

SUBJECT: A report and recommendation on a proposed zone change at 1333 Arlington Street from Manufacturing General (MG) to Planned Development (PD) including the Concept Plan and Development Program Statement in Camp Washington.

GENERAL INFORMATION:

Location: 1333 Arlington Street, Cincinnati, OH 45225 (Exhibit A)

Petitioner: Sean S. Suder, Esq.
1010 Delta Avenue, Suite 1
Cincinnati, OH 45208

Owner: Crosley Renaissance, LLC
1301 E. Washington Street, Suite 100
Indianapolis, IN 46202

Request: To change the zoning of the property from Manufacturing General (MG) to Planned Development (PD) to allow for the adaptive reuse of the Crosley Radio Building as a mixed-use building with upper floor multi-family residential uses and ground floor commercial uses.

EXHIBITS:

Provided in addition to this report are the following exhibits:

- Exhibit A Location Map
- Exhibit B Petition for Zone Change
- Exhibit C Zone Change Plat
- Exhibit D Legal Description
- Exhibit E Development Program Statement
- Exhibit F Concept Plan
- Exhibit G Camp Washington Business Association Letter
- Exhibit H Coordinated Site Review Letter
- Exhibit I Public Staff Conference Presentation

BACKGROUND:

The subject property, comprised of six parcels, is 1.562 acres in size, and located on the southeast corner of the intersection of Arlington Street and Sassafra Street (approximately 325' east of Spring Grove Avenue), in the Camp Washington neighborhood. The site is the location of a nine-story building with a partial basement known as the Crosley Radio Building. This structure has been historically used as light industrial uses and has remained vacant for a number of years. The subject site is currently zoned Manufacturing General (MG). The area proposed to be rezoned, including the subject property and right-of-way, is 1.7305 acres in size.

Crosley Renaissance, LLC, an ownership structure of Core Redevelopment and TWG Development, proposes to rehabilitate the existing structure into a mixed-use development consisting of affordable multi-family residential units and light commercial use. Crosley Renaissance, LLC is seeking Low-Income Housing Tax Credit (LIHTC), which requires an application to be submitted to the Ohio

Housing Finance Agency (OHFA) in February 2021. OHFA requires that the property be properly zoned prior to the LIHTC application submission. As such, Crosley Renaissance, LLC requests a zone change from Manufacturing General (MG) to Planned Development (PD) at 1333 Arlington Street in Camp Washington to permit the rehabilitation of the existing nine-story Crosley Radio Building into an 175 – 250 dwelling unit multi-family residential building with light commercial use on the first floor (and potentially the ninth floor) and a parking ratio of 0.75 – 1.5 parking spaces per unit.

ADJACENT LAND USE AND ZONING:

The property requested to be rezoned is currently zoned Manufacturing General (MG). The existing zoning and land use surrounding the subject site is as follows:

North:

Zoning: Manufacturing General (MG)
Existing Use: Light Industrial

East:

Zoning: Manufacturing General (MG)
Existing Use: Light Industrial and Vacant

South:

Zoning: Manufacturing General (MG)
Existing Use: Light Industrial

West:

Zoning: Manufacturing General (MG)
Existing Use: Light Industrial

PROPOSED DEVELOPMENT:

Crosley Renaissance, LLC currently owns the six parcels that make up the site. The site contains the existing Crosley Radio Building which was historically a light industrial use, but has remained vacant for several years. The proposed development is seeking a LIHTC award in May 2021.

The proposed reuse of the structure is a mixed-use project that includes a unit count between 175 and 250 dwelling units and light commercial use on the first floor and potentially the ninth floor. The residential units will be a mix of studio, one-, two-, and three-bedroom units. The petitioner anticipates affordability levels of 30%, 60%, and 80% area median income for the units. Residential units are intended as artist lofts, but the petitioner has indicated that this does not eliminate the possibility of providing units to non-artists. Artists will be given first preference for units as they become available. The intended use of the commercial space is for museum, restaurant, café, and artist storefront spaces, or similar uses. The commercial space is to be located on the ground floor, with the possibility for additional commercial space on the ninth floor.

Building

The existing structure is nine stories in height, and approximately 333,425 gross square feet in size. The petitioner is not proposing any additions to the existing structure as seen in the submitted Concept Plan (Exhibit F). The only modifications to the existing structure are the removal of existing features including windows and steel window frames, mechanical equipment and associated ductwork from

roof and facades, a two-story brick addition on the east elevation, infill at window openings on the north and east elevations, and metal overhead dock doors and associated concrete dock and entrances on the west and south elevation.

