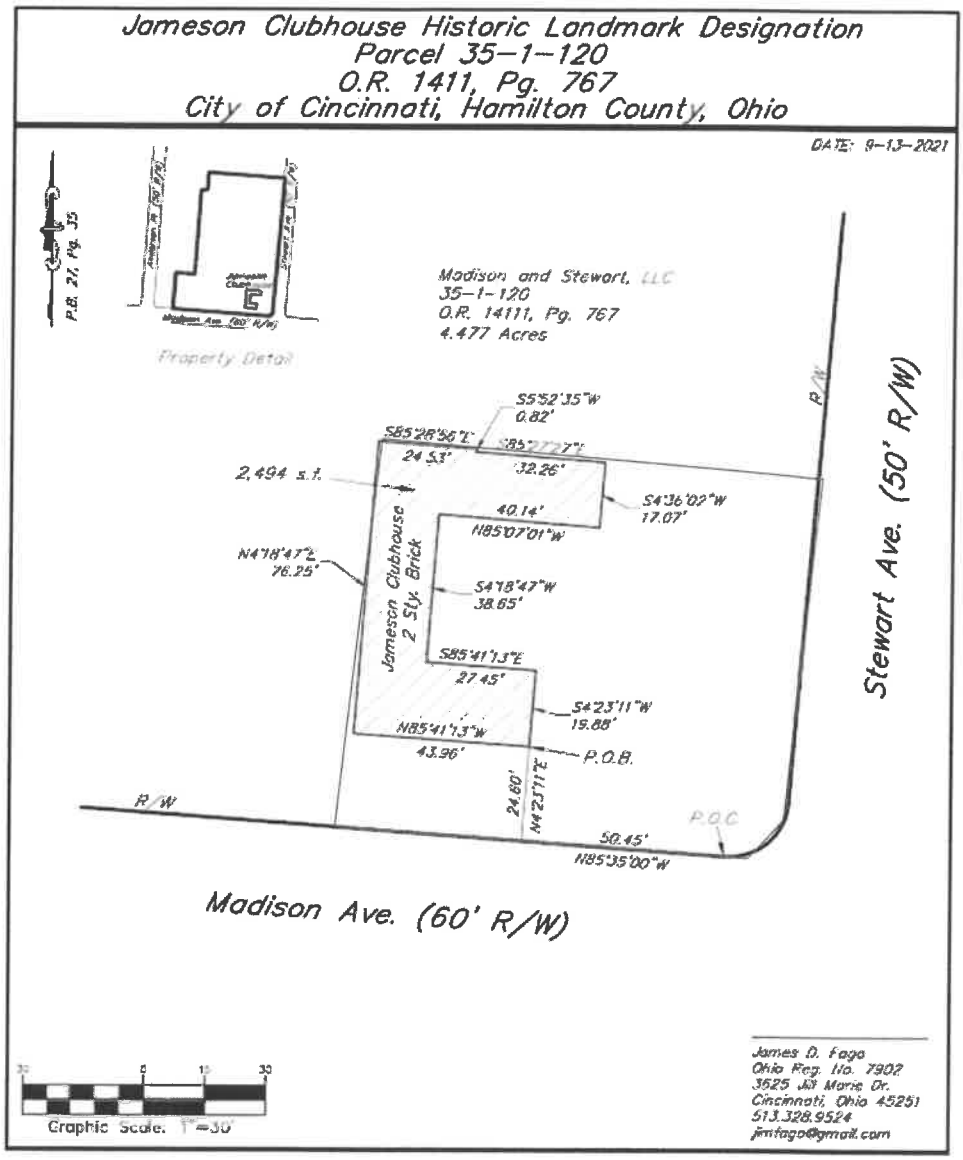
Map Showing Designation Boundaries (See Below)



Boundary

The home is identified as parcel 035-1-120 of the Hamilton County Auditors Records. The historic home is set on the corner of Madison Road and Stewart Ave as the eastern boundary. Anderson Place is the next street to the west and Chandler Street is to the north.

Justification of Boundary

The above-listed parcel is both the original and legally recorded boundary line for the property for which designation is being requested. The building occupies the parcel and the parcel designated for Landmark Designation is for the Stewart home only and no other structures.

Setting

Located on the northwest corner of Madison Road and Stewart Avenue in Madisonville, the Benjamin Stewart home sits prominently on a small slope, roughly 15 feet from the street front. In its historic setting, the home may have been surrounded by similar residential dwellings and tucked away from the busy streets of downtown, but today Madison Road is a thoroughfare for commuters moving between Cincinnati's various neighborhoods and many businesses operate within a short vicinity of the property. Today, such businesses include MedPace, a publicly traded company with 2,800 employees, as well as a multitude of independent shops and restaurants.

Statement of Significance

The Benjamin Stewart home according to one source, was built in 1833 from lumber that Stewart had floated down the Ohio River on flatboats[1]. However, it should be stated that this is a legend, as the deeds indicate that Stewart bought the land in 1844 from Jonathan Ward. Jonathan Ward bought the property from the state in 1837 and the house was built between 1837-1844 when the property was sold to Benjamin Stewart. The house is a two and a half story American bond brick building with an L-shaped floor plan. Constructed in the Greek Revival Style, this home is one of the oldest standing examples of this type of architecture in the district.

The Madison-Stewart District was designated by the National Register of Historic Places on May 29, 1975 (No. 75001419). The Stewart home sites prominently on the intersection of Stewart and Madison Road and is representative of an iconic architectural style as well as an anchor building to the historic district. Benjamin Stewart became a successful businessman in Cincinnati via his lumber enterprise and the home is on land that has been inhabited by Jonathon Ward, the grandson of Madisonville's first settler, Joseph Ward.

According to CZC 1435-07-1 (2) the home is associated with the lives of persons significant in our past and, (3) the Stewart home embodies the distinctive characteristics of a type, period, or method of construction (Greek Revival) that represents a significant and distinguishable entity. The request for Historic Landmark designation of the Stewart home also is consistent with the desire to have a prominent structure represented. The style of the home, as well said historic ownership, combine and fulfill the requirements to have such a building landmarked and to avoid the loss or demolition of the structure.

[1]Busald, Ruth Ann, et. Al., *Images of America: Madisonville*, Charleston, Arcadia Publishers, 2012.

Historical Significance

The designation of the Madison-Stewart district in 1975 reflects the desire and need to highlight and preserve our city's rich architectural and cultural landmarks. This home requested for Historic Landmark status has the attributes of not only reflecting a culturally significant style of building (Greek Revival), but also of a descendant of both the Revolutionary War and Madisonville's first permanent resident. Madisonville, named in honor of President Madison, was a settlement to the north of Columbia, where some settlers left due to being in a flood zone in the early 19th century. The Madison-Stewart district derives its name from Benjamin Stewart, whose residence being the most prominent in the district, as well as President Madison.

The first permanent settler of Madisonville was Joseph Ward. He and his three eldest sons were soldiers in the patriot army during the Revolutionary War. Born in New Jersey in 1784, Ward emigrated from New Jersey to Ohio in 1797. Originally, Ward arrived in the settlement of Columbia, but due to the flooding of the area, moved to a plot of land of what is now the neighborhood of Madisonville.

Joseph Ward and his two sons Nehemiah and Amos were granted land to them by the government for their services in the Revolutionary War. In all, Joseph and his wife Phebe had 9 children. Joseph Ward's grandson, Jonathan, would eventually live on the property that is the site of the Stewart home. According to records, the property would have been sold by Jonathan to Benjamin Stewart in 1844.

Benjamin Stewart, to whom the home is named after, was a prominent businessman of Madisonville. Stewart made a living from lumber, which is potentially where the legend that he made the home on Madison and Stewart from lumber he floated down the river. Stewart's daughter Sarah and his son in law James White, would also live in the home. The home would have a descendent of Benjamin Stewart living in it until the 1940's.

The Ward family extends back to the very beginning of Madisonville, and the home on Stewart and Madison Road is fully renovated and stands as a prominent fixture to this historic district. In 1911 the City of Cincinnati annexed the neighborhood of Madisonville and now Madisonville is one of fifty-two neighborhoods in the city, being situated to the east of the neighborhood of Oakley on the east side of the city.

Architectural Significance

The Benjamin Stewart home has been characterized as being Greek Revival. The move from Georgian-Colonial style homes was an intended move and the early 19th century settlers wanted an architectural style that was distinct from their British ancestors. The Stewart home exemplifies the characteristics of Greek revival style in that it is constructed with several features such as columns to mimic marble, entablatures, trim between roof and columns, pilasters, and a covered front porch.

From the 1820's to 1860's, homes were being built in the Greek Revival style. Typical features included a gabled and/or low pitch roof, entry porch supported by square or round prominent columns. Greek Revival architecture was favored for its elegant yet simplistic style. One of the first published works on this style of architecture was James Stuart's *Antiquities of Athens and Other Monuments of Greece,* in 1762. Architects drew inspiration from the temples found throughout Greece and Italy and began incorporating these design features into their own buildings. The style would be referred to as the national style due to its popularity as a symbol of Democracy.

The features of the Benjamin Stewart home include the low-pitched roof as well as the Doric columns on the front porch and entryway. Another element that the home features are the multi paneled windows. The building was constructed in an L shape, and the chimneys were placed on the side and in the back of the building. Greek temples are usually built from marble or stone, so to replicate the light color, the wooden finishes would have been painted white due to the lack of resources to make homes from marble. The Stewart home also incorporates the use of entablatures at the roof trim. The entablature is the band of trim at the base of the roof.

While many homes built in the Greek Revival style have rather grand or large porticos, the Stewart house was built with a more modest portico, giving the home a refined yet modest look. The columns on the portico similarly were not built above the second story but were below the window trim line of the second story. The Doric columns similarly were the more simplistic of the three traditional styles: Doric, Ionian, and Corinthian.

Planning Considerations

Consistency with CZC Chapter 1435, Historic Preservation

The designation of the Stewart home meets the requirements of chapter 1435-07-1, a site of Historic Significance and chapter 1435-03, of the Cincinnati Zoning Code (Historic Conservation),

> "To safeguard the heritage of the city by preserving districts and landmarks which reflect elements of its history, architecture and archeology, engineering or culture"

The documentation in this designation report provides conclusive evidence that all the required findings may be made for the proposed designation.

Research Methodology

Research was conducted using various sources, both on-line and hard copy. Sources include the National Register of Historic Places Inventory-Nomination Form, the book *Images of America: Madisonville*, as well the Hamilton County Auditor and Recorder for deed and plat research.

References

Records of the Hamilton County Auditor and Recorder.

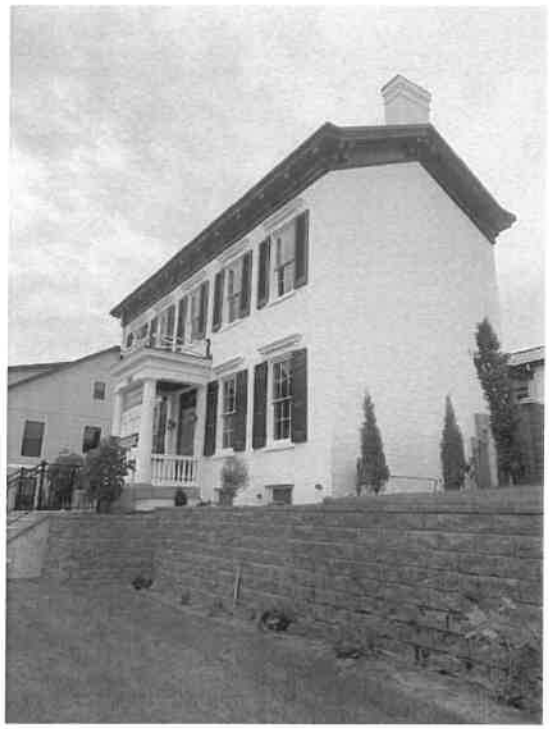
Editorial Staff State History Publications, *Ohio Historic Places Dictionary, Volume 2.*, Ohio: Native American Books, 2008.

Busald, Ruth Ann, et. Al., *Images of America: Madisonville*, Charleston: Arcadia Publishers, 2012.

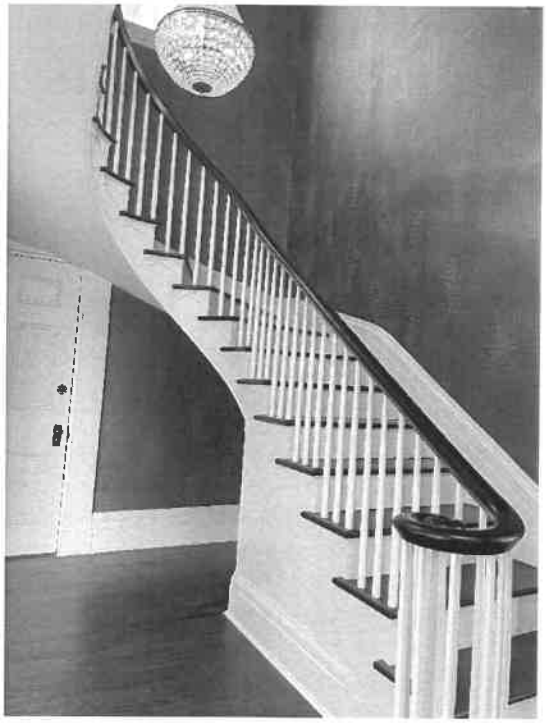
The National Register of Historic Places, Volume 2. Berkeley: United States Department of the Interior National Park Service, 1976.

Recent Interior and Exterior Renovations

Exterior Remodeled in 2020



Original Staircase in foyer



Courtyard (East Facing)

Exterior Rear Entrance

Upstairs room with original fireplace and support beams.

