



City of Cincinnati

801 Plum Street
Cincinnati, Ohio 45202

CALENDAR

Cincinnati City Council

Wednesday, March 27, 2024

2:00 PM

Council Chambers, Room 300

REVISED

ROLL CALL

PRAYER AND PLEDGE OF ALLEGIANCE

FILING OF THE JOURNAL

MAYOR AFTAB

MS. KEARNEY

MS. ALBI

MR. CRAMERDING

MR. HARRIS

MR. JEFFREYS

MR. JOHNSON

MS. OWENS

MS. PARKS

MR. WALSH

1. [202400981](#) **RESOLUTION**, submitted by Mayor Aftab Pureval, Vice Mayor Kearney, Councilmembers Albi, Cramerding, Harris, Jeffreys, Johnson, Owens, Parks and Walsh, from Emily Smart Woerner, City Solicitor, **RECOGNIZING** Hamilton County Auditor Brigid Kelly and **EXPRESSING** the appreciation of the Mayor and Council of the City of Cincinnati for her dedicated career in public service and commitment to representing the citizens of Cincinnati, Norwood, Hamilton County, and the State of Ohio.

Recommendation PASS

Sponsors: Mayor, Kearney, Albi, Cramerding, Harris, Jeffreys, Johnson, Owens, Parks and Walsh

MS. OWENS

MS. KEARNEY**MR. JOHNSON**

2. [202400957](#) **RESOLUTION**, submitted by Councilmember Owens, Vice Mayor Kearney and Councilmember Johnson, from Emily Smart Woerner, City Solicitor, **RECOGNIZING** the Purcell Marian High School Cavaliers girls' basketball team as the 2024 Division II state champions and **EXPRESSING** the appreciation of the Mayor and Council for the team as a leading force in girls' basketball and overall athletics in the City of Cincinnati, the State of Ohio, the Midwest Region, and across the country.

Recommendation PASS

Sponsors: Owens, Kearney and Johnson

MR. JOHNSON

3. [202400973](#) **RESOLUTION**, submitted by Councilmember Johnson, from Emily Smart Woerner, City Solicitor, **RECOGNIZING** the impact and community contributions of the Fourth District of the Omega Psi Phi Fraternity, Inc.

Recommendation PASS

Sponsors: Johnson

MS. OWENS

4. [202400967](#) **ORDINANCE (EMERGENCY)**, submitted by Councilmember Owens, from Emily Smart Woerner, City Solicitor, **AUTHORIZING** the City Manager and the employees of the Office of Councilmember Owens to solicit and accept donations of money, in-kind contributions, and other things of value from the Cincinnati business community, individual benefactors, and other available sources to host Human Services Day; and **AUTHORIZING** the Director of Finance to deposit funds donated to the City for Human Services Day into Fund No. 314, "Special Events."

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: Owens

5. [202400983](#) **MOTION**, submitted by Councilmember Owens, **WE MOVE** that the administration prepare a report within sixty (60) days on how Report #202400403 entitled Supplemental Report on the Department of Building and Inspections Code Enforcement Process and Chronic Offenders and the correlation between rental and utility assistance dollars that are granted to the residents of those properties from Jan. 1, 2020, to December 6th, 2023. (BALANCE ON FILE IN THE CLERK'S OFFICE) (STATEMENT ATTACHED)

Recommendation CLIMATE, ENVIRONMENT & INFRASTRUCTURE COMMITTEE

Sponsors: Owens

MS. KEARNEY**MAYOR AFTAB**

MR. JEFFREYS

6. [202400924](#) **MOTION**, submitted by Vice Mayor Kearney, Mayor Aftab Pureval and Councilmember Jeffreys, **WE MOVE** that Cincinnati City Council reallocate and approve the transfer of one million dollars (\$1,000,000) from the Housing Stability Capital Account to the General Fund to provide payment assistance to eligible Cincinnati homeowners for the past due property taxes for owner-occupied 1-4 family residences. (BALANCE ON FILE IN THE CLERK'S OFFICE) (STATEMENT ATTACHED)

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: Kearney, Mayor and Jeffreys

MS. KEARNEY**MR. JOHNSON****MS. PARKS**

7. [202400982](#) **MOTION**, submitted by Vice Mayor Kearney, Councilmembers Johnson and Parks, **WE MOVE** that the City of Cincinnati reposition the Center for Closing the Health Gap as a line item in its operating budget - as it was historically - and remove it from the category of Human Services. The Center for Closing the Health Gap is not a human services provider. Rather, its mission is to eliminate racial and health disparities in the Greater Cincinnati community through education, advocacy, and outreach targeting the African American, Latino, and White Appalachian populations. The vision of Closing the Health Gap is to make Greater Cincinnati a healthier region for all. (STATEMENT ATTACHED)

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: Kearney, Johnson and Parks

CITY MANAGER

Item held on the Calendar for one week

8. [202400817](#) **APPOINTMENT**, dated 3/20/2024 submitted Sheryl M. M. Long, City Manager, regarding the appointment of Gérald Checco to the Urban Forestry Advisory Board under the community representative qualifications. (White/Male)

Recommendation CONFIRM

Sponsors: City Manager

9. [202400615](#) **REPORT**, dated 3/27/2024 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Almost VGan LLC, 34 E. Court Street. (#0139875, New, D5J) [Objections: Yes]

Recommendation FILE

Sponsors: City Manager

10. [202400918](#) **REPORT**, dated 3/27/2024 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Rhythm and Booze LLC, 3187 Linwood Avenue (#7306390, Stock, D5 D6) [Objections: None]
Recommendation FILE
Sponsors: City Manager
11. [202400919](#) **REPORT**, dated 3/27/2024 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Cincinnati Park Board Maple Ridge Lodge, 3040 Westwood Northern Blvd. (#14934070002, Temp, F8) [Objections: None]
Recommendation FILE
Sponsors: City Manager
12. [202400920](#) **REPORT**, dated 3/27/2024, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for Sayler Park Sustains.
Recommendation FILE
Sponsors: City Manager
13. [202400928](#) **REPORT**, dated 3/27/2024 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Okini Cincy Inc., DBA Okini Sushi & BBQ, 3501 Erie Avenue. (#6526736, TRFO, D1 D2 D3 D6) [Objections: None]
Recommendation FILE
Sponsors: City Manager
14. [202400930](#) **REPORT**, dated 3/27/2024 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Sidelines Tavern LLC, DBA Sidelines Tavern, 3095 Glenmore Avenue 1st floor. (#8126709, TRFO, D1 D2 D3 D3A D6) [Objections: None]
Recommendation FILE
Sponsors: City Manager
15. [202400934](#) **ORDINANCE**, submitted by Sheryl M. M. Long, City Manager, on 3/27/2024, **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant of up to \$1,814,329 from the U.S. Department of Homeland Security, Federal Emergency Management Agency, FY 2023 Assistance to Firefighters Grant Program (ALN 97.044) to provide resources for the purchase of a heavy rescue apparatus and for professional development training for career firefighters; and **AUTHORIZING** the Director of Finance to deposit the grant resources into Fire Grants and Donations Fund 472, revenue account no. 472x8542.
Recommendation BUDGET AND FINANCE COMMITTEE
Sponsors: City Manager
16. [202400935](#) **ORDINANCE**, submitted by Sheryl M. M. Long, City Manager, on 3/27/2024 **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant of \$150,000 from the Talent for Tomorrow Digital Equity Challenge through the

United States Conference of Mayors in collaboration with Comcast's Project UP to establish a paid cooperative program for information technology (IT) positions within the City's Enterprise Technology Solutions (ETS) and Office of Performance and Data Analytics (OPDA); and **AUTHORIZING** the Director of Finance to deposit the grant funds into Citizens Jobs Fund revenue account no. 308x8571.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

17. [202400936](#) **RESOLUTION (LEGISLATIVE) (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 3/27/2024, **OBJECTING** to the renewal of the D5J and D6 liquor permit number 5931167 applied for by Midwest Textiles Warehouse, LLC d/b/a Drip Coffee Lounge to the Ohio Division of Liquor Control.