The first floor of the building will feature interior parking accessed via Sassafra Street to the west of the structure, and a lobby and leasing office at the northwest portion of the building with pedestrian entrances from Arlington Street. The second floor will be interior vehicular parking accessed via Arlington Street. The ninth floor features common space that consists of a fitness center, game room, community room, business center, two roof decks, and mechanical/storage rooms. The remaining floors will be used as multi-family residential units.

Parking and Circulation

The proposed Concept Plan includes parking spaces in a portion of the first and second floors of the structure, on-site immediately to the west and south of the structure, and the use of an off-site surface lot at the northeast corner of Colerain Avenue and Sassafra Street. Vehicular ingress/egress to the interior parking on the second floor of the structure will be from Arlington Street, while the ingress/egress to the interior parking on the first floor of the structure will be from Sassafra Street (to the west of the structure). The petitioner indicates an overall parking ratio of 0.75 – 1.5 parking spaces per unit. The final parking ratio will be based upon the finalized number of dwelling units. The plan also includes bicycle parking within the first floor of the structure.

Open Space, Landscaping, and Buffering

Final landscaping and buffering will be submitted with the Final Development Plan. The Development Program Statement outlines that the largest building envelope for the site is 44,043 square feet, which results in 23,997.72 sq. ft. of open space (35% of the site). Because the proposal is the reuse of the existing structure, the development is limited in the amount of open space that can be preserved or added to the site.

Schedule

The petitioner has provided the following as an estimated timeline of funding and construction for the project:

February 2021	9% and 4% LIHTC Application
May 2021	9% and 4% LIHTC Award
September 2021	State and Federal Historic Applications
March 2022	State and Federal Historic Awards
TBD	Estimated City of Cincinnati HOME Award
TBD	Estimated Federal Home Loan Bank Award
October 2022	Closing
October 2022	Construction begins
July 2024	Construction completion

BASIC REQUIREMENTS OF A PLANNED DEVELOPMENT DISTRICT:

Per §1429-05 of the Cincinnati Zoning Code, *Basic Requirements*, PD Districts and development within PD Districts must comply with the following:

- a. *Minimum Area* – The minimum area of a PD must be two contiguous acres.

The proposed zone change area is 1.7305 contiguous acres (Exhibit A and C). Per Section 1429-05 (a) of the Zoning Code, “Council may approve a PD District that contains less than the minimum acreage required for an area on an affirmative recommendation of the City Planning Commission, finding that special site characteristics exist and the proposed land uses justify development of the property as a PD.” Therefore, the petitioner is seeking relief of 0.2695 acres to allow the 1.7305-acre site to meet the minimum two acre area criteria for a PD.

- b. **Ownership** – *Evidence that the applicant has sufficient control over the tract of land to affect the proposed plan, including a list of all ownership and beneficial interests in the tract of land and the proposed development are required.*

All of the properties within the proposed zone change are owned by Crosley Renaissance, LLC, which is an ownership structure that is 49% owned by Core Redevelopment, and 51% owned by TWG Development. Upon the LIHTC funding award, Core Redevelopment has agreed to sell their stake in the property to TWG Development, who is the developer of the proposed project.

- c. **Multiple buildings on a lot** – *More than one building is permitted on a lot.*

The submitted Concept Plan and Development Program Statement indicates reuse of the existing nine-story, 333,425 square foot building. There are no additional buildings proposed as part of the Concept Plan (Exhibit F).

- d. **Historic Landmarks and Districts** – *Whenever a Planned Development application is filed for a property wholly or partially located within a historic landmark, historic district, or involving a historic structure, the Historic Conversation Board shall advise the City Planning Commission relating to approval of the Final Development Plan.*

The property is a National Registered Historic Landmark however it is not a Local Landmark. Therefore, the City Planning Commission does not require Historic Conservation Board guidance related to approval of the Final Development Plan. The National Registered Historic Landmark allows the petitioner to apply for Historic Tax Credits for the rehabilitation of the structure.

- e. **Hillside Overlay Districts** – *Whenever a Planned Development application is filed for a property wholly or partially located within a Hillside Overlay District, the City Planning Commission shall approve the Final Development Plan.*

The subject property is not located with a Hillside Overlay District.

- f. **Urban Design Overlay District** – *Whenever a Planned Development application is filed for a property wholly or partially located within an Urban Design Overlay District, the City Planning Commission shall approve the Final Development Plan.*

The subject property is not located within an Urban Design Overlay District.