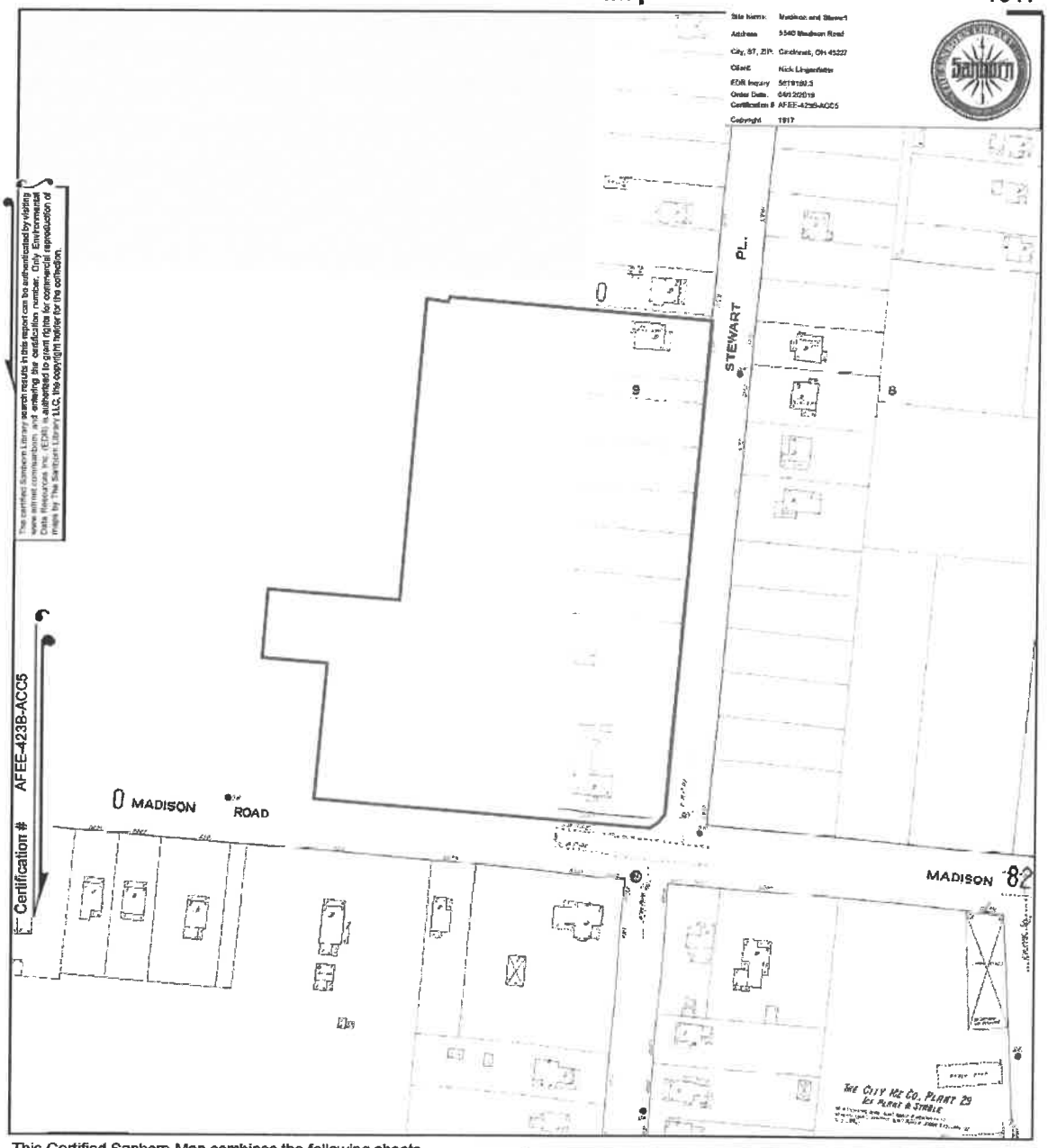
Original hardwood floors restored in upstairs room, currently serves as guest lounge and co-working space for residents.

Original fireplace restored and redesigned in guest lounge.

EDR

Certified Sanborn® Map

1917



This Certified Sanborn Map combines the following sheets.
Outlined areas indicate map sheets within the collection.

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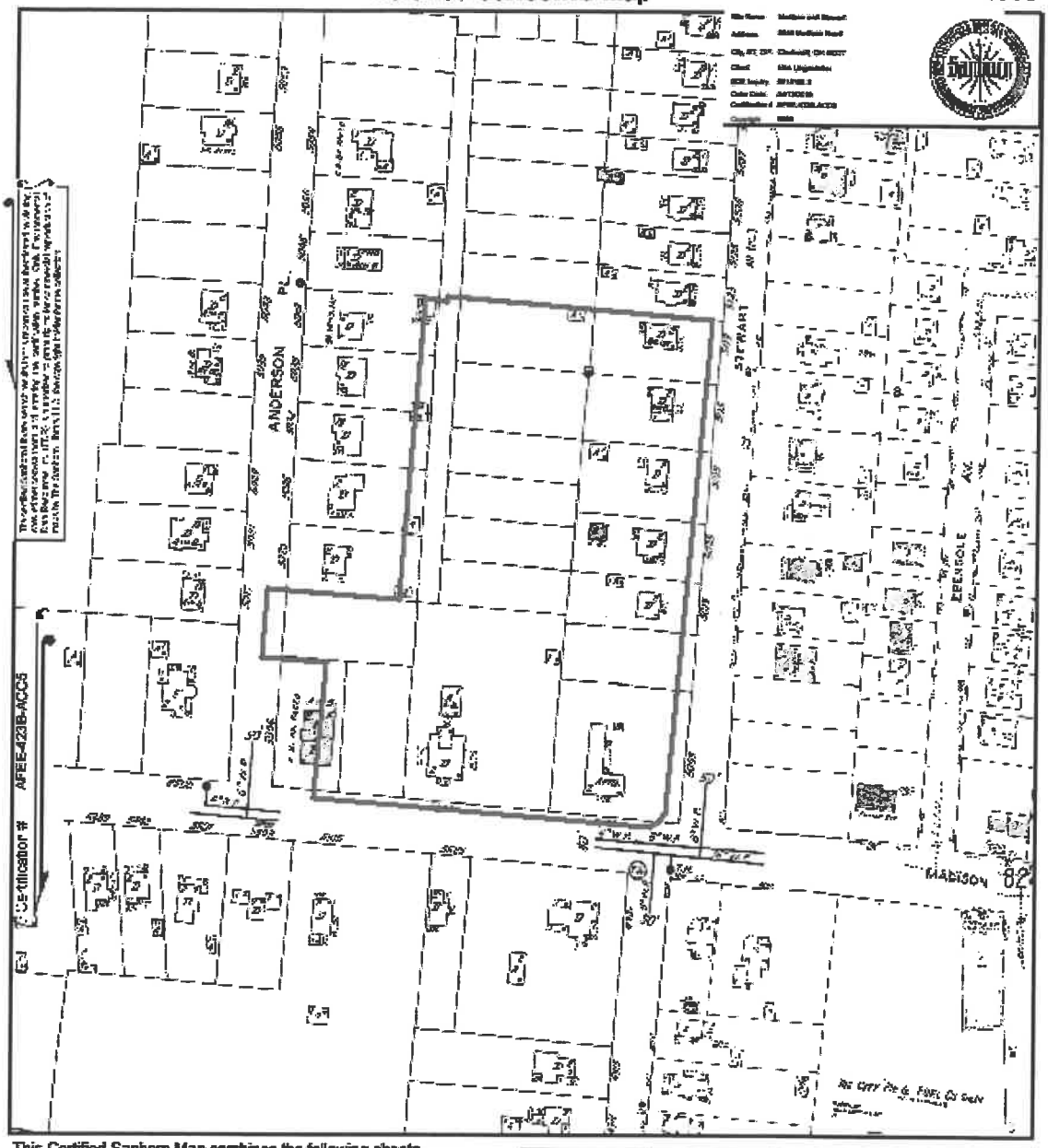
EDR

Certified Sanborn® Map

1950



This Certified Sanborn Map combines the following sheets.
Outlined areas indicate map sheets within the collection.

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Volume 8, Sheet 832
Volume 8, Sheet 831
Volume 8, Sheet 824

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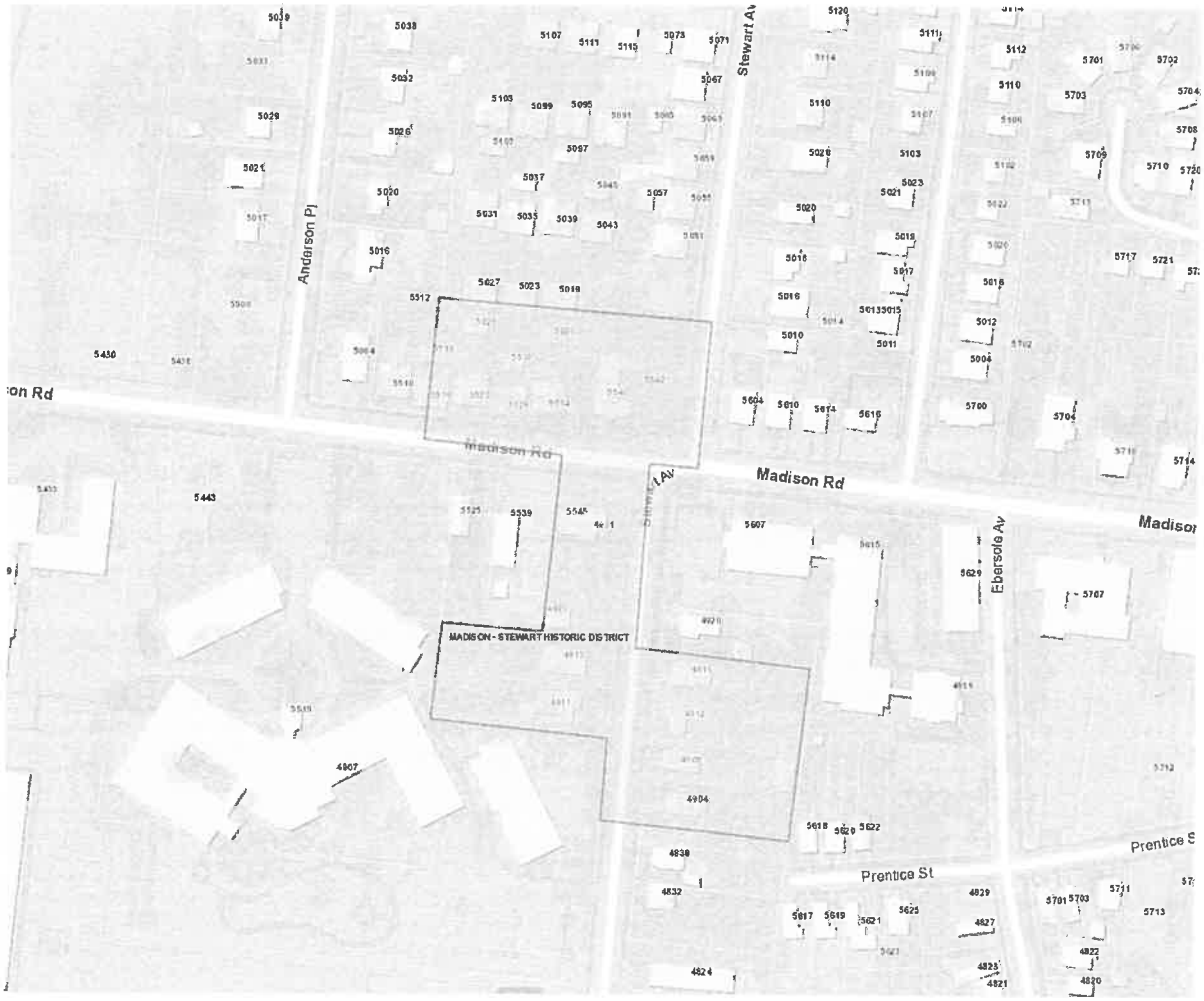
5818186 - 3 page 3

Neighborhood of Madisonville, Cincinnati, OH

Madison-Stewart Historic District

Benjamin Stewart home located at 5540 Madison Road

Latitude 39° 09' 40", Longitude 84° 23' 52"



ITEM 3 December 20, 2021

APPLICATION FOR
LANDMARK DESIGNATION
HISTORIC CONSERVATION BOARD PUBLIC HEARING
STAFF REPORT

APPLICATION #:	NA
APPLICANT:	Madisonville Community Council and PLK Communities
OWNER:	PLK Communities
ADDRESS:	5540 Madison Rd
PARCELS:	035-0001-0120
ZONING:	T4NSF-O
OVERLAYS:	N/A
COMMUNITY:	Madisonville
REPORT DATE:	November 24, 2021

Nature of Request:
The applicant is requesting a Local Historic Landmark Designation for the property generally located at 5540 Madison Road, known as the Benjamin Stewart House. The landmark designation is sought for the individual building located at the southeast corner of the lot with parcel id 035-0001-0120.

The property is a contributing property in the Madison Stewart National Register District that was established in 1975.

The owner, PLK Communities, in partnership with the Madisonville Community Council submitted the application in response to a community benefits agreement that was signed between the two parties, in association with the new development on the same parcel as the proposed landmarked building. The building under consideration is the clubhouse of "The Jameson" development which is a 151 residential unit development.

1435-07-2-A: *Application for the consideration of the designation of a Historic District, Historic Landmark or a Historic Site may be made by the filing of a designation application, in such form as the Historic Conservation Board may prescribe, by the owner of the subject property or by the owner of a property within the area proposed to be designated, by Council or a member of Council, by the City Manager, by the Urban Conservator, by the City Planning Commission,* ***or by a local community organization, including, but not limited to, preservation associations and community councils****. No Historic Structure or Historic Site may be demolished or excavated during the pendency of a designation application, which commences upon the filing of a complete designation application.*

Image 1: Benjamin Stewart House located at 5540 Madison Rd. Image provided by applicant.

Image 2: 5540 Madison Rd. Image provided by applicant via Cagis map.

Summary and Background:

The Benjamin Stewart home was built between 1837-1844. The house is a two and a half story American bond brick building with an L-shaped floor plan. Constructed in the Greek Revival Style, this home is one of the oldest standing examples of this type of architecture in the district. The house is named after Benjamin Stewart who lived in the house until his death in 1863 and had descendants living in the house till the 1940s.

Attached to this Staff report are:

- Attachment A. Location Map
- Attachment B: Historic Conservation Guidelines
- Attachment C: Historic Designation Report

Designation Review:

Historic Significance

Staff finds that, based on the attributes and architectural integrity as set forth in the Designation Report, 5540 Madison Road, meets the requirements prescribed in Chapter 1435, specifically §1435-07-1, "Becoming a Becoming a Historic Structure; Determination of Historic Significance".

The Cincinnati Zoning Code (CZC) § 1435-07-1(a), specifies that a structure or group of structures may be deemed as having Historic Significance if it has at least one of the following attributes:

1. *Association with events that have made a significant contribution to the broad patterns of our history; or*
2. *Association with the lives of persons significant in our past; or*
3. *Embodies the distinctive characteristics of a type, period, method of construction or that represent a significant and distinguishable entity whose components may lack individual distinction; or*
4. *That has yielded, or may be likely to yield, information important in prehistory or history.*

The Criteria in Chapter 1435-07-01 is based off the criteria for the National Register of Historic Places and models the language exactly.

The Historic Conservation Board is tasked with determining if it meets one of the Criteria set forth in Chapter 1435-07-1 of the Cincinnati Zoning Code and making a recommendation to the Cincinnati Planning Commission and City Council based on its significance.

The applicant is nominating 5540 Madison Road, Benjamin Stewart Home, under Criterion 2: *Association with the lives of persons significant in our past* and Criterion 3 *Embodies the distinctive characteristics of a type, period, method of construction or that represent a significant and distinguishable entity whose components may lack individual distinction.*

In Staffs review of the designation report and the documentation provided the building meets the criteria in the following ways:

Criterion 2: *Association with the lives of persons significant in our past*

- The House was built by Jonathan Ward who was part of the founding family of Madisonville.
- The house was lived in by Benjamin Stewart or his descendants for almost 100 years. Benjamin Stewart was a prominent businessman who was integral to the development of Madisonville.

Criterion 3: *Embodies the distinctive characteristics of a type, period, method of construction or that represent a significant and distinguishable entity whose components may lack individual distinction.*

- The building is an excellent example of Greek Revival Architecture and is one of the oldest buildings remaining in Madisonville.

Conservation Guidelines

The Cincinnati Zoning Code (CZC) § 1435-07-2-C. - Adoption of Conservation Guidelines.

"Conservation guidelines shall promote the conservation, development and use of the Historic Landmark, Historic District or Historic Site and its special historic, architectural, community or aesthetic interest or value. Insofar as practicable, conservation guidelines shall promote redevelopment and revitalization of Historic Structures and compatible new development within the Historic District. The guidelines shall not limit new construction within a Historic District to a single period or architectural style but may seek to preserve the integrity of existing Historic Structures. Conservation guidelines shall take into account the impact of the designation of a Historic Landmark, Historic District or Historic Site on the residents of the affected area, the effect of the designation on the economic and social characteristics of the affected area, the projected impact of the designation on the budget of the city, as well as all of the factors listed in paragraph 1435-07-2-B(c) above. Conservation guidelines shall address Non-Contributing Structures. Approved conservation guidelines shall be published on the City's website and be made available for public inspection in the office of the Urban Conservator."