Recommendation PUBLIC SAFETY & GOVERNANCE COMMITTEE

Sponsors: City Manager

18. [202400937](#) **RESOLUTION (LEGISLATIVE) (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 3/27/2024, **OBJECTING** to the renewal of the D5, D6 class liquor permit number 2600009 applied for by Risconi Bar and Kitchen, LLC to the Ohio Division of Liquor Control.

Recommendation PUBLIC SAFETY & GOVERNANCE COMMITTEE

Sponsors: City Manager

19. [202400938](#) **ORDINANCE (EMERGENCY)**, submitted by Sheryl M. M. Long, City Manager, on 3/27/2024, **AUTHORIZING** the establishment of capital improvement program project account no. 980x199x241916, "Ohio River Trail - ODNR RTP Grant," to provide grant resources for the construction of a foot trail connecting a segment of the Ohio River Trail into a complete loop; **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant of up to \$150,000 from the State of Ohio, Ohio Department of Natural Resources Recreation Trails Program (ALN 20.219) to newly established capital improvement program project account no. 980x199x241916, "Ohio River Trail - ODNR RTP Grant"; and **AUTHORIZING** the Finance Director to deposit the grant resources of up to \$150,000 into newly established capital improvement program project account no. 980x199x241916, "Ohio River Trail - ODNR RTP Grant."

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

20. [202400940](#) **ORDINANCE**, submitted by Sheryl M. M. Long, City Manager, on 3/27/2024, **ESTABLISHING** capital improvement program project account no. 980x233x242347, "River Rd Crossings Safety Imprvmnts - CRISI," for the purpose of rebuilding existing traffic signals with railroad pre-emption, making equipment improvements at grade crossings, and increasing storage capacity for vehicles exiting the Anderson Ferry onto River Road; **AUTHORIZING** the City Manager to accept and appropriate grant resources of up to \$6,067,200 awarded by the U.S. Department of Transportation Federal Railroad

Administration under the Consolidated Rail Infrastructure and Safety Improvements (CRISI) Program (ALN 20.325) to newly established capital improvement program project account no. 980x233x242347, "River Rd Crossings Safety Imprvmnts - CRISI"; and **AUTHORIZING** the Director of Finance to deposit the grant resources into capital improvement program project account no. 980x233x242347, "River Rd Crossings Safety Imprvmnts - CRISI."

Recommendation BUDGET AND FINANCE COMMITTEE.

Sponsors: City Manager

CLERK OF COUNCIL

21. [202400974](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Daniel Gerard Jones/Recreation Engineering/Division Manager.

Recommendation FILE

Sponsors: Clerk of Council

22. [202400975](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Mark Stephan Jeffreys/Cincinnati City Council.

Recommendation FILE

Sponsors: Clerk of Council

23. [202400976](#) **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

24. [202400977](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Arthur D. Dahlberg/Buildings and Inspections/Director.

Recommendation FILE

Sponsors: Clerk of Council

25. [202400978](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Teia JaLise Letcher/Buildings & Inspections/Division Manager.

Recommendation FILE

Sponsors: Clerk of Council

26. [202400984](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Maria Meyer/GCWW/Principal Engineer.

Recommendation FILE

Sponsors: Clerk of Council

27. [202400985](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Rodney D. Ringer/Development Services Manager/Acting Building Plans Examination Division Manager.

Recommendation FILE

- Sponsors:** Clerk of Council
28. [202400986](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Samuel Jonathan Stephens/GCWW/Deputy Director.
- Recommendation** FILE
- Sponsors:** Clerk of Council
29. [202400987](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Douglas Moormann, Development Strategies Group, Vice President, 700 Walnut Street, Suite 450, Cincinnati, Ohio 45202. (CIG Communities)
- Recommendation** FILE
- Sponsors:** Clerk of Council
30. [202400988](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Douglas Moormann, Development Strategies Group, Vice President, 700 Walnut Street, Suite 450, Cincinnati, Ohio 45202. (The Kroger Community)
- Recommendation** FILE
- Sponsors:** Clerk of Council

BUDGET AND FINANCE COMMITTEE

31. [202400879](#) **ORDINANCE**, submitted by Sheryl M. M. Long, City Manager, on 3/20/2024, **AUTHORIZING** the City Manager to accept a donation of up to \$2,785 from the Trust for Public Land (“TPL”) to reimburse travel expenses for Parks Department employees to attend the TPL Park Equity Accelerator meeting on April 23-25, 2024 in New York; **AUTHORIZING** the Director of Finance to deposit the donated funds into General Fund 050 revenue account no. 8571, “Contributions - Specific Purpose”; and **AUTHORIZING** the transfer and appropriation of up to \$2,785 from the unappropriated surplus of the General Fund to the Parks Department General Fund non-personnel operating budget account no. 050x201x7200.
- Recommendation** PASS
- Sponsors:** City Manager
32. [202400880](#) **ORDINANCE**, submitted by Sheryl M. M. Long, City Manager, on 3/20/2024, **AUTHORIZING** the City Manager to accept in-kind donations and contributions of artwork, horticultural supplies, other miscellaneous supplies, and rental services from the Cincinnati Parks Foundation, valued at approximately \$124,341.41 to benefit various City parks.
- Recommendation** PASS
- Sponsors:** City Manager
33. [202400878](#) **ORDINANCE (EMERGENCY)**, submitted by Sheryl M. M. Long, City Manager, on 3/20/2024, **AUTHORIZING** the City Manager and employees of the Cincinnati Recreation Commission to solicit and accept donations of money, sponsorships, in-kind contributions, team registration fees, vendor fees, and other things of value from the Cincinnati business community, individual benefactors, and other appropriate sources to provide resources to support the Queen City Slam Basketball Tournament; and **AUTHORIZING** the Director of Finance to deposit the resources donated to or generated by the event into

Fund No. 319, "Contributions for Recreation Purposes."

Recommendation PASS EMERGENCY

Sponsors: City Manager

34. [202400883](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 3/20/2024, **AUTHORIZING** the City Manager to apply for and accept in-kind services in the form of a technical assistance scholarship provided by Center for Community Progress.