CONCEPT PLAN AND DEVELOPMENT PROGRAM STATEMENT:

According to §1429-09 of the Cincinnati Zoning Code, *Concept Plan and Development Program Statement*, a petition to rezone a property to PD must include a Concept Plan and Development Program Statement (Exhibits E and F). The purpose is to describe the proposed use or uses to be conducted in the PD District. The Concept Plan and Development Program Statement must include text or diagrams that specify:

- a. **Plan Elements** – A survey of the tract to be developed, providing a metes and bounds description of the property and the survey of property lines and total acreage. Additionally, the plan should include the location in general terms, of land areas to be developed, including: type and description of proposed land uses, buildings and structures; street rights-of-way and driveways; parcel boundaries and proposed lots, including set back lines; building heights; pedestrian circulation systems and open space or other facilities; and proposed topography, drainage, landscaping and buffer plantings.

The petitioner has submitted a Development Program Statement (Exhibit E) and Concept Plan (Exhibit F) that includes sufficient information regarding proposed uses, building location, street access, pedestrian circulation systems, and open space and landscaping. See *Proposed Development* for more information.

- b. **Ownership** – Evidence that the applicant has sufficient control over the tract of land to affect the proposed plan, including a list of all ownership and beneficial interests in the tract of land and the proposed development.

Crosley Renaissance, LLC currently owns all six parcels that make up the proposed zone change site.

- c. **Schedule** – Time schedule of projected development, if the total site is to be developed in phases or if construction is to extend beyond a two-year time period.

The petitioner has provided a schedule for the proposed development. The estimated timeline provided as part of the Concept Plan and Development Program Statement is outlined in the *Proposed Development* section of this report. An approval of the Concept Plan and Development Program Statement would lapse two years from its effective date unless a Final Development Plan is approved, or the City Planning Commission approves an extension per Sec. 1429-11.

- d. **Preliminary Reviews** – A preliminary review of geo-technical, sewage, water, drainage and refuse collection.

The proposed development was reviewed by departments during the Coordinated Site Review process, including the City’s Department of Buildings and Inspections (B&I), Metropolitan Sewer District (MSD), Stormwater Management Utility (SMU), Fire Department, Department of Transportation and Engineering (DOTE), and Greater Cincinnati Water Works (GCWW). MSD and SMU noted that a Utility Plan and Detention Plan would be required prior to permitting. These plans will be submitted as part of the Final Development Plan.

- e. **Density and Open Space** – Calculations of density and open space area.

The Development Program Statement indicates a total unit count between 175 and 220 dwelling units on the 1.562 acre-site (this area does not include the portion of the zone change within the right-of-way) which results in a density range of 112 – 160 units/acre. The exact density will be calculated once the final number of dwelling units is determined as part of the Final Development Plan submittal. Additionally, the Development Program Statement explains that 35% of the site will be preserved as open space. The structure currently exists, and the petitioner is not proposing any building additions or additional impervious surface to the site. A landscape plan will be required as part of the Final Development Plan submittal.

FINAL DEVELOPMENT PLAN:

Pursuant to §1429-13 of the Cincinnati Zoning Code, a Final Development Plan shall be submitted to the City Planning Commission after approval of the Concept Plan and Planned Development designation by City Council.

A Final Development Plan must be filed for any portion of an approved Concept Plan that the petitioner wishes to develop; this plan must conform substantially to the approved Concept Plan and Development Program Statement. The Final Development Plan requirements anticipate changes from the Concept Plan by requiring significantly more detail. Approval of the Final Development Plan would allow the petitioner to obtain the necessary permits to proceed with development. The process allows the City Planning Commission to authorize staff to approve Minor Amendments that might be necessary and establishes the process for Major Amendments that must be reviewed and approved.

COORDINATED SITE REVIEW:

The proposed zone change and Concept Plan went through Coordinated Site Review as a Development Design Review. A Coordinated Site Review Advisory Team meeting was held on December 8, 2020. A meeting with the petitioner and project partners was held on December 15, 2020, to allow the petitioner the opportunity discuss the comments outlined by each of the departments. No objections were voiced regarding the zone change or Concept Plan, however, additional requirements need to be met before permits are obtained. The full letter is attached as Exhibit H. Below is an outline of the major additional requirements that will be addressed in the Final Development Plan:

- The Metropolitan Sewer District (MSD) outlined that a utility site plan will be required to be submitted and reviewed in order to obtain permits.
- Stormwater Management Utility (SMU) requires a detention system for the site, a grading plan, an erosion and sediments control plan, and a utility site plan prior to permitting.
- The Office of Environment and Sustainability (OES) indicated that environmental approval will be necessary if the project seeks City qualified incentives. Additionally, proper remediation measures should be taken due to the age and prior use of the building.
- The Department of Transportation and Engineering (DOT) outlined that the proposed perpendicular parking spaces on Sassafra Street use a City of Cincinnati parcel for access, and that permission will be needed.