Staff finds that the proposed Guidelines for 5540 Madison Road, Benjamin Stewart Home, present best practice approaches in seeking to preserve the integrity of the exterior of the building while allowing a compatible reuse of the building. The proposed Conservation Guidelines cover changes to the exterior of the building for features that are part of the integrity and significance of the building and site. The interior is not proposed to be subject to local review.

The proposed guidelines are also compatible with the Secretary of the Interior's Standards for Historic Preservation.

The applicant submitted proposed guidelines to Historic Conservation and City Planning Staff. Historic Conservation Staff has not proposed any changes.

Other Considerations:

Prehearing Results

- November 30, 2021 A Joint Staff Conference was held. The applicants, city staff, and members from the public were in attendance.

Comments Provided to Staff: None

Consistency with Plan Cincinnati (2012): This designation is consistent with the Plan Cincinnati goal embodied in the Sustain Initiative, specifically goal #2, preserving our built history as outlined in pages 197-198 of the plan.

Recommendation:

Staff recommends the Historic Conservation Board take the following actions:

1. **RECOMMEND** to the Cincinnati City Planning Commission (CPC) and to the Cincinnati City Council (CC) for the designation of the building located at the southeast corner of parcel 035-0001-0120 and associated Conservation Guidelines subject to the following conditions:
    a. Any construction proposed upon the proposed Historic Landmark shall comply with the proposed Historic Conservation Guidelines (Exhibit C).

2. **FINDING:** The Board makes this determination per Section 1435-07-1:
    (a) That it has been demonstrated that the 5540 Madison Rd/Benjamin Stewart Home meets §1435-07-1(a)(2 and 3) as the building maintains integrity, has "*Association with the lives of persons significant in our past*" and "*Embodies the distinctive characteristics of a type, period, method of construction or that represent a significant and distinguishable entity whose components may lack individual distinction.*"
    (b) 5540 Madison Road is a contributing building to the Madison-Stewart National Register Historic District.

FOR OFFICE USE ONLY
File No.
Date Filed
Fee Paid
Date Received
Decision

city of CINCINNATI
BUILDINGS & INSPECTIONS

II Centennial Plaza
Planning Department
805 Central Ave, Suite 700
Cincinnati, OH 45202
513-352-4848

APPLICATION FOR LOCAL HISTORIC DESIGNATION/ HISTORIC ZONE CHANGE

1. SUBJECT PROPERTY/(ies) ■ Landmark □ Site □ District

ADDRESS 5540 Madison Road, Cincinnati, OH 45227

PARCEL ID(S) 035-0001-0120-00 New - 035-0001-0100-00 Original

AREA CONTAINED IN PROPERTY (EXCLUDING STREETS) Approx. 4,500 SF Home

NAME OF HISTORIC DESIGNATION Madisonville Historic District - Requesting Landmark Designation for Ward/Stewart Home

2. APPLICANT

NAME Madisonville CC and PLK Communities CONTACT PERSON (if legal entity) Kate Botos and Nicholas Lingenfelter

ADDRESS PLK Communities (see below) TELEPHONE KB - 513-227-4352 NL - 513-561-5080

EMAIL President@ourmadisonville.com and Nick@plkcommunities.com RELATIONSHIP TO OWNER (if not owner) Community Council and VP of Development

■ Owner □ City Council Member □ City Manager □ Urban Conservator

□ Planning Commission ■ Community Organization □ Owner of Property within District

3. OWNER(S) (If multiple properties, please provide an excel sheet with information)

NAME Madison and Stewart, LLC CONTACT PERSON (if legal entity) Nicholas Lingenfelter

ADDRESS 5905 E. Galbraith Rd, Suite 4100, Cincinnati, OH 45236 TELEPHONE 513-561-5080

EMAIL Nick@plkcommunities.com

4. HISTORIC CRITERIA (Select all that apply)

□ Association with events that have made a significant contribution to the broad patterns of our history; or

■ Association with the lives or persons significant in our past; or

■ Embodies the distinctive characteristics of a type, period, method of construction or that represent a significant and distinguishable entity whose components may lack individual distinction; or

□ That has yielded, or may be likely to yield, information important in prehistory or history.

5. SUMMARY OF REASONS WHY THE REQUEST SHOULD BE GRANTED. It is your responsibility to provide the Urban Conservator supporting documentation in the form of a "Designation Report" to facilitate the creation of a staff report under chapter 1435-07, "Preserving a Structure." Please be advised that this application will be reviewed by the Historic Conservation Board & Planning Commission Council. The filing fee for the review is $1,500 and due at the time the application is submitted.

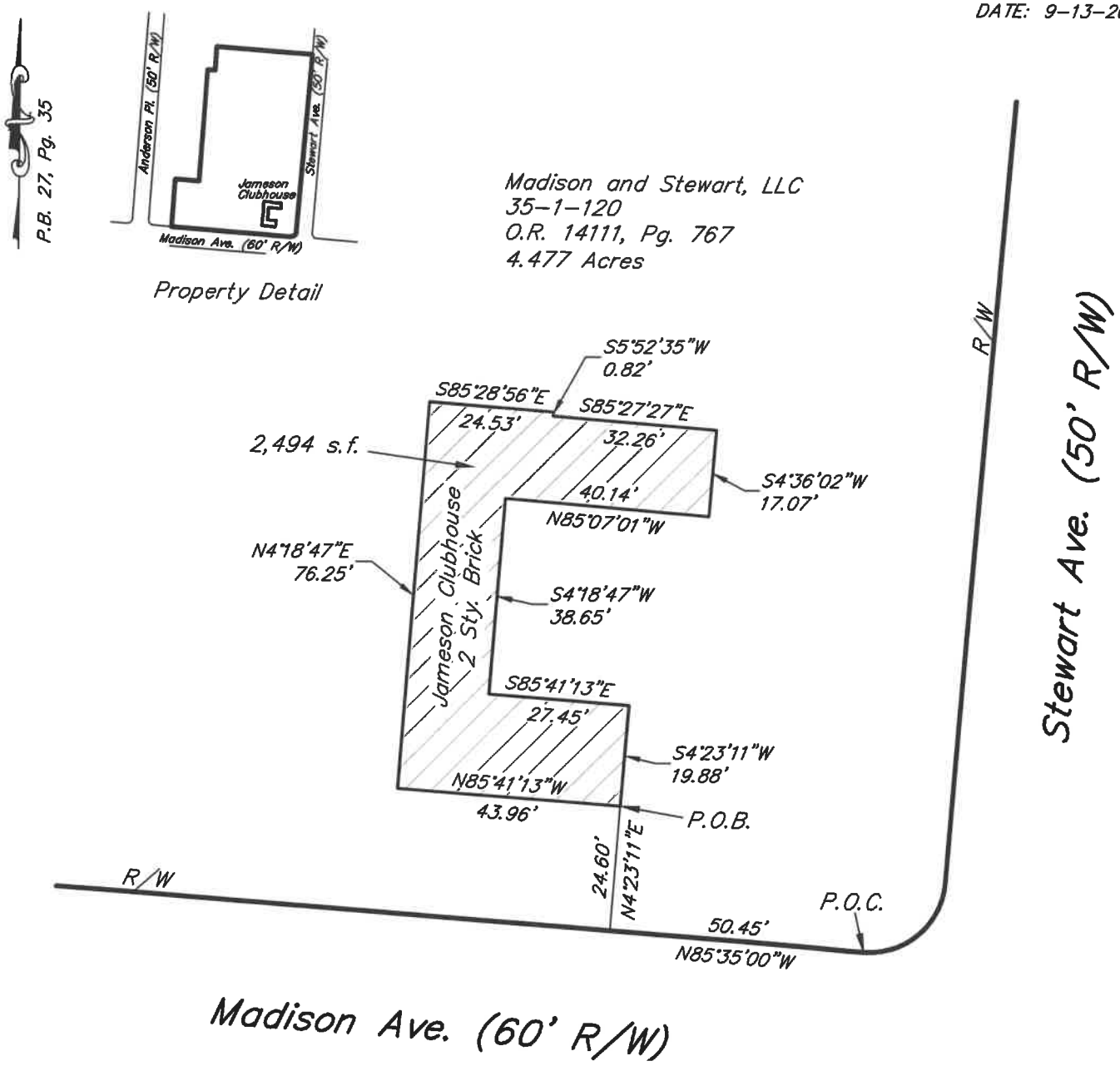
6. SIGNATURE. The undersigned does hereby certify that the information provided in connection with this application is, to the best of his or her knowledge, true and correct.

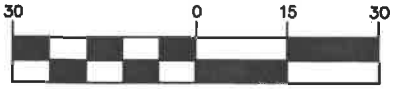
Print Name Kate Botos Signature Date 07 / 25 / 2020

Adopted 01/17/2017

Jameson Clubhouse Historic Landmark Designation
Parcel 35-1-120
O.R. 1411, Pg. 767
City of Cincinnati, Hamilton County, Ohio

DATE: 9-13-2021





Graphic Scale: 1"=30'

James Fago
James D. Fago
Ohio Reg. No. 7902
3625 Jill Marie Dr.
Cincinnati, Ohio 45251
513.328.9524
jimfago@gmail.com

Landmark Designation Request

Benjamin Stewart Home in Madisonville

5540 Madison Rd

Cincinnati, Ohio 45227

Submitted to:

Cincinnati Historic Conservation Office

By: Eric S. Stringer, PLK Communities

For the Benefit of

Madisonville Community Council

Table of Contents

Introduction

Prepared by Eric Stringer of PLK Communities for the Benefit of The Madisonville Community Council, this report represents the findings and recommendations for local Historic Landmark designation of the Stewart Home.

Background

The owner PLK Communities, and Madisonville Community Council have an interest in the preservation of the property for the future. The building is architecturally and historically significant as a good example of The Greek Revival style that contributed to many homes of its era and is a significant structure in the Madison-Stewart Historic District in Cincinnati, OH. The building presently serves as the clubhouse and leasing offices for a townhome development.

Description of Property

Site

The Benjamin Stewart home at 5540 Madison Road sits along the line of latitude of 39° 09' 40", and line of longitude at 84° 23' 52". The home sits on a site that is 4.447 acres that it shares with multiple multi-family residential dwellings (noncontributing to landmark) that were built between 2020 and 2021.

Legal Description

Situate in Section 16, Town 4, Fractional Range 2, Columbia Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Madison and Stewart, LLC in O.R. 14111, Pg. 767 and being more particularly described as follows:

Commencing at the intersection of the west line Stewart Avenue, 50' R/W and the north line of Madison Avenue, 60' R/W; thence with the north line of said Madison Avenue, North 85°35'00" West, 50.45 feet to a point; thence leaving said Madison Avenue, North 04°23'11" East, 24.60 feet to the Place of Beginning; thence with the exterior of the existing Jameson Clubhouse the following ten courses; North 85°41'13" West, 43.96 feet to a point; thence North 04°18'47" East, 76.25 feet to a point; thence South 85°28'56" East, 24.53 feet to a point; thence South 05°52'35" West, 0.82 feet to a point; thence South 85°27'27" East, 32.26 feet to a point; thence South 04°36'02" West, 17.07 feet to a point; thence North 85°07'01" West, 40.14 feet to a point; thence South 04°18'47" West, 38.65 feet to a point; thence South 85°41'13" East, 27.45 feet to a point; thence South 04°23'11" West, 19.88 feet to the Place of Beginning. Containing 2,494 square feet of land more or less. Bearings based on P.B. 27, Page 35 H.C.R.O.. Subject to all legal highways, easements and restrictions of record. This description is based on a survey performed under the direction of James D. Fago, Ohio Reg. No. 7902.

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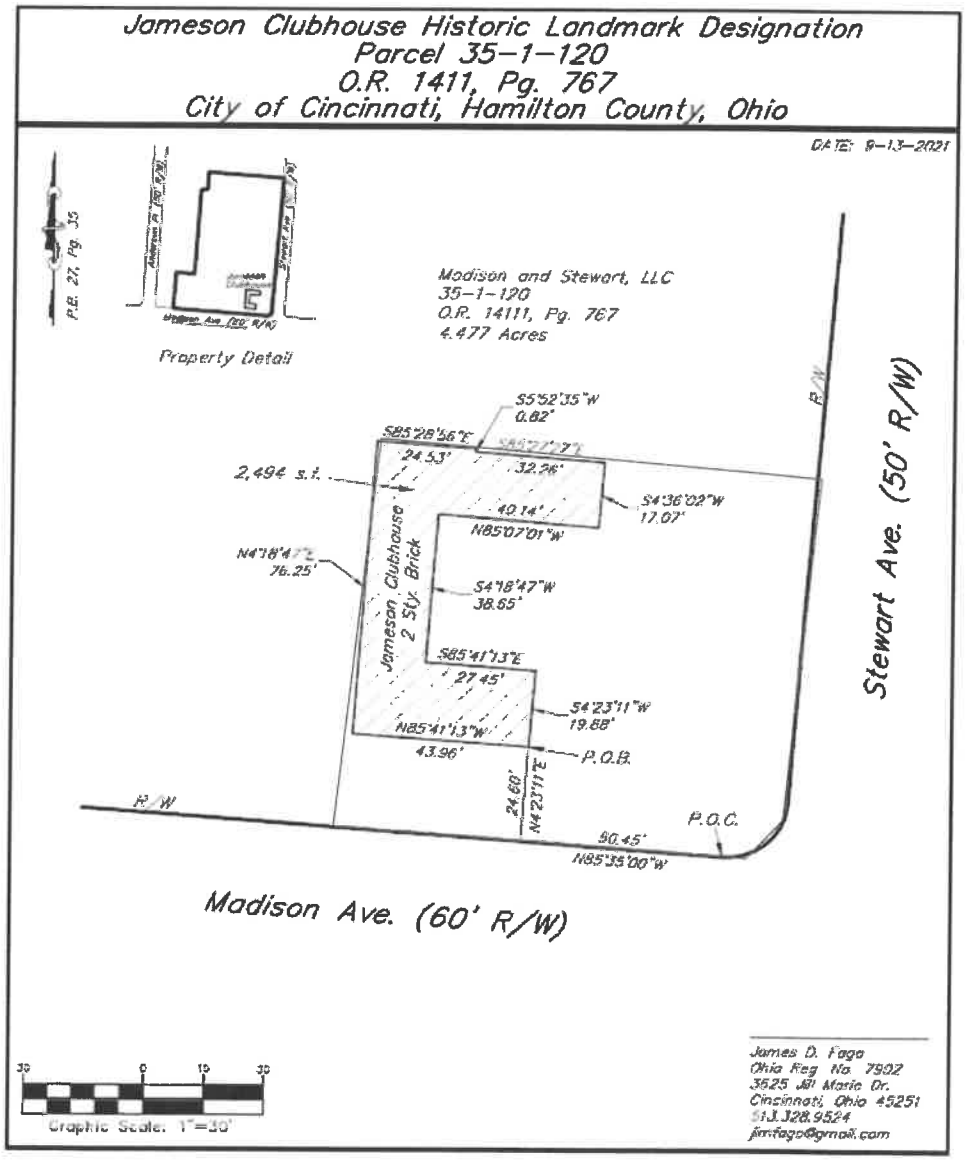

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Located on the northwest corner of Madison Road and Stewart Avenue in Madisonville, the Benjamin Stewart home sits prominently on a small slope, roughly 15 feet from the street front. In its historic setting, the home may have been surrounded by similar residential dwellings and tucked away from the busy streets of downtown, but today Madison Road is a thoroughfare for commuters moving between Cincinnati's various neighborhoods and many businesses operate within a short vicinity of the property. Today, such businesses include MedPace, a publicly traded company with 2,800 employees, as well as a multitude of independent shops and restaurants.