Recommendation PASS

Sponsors: City Manager

35. [202400942](#) **ORDINANCE (EMERGENCY) (B VERSION)**, submitted by Sheryl M. M. Long, City Manager, on 3/25/2024, **AUTHORIZING** the transfer and return to source of \$205,000 from capital improvement program project account no. 980x164x221616, "King Records Building Restoration," to the unappropriated surplus of General Fund 050; **AUTHORIZING** the transfer and appropriation of \$205,000 from the unappropriated surplus of General Fund 050 to the Department of Community and Economic Development FY 2024 non-personnel operating budget account no. 050x164x7200 to provide resources for professional services and operating support to allow King Records Legacy, Inc. d/b/a King Records Legacy Foundation to undertake pre-development activities related to the eventual renovation of the former King Records building; and **DECLARING** that the King Records Legacy, Inc. d/b/a King Records Legacy Foundation's pre-development activities related to the eventual renovation of the former King Records building serve a public purpose because the eventual renovation of the former King Records building will foster local improvements and investment and increase neighborhood vitality.

Recommendation PASS EMERGENCY

Sponsors: City Manager

36. [202400898](#) **RESOLUTION (LEGISLATIVE)** submitted by Sheryl M. M. Long, City Manager, on 3/20/2024, **DECLARING** the necessity of assessing properties in Lighting Group 1 that benefit from special street lighting within the City of Cincinnati for the cost of such lighting for the three-year period beginning August 1, 2023.

Recommendation PASS

Sponsors: City Manager

37. [202400896](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 3/20/2024, **APPROVING AND AUTHORIZING** the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement (LEED or Living Building Challenge) with Cincinnati Curated, LLC, thereby authorizing a 15-year tax exemption for 100% of the value of improvements made to real property located at 34 W Court Street in the Central Business District of Cincinnati, in connection with the remodeling of an existing building into approximately 629 square feet of commercial space and approximately 5,566 square feet of residential space, consisting of 5 residential units, which remodeling shall be completed in compliance with Leadership in Energy and

Environmental Design Silver, Gold or Platinum standards or Living Building Challenge Standards, at a total remodeling cost of approximately \$845,456.

Recommendation PASS EMERGENCY

Sponsors: City Manager

38. [202400909](#) **MOTION**, submitted by Councilmembers Owens, Walsh and Harris, **WE MOVE** that the administration prepare a report within sixty (60) days on the feasibility of the Philadelphia Housing Develop Corporation's (PHDC) Rental Improvement Fund (RIF) being implemented in the City of Cincinnati. (BALANCE ON FILE IN THE CLERK'S OFFICE) (STATEMENT ATTACHED).

Recommendation ADOPT

Sponsors: Owens, Walsh and Harris

39. [202400916](#) **MOTION**, submitted by Councilmember Walsh, Vice Mayor Kearney and Councilmember Owens, **WE MOVE** that the administration produces a report within thirty (30) days on the feasibility of assuming operations of the 4th of July fireworks celebration in Ault Park from the Ault Park Advisory Council (APAC), Hyde Park Neighborhood Council (HPNC), and Mt. Lookout Community Council (MLCC). (BALANCE ON FILE IN THE CLERK'S OFFICE) (STATEMENT ATTACHED).

Recommendation ADOPT

Sponsors: Walsh, Kearney and Owens

SUPPLEMENTAL ITEMS

CLIMATE, ENVIRONMENT & INFRASTRUCTURE COMMITTEE

40. [202400828](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 3/13/2024, MODIFYING Chapter 507, "One-Way Streets," of the Cincinnati Municipal Code by AMENDING Section 507-1-F, "Fifteenth Street, west from Vine Street to Central Parkway," to convert the portion of Fifteenth Street located between Walnut Street and Vine Street in the Over-the-Rhine neighborhood from a two-way street to a westbound one-way street.

Recommendation PASS

Sponsors: City Manager

EQUITABLE GROWTH & HOUSING COMMITTEE

Item on Pursuant to Rule 10.8

41. [202400567](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 2/22/2024, **AMENDING** the official zoning map of the City of Cincinnati to rezone certain real property located at 3060 Durrell Avenue in the Evanston neighborhood from the RMX, "Residential Mixed," zoning district to Planned Development District No. 98, "The Mingo." (Subject to the [Temporary Prohibition List <https://www.cincinnati-oh.gov/law/ethics/city-business>](https://www.cincinnati-oh.gov/law/ethics/city-business))

Recommendation ON PURSUANT TO RULE 10.8

Sponsors: City Manager

Item on Pursuant to Rule 10.10

42. [202400917](#) **REPORT**, dated 3/26/2024, submitted Sheryl M. M. Long, City Manager, regarding Financing Options for The Mingo. (Ref. Doc. #202400567).

Recommendation ON PURSUANT TO RULE 10.10

Sponsors: City Manager

ANNOUNCEMENTS

Adjournment

202400981

Date: March 27, 2024

To: Mayor Aftab Pureval, Vice Mayor Jan-Michele Lemon Kearney, Councilmembers Anna Albi, Jeff Cramerding, Reggie Harris, Mark Jeffreys, Scotty Johnson, Meeka Owens, Victora Parks, and Seth Walsh

From: Emily Smart Woerner, City Solicitor *ESW/rdh*

Subject: **Resolution – Reconizing Brigid Kelly**

Transmitted herewith is a resolution captioned as follows:

RECOGNIZING Hamilton County Auditor Brigid Kelly and **EXPRESSING** the appreciation of the Mayor and Council of the City of Cincinnati for her dedicated career in public service and commitment to representing the citizens of Cincinnati, Norwood, Hamilton County, and the State of Ohio.

ESW/CMZ(dmm)
Attachment
399611

CMZ
ECSW/KRH

RESOLUTION NO. _____ - 2024

RECOGNIZING Hamilton County Auditor Brigid Kelly and **EXPRESSING** the appreciation of the Mayor and Council of the City of Cincinnati for her dedicated career in public service and commitment to representing the citizens of Cincinnati, Norwood, Hamilton County, and the State of Ohio.

WHEREAS, Hamilton County Auditor Brigid Kelly was born and raised in Norwood, Ohio and attended Saint Ursula Academy in Cincinnati; and

WHEREAS, Ms. Kelly earned a bachelor’s degree in Entrepreneurship and Marketing from Xavier University and a Master of Arts in Labor and Employment Relations from the University of Cincinnati; and

WHEREAS, Ms. Kelly was elected as a member of the Norwood City Council in 2006, one year after graduating from college; and

WHEREAS, Ms. Kelly spent more than a decade working for members of the United Food and Commercial Workers Union Local 75 (UFCW75), representing union members in the grocery and food processing industries; and

WHEREAS, from 2016 to 2022, Ms. Kelly was a State Representative for Ohio House District 31 and served as Democratic Caucus Whip; and

WHEREAS, Ms. Kelly fought in the General Assembly for hardworking families and focused on issues that impact all Ohioans, such as good wages, affordable healthcare benefits, and safe workplaces; and

WHEREAS, as a state representative, Ms. Kelly focused on ensuring that Ohio’s children receive the best education by making investments in local schools, holding corporations accountable for taxpayer investments, and pursuing policies important to families, such as paid sick and family leave; and

WHEREAS, Ms. Kelly sponsored bipartisan legislation repealing the “pink tax” in Ohio in order to eliminate sales taxes on feminine hygiene products; and

WHEREAS, in 2022, Ms. Kelly was elected to serve as Hamilton County Auditor, becoming the first woman to be elected to this position; and

WHEREAS, under her leadership, the Office of the Hamilton County Auditor completed the reappraisal of 350,000 parcels of real estate, modernized the Board of Revision process, and increased staff to create more equity; and

WHEREAS, Ms. Kelly has served with a commitment to the highest levels of accountability, dedication, and fairness; and

WHEREAS, throughout her career in public service, Ms. Kelly has been known for her work ethic, humility, and “team first” mentality; 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 Hamilton County Auditor Brigid Kelly and express the appreciation of the Mayor and Council for her dedicated career in public service and community support in Cincinnati, Norwood, Hamilton County, and the State of Ohio.