The petitioner received a copy of the comments from each of the departments and will be working with the departments to address these requirements prior to submitting a Final Development Plan.

PUBLIC COMMENT:

The Department of City Planning held a Public Staff Conference on the proposed zone change on December 10, 2020. Notices were sent to property owners within a 400-foot radius of the subject property and the Camp Washington Community Council. There was a total of 16 community members were in attendance along with the petitioner and development team. During the staff conference, the development team provided an overview of previous related projects that have completed, engagement that has taken place with the neighborhood, and a summary of the proposed project.

During the discussion portion of the Public Staff Conference, members of the community voiced support for the project. There were questions raised about the changes that have occurred over the years regarding the number of units decreasing to the amount that is currently proposed under the Concept Plan and Development Program Statement. TWG Development indicated that this is due to the market demand of unit size which necessitates larger units thus decreasing the total number. Members of the community asked for clarification regarding the location of parking within the structure and the location of the off-site parking lot at the northeast corner of Colerain Avenue and Sassafras Street. Additional questions from those in attendance were related to the location of the commercial space on the first floor and ninth floor. The petitioner clarified that there is less than 1,000 sq. ft. available on the first floor, and that the ninth floor has more flexibility, which will be more clearly defined at time of Final Development Plan. Discussion also took place regarding the various funding mechanisms that the petitioner will be seeking and the timing impacts between application, awarding of funding, and start of construction.

A letter of support regarding the proposed zone change and Concept Plan was submitted to the Department of City Planning from the Camp Washington Business Association (Exhibit G). All property owners within a 400-foot radius of the subject property and the Camp Washington Community Council were notified of the January 15, 2021 City Planning Commission meeting.

CONSISTENCY WITH PLANS:

Plan Cincinnati (2012)

The proposed zone change is consistent with the Goal in the Live Initiative Area of *Plan Cincinnati* (2012) to “Provide a full spectrum of housing options, and improve housing quality and affordability” (p. 164) and the Strategy to “Provide quality healthy housing for all income levels” (p. 165). The proposed project is seeking LIHTC to allow for the inclusion of affordable units at 30%, 60%, and 80% of the area median income (AMI)

The proposal is also consistent with the Sustain Initiative Area’s Goal to “Preserve our natural and built environment,” the Strategy in the Sustain Initiative Area to “Preserve our built history” (p. 205), specifically Action Step to “Preserve our built history with new development incentives and regulatory measures” (p. 205) as the proposed zone change would allow for the reuse of the historic Crosley Radio Building.

Made in Camp (2017)

The proposed zone change, Concept Plan and Development Program Statement is consistent with many aspects of Camp Washington’s *Made in Camp* neighborhood plan. *Made in Camp* identifies key structures for conversion from industrial to other uses that would better suit the goals of the neighborhood. The Crosley Radio Building is explicitly identified as one of the conversion projects; the reuse of this building with affordable units for artists has been contemplated and planned by the petitioner and the neighborhood dating back to the drafting of this plan (p. 24).

Additionally, the plan identifies the “Addition of mixed use and office uses along Colerain Avenue north of Bates” (p. 40) as part of the Land Use Recommendations. The Proposed Land Use Plan (p. 41) specifically identifies the subject site as mixed-use.

CITY PLANNING COMMISSION ACTION:

According to §1429-11(a) of the Cincinnati Zoning Code, the City Planning Commission may recommend approval or conditional approval, with restrictions on the establishment of a PD District on finding that all of the following circumstances apply:

1. *The PD Concept Plan and Development Program Statement are consistent with applicable plans and policies and is compatible with surrounding development;*

The proposed uses are compatible with the surrounding land use patterns. While adjacent property uses are light industrial, the proposed reuse of the Crosley Radio Building as artist loft multi-family residential and light commercial use is consistent with *Plan Cincinnati* and Camp Washington's *Made in Camp* neighborhood plan (See *Consistency with Plans* section of this report).