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The designation of the Madison-Stewart district in 1975 reflects the desire and need to highlight and preserve our city's rich architectural and cultural landmarks. This home requested for Historic Landmark status has the attributes of not only reflecting a culturally significant style of building (Greek Revival), but also of a descendant of both the Revolutionary War and Madisonville's first permanent resident. Madisonville, named in honor of President Madison, was a settlement to the north of Columbia, where some settlers left due to being in a flood zone in the early 19th century. The Madison-Stewart district derives its name from Benjamin Stewart, whose residence being the most prominent in the district, as well as President Madison.

The first permanent settler of Madisonville was Joseph Ward. He and his three eldest sons were soldiers in the patriot army during the Revolutionary War. Born in New Jersey in 1784, Ward emigrated from New Jersey to Ohio in 1797. Originally, Ward arrived in the settlement of Columbia, but due to the flooding of the area, moved to a plot of land of what is now the neighborhood of Madisonville.

Joseph Ward and his two sons Nehemiah and Amos were granted land to them by the government for their services in the Revolutionary War. In all, Joseph and his wife Phebe had 9 children. Joseph Ward's grandson, Jonathan, would eventually live on the property that is the site of the Stewart home. According to records, the property would have been sold by Jonathan to Benjamin Stewart in 1844.

Benjamin Stewart, to whom the home is named after, was a prominent businessman of Madisonville. Stewart made a living from lumber, which is potentially where the legend that he made the home on Madison and Stewart from lumber he floated down the river. Stewart's daughter Sarah and his son in law James White, would also live in the home. The home would have a descendent of Benjamin Stewart living in it until the 1940's.

The Ward family extends back to the very beginning of Madisonville, and the home on Stewart and Madison Road is fully renovated and stands as a prominent fixture to this historic district. In 1911 the City of Cincinnati annexed the neighborhood of Madisonville and now Madisonville is one of fifty-two neighborhoods in the city, being situated to the east of the neighborhood of Oakley on the east side of the city.

Architectural Significance

The Benjamin Stewart home has been characterized as being Greek Revival. The move from Georgian-Colonial style homes was an intended move and the early 19th century settlers wanted an architectural style that was distinct from their British ancestors. The Stewart home exemplifies the characteristics of Greek revival style in that it is constructed with several features such as columns to mimic marble, entablatures, trim between roof and columns, pilasters, and a covered front porch.

From the 1820's to 1860's, homes were being built in the Greek Revival style. Typical features included a gabled and/or low pitch roof, entry porch supported by square or round prominent columns. Greek Revival architecture was favored for its elegant yet simplistic style. One of the first published works on this style of architecture was James Stuart's *Antiquities of Athens and Other Monuments of Greece,* in 1762. Architects drew inspiration from the temples found throughout Greece and Italy and began incorporating these design features into their own buildings. The style would be referred to as the national style due to its popularity as a symbol of Democracy.

The features of the Benjamin Stewart home include the low-pitched roof as well as the Doric columns on the front porch and entryway. Another element that the home features are the multi paneled windows. The building was constructed in an L shape, and the chimneys were placed on the side and in the back of the building. Greek temples are usually built from marble or stone, so to replicate the light color, the wooden finishes would have been painted white due to the lack of resources to make homes from marble. The Stewart home also incorporates the use of entablatures at the roof trim. The entablature is the band of trim at the base of the roof.

While many homes built in the Greek Revival style have rather grand or large porticos, the Stewart house was built with a more modest portico, giving the home a refined yet modest look. The columns on the portico similarly were not built above the second story but were below the window trim line of the second story. The Doric columns similarly were the more simplistic of the three traditional styles: Doric, Ionian, and Corinthian.

Planning Considerations

Consistency with CZC Chapter 1435, Historic Preservation

The designation of the Stewart home meets the requirements of chapter 1435-07-1, a site of Historic Significance and chapter 1435-03, of the Cincinnati Zoning Code (Historic Conservation),

> "To safeguard the heritage of the city by preserving districts and landmarks which reflect elements of its history, architecture and archeology, engineering or culture"

The documentation in this designation report provides conclusive evidence that all the required findings may be made for the proposed designation.

Research Methodology

Research was conducted using various sources, both on-line and hard copy. Sources include the National Register of Historic Places Inventory-Nomination Form, the book *Images of America: Madisonville*, as well the Hamilton County Auditor and Recorder for deed and plat research.

References

Records of the Hamilton County Auditor and Recorder.

Editorial Staff State History Publications, *Ohio Historic Places Dictionary, Volume 2.*, Ohio: Native American Books, 2008.

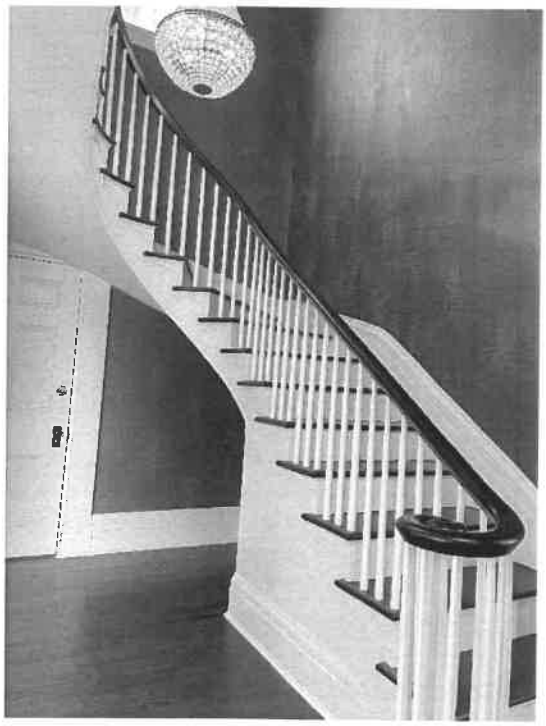
Busald, Ruth Ann, et. Al., *Images of America: Madisonville*, Charleston: Arcadia Publishers, 2012.

The National Register of Historic Places, Volume 2. Berkeley: United States Department of the Interior National Park Service, 1976.

Recent Interior and Exterior Renovations

Exterior Remodeled in 2020

Original Staircase in foyer



Courtyard (East Facing)

Exterior Rear Entrance

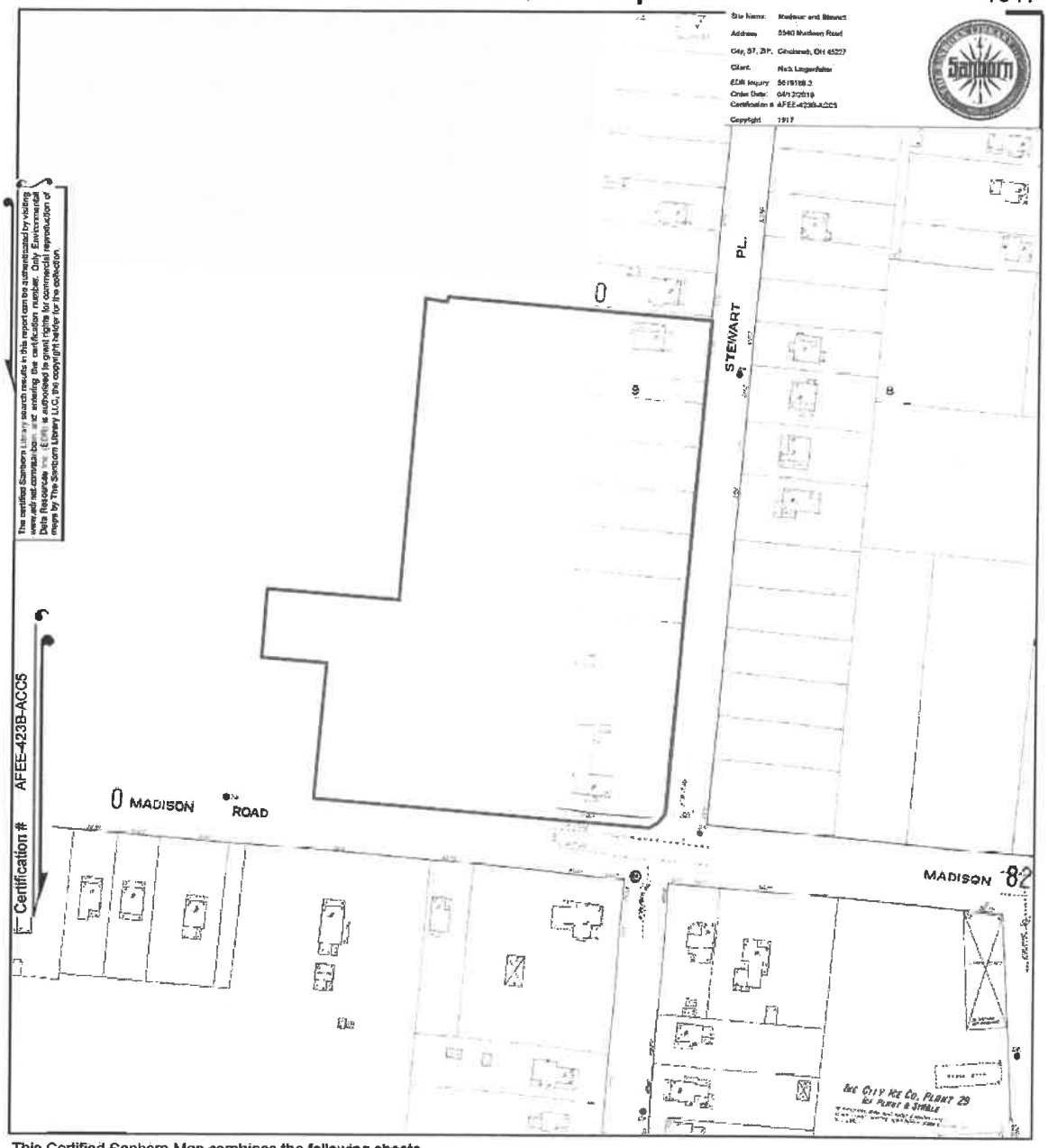
Upstairs room with original fireplace and support beams.

Original hardwood floors restored in upstairs room, currently serves as guest lounge and co-working space for residents.

Original fireplace restored and redesigned in guest lounge.

Certified Sanborn® Map

1917



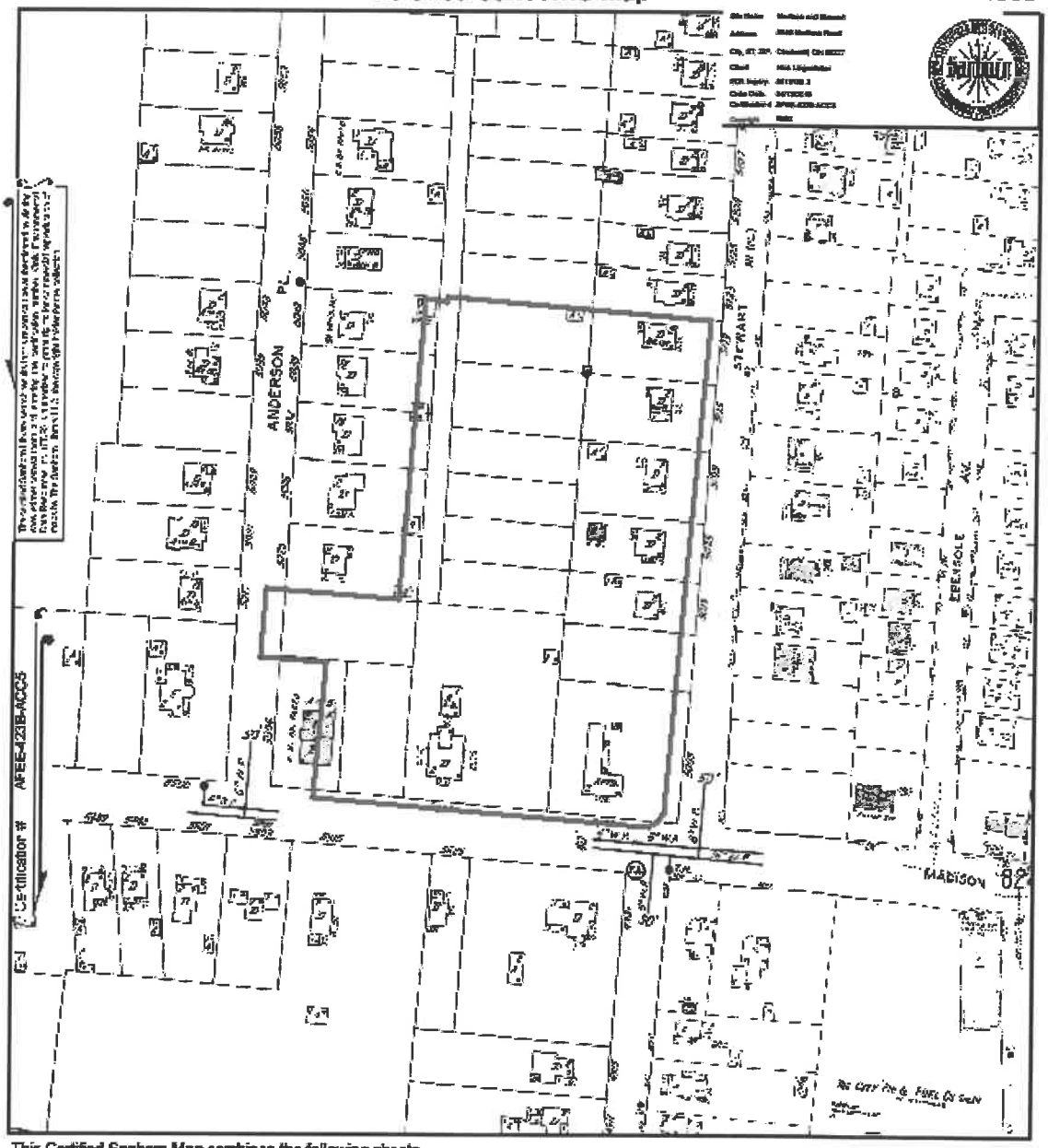
This Certified Sanborn Map combines the following sheets.
Outlined areas indicate map sheets within the collection.

0 Feet 150 300 600

EDR

Certified Sanborn® Map

1950



This Certified Sanborn Map combines the following sheets.
Outlined areas indicate map sheets within the collection.