Section 2. That this resolution be spread upon the minutes of Council and that a copy be provided to Hamilton County Auditor Brigid Kelly through the office of Vice Mayor Jan-Michele Lemon Kearney.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

Submitted by Mayor Aftab Pureval, Vice Mayor Jan-Michele Lemon Kearney, Councilmembers Anna Albi, Jeff Cramerding, Reggie Harris, Mark Jeffreys, Scotty Johnson, Meeka Owens, Victora Parks, and Seth Walsh

202400957

Date: March 27, 2024

To: Councilmember Meeka Owens, Vice Mayor Jan-Michele Lemon Kearney, and Councilmember Scotty Johnson

From: Emily Smart Woerner, City Solicitor *EESW*

Subject: **Resolution –Recognizing Purcell Marian Basketball 2024 State Champs**

Transmitted herewith is a resolution captioned as follows:

RECOGNIZING the Purcell Marian High School Cavaliers girls' basketball team as the 2024 Division II state champions and **EXPRESSING** the appreciation of the Mayor and Council for the team as a leading force in girls' basketball and overall athletics in the City of Cincinnati, the State of Ohio, the Midwest Region, and across the country.

EESW/CNS(dmm)
Attachment
399535

RESOLUTION NO. _____ - 2024

RECOGNIZING the Purcell Marian High School Cavaliers girls' basketball team as the 2024 Division II state champions and **EXPRESSING** the appreciation of the Mayor and Council for the team as a leading force in girls' basketball and overall athletics in the City of Cincinnati, the State of Ohio, the Midwest Region, and across the country.

WHEREAS, the Purcell Marian High School Cavaliers girls' basketball team, led by coach Jamar Mosley, is celebrating their third consecutive state championship in girls' basketball; and

WHEREAS, because of their passionate play, the Cavaliers achieved their third consecutive championship on March 16, 2024 at University of Dayton Arena, triumphing over the Shaker Heights Laurel Gators girls' basketball team by a score of 79 to 52; and

WHEREAS, the Cavaliers were led by two-time Ohio Miss Basketball Dee Alexander, Ky'Aira Miller, and Samaya Wilkins, who combined scored 53 of the Cavaliers' 79 points; and

WHEREAS, enroute to their state championship the Cavaliers collected 29 victories, including an undefeated record in conference play, and a third consecutive conference championship; and

WHEREAS, the Cavaliers finish their season ranked fifteenth in the country by MaxPreps, ranked first in Ohio by the Associated Press; and

WHEREAS, the success and continued progress of Coach Jamar Mosley and the Cavaliers girls' basketball team are ensuring their legacy is cemented in Ohio basketball record books; and

WHEREAS, this latest achievement by Purcell Marian High School shows their continued excellence in Cincinnati and across Ohio that continues to bring pride to students, faculty, staff, and alumni; now, therefore,

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

Section 1. That the Mayor and this Council recognize the Purcell Marian High School Cavaliers girls' basketball team as the 2024 Division II state champions and express their appreciation for the team as a leading force in girls' basketball and overall athletics in the City of Cincinnati, the State of Ohio, the Midwest region, and across the country.

Section 2. That this resolution be spread upon the minutes of Council and that a copy be provided to the Purcell Marian High School Cavaliers girls' basketball team through the office of Councilmember Meeka Owens.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

Submitted by Councilmember Meeka Owens, Vice Mayor Jan-Michele Lemon Kearney, and Councilmember Scotty Johnson

202400973

Date: March 27, 2024

To: Councilmember Scotty Johnson
From: Emily Smart Woerner, City Solicitor *EESW*
Subject: **Resolution – Recognizing Omega Psi Phi**

Transmitted herewith is a resolution captioned as follows:

RECOGNIZING the impact and community contributions of the Fourth District of the Omega Psi Phi Fraternity, Inc.

ESW/CMZ(dmm)
Attachment
399490

EEJW

RESOLUTION NO. _____ - 2024

RECOGNIZING the impact and community contributions of the Fourth District of the Omega Psi Phi Fraternity, Inc.

WHEREAS, the 83rd Fourth District meeting of the Omega Psi Phi Fraternity, Inc. will provide a significant presence in the Greater Cincinnati area, convening in Sharonville, Ohio from April 4th through April 7, 2024, with members from the states of Ohio and Virginia attending; and

WHEREAS, Brother Michael West, the 36th Fourth District Representative of the Omega Psi Phi Fraternity, Inc., and the Brothers of Beta Iota, Tau Xi, and Psi Theta Chapters will welcome the 83rd Fourth District Meeting of the Omega Psi Phi Fraternity Inc; and

WHEREAS, the purpose of the District Meeting is to provide guidance to each chapter in the execution of the social action initiatives and community service projects of Omega Psi Phi Fraternity, Inc.; and

WHEREAS, the brothers of the Fourth District Meeting of the Omega Psi Phi Fraternity Inc. will continually strive to uphold the four cardinal principles of Manhood, Scholarship, Perseverance, and Uplift; now, therefore,

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

Section 1. That this Council recognizes the values upheld by the Fourth District of the Omega Psi Phi Fraternity, Inc. and celebrates the ongoing contributions made by Omega Psi Phi Fraternity, Inc. to this and surrounding communities.

Section 2. That this resolution be spread upon the minutes of Council and that a copy be provided to the Fourth District of the Omega Psi Phi Fraternity, Inc. through the office of Councilmember Scotty Johnson.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

Submitted by Councilmember Scotty Johnson

202400909

Date: March 27, 2024

To: Councilmember Meeka Owens
From: Emily Smart Woerner, City Solicitor *EESW*
Subject: **Emergency Ordinance –Donations for Human Services Day**

Transmitted herewith is an emergency ordinance captioned as follows:

AUTHORIZING the City Manager and the employees of the Office of Councilmember Owens to solicit and accept donations of money, in-kind contributions, and other things of value from the Cincinnati business community, individual benefactors, and other available sources to host Human Services Day; and **AUTHORIZING** the Director of Finance to deposit funds donated to the City for Human Services Day into Fund No. 314, “Special Events.”

EESW/CNS(dmm)
Attachment
399159



EMERGENCY

City of Cincinnati

CNS

EEW

An Ordinance No. _____

- 2024

AUTHORIZING the City Manager and the employees of the Office of Councilmember Owens to solicit and accept donations of money, in-kind contributions, and other things of value from the Cincinnati business community, individual benefactors, and other available sources to host Human Services Day; and **AUTHORIZING** the Director of Finance to deposit funds donated to the City for Human Services Day into Fund No. 314, “Special Events.”

WHEREAS, Human Services Day is sponsored by Councilmember Owens to connect the community with City departments, social service agencies, community organizations, and other groups to provide information, resources, and services that promote resiliency and sustainability in neighborhoods; and

WHEREAS, Human Services Day will be held on May 18, 2024 and September 28, 2024, as well as on dates to be determined in future years; and

WHEREAS, Human Services Day is in accordance with the “Live” goal to “[c]reate a more livable community” and strategy to “[s]upport and stabilize our neighborhoods” as described on pages 156 and 160-162 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 and the employees of the Office of Councilmember Owens are authorized to solicit and accept donations of money, in-kind contributions, and other things of value to host Human Services Day.