2. *The PD Concept Plan and Development Program Statement enhance the potential for superior urban design in comparison with the development under the base district regulations that would apply if the plan were not approved;*

The proposed Planned Development would permit the adaptive reuse of an existing, historically and architecturally significant, vacant structure. The proposed reuse of the structure as a mixed-use building with artist loft multi-family residential units and light commercial uses would not be permitted under the existing MG zoning district. The proposed Concept Plan and Development Program Statement allow for the reuse of this structure that has high visibility and is identified as a key project in Camp Washington's *Made in Camp* neighborhood plan, which would not otherwise be able to be approved under the current base district.

3. *Deviations from the base district regulations applicable to the property at the time of the PD application are justified by compensating benefits of the PD Concept Plan and Development Program Statement;*

The proposed mixed-use project is not permitted within the existing zoning district. The PD zoning district allows for the reuse of the structure in a feasible and innovative manner, meets goals identified by the neighborhood, and increases community involvement through the Planned Development process.

4. *The PD Concept Plan and Development Program Statement includes adequate provisions for utility services, refuse collection, open space, landscaping, pedestrian circulation and traffic circulation, building design and building location.*

All aspects are outlined in the Concept Plan and Development Program Statement as submitted or will be detailed in the Final Development Plan. See *Proposed Development* section for more detail.

ANALYSIS:

The proposed zone change from MG to PD with the Concept Plan to use the existing nine-story Crosley Radio Building as a mixed-use structure consisting of multi-family residential and light commercial uses is appropriate. Under the existing MG zoning, multi-family residential is not a

permitted use. The only other mechanism to allow for the reuse of this building as mixed use with multi-family residential would be for the petitioner to seek a use variance under Section 1445-16 of the Zoning Code. However, the petitioner is seeking LIHTC to assist in funding the project, which requires the appropriate zoning be in place in order for the funds to be awarded.

The preservation and reuse of the Crosley Radio Building is also a key component of the Camp Washington *Made in Camp* neighborhood plan. The reuse of the structure as a mixed-use building consisting of 175 to 220 residential dwelling units will increase the population of the Camp Washington neighborhood. This will add to the support and viability of the neighborhood's business district, located approximately a half-mile to the south (via Colerain Avenue).

The Department of City Planning believes that a Planned Development is an appropriate zoning designation for this site as it allows for continued public engagement through all phases of the development. Staff also believes that special site characteristics exist and the proposed land uses justify development of the property as a PD with an area less than the minimum two-acres as the proposed reuse of the structure as a mixed-use building is not feasible under the existing base zoning district. Additionally, because structure currently exists, no additional surrounding properties are necessary for the feasible reuse of the structure, and adjacent properties have operating uses, the site size is constrained from meeting the contiguous two acre minimum size requirement for a PD.

A Planned Development also provides assurance to the City and the community of the intended uses and scale of the development. The Planned Development process ensures that any significant modification to this would constitute as a Major Amendment to the Concept Plan and require public engagement and a public hearing process.

FINDINGS:

It is the opinion of staff of the Department of City Planning that the Concept Plan and Development Program Statement are in compliance with §1429-05 and §1429-11 (a) *City Planning Commission Action*. The proposal is consistent with the purpose of the Planned Development District Regulations.

CONCLUSIONS:

The staff of the Department of City Planning supports the proposed zone change from Manufacturing General (MG) to Planned Development (PD) including the Concept Plan and Development Program Statement for the following reasons:

1. The zone change and Concept Plan is consistent with the Goals in the Live Initiative Area and a Goal, Strategy, and Action Step in the Sustain Initiative Area of *Plan Cincinnati*. It is also directly consistent with a project identified in Camp Washington's *Made in Camp* neighborhood plan.
2. The PD zoning is appropriate in this area as the proposed development does not conform with existing zoning. The zone change and Concept Plan are necessary to establish a PD that allows for the adaptive reuse of the existing Crosley Radio Building as a mixed-use building with both multi-family residential and light commercial uses.
3. The PD zoning district requires a more extensive public process than a regular zone change, which will allow community members to have additional opportunities to be heard during the Final Development Plan for the proposal.

RECOMMENDATION:

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

- 1) **ACCEPT** the Concept Plan and Development Program Statement as submitted;
- 2) **ADOPT** the Department of City Planning Findings as detailed on page 9 of this report;
and
- 3) **APPROVE** the proposed zone change at 1333 Arlington Street from Manufacturing General (MG) to Planned Development (PD) including the Concept Plan and Development Program Statement in Camp Washington.

Respectfully submitted:

Approved:

Andy Juengling, AICP, Senior City Planner
Department of City Planning

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