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Volume 8, Sheet 832
Volume 8, Sheet 831
Volume 8, Sheet 824

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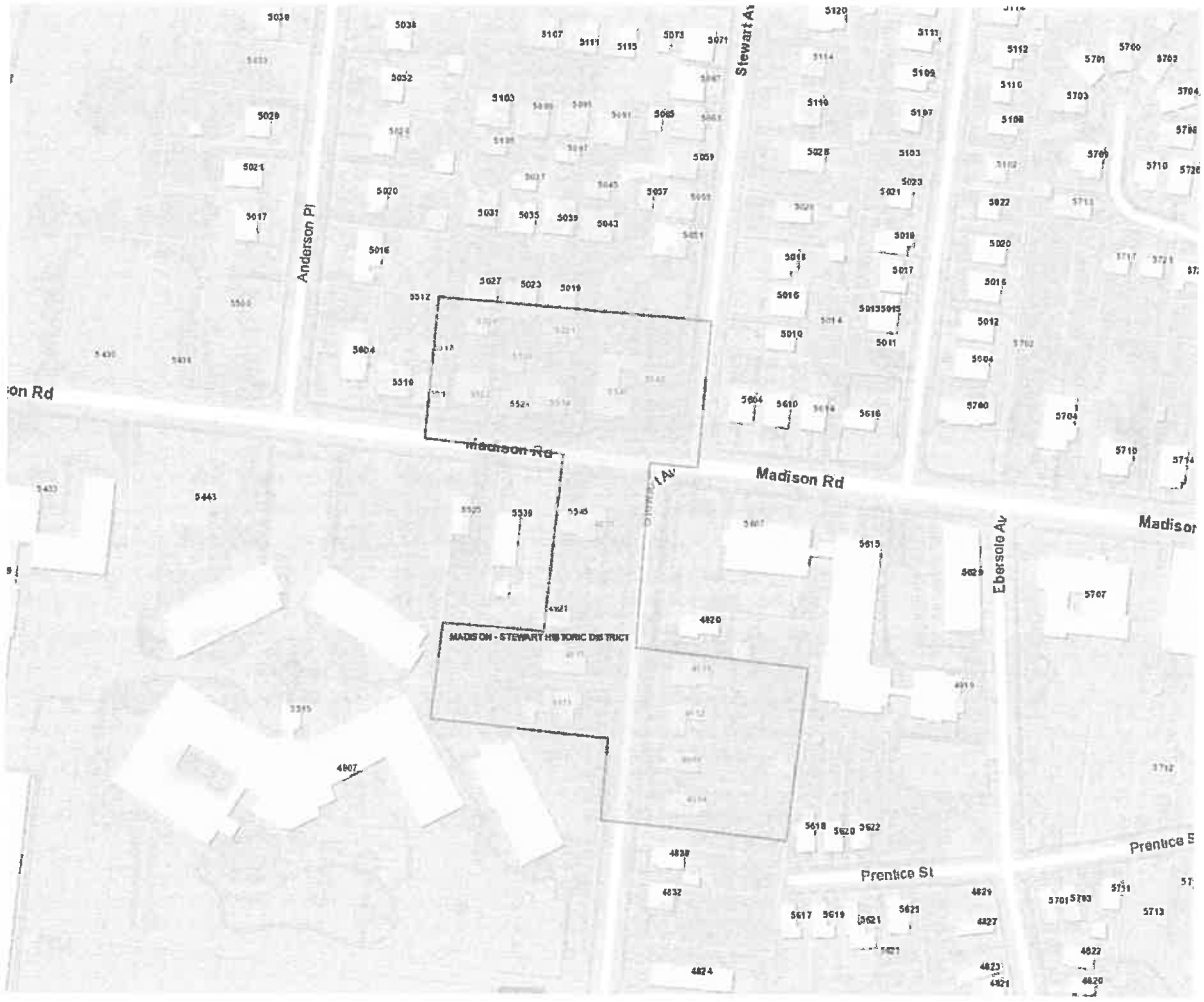
5818180 - 8 page 8

Neighborhood of Madisonville, Cincinnati, OH

Madison-Stewart Historic District

Benjamin Stewart home located at 5540 Madison Road

Latitude 39° 09' 40", Longitude 84° 23' 52"



Historic Conservation Guidelines

Benjamin Stewart Home, Madisonville, Cincinnati, OH

Rehabilitation

General Terminology

Within these guidelines, the "Stewart-Ward Home" refers to the building located at 5540 Madison Road, Cincinnati, OH 45227.

Intent and General Guidelines

The following general approaches are recommended:

1. Repair and maintenance: Ordinary repair and maintenance of like and kind for matching the original construction, where visible, and that does not change the appearance of the buildings, is acceptable under these guidelines. Rehabilitation may include preservation, restoration, reconstruction, or a combination of these, as appropriate and reasonable for the building.

2. Maintenance: Existing visible features that contribute to the building's overall character and are in good condition should be maintained, preserved, or conserved, where possible. Damaged visible features which can be repaired should be repaired whenever possible.

3. Replacements: Replacements of significant features damaged beyond repair, deteriorated beyond reasonable repair, or missing significant features should sensitively harmonize with the characteristics or the original feature. Replication is appropriate but not required.

Specific Guidelines

The following specific approaches to exterior elements, features, and visible components are recommended:

1. Materials: Materials for significant features on primary façades visible from the street that are badly damaged, deteriorated beyond reasonable repair, or missing should be replaced with materials or components that closely match the style, shape, color, treatment, and texture of the element replaced. Composition, type of joint, size of units, visible measures,

placement, and detailing should be appropriate for the building. Synthetic materials, where closely matching the existing characteristics, may be utilized.

2. Masonry Repointing: Repointing of deteriorated and/or missing mortar shall match the existing historic as close as possible. Elements of the new repointing mix shall be consistent with the existing mortar in formulation, aggregate size, texture, color, and method of application. It is recommended that test patches be applied adjacent to existing mortar and allowed to dry. An assessment should be made of new repointing mix with respect to varied constituents to be matched. The sample that closely matches the original mortar should be used for the repointing. Refer to Preservation Brief for general approach to undertaking masonry repointing.

3. Masonry Cleaning: Sandblasting diminishes the integrity of building materials. It is not an approved cleaning method. Should cleaning of exterior materials be undertaken, no harm should result from the approach taken to do the work. If cleaning of building materials is undertaken, use the gentlest method possible to accomplish good results. Scrubbing with a bristle brush and a mild non-iconic detergent is recommended. Should this method be found ineffective, the use of approved chemical cleaning application can be used only after test patches have determined the gentlest means with respect to composition of cleaning agent, method of application, and cleaning results.

4. Water-Repellent Coatings: Use of water-repellent coatings on historic buildings is not permitted. The problem of water infiltration into a building is associated with structural or maintenance issues. Water-repellent coatings compound problems because the coating encapsulates moisture and does not allow it to evaporate naturally.

5. Window and door openings: Window and door openings are important features of these buildings. The size and location of openings are an essential part of the overall design and an important feature of these buildings' architecture. Original wall openings on primary façades should not be altered or filled. On secondary façades, original wall openings should not be significantly altered without consideration of the impact to the overall character of the original design.

6. Window replacement: new windows should be appropriate in material, scale, configuration, style, and size.

7. Ornamentation: Significant architectural features including brick and stone detailing elements should be preserved or conserved. Do not make replacements or substitutions of different size, scale, design, or incompatible materials. Replacement ornamentation should closely match originals in character, scale, configuration, style, size, texture, and color. Some synthetic materials, including fiberglass castings or composite materials, may be considered.

8. Roofs: Chimneys, parapets, and other architectural features that define the buildings' roofline should be maintained. New asphalt shingles are acceptable for the roof.

9. Painting: Repainting existing features that were historically painted is acceptable. Existing exterior elements that were historically not painted, such as brick, stone, and terra cotta, should be left unpainted. Use colors that are appropriate to the buildings' age, history, and style.

10. Outside attachments: Exterior light fixtures should be appropriate for the building's style and should be simple and contemporary.

11. Awnings: Awnings are acceptable provided they adhere to the National Park Service Preservation Brief 44 for the use of awnings on historic buildings.

12. Signs: Signs should be designed for clarity, legibility, and compatibility with the building or property on which they are located. Signs should not cover or obscure architectural features. Temporary signage is permitted without review by the Historic Conservation Board.

Additions and Exterior Alterations

Intent and General Guidelines

1. Additions: Additions should follow new construction guidelines, codes, and regulations. Any addition should be compatible in character with the original building, with sensitivity to existing massing and scale, site, and appearance within the building's existing context. Additions should be sympathetic, may be complementary, but need not be imitative in design. Additions should be designed to relate architecturally, not overwhelming the original building.
2. Alterations: Alterations should follow construction guidelines for alterations, codes, and regulations. Alterations should not change or alter significant features.
3. Appropriateness: The appropriate addition and alteration design solutions should include:
    a. How well the proposed design for the addition or alteration relates to the original building and neighboring buildings.
    b. How closely the proposed addition or alteration meets the specific intentions of these guidelines.

Site Improvements

Intent and General Guidelines

1. Site improvements, such as improvement and/or alteration to existing paving, fences, and landscaping should be in keeping with the character of the building and not detract from its setting or architectural character.
2. The design of any new site improvement construction should be in keeping with the character of the existing building and not detract from its setting or architectural character.

3. Any design of site improvements should capitalize on the unique setting and location of the Stewart-Ward home. The existing views towards the facades should be maintained as an important visual contribution to the integrity of the building.

Demolition

Any demolition, alterations, or modifications to the Stewart-Ward home, and minimum maintenance requirements, are governed by Section 1435-09: Alterations and Demolitions; Certificates of Appropriateness; Minimum Maintenance, of the Cincinnati Zoning Code, ordained by Ordinance No. 217-2012, §1, effective July 20, 2012. Any updates, modifications, or amendments to this section of the Cincinnati Zoning Code or legislation that supersedes Chapter 1435 of the Cincinnati Zoning Code which is established as the "Historic Preservation Code," shall be considered the governing law.

Exhibit D

January 12, 2022

Cincinnati City Planning Commission
II Centennial Plaza
805 Central Avenue, 7th Floor
Cincinnati, Ohio 45202

Honorable Members of the City Planning Commission:

The Historic Conservation Board ("Board") transmits herewith the following items for your consideration concerning the proposed Benjamin Stewart House Historic Landmark Designation Application:

1. Local Historic Landmark Designation Report.

2. Proposed Historic Landmark Conservation Guidelines.

3. Historic Conservation Office Staff Report dated November 24, 2021.

Summary:

The Madisonville Community Council and PLK Communities have applied to designate the Benjamin Stewart House located at 5540 Madison Road in the Madisonville neighborhood (the "Building") as a Local Historic Landmark pursuant to Cincinnati Municipal Code ("CMC") Section 1435-7-02-A.

Upon her review of the designation application pursuant to CMC Sections 1435-07-1(a)(2) and 1435-07-1(a)(3), the Urban Conservator prepared a report recommending approval of the landmark designation and the associated conservation guidelines. The Board then, at its regular meeting on December 20, 2021, held a public hearing on the proposed designation at which it heard from the Urban Conservator and proponents of the designation whether the Building qualifies for landmark designation. Upon considering the designation application (including the designation report and conservation guidelines),the Urban Conservator's report, and comments received at its public hearing, a majority of the Board's members present throughout the hearing and constituting a quorum voted to recommend designation of the Building as a Local Historic Landmark finding that the Building both has an association with the lives of persons significant in our past and embodies the distinctive characteristics of a type, period, and method of construction and thus satisfies CMC Sections 1435-07-1(a)(2) and 1435-07-1(a)(3) and further resolved to recommend approval of the associated conservation guidelines.

Aye	**Nay**	**Absent**
Mr. Voss		Mr. Weiss
Mr. Zielasko		
Mrs. McKenzie		
Mrs. Smith-Dobbins		
Mr. Sundermann		