Section 2. That the Director of Finance is authorized to deposit any funds donated to the City for Human Services Day into Fund No. 314, “Special Events.”

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.

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 provide resources to prepare for Human Services Day.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk



202400983

Meeka D. Owens
Cincinnati City Council

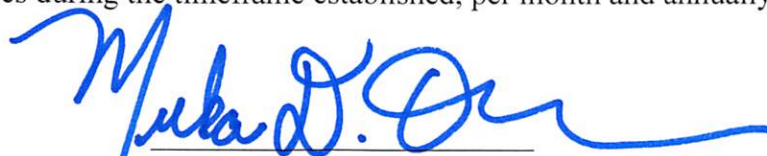
March 18th, 2024

Report #202400403 and Rental and Utility Assistance Dollars

WE MOVE that the administration prepare a report within sixty (60) days on how Report #202400403 entitled Supplemental Report on the Department of Building and Inspections Code Enforcement Process and Chronic Offenders and the correlation between rental and utility assistance dollars that are granted to the residents of those properties from Jan. 1, 2020, to December 6th, 2023.

WE FURTHER MOVE that the administration look at the funds that are allocated from Hamilton County Jobs and Family Services, Community Action Agency, St. Vincent DePaul, and any other organizations that provide rental and utility assistance, per month and annually.

WE FURTHER MOVE that the administration identify the amount of evictions that have been filed by these properties during the timeframe established, per month and annually.


Councilmember Meeka D. Owens



202400924

Jan-Michele Lemon Kearney
Vice Mayor

MOTION

WE MOVE that Cincinnati City Council reallocate and approve the transfer of one million dollars (\$1,000,000) from the Housing Stability Capital Account to the General Fund to provide payment assistance to eligible Cincinnati homeowners for past due property taxes for owner-occupied 1-4 family residences.

To qualify for assistance, the applicant-homeowner's residence must be located within the City of Cincinnati, the residence must be the applicant-homeowner's primary residence, and the applicant-homeowner's household must have an annual income at or below 80% Area Median Income (Ex. Annual income of \$65,040 or below for a family of four).

Given that these are emergency funds, we ask the administration to develop a streamlined 10-day process for application to receipt of funds. In addition, we ask for recommendations for a source of ongoing funding to assist with payment of delinquent property taxes in the future to prevent our low- and moderate-income families from losing their homes.

Mayor Aftab Pureval

Councilmember Mark Jeffreys

Vice Mayor Jan-Michele Lemon Kearney

STATEMENT

Many of our low- and moderate-income residents are struggling financially due to recent increases in property taxes. According to the Hamilton County Recorder's Office, delinquent property taxes in the City of Cincinnati currently total approximately \$3.2 million. The Attachment to this Motion shows a neighborhood breakdown of delinquent property taxes. Our goal is to keep residents in their homes and prevent them from having to choose between paying for their homes and purchasing other necessities of life.

A recent article in *The Cincinnati Enquirer* reported that there has been a historic 34 percent increase in residential property values in Hamilton County, and an overall 15 percent increase in property taxes. "But in some neighborhoods – especially in some poor and working-class neighborhoods in the city of Cincinnati – the tax increase nearly matched the hike in values, making those some of the unluckiest homeowners in Hamilton County." (*Ohio homeowners reeling from Hamilton County's new property values_cincinnati.com*, Feb. 13, 2024) "Statewide, the poorest fifth of Ohio homeowners pay more than triple their share of income in property taxes compared to the richest 1% of homeowners, according to the Institute on Taxation & Economic Policy, a Washington D.C.-based think-tank."

Councilmember Jeffreys has convened a task force that will look at recommendations and possible solutions for the rising property taxes that are affecting our residents, while keeping in mind, tax rates are set by the State of Ohio, and not the City of Cincinnati.

ATTACHMENT
Delinquent Property Taxes in the City of Cincinnati (March 2024)

Neighborhood	Count	Total
AVONDALE	78	\$ 205,157.81
BOND HILL	59	\$ 144,618.61
CALIFORNIA	3	\$ 9,321.96
CAMP WASHINGTON	2	\$ 3,304.67
CARTHAGE	22	\$ 45,683.06
CENTRAL BUSINESS DISTRICT	1	\$ 146.15
CLIFTON	7	\$ 78,395.95
COLLEGE HILL	64	\$ 203,602.36
COLUMBIA TUSCULUM	7	\$ 17,493.77
CORRYVILLE	4	\$ 10,998.81
CUF	9	\$ 24,872.58
EAST END	10	\$ 32,988.28
EAST PRICE HILL	94	\$ 222,753.43
EAST WALNUT HILLS	16	\$ 73,197.17
EAST WESTWOOD	8	\$ 5,652.06
ENGLISH WOODS	3	\$ 10,533.95
EVANSTON	59	\$ 156,280.10
HARTWELL	19	\$ 31,647.42
HYDE PARK	21	\$ 142,287.14
KENNEDY HEIGHTS	33	\$ 54,958.22
LINWOOD	4	\$ 16,954.58
LOWER PRICE HILL	13	\$ 16,691.88
MADISONVILLE	35	\$ 105,562.18
MILLVALE	4	\$ 7,109.25
MT ADAMS	2	\$ 12,687.13
MT AIRY	16	\$ 44,903.11
MT AUBURN	23	\$ 75,957.06
MT LOOKOUT	11	\$ 138,256.00
MT WASHINGTON	31	\$ 78,291.91
NORTH AVONDALE	16	\$ 117,966.22
NORTH FAIRMONT	23	\$ 44,959.67
NORTHSIDE	49	\$ 110,752.48
OAKLEY	9	\$ 44,558.95
OVER THE RHINE	6	\$ 17,642.30
PADDOCK HILLS	6	\$ 15,692.56
PLEASANT RIDGE	12	\$ 58,849.49
RIVERSIDE	11	\$ 16,800.85
ROSELAWN	17	\$ 46,346.36
SAYLER PARK	17	\$ 35,146.31
SEDAMSVILLE	11	\$ 16,959.62
SOUTH CUMMINSVILLE	14	\$ 21,316.33
SOUTH FAIRMOUNT	53	\$ 88,846.80
SPRING GROVE VILLAGE	18	\$ 26,874.67
WALNUT HILLS	28	\$ 67,817.12
WEST END	11	\$ 26,028.21
WEST PRICE HILL	83	\$ 202,634.37
WESTWOOD	101	\$ 306,898.15
(blank)		
Grand Total	1143	\$ 3,236,397.06

City of Cincinnati



801 Plum Street, Suite 356
Cincinnati, Ohio 45202

Phone (513) 352-5205
Email Jan-Michele.Kearney@
cincinnati-oh.gov
Web www.cincinnati-oh.gov

2024-09-02

Jan-Michele Lemon Kearney
Vice Mayor

March 20, 2024

MOTION

WE MOVE that the City of Cincinnati reposition the Center for Closing the Health Gap as a line item in its operating budget – as it was historically – and remove it from the category of Human Services. The Center for Closing the Health Gap is not a human services provider. Rather, its mission is to eliminate racial and health disparities in the Greater Cincinnati community through education, advocacy, and outreach targeting the African American, Latino, and White Appalachian populations. The vision of Closing the Health Gap is to make Greater Cincinnati a healthier region for all.

Jan-Michele Lemon Kearney

Scotty Johnson

Victoria Parks

STATEMENT

“Of all the forms of inequality, injustice in health is the most shocking and inhuman.”

– Dr. Martin Luther King

The Center for Closing the Health Gap is not a human services agency. The field of human services is broad and involves providing services to help individuals to stabilize and improve their quality of life through meeting their basic needs, guidance, counseling, and treatment. The Center for Closing the Health Gap is not a human service provider. It is a grassroots mobilization organization and helps people activate their individual agency to live healthier lives, with a mission to eliminate racial health disparities in the Greater Cincinnati community through education, advocacy, and outreach. They target African American, Latino, and White Appalachian populations to fulfill their vision to make Greater Cincinnati a healthier region for all.

It is well documented that people of color in America bear a higher burden of disease and premature death. In 2002, the Institute of Medicine issued a report entitled, “Unequal Treatment: Confronting Racial and Ethnic Disparities in Health” that identified race and ethnicity as significant predictors of health care quality. Data from this and other reports served as the foundation upon which the Center for Closing the Health Gap was established. In a 2015 report, the Urban League of Southwest Ohio demonstrated that Cincinnati zip codes are predictors of lifespan. This report highlighted the difference in life expectancies of up to 20 years between low income and affluent neighborhoods. Both reports, as well as a robust body of research in the area of health disparities, emphasize the social determinants of health disparities.

The Center for Closing the Health Gap is a grassroots organization that is leading the fight against health disparities in Cincinnati by addressing the social determinants of health disparities, raising the muted voices of the community. Closing the Health Gap meets people where they are and empowers them to make healthier, sustainable change within their families.

March 20, 2024

To: Mayor and Members of Council

202400817

From: Sheryl M.M. Long, City Manager

Subject: Appointment to the Urban Forestry Advisory Board: Gérald Checco

The City Manager hereby recommends the appointment of Gérald Checco to the Urban Forestry Advisory Board under the “community representative” qualifications. Mr. Checco’s resume is attached for your consideration.

Gérald Checco’s appointment will be for a term of four years from the day of approval by the Council.

Attachment

Cc: Jason Barron, Director, Cincinnati Park Board
Crystal Courtney, Division Manager, Cincinnati Park Board
Robin Hunt, Urban Forestry Supervisor, Cincinnati Park Board

Gérald R. Checco



BIOGRAPHICAL NOTES:

Born in Bangui, Central African Republic into a French / Tunisian family, Gérald spent his youth between France and the lesser Antilles on the island of Guadeloupe. A gifted mathematician, he obtained a Bachelor of Mathematics degree just one year after graduating from high school. He then studied two majors in tandem: Education at the Sorbonne and Engineering and Public Administration at the School of Public Works (École Speciale des Travaux Publics) in Paris, France.

He married American artist Jan Brown Checco in 1981 and they had two daughters Amanda and Emilie, and they now have 3 grandsons. Having completed his military duties as a lieutenant in the French artillery, Gérald established himself professionally as a consulting engineer on projects commissioned by family members of the King of Saudi Arabia, for whom he designed palaces, mosques and gardens.

In 1984, the young Checco family moved to Cincinnati, where they have resided ever since. An American diploma would now be essential for engineering practice, so Gérald enrolled at the University of Cincinnati where he obtained a Masters Degree in Structural Engineering in just 9 months. Certified as a Professional Engineer (P.E.) in Ohio and neighboring states, he was employed as Project Manager for an architectural design firm. In 1991, Gérald was hired by the City of Cincinnati's Park Board, and became Superintendent in 1999. A nationally recognized expert in parks management, he has taught parks administrators throughout the nation in a North Carolina State University course, and has also lectured internationally on parks-related topics in Japan, France, Germany, Ukraine and China.

In 2013 Gérald was asked by Cincinnati's City Manager to become the Director of Public Works, a department that was in leadership crisis with lackluster performance. With improvements completed, in 2015 the Mayor asked him to become the Director of the Metropolitan Sewer District, a department facing multiple audits due to questionable managerial practices and looming Consent Decree deadlines. These last two appointments earned him the nickname "Cincinnati's Fixer" for his ability to quickly reorganize troubled departments, improving performance and establishing ethical behaviors.

After retiring from City service in 2018, Gérald went on the 500-mile hike of his dreams - the Camino de Santiago in Northern Spain, and then wrote a reflective, philosophical book - "The Tao of My Camino." Now as a volunteer, he tutors Kindergarteners and first graders in math, and has translated from the original French, a play by West African author. Gérald is a Director on the Boards of the Mill Creek Valley Conservancy District, the Charter Committee of Greater Cincinnati, Green Umbrella and the Sawyer Point Board of Visitors. He also works as a consultant for government efficiency and effectiveness. He and Jan are active leaders in community service projects in Clifton where they reside in their solar and geothermal-powered home.

EDUCATION

University of Cincinnati, Ohio, USA
Masters in Structural Engineering (1986)

Ecole Spéciale des Travaux Publics, Paris, France
Masters Decree in Civil/Environmental Engineering and Public Administration (1981)

Ecole Spéciale des Travaux Publics, Paris, France
Bachelors Decree in Civil/Environmental Engineering and Public Administration (1980)

Université de la Sorbonne, Paris, France
Bachelors Certificate in Science of Education (1980)
Université de Bordeaux, France
Bachelors of Mathematics (1977)

Teaching Certificate, Pointe à Pitre, Guadeloupe
Primary School Level (1975)

POSITIONS

2015-2018

Metropolitan Sewer District of Greater Cincinnati

Director

Magnitude: \$200 million Operating Budget , \$300 million Capital Budget, 600 FTE, Consent Decree, City/ County Government

2013-2015

Department of Public Services, City of Cincinnati

Director

Magnitude: \$50 million Operating Budget, \$10 million Capital Budget, 200 FTE, City Government

1991-2013

Cincinnati Park Board

Superintendent of Operations and Land Management

Magnitude: \$10 million Operating, 100 FTE, Independent City Board

1986-1991

Smith, Stevens and Young, Architects, Engineers, Planners

Project Manager

Commercial and Industrial developments

1981-1985

OGER International Architecture, Engineering and Construction Company

Project Manager

Palaces, Mosques, Gardens

LECTURES/ TEACHING

Managing with Cost Centers | *City of Munich, Germany, October 2000*

Modern Maintenance Techniques | *City of Munich, Germany, November 2000*

Maintenance Planning Using GIS Technology | *National Recreation and Park Association, Denver October 2001*