The Historic Conservation Board

/s/ Tim Voss
Tim Voss
Historic Conservation Board Chair

/s/Abigail Horn
Abigail Horn, Staff Attorney

VENTURE ONE PROPERTIES LLC
1000 FORD CIRCLE SUITE A
MILFORD OH 45150

5219 EBERSOLE AVENUE LLC
10600 CINDERELLA DR
CINCINNATI OH 45242

MILLER NORMAN& MARTHA
1115 AVONDALE CT
WEST PALM BEACH FL 33409

DAVIS DARCI W
1133 HAWKSTONE DR
CINCINNATI OH 45230

YOLO INVESTMENTS LLC
11711 PRINCETON PIKEUNIT #341-331
CINCINNATI OH 45246

PRIMETIME VENTURES LLC
1416 NORTH BELL AVE
CHICAGO IL 60622

BOOKER HENRY K& CYNTHIA
1505 KARAHILL DR
CINCINNATI OH 45240

CINCINNATI METROPOLITAN HOUSING AUTHORITY
1635 WESTERN AVE
CINCINNATI OH 45214

WILLIAMS EVELYN E
1725 BLOOMFIELD DR
GRAND RAPIDS MI 49508

GINN FAMILY INVESTMENTS LLC
1845 TEWKSBURY RD
COLUMBUS OH 43221

LARKINS VENTURES LLC
185 ST ANNES
NORTH BEND OH 45052

PRUES GABRIEL
1936 SUTTON AVE
CINCINNATI OH 45230

BELAY SOLOMON &TSEGEREDA KASSAYE BELAY
201 HEARNE AVE
CINCINNATI OH 45229-2815

HAMILTON COUNTY COMMUNITYMENTAL HEALTH BOARD
2350 AUBURN AVE
CINCINNATI OH 45219

OHARA JOHN & AMRITHA
239 W 13TH ST APT #3
NEW YORK NY 10011

MAJ HOMES LLC
244 GILEA CT
SANTA MARIA CA 93455

MV3 RE LLC
2610 E CRESCENTVILLE RD
WEST CHESTER OH 45069

BARHORST TERRY
2925 PORTSMOUTH AVE
CINCINNATI OH 45208

NREA VB I LLC
300 CRESCENT COURTSTE 700
DALLAS TX 75201

DENTON RUBE JR & JEFFREY
3693 SECTION RD APT4
CINCINNATI OH 45237

CINCY LIVING LLC
3736 FALLON RD#230
DUBLIN CA 94568

ROGERS JEFFREY
3748 DAVENANT AVE
CINCINNATI OH 45213

MADISON VILLA LIMITED PARTNERSHIP
3870 VIRGINIA AVE
CINCINNATI OH 45227

ST PAUL VILLAGE II LIMITED PARTNERSHIP
3870 VIRGINIA AVE
CINCINNATI OH 45227

MAD PROPERTIES LLC
4905 WHETSEL AVEFLOOR 3
CINCINNATI OH 45227

CASH WALTER JR
4908 STEWART AVE
CINCINNATI OH 45227-2210

KAYLOR SCOTT& ROBERT P MARKWELL
4911 STEWART RD
CINCINNATI OH 45227

GREENLEE KITHER R &FLORA L
4912 STEWART AVE
CINCINNATI OH 45227

MOWERY ROBERT E
4916 STEWART AVENUE
CINCINNATI OH 45227

KIRIEVICH KRISTA MARIE
4920 STEWART AVE
CINCINNATI OH 45227

DIXIE MARY
5010 STEWART AVE
CINCINNATI OH 45202

TAGGART RYAN P
5016 ANDERSON PL
CINCINNATI OH 45227

5016 STEWART ROAD LLC
5016 STEWART RD
CINCINNATI OH 45227

GORDON RICHARD F JR
5017 ANDERSON PL
CINCINNATI OH 45227-1601

LOGAN RICKEY& NANCY
5017 EBERSOLE AVE
CINCINNATI OH 45227

BARKLEY JOHN E
5018 STEWART AVE
CINCINNATI OH 45227-1617

JACKSON JACQUELINE A
5020 ANDERSON PL
CINCINNATI OH 45227

NESTER KEVIN DUANE
5020 STEWART AVE
CINCINNATI OH 45227-1617

JUENGER ANDREW J
5021 ANDERSON PL
CINCINNATI OH 45227-1601

BARKLEY JOHN ERIC
5021 EBERSOLE AVE
CINCINNATI OH 45227-1608

PROFFIT JAMES E
5026 ANDERSON PL
CINCINNATI OH 45227-1602

KNOTT ARTHUR JAMES II
5028 STEWART AVE
CINCINNATI OH 45227

BARBER GARY N
5029 ANDERSON PL
CINCINNATI OH 45227-1601

BENDIK ELISE
5032 ANDERSON PL
CINCINNATI OH 45227

MIDDLETON WILLIAM III
5038 ANDERSON PLACE
CINCINNATI OH 45227

NEWHOUSE KARA & LISA FRIEDMAN
5039 ANDERSON PL
CINCINNATI OH 45227

MATERN JOHN B
5042 ANDERSON PL
CINCINNATI OH 45227-1602

SANDFORD GRETTA& CAROLYN COLEMAN
5043 ANDERSON PL
CINCINNATI OH 45227-1601

WITTKOPF LOTUS A & JAMES W
5046 ANDERSON PL
CINCINNATI OH 45227

ROWLAND ESTHER M
5054 ANDERSON PL
CINCINNATI OH 45227-1602

IGOE ROBERT R &ELIZABETH
5055 ANDERSON PL
CINCINNATI OH 45227-1601

PLEAR THOMAS TR
5058 ANDERSON PL
CINCINNATI OH 45227-1602

OVERBECK ROBERT & KRISTEN
5059 ANDERSON PLACE
CINCINNATI OH 45227

KANG JOSEPH & NARA YUN
5062 ANDERSON PL
CINCINNATI OH 45227

FLICK JAMES J& KISTYIANNA D BEAGLE
5063 ANDERSON PL
CINCINNATI OH 45227-1601

BARKLEY JOHN ERIC
5103 EBERSOLE AVE
CINCINNATI OH 45227

ROBINSON EDITH M
5109 EBERSOLE AVE
CINCINNATI OH 45227-1610

WALTON JOYCE B
5110 STEWART AVE
CINCINNATI OH 45227-1619

REYES SALOMON & MARICELA SAMANO
5113 EBERSOLE AVE
CINCINNATI OH 45227

LEWIS TESS M WARNER& NATHAN
5114 STEWART AVE
CINCINNATI OH 45227-1619

WILLIAMS CEDRIC & RASHAD ABDULLAH
5117 LILLIAN DR
CINCINNATI OH 45237

BROWENING CURLIE M
5120 STEWART AVE
CINCINNATI OH 45227

BRANDT ANGELA
5123 STEWART AVE
CINCINNATI OH 45227

BEVERLY THOMAS JR @5
5125 STEWART AVE
CINCINNATI OH 45227

DARE DIGITAL MEDIA LLC
5142 CHUKKER POINT LANE
CINCINNATI OH 45244

5022 EBERSOLE LLC
5152 RIVERVIEW AVE
CINCINNATI OH 45226

DICKS VANESSA J
5205 STEWART AVE
CINCINNATI OH 45227

WARD RICHARD LEE &ELIZABETH DELL WARD
5206 STEWART AVE
CINCINNATI OH 45227-1621

DONALDSON RONALD & SANDRA
5207 STEWART AVE
CINCINNATI OH 45227-1620

COOPER CYNTHIA A
5208 STEWART AVE
CINCINNATI OH 45227

MCFADDEN HOLLY
5210 STEWART AVE
CINCINNATI OH 45227

MILLER MYRTLE A
5211 EBERSOLE AVE
CINCINNATI OH 45227-1612

BALLARD BILLY R & BETTY E
5211 STEWART AVE
CINCINNATI OH 45227-1620

ROBINSON BETTY
5215 EBERSOLE AVE
CINCINNATI OH 45227-1612

JOHNSON SANDRA JEAN
5219 STEWART AVE
CINCINNATI OH 45227-1620

GREEN MEREDITH STARGEL
5223 STEWART AVE
CINCINNATI OH 45227-1620

GARDNER JOHN T
5224 STEWART AVE
CINCINNATI OH 45227

SPENCER ALEX
5227 STEWART AVE
CINCINNATI OH 45227

MADISON ROAD REAL ESTATE LLC
5375 MEDPACE WAY
CINCINNATI OH 45227

ST PAULS LUTHERAN CHURCH OF MADISONVILLE
5433 MADISON RD
CINCINNATI OH 45227

SMITH PAULETTE E
5521 CHANDLER ST
CINCINNATI OH 45227-1637

GILLISPIE VAUGHN A
5525 MADISON RD
CINCINNATI OH 45227-1634

PARKER KATHERINE W
5529 CHANDLER ST
CINCINNATI OH 45227

MEEKER MARY ANNE TR
5615 CHANDLER ST
CINCINNATI OH 45227

YURKOWSKI DANIEL & SHARON
5701 SIERRA PARK PL
CINCINNATI OH 45227

ZC HOME LLC
5726 SALEM RD
CINCINNATI OH 45230

MADISON AND STEWART LLC
5905 E GALBRAITH RDSUITE 4100
CINCINNATI OH 45236

PLK Communities
5905 E. Galbraith Road Suite 4100
Cincinnati, OH 45236

MADISONVILLE COMMUNITY URBAN REDEVELOPMENT CORPORATION
6111 Madison Rd.
Cincinnati, OH 45227

BOGNER NICHOLAS GRANT
6309 CHANDLER ST
CINCINNATI OH 45227

I AND EYE PRODUCTIONS INC
6700 MADISON RD
CINCINNATI OH 45227

MCCULLOUGH PROPERTY MGMT LLC
787 GRENOBLE CT
CINCINNATI OH 45255

THOMAS DIANE L LLC
8804 APPLEKNOLL LN
CINCINNATI OH 45236

MASON PROPERTIES LLC
P O BOX 36111
CINCINNATI OH 45227

MADISONVILLE COMMUNITY COUNCIL
P.O. Box 9514
CINCINNATI OH 45209

FARRIER MARY J
PO BOX 19361
CINCINNATI OH 45219

GILLESPIE MARK & SHIRLEY
PO BOX 30253
CINCINNATI OH 45230

BOARD OF EDUCATION OF THE CITY
SCHOOLDISTRICT OF THE CITY OF
CINCINNATI OHIO
PO BOX 5384
CINCINNATI OH 45201-5384

CARR C J
PO BOX 54
LOVELAND OH 45140

DEM CINCY PROPERTIES LLC
PO BOX 9493
CINCINNATI OH 45209

February 9, 2022

city of CINCINNATI
CITY PLANNING & ENGAGEMENT

Cincinnati City Council
Council Chambers, City Hall
Cincinnati, Ohio 45202

Dear Members of Council:

We are transmitting herewith an Ordinance captioned as follows:

DESIGNATING the Benjamin Stewart Home located at 5540 Madison Road in the Madisonville neighborhood as a historic landmark.

Summary:
The Applicant Team, which consists of the Madisonville Community Council and PLK Communities, are requesting that the Benjamin Stewart Home is designated as a historic landmark. On November 2, 2021, a complete application for the Local Historic Landmark designation of the Benjamin Stewart Home was submitted by the Madisonville Community Council. This was done in conjunction with PLK Communities in response to a community benefits agreement that was signed between the two parties, in association with the new development (The Jameson) on the same parcel as the proposed landmarked building. According to the Cincinnati Zoning Code (§1435-07-2-B), an application for the designation of a Local Historic Landmark shall be forwarded to the City Planning Commission following a public hearing of the Historic Conservation Board.

On December 20, 2021, the Historic Conservation Board (HCB) held a public hearing on the Local Historic Landmark designation application. After receiving evidence and testimony from the Urban Conservator and proponents of the designation, a quorum of five board members voted unanimously to approve and recommend the Benjamin Stewart Home to City Planning Commission and City Council for approval.

The designation is consistent with both *Madisonville Neighborhood Business District Urban Renewal Plan* (2002) and *Plan Cincinnati* (2012).

City Planning Commission and the Administration recommends approval of this Ordinance.

Motion to Approve:	Ms. Sesler	Ayes:	Mr. Juech
			Ms. Kearney
Seconded:	Ms. Kearney		Ms. McKinney
			Mr. Eby
			Mr. Stallworth
			Mr. Samad
			Ms. Sesler

THE CITY PLANNING COMMISSION

Katherine Keough-Jurs, AICP, Director
Department of City Planning and Engagement

KKJ: jmu
Encl.: Staff Report, Ordinance

city of CINCINNATI

Interdepartment Correspondence Sheet

February 9, 2022

To: Office of the Clerk of Council

From: Katherine Keough-Jurs, AICP, Director, Department of City Planning and Engagement KKJ

Copies to: Jesse Urbancsik, City Planner

Subject: **Ordinance – Benjamin Stewart Home – Local Historic Landmark Designation**

The above referenced Ordinance is ready to be scheduled for Committee. We are requesting that this item be scheduled for the next available the Equitable Growth and Housing Committee meeting. This item requires a public hearing and notice in the City Bulletin 14 days before the public hearing.

Included in this submission are the following items:

1) The transmittal letter to the Equitable Growth and Housing Committee;
2) A copy of the Planning Commission staff report dated February 4, 2022;
3) The Ordinance to designate the Benjamin Stewart Home as a Local Historic Landmark in Madisonville;
4) The mailing labels for notification of all property owners within 400 feet, Madisonville Community Urban Redevelopment Corporation and the Madisonville Community Council; and
5) A copy of the mailing labels for your records.

city of CINCINNATI
Interdepartment Correspondence Sheet

February 9, 2022

To: Mayor and Members of City Council 202200274

From: John P. Curp, Interim City Manager

Subject: **Emergency Ordinance – HR: LGBTQIA+ Employee Resource Group "City Pride" Charitable Solicitation**

Attached is an Emergency Ordinance captioned:

> **AUTHORIZING** the City Manager to solicit and accept monetary donations from the Cincinnati business community for the purpose of engagement and awareness activities for the LGBTQIA+ Employee Resource Group, "City Pride"; and AUTHORIZING the Finance Director to deposit donated funds to the City of Cincinnati for "City Pride" into Department of Human Resources Employee Relations Fund 310.

Approval of this Emergency Ordinance authorizes the City Manager to solicit and accept monetary donations from the Cincinnati business community for the purposes of engagement and awareness activities for the LGBTQIA+ Employee Resource Group, "City Pride." The Emergency Ordinance also authorizes the deposit of donated funds into Department of Human Resources Employee Relations Fund 310.

The donations will be used to purchase items such as a larger Pride flag for the City Hall Plaza, which will be flown from June 1st to June 30th annually; Pride parade registration and participation; Pride festival table rental and décor; and to host events for City staff that promote LGBTQIA+ history and awareness.

The reason for the emergency is immediate need to solicit and accept donations in a timely fashion before LGBTQIA+ Health Awareness week in March 2022.

The Administration recommends passage of this Emergency Ordinance.

cc: Andrew M. Dudas, Budget Director
Karen Alder, Finance Director

Attachment

E M E R G E N C Y

LES

- 2022

AUTHORIZING the City Manager to solicit and accept monetary donations from the Cincinnati business community for the purpose of engagement and awareness activities for the LGBTQIA+ Employee Resource Group, "City Pride"; and AUTHORIZING the Finance Director to deposit donated funds to the City of Cincinnati for "City Pride" into Department of Human Resources Employee Relations Fund 310.

WHEREAS, the City Administration is committed to creating an inclusive and accepting workplace and fostering an environment that is welcoming to all Cincinnatians, which includes celebrating the diversity of our residents and co-workers and acknowledging their struggle for inclusion; and

WHEREAS, the City Administration, at the request of City employees, would like to solicit donations to be used to fund the purchase of a larger Pride flag for the City; pay for Pride parade registration and participation and Pride festival table rental and décor; and to host events for City staff that promote LGBTQIA+ history and awareness; now, therefore,

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

Section 1. That the City Manager is hereby authorized to solicit and accept monetary donations from the Cincinnati business community for the purpose of engagement and awareness activities for the LGBTQIA+ Employee Resource Group, "City Pride."

Section 2. That the Finance Director is hereby authorized to receive and deposit funds donated to the City of Cincinnati for "City Pride" into Department of Human Resources Employee Relations Fund 310.

Section 3. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of Sections 1 and 2 hereof.

Section 4. 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 solicit and accept donations in a timely fashion before LGBTQIA+ Health Awareness week in March 2022.

Passed: _____, 2022

_____
Aftab Pureval, Mayor

Attest: _____
Clerk

Clerk of Council
801 Plum Street, Room 308
Cincinnati, Ohio 45202
(513) 352-3246

Please check ALL that apply

___ **Termination(s) of Engagement**
___ **Change of Address**
___ **Amended Statement**

LEGISLATIVE AGENT UPDATED REGISTRATION STATEMENT

This statement must be filed with the Clerk of Council by the last day of January and July, annually. Please read instructions and review Sections 112-1 to 112-17, Cincinnati Municipal Code, prior to filing. **There is no fee for this filing.** Upon termination of this engagement, there is an affirmative duty to notify the Clerk of Council within thirty (30) days (the form may be obtained from the Clerk.) **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE**. Other related prohibitions and penalties are contained in Section 112-99 of the Cincinnati Municipal Code.

A. GENERAL INFORMATION

Full Name of Legislative Agent Ryan (First) D (Middle) Gentil (Last)

Occupation Duke Energy

Business Address 139 E 4th Street (Street) (Suite Number)

Cincinnati (City) OH (State) 45202 (Zip(+4))

Telephone Number (513) 673 4583

AGENT CHANGE OF NAME OR ADDRESS - Based on your initial Registration Statement or last Updated Registration Statement, state any changes in your name or address.

(If none, check here X)

Name of Legislative Agent_____

Address_____ (Street) (Suite Number)

_____ (City) (State) (Zip(+4))

Telephone Number (_____) _____

Reporting Period: Statement filed for period covering (**check one and fill in year**).

____January 1 through June 30, 199_ (Report due on or before July 31)
X July 1 through December 31, ~~199~~ 2021 (Report due on or before Jan. 31)

B. AMENDMENTS, TERMINATIONS, AND TYPES OF LEGISLATION

AMENDED STATEMENT - Is this an Amended Statement (i.e., any change in an amount or a filing pursuant to a dispute resolution decision of the OCCI.

_____YES ___X___NO

If yes, you are required to complete only the portion(s) you have amended.

TERMINATIONS - Are you still engaged by all of the employers listed on page 1 of this form?

___X___YES _____NO

If no, please list the name of the Employers by whom you are no longer engaged and the date of termination. (Attach additional sheets if necessary.)

Employer Name	Date of Termination

ORDINANCES AND RESOLUTIONS - List the specific ordinance(s) and resolution(s) on which you actively advocated during this reporting period.

ADDITIONAL TYPES OF LEGISLATION - Since your Initial Registration Statement or last Updated Registration Statement for all Employers listed on this form, give a brief description of each of the additional types of legislation to which any of your engagements relate.

(If none, check here ___X___)

C. DEFINITIONS

"Staff" means any city employee whose official duties are to formulate policy and who exercises administrative or supervisory authority or who authorizes the expenditure of city funds. "Staff" is limited to employees who are required to file a Financial Disclosure Statement under Article XXVI of the Administrative Code.

"Legislation" means ordinances, resolutions, amendments, nominations, and any other matter pending before the Council. See the definition of "legislation" under Section 112-1-L, Cincinnati Municipal Code.

"Financial Transaction" See definition in Section 112-1-F, Cincinnati Municipal Code.

D. FINANCIAL TRANSACTIONS

If the Legislative Agent, or a member of his or her immediate family had, during this reporting period, a financial transaction* (which is not being disputed under Section 112-19, Cincinnati Municipal Code,) with or for the benefit of a member of the Council, appointee of the Council, City Manager, the Director of a department created under the Administrative Code, or any member of the staff* of such public officer or employee, then the following information is required with respect to each such financial transaction:

a. Name of the public officer, employee, or staff member:_____

b. Brief description of the purpose and nature of the transaction:_____

_____

c. Date the transaction was made or entered into:_____

d. Other pertinent details: _____

_____

(Attach an additional sheet for each public officer, employee, or staff member.)

(If none, check here X)

NOTE: If the Legislative Agent is required to disclose a financial transaction described in this Paragraph F, then the Legislative Agent shall deliver a copy of such paragraph which contains such information to the public officer(s) of employee(s) identified therein, at least ten (10) days before this form is filed with the Clerk of Council.

If the foregoing provision is applicable, indicate the date that such information was delivered:

CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFIES THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.

ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

Ryan Gentil		1/30/22
Type or Print Name of Legislative Agent	Signature of Legislative Agent	Date

city of CINCINNATI
Interdepartment Correspondence Sheet

February 2, 2022

To: Mayor and Members of City Council 202200190

From: John P. Curp, Interim City Manager

Subject: **Ordinance – DOTE: Wasson Way Phase 6A Grant**

Attached is an Ordinance captioned:

> **Establishing** capital improvement program project account no. 980x232x222355, "Wasson Way Federal STBG 2022," for the purpose of providing grant resources for the Wasson Way Trail project, which includes the construction of a shared-use path for bicycles and pedestrians along a segment of an unused rail line running east-west through a number of eastside Cincinnati neighborhoods; AUTHORIZING the City Manager to accept and appropriate grant resources in an amount up to $1,667,595 from the Surface Transportation Block Grant Program (ALN 20.205) awarded through the Ohio-Kentucky-Indiana Regional Council of Governments to newly established capital improvement program project account no. 980x232x222355, "Wasson Way Federal STBG 2022," for the purpose of providing grant resources for Phase 6A of the Wasson Way Trail project (PID 112894); AUTHORIZING the City Manager to enter into a Local Public Agency agreement with the Director of the Ohio Department of Transportation to complete Phase 6A of the Wasson Way Trail project (PID 112894); and further AUTHORIZING the City Manager to execute any agreements necessary for the receipt and administration of these grant resources.

This Ordinance establishes capital improvement program project account no. 980x232x222355, "Wasson Way Federal STBG 2022," for the purpose of providing grant resources for the Wasson Way Trail project, which includes the construction of a shared-use path for bicycles and pedestrians along a segment of unused rail line running east-west through a number of eastside Cincinnati neighborhoods. This Ordinance also authorizes the City Manager to accept and appropriate grant resources in an amount up to $1,667,595 from the Surface Transportation Block Grant Program (ALN 20.205) awarded through the Ohio-Kentucky-Indiana Regional Council of Governments to new capital project account no. 980x232x222355, "Wasson Way Federal STBG 2022," for the purpose of providing grant resources for Phase 6A of the Wasson Way Trail project (PID 112894). This Ordinance also authorizes the City Manager to enter into a Local Public Agency agreement with the Director of the Ohio Department of Transportation to complete Phase 6A of the Wasson Way Trail project. Finally, this Ordinance authorizes the City Manager to execute any agreements necessary for the receipt and administration of these grant resources.

On May 30, 2019, the City Council approved Ordinance No. 0165-2019, which authorized the City Manager to apply for Federal Surface Transportation program grants and Congestion Mitigation/Air Quality grants awarded through the Ohio-Kentucky-Indiana (OKI) Regional Council of Governments. The Department of Transportation and Engineering (DOTE) was awarded grant resources for eligible costs for Phase 6A of the Wasson Way Trail project in the neighborhoods of Evanston and Avondale.

The Federal Surface Transportation Block Grant requires matching resources of up to $555,865, which will be provided through a combination of future allocations in the FY 2023 Capital Budget, as well as resources currently available in "Wasson Way Trail" capital project account nos. 980x232x202371, 980x232x212371, and 980x232x222371. No new FTEs are associated with this grant.

The Wasson Way Trail project is in accordance with the "Connect" goal to "[d]evelop an efficient multi-modal transportation system that supports neighborhood livability," as well as the strategies to "[e]xpand options for non-automotive travel" and "[p]lan, design, and implement a safe and sustainable transportation system," as described on pages 129-138 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

cc: Andrew M. Dudas, Budget Director
Karen Alder, Finance Director

Attachment

ESTABLISHING capital improvement program project account no. 980x232x222355, "Wasson Way Federal STBG 2022," for the purpose of providing grant resources for the Wasson Way Trail project, which includes the construction of a shared-use path for bicycles and pedestrians along a segment of an unused rail line running east-west through a number of eastside Cincinnati neighborhoods; AUTHORIZING the City Manager to accept and appropriate grant resources in an amount up to $1,667,595 from the Surface Transportation Block Grant Program (ALN 20.205) awarded through the Ohio-Kentucky-Indiana Regional Council of Governments to newly established capital improvement program project account no. 980x232x222355, "Wasson Way Federal STBG 2022," for the purpose of providing grant resources for Phase 6A of the Wasson Way Trail project (PID 112894); AUTHORIZING the City Manager to enter into a Local Public Agency agreement with the Director of the Ohio Department of Transportation to complete Phase 6A of the Wasson Way Trail project (PID 112894); and further AUTHORIZING the City Manager to execute any agreements necessary for the receipt and administration of these grant resources.

WHEREAS, City Council approved Ordinance No. 0165-2019 on May 30, 2019, authorizing the City Manager to apply for Federal Surface Transportation program grants and Congestion Mitigation/Air Quality grants awarded through the Ohio-Kentucky-Indiana Regional Council of Governments; and

WHEREAS, the Department of Transportation and Engineering was awarded grant resources for eligible costs for Phase 6A of the Wasson Way Trail project in the neighborhoods of Evanston and Avondale; and

WHEREAS, the grants require matching funds of up to $555,865, which will be provided through a combination of anticipated future allocations in the FY 2023 Capital Budget as well as resources currently available in "Wasson Way Trail" capital improvement program project account nos. 980x232x202371, 980x232x212371, and 980x232x222371; and

WHEREAS, there are no new FTEs associated with this grant; and

WHEREAS, the Wasson Way Trail project is in accordance with the "Connect" goal to "[d]evelop an efficient multi-modal transportation system that supports neighborhood livability," as well as the strategies to "[e]xpand options for non-automotive travel" and "[p]lan, design, and implement a safe and sustainable transportation system," as described on pages 129-138 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the Director of Finance is authorized to establish new capital improvement program project account no. 980x232x222355, "Wasson Way Federal STBG 2022," for the

purpose of providing grant resources to the Wasson Way Trail project, which includes the construction a shared-use path for bicycles and pedestrians along a segment of an unused rail line running east-west through a number of eastside Cincinnati neighborhoods.

Section 2. That the City Manager is authorized to accept and appropriate grant resources in an amount up to $1,667,595 from the Surface Transportation Block Grant Program (ALN 20.205) awarded through the Ohio-Kentucky-Indiana Regional Council of Governments to newly established capital improvement program project account no. 980x232x222355, "Wasson Way Federal STBG 2022," for the purpose of providing grant resources for Phase 6A of the Wasson Way Trail project (PID 112894).

Section 3. That the City Manager is hereby authorized to enter into a Local Public Agency agreement with the Director of the Ohio Department of Transportation to complete Phase 6A of the Wasson Way Trail project (PID 112894).

Section 4. That the City Manager is hereby authorized to execute any agreements necessary for the receipt and administration of these grant resources.

Section 5. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of the grant and Sections 1 through 4 hereof.

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

Passed: _____, 2022

_____
Aftab Pureval, Mayor

Attest: _____
Clerk

city of CINCINNATI
Interdepartment Correspondence Sheet

February 2, 2022

To: Mayor and Members of Council 202200191

From: John P. Curp, City Manager

Subject: **Ordinance – DOTE: Highway Safety Improvement Program (HSIP) Systemic Safety Funding Grant Application**

Attached is an Ordinance captioned:

> **AUTHORIZING** the City Manager to apply for a grant in the amount of up to $2,000,000 from the Highway Safety Improvement Program Systemic Safety Funding grant, administered by the Ohio Department of Transportation, for the purpose of implementing traffic calming improvements on Harrison Avenue between Kling Avenue and the corporate line.

This Ordinance authorizes the City Manager to apply for a grant in the amount of $2,000,000 from the Highway Safety Improvement Program (HSIP) Systemic Safety Funding grant, administered by the Ohio Department of Transportation (ODOT), for the purpose of implementing traffic calming improvements on Harrison Avenue between Kling Avenue and the corporate line.

The application deadline is January 31, 2022, and the Department of Transportation and Engineering (DOTE) will have already applied for the grant. Grant resources will not be accepted without authorization from the City Council.

The grant requires a local match in the amount of up to $600,000. The Westwood Civic Association and the Westwood Community Urban Redevelopment Corporation (WestCURC) have identified private funding for the required match. DOTE has received letters of commitment from a private funder. No additional FTEs are associated with this grant.

The Harrison Avenue Safety Project is in accordance with the "Connect" goal to "develop an efficient multi-modal transportation system that supports neighborhood livability," and the strategy to "plan, design, and implement a safe and sustainable transportation system," as described on pages 127-138 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

PLAN CINCINNATI

cc: Andrew M. Dudas, Budget Director
Karen Alder, Finance Director

Attachment

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- 2022

AUTHORIZING the City Manager to apply for a grant in the amount of up to $2,000,000 from the Highway Safety Improvement Program Systemic Safety Funding grant, administered by the Ohio Department of Transportation, for the purpose of implementing traffic calming improvements on Harrison Avenue between Kling Avenue and the corporate line.

WHEREAS, the Department of Transportation and Engineering ("DOTE") has an opportunity to apply for grant funding in the amount of up to $2,000,000 from the Highway Safety Improvement Program Systemic Safety Funding grant, administered by the Ohio Department of Transportation, for the purpose of implementing traffic calming improvements on Harrison Avenue between Kling Avenue and the corporate line; and

WHEREAS, the grant application deadline is January 31, 2022, and DOTE may have already applied for this grant, but grant resources will not be accepted without authorization from Council; and

WHEREAS, if awarded, acceptance of the grant requires a local match in the amount of up to $600,000, and the Westwood Civic Association and the Westwood Community Urban Redevelopment Corporation have identified private funding for the required match; and

WHEREAS, DOTE has received letters of commitment for the matching resources from a private funder; and

WHEREAS, there are no additional FTEs associated with this grant; and

WHEREAS, the Harrison Avenue Safety Project is in accordance with the "Connect" goal to "[d]evelop an efficient multi-modal transportation system that supports neighborhood livability," as well as the strategy to "[p]lan, design, and implement a safe and sustainable transportation system," as described on pages 127-138 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the City Manager is hereby authorized to apply for a grant in the amount of up to $2,000,000 from the Highway Safety Improvement Program Systemic Safety Funding grant, administered by the Ohio Department of Transportation, for the purpose of implementing traffic calming improvements on Harrison Avenue between Kling Avenue and the corporate line.

Section 2. That the appropriate City officials are hereby authorized to do all things necessary to comply with Section 1 herein.

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

Passed: _____, 2022

_____
Aftab Pureval, Mayor

Attest: _____
Clerk

city of CINCINNATI
Interdepartment Correspondence Sheet

February 2, 2022

To: Mayor and Members of City Council 202200192

From: John P. Curp, Interim City Manager

Subject: **Emergency Ordinance – Parking: USquare Garage Lighting Replacement Project**

Attached is an Emergency Ordinance captioned:

> **ESTABLISHING** capital improvement program project account no. 980x248x222404, "USquare Garage Lighting Replacement," for the purpose of upgrading and replacing the light fixtures in the USquare Garage East and West; and AUTHORIZING the transfer and appropriation of $17,000 from the Parking System Facilities Fund balance sheet account no. 102x3441, "U-Square Garage – Reserve for Capital Projects," to newly established capital improvement program project account no. 980x248x222404, "USquare Garage Lighting Replacement."

Approval of this Emergency Ordinance authorizes the establishment of new capital improvement program project account no. 980x248x222404, "USquare Garage Lighting Replacement" for the purpose of upgrading and replacing the light fixtures in the USquare Garage East and West. It will also authorize the transfer and appropriation of $17,000 from Parking System Facilities Fund 102 balance sheet account no. 102x3441, "U-Square Garage – Reserve for Capital Projects," to newly established capital improvement program project account no. 980x248x222404, "USquare Garage Lighting Replacement."

The current lighting fixtures at USquare Garage East and West are obsolete and need immediate replacement. This new lighting will allow the garage to remain functional and open to the public.

The USquare Garage Lighting Replacement project is in accordance with the "Sustain" goal to "Manage our financial resources" as described on pages 199-205 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to commence the replacement of failing light fixtures as soon as possible to ensure the garage remains functional.

The Administration recommends passage of this Emergency Ordinance.

cc: Andrew M. Dudas, Budget Director
Karen Alder, Finance Director

Attachment

EMERGENCY

City of Cincinnati

AKS

An Ordinance No. _____ - 2022

BWG

ESTABLISHING capital improvement program project account no. 980x248x222404, "USquare Garage Lighting Replacement," for the purpose of upgrading and replacing the light fixtures in the USquare Garage East and West; and AUTHORIZING the transfer and appropriation of $17,000 from the Parking System Facilities Fund balance sheet account no. 102x3441, "U-Square Garage – Reserve for Capital Projects," to newly established capital improvement program project account no. 980x248x222404, "USquare Garage Lighting Replacement."

WHEREAS, the current lighting fixtures at USquare Garage East and West are obsolete and need immediate replacement; and

WHEREAS, new lighting is required to ensure the USquare Garage East and West remains functional and open to the public; and

WHEREAS, sufficient resources are currently available in the Parking System Facilities Fund balance sheet account no. 102x3441, "U-Square Garage – Reserve for Capital Projects"; and

WHEREAS, this ordinance is in accordance with the "Sustain" goal to "[m]anage our financial resources" as described on pages 199-205 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That capital improvement program project account no. 980x248x222404, "USquare Garage Lighting Replacement," is hereby established for the purpose of providing resources for the upgrade and replacement of the light fixtures at the USquare Garage East and West.

Section 2. That the transfer and appropriation of $17,000 from the Parking System Facilities Fund balance sheet account no. 102x3441, "U-Square Garage – Reserve for Capital Projects," to newly established capital improvement program project account no. 980x248x222404, "USquare Garage Lighting Replacement," is hereby authorized for the purpose of providing resources for the upgrade and replacement of the light fixtures at the USquare Garage East and West.

Section 3. That the proper City officials are hereby authorized to do all things necessary and proper to implement the provisions of Sections 1 through 2 hereof.