GIS Technology In Environmental Management | *ESRI, Cincinnati, November 2001*
Using GPS for Trail Mapping | *NAI, Cincinnati, February 2002*
Public Art Management | *College Art Association, Seattle, February 2003*
Environmental Ethics and Practices | *NCSU⁽¹⁾, Maintenance Management School (2004-2019)*
Professional Development | *NCSU⁽¹⁾, Maintenance Management School (2004-2019)*
Maintenance Planning | *NCSU⁽¹⁾, Maintenance Management School (2004-2019)*
Playground Design & Maintenance | *NCSU⁽¹⁾, Maintenance Management School (2004-2019)*
Volunteer Management | *City of Liuzhou, China, 2008*
Environmental Management | *City of Liuzhou, China, 2008*
Maintenance Management | *City of Liuzhou, China, 2008*
Making Your Home Energy Efficient | *Krohn Conservatory, Cincinnati, Ohio 2009*
Understanding Your Energy Bills | *Krohn Conservatory, Cincinnati, Ohio 2009*
Making Your Garden Green | *Krohn Conservatory, Cincinnati, Ohio 2009*
Understand Cap-and-Trade | *Krohn Conservatory, Cincinnati, Ohio 2010*
Creating a Culture of Innovation | *Staff Training*
Operating our Parks Environmentally | *Staff Training*
Basic Leadership Skills | *Staff Training*
Understand and Managing Union Contracts | *Staff Training*
Basic Computer Skills | *Staff Training*

COMPUTER SOFTWARE FLUENCY

Microsoft: Word, Excel, PowerPoint
Adobe: IndDesign, Illustrator

Date: March 27, 2024

To: Mayor and Members of City Council
From: Sheryl M. M. Long, City Manager
Subject: **Liquor License – NEW**

202400615

FINAL RECOMMENDATION REPORT

OBJECTIONS: The Cincinnati Police Department

This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:

APPLICATION: 0139875
PERMIT TYPE: NEW
CLASS: D5J
NAME: ALMOST VGAN LLC
DBA: NONE LISTED
34 E COURT ST
CINCINNATI OH 45202

As of today's date, the Department of Buildings & Inspections has declined comment with their investigation.

On February 1, 2024 the Downtown Residents Council was notified of this application and does not object.

Police Department Approval

David M. Laing, Assistant City Prosecutor
Law Department - Recommendation

Objection No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: March 26, 2024

Date: March 27, 2024

To: Mayor and Members of City Council
From: Sheryl M. M. Long, City Manager
Subject: **Liquor License – STCK**

202400918

FINAL RECOMMENDATION REPORT

OBJECTIONS: None

This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:

APPLICATION: 7306390
PERMIT TYPE: STCK
CLASS: D5 D6
NAME: RHYTHM AND BOOZE LLC
DBA: NONE LISTED
3187 LINWOOD AVE
CINCINNATI OH 45208

On February 16, 2024, the Linwood Community Council was notified of this application and do not object.

Police Department Approval

David M. Laing, Assistant City Prosecutor
Law Department - Recommendation
 Objection No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: April 5, 2024

Date: March 27, 2024

To: Mayor and Members of City Council
From: Sheryl M. M. Long, City Manager
Subject: **Liquor License – TEMP**

202400919

FINAL RECOMMENDATION REPORT

OBJECTIONS: None

This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:

APPLICATION: 14934070002
PERMIT TYPE: TEMP
CLASS: F8
NAME: CINCINNATI PARK BOARD MAPLE RIDGE LODGE
DBA: NONE LISTED
3040 WESTWOOD NORTHERN BLVD
CINCINNATI OH 45211

As of today's date, the Department of Buildings & Inspections has declined comment with their investigation.

On February 23, 2024, the Westwood Civic Association was notified of this application and do not object.

Police Department Approval

David M. Laing, Assistant City Prosecutor
Law Department - Recommendation
 Objection No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: April 12, 2024

Date: 03/27/24

To: Mayor and Members of City Council 202400920
From: Sheryl M. M. Long, City Manager
Subject: **SPECIAL EVENT PERMIT APPLICATION: Sayler Park Sustains**

In accordance with Cincinnati Municipal Code, Chapter 765; Jennifer Langdon has submitted a Special Event Permit Application Form to the Chief of Police. The Special Event Permit Application has been reviewed by the following department(s): (Cincinnati Fire Department, Metro, Cincinnati Police Special Events Unit, Cincinnati Police District One, Traffic and Engineering Department, Traffic and Road Operations Department and The Health Department departments which have reviewed). There are no objections to issuing the Special Events Permit.

The particulars of the requested event are as indicated:

EVENT NAME/TITLE: Sayler Park Sustains
EVENT SPONSOR/PRODUCER: Sayler Park Sustains
CONTACT PERSON: Jennifer Langdon
LOCATION: 6600 Gracely Drive (Nelson Sayler Memorial Park)
DATE(S) AND TIME(S): 06/08/24 1200-2200
EVENT DESCRIPTION: Music, Food trucks, Merchandise Vendors and Instrument Demos.
ANTICIPATED ATTENDANCE: 3000
ALCOHOL SALES: YES. NO.
TEMPORARY LIQUOR PERMIT HOLDER IS: To be determined

cc: Colonel Teresa A. Theetge, Police Chief

Date: March 27, 2024

To: Mayor and Members of City Council
From: Sheryl M. M. Long, City Manager
Subject: **Liquor License – TRFO**

202400928

FINAL RECOMMENDATION REPORT

OBJECTIONS: None

This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:

APPLICATION: 6526736
PERMIT TYPE: TRFO
CLASS: D1 D2 D3 D6
NAME: OKINI CINCY INC
DBA: OKINI SUSHI & BBQ
3501 ERIE AV
CINCINNATI OH 45208

As of today's date, the Buildings & Inspections Department has declined comment with their investigation.

On February 27, 2024, the Hyde Park Community Council was notified of this application and do not object.

Police Department Approval

David M. Laing, Assistant City Prosecutor
Law Department - Recommendation
 Objection No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: April 23, 2024

Date: March 27, 2024

To: Mayor and Members of City Council
From: Sheryl M. M. Long, City Manager
Subject: **Liquor License – TRFO**

FINAL RECOMMENDATION REPORT

OBJECTIONS: None

This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:

APPLICATION: 8126709
PERMIT TYPE: TRFO
CLASS: D1 D2 D3 D3A D6
NAME: SIDELINES TAVERN LLC
DBA: SIDELINES TAVERN
3095 GLENMORE AVE 1ST FL
CINCINNATI OH 45238

As of today's date, the Buildings & Inspections Department has declined comment with their investigation.

On February 6, 2024, the Westwood Civic Association was notified of this application and do not object.

Police Department Approval

David M. Laing, Assistant City Prosecutor
Law Department - Recommendation
 Objection No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: April 5, 2024

March 27, 2024

To: Mayor and Members of City Council

202400934

From: Sheryl M. M. Long, City Manager

Subject: Ordinance – Cincinnati Fire Department (CFD): FY 2023 Assistance to Firefighters Grant (AFG)

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to apply for, accept, and appropriate a grant of up to \$1,814,329 from the U.S. Department of Homeland Security, Federal Emergency Management Agency, FY 2023 Assistance to Firefighters Grant Program (ALN 97.044) to provide resources for the purchase of a heavy rescue apparatus and for professional development training for career firefighters; and **AUTHORIZING** the Director of Finance to deposit the grant resources into Fire Grants and Donations Fund 472, revenue account no. 472x8542.

Approval of this Ordinance would authorize the City Manager to apply for, accept, and appropriate a grant from the U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), FY 2023 Assistance to Firefighters Grant Program, (ALN 97.044) of up to \$1,814,329 to provide resources for the purchase of heavy rescue apparatus and for professional development training for career firefighters. This Ordinance further authorizes the Finance Director to deposit grant resources into Fire Grants and Donations Fund 472, revenue account no. 472x8542.