Section 4. 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 the immediate need to commence the replacement of failing light fixtures as soon as possible to ensure the garage remains functional.

Passed: _____, 2022

_____
Aftab Pureval, Mayor

Attest: _____
Clerk

city of CINCINNATI

Interdepartmental Correspondence Sheet

Date: Feburary 2, 2022

To: Mayor and Members of City Council 202200193

From: John Curp, Interim City Manager

Subject: **Ordinance – Modifying CMC to Remove Obsolete Reference to Chapter 811**

Transmitted herewith is an ordinance captioned as follows:

> MODIFYING Title VIII, "Business Regulations," of the Cincinnati Municipal Code by AMENDING Section 809-3, "License Required," of Chapter 809, "Antique Dealers"; Section 843-3, "License Required," of Chapter 843, "Junk Dealers and Second-Hand Dealers"; and Sections 875-1, "Definitions," 875-3, "Report of Acquisition or Purchase of Stained or Beveled Glass," 875-5, "Alteration or Sale of Stained or Beveled Glass," and 875-7, "Stained and Beveled Glass in Place," of Chapter 875, "Stained and Beveled Glass," to modify obsolete references to former Chapter 811, "Auctioneers."

Council recently ordained Cincinnati Municipal Code ("CMC") Chapter 811, "e-Scooter Rental Franchises," to regulate e-Scooter franchises. Law subsequently discovered that references to an earlier version of CMC Chapter 811 regulating auctioneers that was repealed in 1982 remain in the Cincinnati Municipal Code. Law recommends removing the obsolete references to former CMC Chapter 811, "Auctioneers," to eliminate the potential for confusion with references to the recently ordained CMC Chapter 811, "e-Scooter Rental Franchises."

Attachment
356071

cc: Andrew W. Garth, City Solicitor

{00356895-1}

City of Cincinnati

JRS

BWG

An Ordinance No. _____ - 2022

MODIFYING Title VIII, "Business Regulations," of the Cincinnati Municipal Code by AMENDING Section 809-3, "License Required," of Chapter 809, "Antique Dealers"; Section 843-3, "License Required," of Chapter 843, "Junk Dealers and Second-Hand Dealers"; and Sections 875-1, "Definitions," 875-3, "Report of Acquisition or Purchase of Stained or Beveled Glass," 875-5, "Alteration or Sale of Stained or Beveled Glass," and 875-7, "Stained and Beveled Glass in Place," of Chapter 875, "Stained and Beveled Glass," to modify obsolete references to former Chapter 811, "Auctioneers."

WHEREAS, Council repealed former Cincinnati Municipal Code ("CMC") Chapter 811, "Auctioneers," on November 17, 1982, through the adoption of Ordinance No. 488-1982, following the General Assembly's restructuring of state licensing requirements for auctioneers, which requirements are currently codified in Ohio Revised Code Chapter 4707, "Auctioneers"; and

WHEREAS, Ordinance 488-1982 did not repeal certain references to former CMC Chapter 811, "Auctioneers," found throughout the CMC, which references were rendered obsolete by the repeal of that chapter; and

WHEREAS, Council wishes to modify the obsolete references to former CMC Chapter 811, "Auctioneers," to eliminate the potential for confusion with references to the recently ordained CMC Chapter 811, "e-Scooter Rental Franchises"; now, therefore,

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

Section 1. That Section 809-3, "License Required," of Chapter 809, "Antique Dealers," of the Cincinnati Municipal Code is hereby amended to read as follows:

Sec. 809-3. - License Required.

No person, firm or corporation shall carry on the business of antique dealer without obtaining a license therefor from the city treasurer for each place of business operated by such person, firm or corporation. ~~except that auctioneers duly licensed under the provisions of Chapter 811 of the Cincinnati Municipal Code not obtain a license under the provisions of this chapter.~~

Section 2. That existing Section 809-3, "License Required," of Chapter 809, "Antique Dealers," of the Cincinnati Municipal Code is hereby repealed.

Section 3. That Section 843-3, "License Required," of Chapter 843, "Junk Dealers and Second-Hand Dealers," of the Cincinnati Municipal Code is hereby amended to read as follows:

Sec. 843-3. - License Required.

No person shall act as a second-hand dealer or junk dealer within the city limits of Cincinnati without first obtaining from the city manager or the city manager's designee a license to act as a second-hand dealer or junk dealer. ~~except that auctioneers duly licensed under the provisions of Chapter 811 of the Cincinnati Municipal Code need not obtain a second-hand dealer's license under the provisions of this chapter.~~

Nothing in this section is intended to apply to the sale or purchase of aluminum cans.

License Requirements for Second-Hand Dealers and Junk Dealers. Before an original license is issued for a second-hand dealer or junk dealer, the person seeking the license shall make application therefore with the city manager or city manager's designee. If the dealer owns or operates a store, facility, or yard, the dealer shall attach to the application an accurate plot plan of the area, showing the actual shape and dimensions of the lot or area to be used, and shall provide any other additional information that may be requested by the city manager or city manager's designee or director of buildings and inspections in determining whether the applicant should be granted the requested license. An application shall be approved by the director of buildings and inspections and the city police prior to granting a license and shall show that the applicant has complied with all city ordinances and rules and state laws regarding sales and purchasing, duties of dealers, licensing, zoning, drains, signs, driveways, fencing and barrier curbs. The city manager or city manager's designee shall be empowered to suspend, revoke, or deny reissuance of any existing license when it is shown through an investigation by the city police or buildings and inspections departments that the licensee has not complied with all city ordinances and rules and state laws regarding sales and purchasing, duties of dealers, licensing, zoning, drains, signs, driveways, fencing and barrier curbs.

Under no circumstances shall any license to operate a junk yard be issued or renewed until the fencing requirements section forth in Section 843-7 of this chapter have been met and the fence has, after completion, received final approval by the director of buildings and inspections. No license to operate a junk yard shall be renewed if, in the opinion of the director of buildings and inspections, the premises are not adequately fenced pursuant to Section 843-7 of this chapter. Anyone who operates a motor vehicle salvage lot on the same premises and who has obtained a license therefore shall not be required to also obtain a license under this chapter.

Section 4. That existing Section 843-3, "License Required," of Chapter 843, "Junk Dealers and Second-Hand Dealers," of the Cincinnati Municipal Code is hereby repealed.

Section 5. That Sections 875-1, "Definitions," 875-3, "Report of Acquisition or Purchase of Stained or Beveled Glass," 875-5, "Alteration or Sale of Stained or Beveled Glass," and 875-7, "Stained and Beveled Glass in Place," of Chapter 875, "Stained and Beveled Glass," of the Cincinnati Municipal Code are hereby amended to read as follows:

Sec. 875-1. - Definitions.

For the purpose of this chapter the words antique dealer, ~~auctioneer,~~ junk dealer and second-hand dealer shall have the meanings assigned to them in Chapters 809~~,~~ ~~811~~ and 843 of the Cincinnati Municipal Code.

Sec. 875-3. - Report of Acquisition or Purchase of Stained or Beveled Glass.

Every antique dealer, ~~auctioneer,~~ junk dealer, and second-hand dealer shall make a daily report to the chief of police of all stained or beveled glass bought or acquired by such person during the day for sale. The report shall be on forms approved by the police division and shall contain a full and complete description of all such stained and beveled glass including all marks of identification, colors, materials, size, name, and approximate date if known of each item, the date of the purchase or acquisition of the item and the name, address, birthdate, social security number and physical description (sex/race/height/weight/complexion) of the person from whom such item was acquired. The antique dealer, ~~auctioneer,~~ junk dealer, or second-hand dealer shall further obtain written proof of identification and the signature of the seller on the required form. A copy of these forms shall be retained for one year. Upon the demand of the chief of police or police officer deputed by the chief of police, the antique dealer, ~~auctioneer,~~ junk dealer, or second-hand dealer shall produce and show any reported item in such person's possession.

Sec. 875-5. - Alteration or Sale of Stained or Beveled Glass.

No antique dealer, ~~auctioneer,~~ junk dealer, or second-hand dealer shall change, alter, sell, or voluntarily release possession of any stained or beveled glass acquired or held by such person until the expiration of 168 hours after the delivery to the chief of police of a copy of the report as required by Section 875-3 of the Cincinnati Municipal Code, except by the permission of the police department.

Sec. 875-7. - Stained and Beveled Glass in Place.

Notwithstanding Sections 875-3 and 875-5 of the Cincinnati Municipal Code, antique dealers, ~~auctioneers,~~ junk dealers, and second hand dealers may acquire and sell stained and beveled glass without filing the report or waiting the prescribed period required by such sections when the glass has been removed by the dealer from the place of permanent or original installation. In this case the antique dealer,

~~auctioneer,~~ junk dealer, or second-hand dealer shall make a record of the name and address of the owner or seller of the stained or beveled glass. If the seller is not the owner, the antique dealer, ~~auctioneer,~~ junk dealer, or second-hand dealer shall require written permission from the owner before the glass may be acquired. The name, address, and written permission when required shall be kept on record by the antique dealer, ~~auctioneer,~~ junk dealer, or second-hand dealer and shall be produced for inspection by the police upon request.

Section 6. That existing Sections 875-1, "Definitions," 875-3, "Report of Acquisition or Purchase of Stained or Beveled Glass," 875-5, "Alteration or Sale of Stained or Beveled Glass," and 875-7, "Stained and Beveled Glass in Place," of Chapter 875, "Stained and Beveled Glass," of the Cincinnati Municipal Code are hereby repealed.

Section 7. That the City Manager and the proper City officials are authorized to take all necessary and proper actions to carry out the provisions of this ordinance, including by updating applicable rules and regulations and policies and procedures in accordance with the modifications to the Cincinnati Municipal Code provided for herein.

Section 8. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2022

_____
Aftab Pureval, Mayor

Attest: _____
Clerk

Additions indicated by underline; Deletions indicated by strikethrough.

city of CINCINNATI
Interdepartment Correspondence Sheet

February 2, 2022

To: Mayor and Members of City Council 202200197

From: John P. Curp, Interim City Manager

Subject: **Emergency Ordinance – DCED: Madisonville Business District Parking Study – Use of TIF Funding**

Attached is an Emergency Ordinance captioned:

> **AUTHORIZING** the transfer and appropriation of $39,000 from the unappropriated surplus of the Madisonville District Equivalent Fund 498 to the Department of Community and Economic Development non-personnel operating budget account no. 498x164x7200 for the purpose of conducting a parking study of the existing parking conditions and future needs for the Madisonville Business District; and DECLARING the related expenditures from non-personnel operating budget account no. 498x164x7200 to constitute a "Public Infrastructure Improvement" (as defined in Section 5709.40(A)(8) of the Ohio Revised Code), that will benefit and/or serve the District 19-Madisonville Incentive District, subject to compliance with Ohio Revised Code Sections 5709.40 through 5709.43.

Approval of this Emergency Ordinance authorizes the transfer and appropriation of $39,000 from the unappropriated surplus of the Madisonville District Equivalent Fund 498 to the Department of Community and Economic Development (DCED) Madisonville District Equivalent Fund non-personnel operating budget account no. 498x164x7200 for the purpose of conducting a parking study of the existing parking conditions and future needs for the Madisonville Business District. This Emergency Ordinance will also declare the parking study to be a "Public Infrastructure Improvement" pursuant to Ohio Revised Code (ORC).

Sufficient resources are available in Madisonville District Equivalent Fund 498 to accommodate this transfer, and this parking study is an eligible use of the tax increment financing (TIF) resources. City Administration previously hosted community engagement sessions on parking in Madisonville, and the Madisonville Community Council formally requested this Parking Study.

On January 26, 2022, the City Council passed Motion No. 202200145, which directed the use of Madisonville District TIF resources for this parking study for existing and future parking needs, with results to be shared with the Madisonville Community Council and other community stakeholders to inform them on the parking needs. It is anticipated that the DCED Parking Facilities Division will lead the parking study effort with support from the Neighborhoods Division of DCED by utilizing an existing vendor contract.

Since the original project proposal in March 2021, DCED expanded the project scope to increase constituent engagement. The new project scope also includes consideration of improvements for pedestrian and bicycle experiences in the Madisonville neighborhood. This change in scope, as well as time inflation, led to an increase in cost of $9,000 relative to Motion No. 202200145.

This project is in accordance with the "Compete" goal, to "cultivate our position as the most vibrant and economically healthiest part of our region" and specifically the strategy to "target investment to geographic areas where there is already economic activity" as described on pages 114-117 of Plan Cincinnati (2012).

The reason for emergency is the immediate need to ensure the necessary resources are made available to initiate the parking study.

The Administration recommends passage of this Emergency Ordinance.

cc: Andrew M. Dudas, Budget Director
Karen Alder, Finance Director

Attachment

EMERGENCY

City of Cincinnati

AKS

BWG

An Ordinance No. _____ -2022

AUTHORIZING the transfer and appropriation of $39,000 from the unappropriated surplus of the Madisonville District Equivalent Fund 498 to the Department of Community and Economic Development non-personnel operating budget account no. 498x164x7200 for the purpose of conducting a parking study of the existing parking conditions and future needs for the Madisonville Business District; and DECLARING the related expenditures from non-personnel operating budget account no. 498x164x7200 to constitute a "Public Infrastructure Improvement" (as defined in Section 5709.40(A)(8) of the Ohio Revised Code), that will benefit and/or serve the District 19-Madisonville Incentive District, subject to compliance with Ohio Revised Code Sections 5709.40 through 5709.43.

WHEREAS, on January 26, 2022, City Council passed Motion No. 202200145, which moved for the use of Madisonville District TIF resources for a parking study of the existing parking and future parking needs of the Madisonville Business District and City Administration is submitting this ordinance in response; and

WHEREAS, City Council intends that the results of the study are to be shared with the Madisonville Community Council and other community stakeholders to inform the community of parking needs for the business district; and

WHEREAS, sufficient resources are available in Madisonville District Equivalent Fund 498 to pay for the parking study; and

WHEREAS, since the original cost estimate in March 2021, the Department of Community and Economic Development ("DCED") has expanded the project scope in order to increase the amount of constituent engagement and consider improvements for pedestrian and bicycle experiences in the Madisonville neighborhood, which has led to a cost increase of $9,000 relative to Motion No. 202200145; and

WHEREAS, upon completion of the report, DCED Parking Facilities Division will deliver the report to Council; and

WHEREAS, the project is in accordance with the "[c]ompete" goal to "[c]ultivate our position as the most vibrant and economically healthiest part of our region" and specifically the strategy to "[t]arget investment to geographic areas where there is already economic activity" as described on pages 114-117 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the sum of $39,000 is hereby transferred and appropriated from the unappropriated surplus of the Madisonville District Equivalent Fund 498 to the Department of Economic and Community Development non-personnel operating budget account no. 498x164x7200 for the purpose of providing funds for a parking study of the existing parking conditions and future needs of the Madisonville Business District.

Section 2. That Council hereby declares that the public parking study constitutes a "Public Infrastructure Improvement" (as defined by Section 5709.40(A)(8) of the Ohio Revised Code ("ORC")), that will benefit and/or serve the District 19 – Madisonville Incentive District, subject to compliance with ORC Sections 5709.40 through 5709.43.

Section 3. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of Section 1.

Section 4. 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 the immediate need to ensure the necessary resources are made available to initiate the parking study.

Passed: _____, 2022

_____
Aftab Pureval, Mayor

Attest: _____
Clerk