CFD will utilize grant resources to purchase a heavy rescue apparatus and cover backfill overtime for firefighters receiving professional development training through the CFD Officer Training Program or the CFD Fire Apparatus Operator Professional Development Course.

Acceptance of this grant requires a local cost-share match of \$164,940. \$120,624 of the local match will be provided from existing capital improvement program project account no. 980x272x242704, "Fire Equipment," and will be used to provide fire equipment necessary to outfit the heavy rescue apparatus. An additional \$44,316 of the local match will be provided from Cincinnati Fire Department General Fund operating budget account no. 050x271x7100 and will partially offset the backfill overtime costs associated with the officer training component.

There are no new FTEs/full time equivalents associated with the acceptance of this grant.

The City applied for the grant prior to the deadline of March 7, 2024, but no grant resources will be accepted without approval by the City Council.

Acceptance of this grant is in accordance with the "Live" goal to "[c]reate a more livable community" as described on pages 156-163 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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

Attachment



AUTHORIZING the City Manager to apply for, accept, and appropriate a grant of up to \$1,814,329 from the U.S. Department of Homeland Security, Federal Emergency Management Agency, FY 2023 Assistance to Firefighters Grant Program (ALN 97.044) to provide resources for the purchase of a heavy rescue apparatus and for professional development training for career firefighters; and **AUTHORIZING** the Director of Finance to deposit the grant resources into Fire Grants and Donations Fund 472, revenue account no. 472x8542.

WHEREAS, a grant of up to \$1,814,329 is available from the U.S. Department of Homeland Security, Federal Emergency Management Agency, FY 2023 Assistance to Firefighters Grant Program (ALN 97.044) to provide resources to purchase a heavy rescue apparatus and for professional development training for career firefighters; and

WHEREAS, the City intends to utilize the grant resources to purchase a heavy rescue apparatus for the Cincinnati Fire Department (“CFD”) and cover backfill overtime for firefighters receiving professional development training through the CFD Officer Training Program or the CFD Fire Apparatus Operator (FAO) Professional Development course; and

WHEREAS, acceptance of this grant requires a local cost share match of \$164,940; and

WHEREAS, \$120,624 of the local cost share match will be provided from existing capital improvement program project account no. 980x272x242704, “Fire Equipment,” and will be used to provide fire equipment necessary to outfit the heavy rescue apparatus; and

WHEREAS, \$44,316 of the local cost share match will be provided from Cincinnati Fire Department General Fund operating budget account no. 050x271x7100 and will partially offset the backfill overtime costs associated with the officer training component of the grant; and

WHEREAS, no new FTEs/full time equivalents are associated with acceptance of this grant; and

WHEREAS, the City applied for this grant prior to the deadline of March 7, 2024, but no grant funds will be accepted without approval by Council; and

WHEREAS, acceptance of this grant is in accordance with the “Live” goal to “[c]reate a more livable community” as described on pages 156-163 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 authorized to apply for, accept, and appropriate a grant of up to \$1,814,329 from the U.S. Department of Homeland Security, Federal Emergency Management Agency, FY 2023 Assistance to Firefighters Grant Program (ALN 97.044) to provide resources for the purchase of a heavy rescue apparatus and for professional development training for career firefighters.

Section 2. That the Director of Finance is authorized to deposit the grant resources into Fire Grants and Donations Fund 472, revenue account no. 472x8542.

Section 3. That the proper City officials are authorized to do all things necessary and proper to carry out the provisions of the grant and Sections 1 and 2.

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

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

March 27, 2024

To: Mayor and Members of City Council

202400935

From: Sheryl M. M. Long, City Manager

Subject: Ordinance – HR: Talent for Tomorrow Digital Equity Challenge Grant

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to apply for, accept, and appropriate a grant of \$150,000 from the Talent for Tomorrow Digital Equity Challenge through the United States Conference of Mayors in collaboration with Comcast’s Project UP to establish a paid cooperative program for information technology (IT) positions within the City’s Enterprise Technology Solutions (ETS) and Office of Performance and Data Analytics (OPDA); and **AUTHORIZING** the Director of Finance to deposit the grant funds into Citizens Jobs Fund revenue account no. 308x8571.

Approval of this Ordinance authorizes the City Manager to apply for, accept, and appropriate a grant of \$150,000 from the Talent for Tomorrow Digital Equity Challenge through the United States Conference of Mayors (USCM) in collaboration with Comcast’s Project UP to establish a paid cooperative program for information technology (IT) positions within the City’s Enterprise Technology Solutions (ETS) Department and the Office of Performance and Data Analytics (OPDA). This Ordinance further authorizes the Finance Director to deposit the grant funds into Citizens Jobs Fund revenue account no. 308x8571.

The City already applied for this grant on March 5, 2024, but no grant funds will be accepted without the approval of the City Council.

No local matching funds are required, and no new permanent FTEs/full time equivalents are associated with accepting this grant; however, the grant funds will be used to establish two to three paid temporary cooperative/intern positions within the City.

Acceptance of the Talent for Tomorrow Digital Equity Challenge grant is in accordance with the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community” as described on pages 209-211 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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

Attachment



AUTHORIZING the City Manager to apply for, accept, and appropriate a grant of \$150,000 from the Talent for Tomorrow Digital Equity Challenge through the United States Conference of Mayors in collaboration with Comcast’s Project UP to establish a paid cooperative program for information technology (IT) positions within the City’s Enterprise Technology Solutions (ETS) and Office of Performance and Data Analytics (OPDA); and **AUTHORIZING** the Director of Finance to deposit the grant funds into Citizens Jobs Fund revenue account no. 308x8571.

WHEREAS, a grant of \$150,000 is available from the Talent for Tomorrow Digital Equity Challenge through the United States Conference of Mayors in collaboration with Comcast’s Project UP to support the launch and expansion of local workforce and career readiness programs, close the skills and opportunity gap, advance economic mobility, and lay the foundation for generational wealth in under-resourced communities through digital access and skills training; and

WHEREAS, the City intends to utilize the grant resources to pay for two to three paid temporary cooperative/intern positions within the City; and

WHEREAS, this cooperative program will be facilitated in partnership with the University of Cincinnati, and grant resources may be utilized to cover the costs of an information technology (IT) certificate from a University of Cincinnati online program if the program participants are hired on a full-time permanent basis before the end of the three-year program; and

WHEREAS, cooperative program participants interested in working with the City on a full-time permanent basis would need to apply for job openings to fill existing vacancies; and

WHEREAS, acceptance of this grant requires no matching funds, and no new permanent FTEs/full time equivalents are associated with acceptance of this grant, however, the grant funds will be used to establish two to three paid temporary cooperative/intern positions within the City; and

WHEREAS, the City already applied for the grant on March 5, 2024, but no grant funds will be accepted without approval by Council; and

WHEREAS, acceptance of the Talent for Tomorrow Digital Equity Challenge grant is in accordance with the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community” as described on pages 209-211 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 authorized to apply for, accept, and appropriate a grant of \$150,000 from the Talent for Tomorrow Digital Equity Challenge through the United States Conference of Mayors in collaboration with Comcast’s Project UP to establish a paid cooperative program for information technology (IT) positions within the City’s Enterprise Technology Solutions (ETS) and Office of Performance and Data Analytics (OPDA).

Section 2. That the Director of Finance is authorized to deposit the grant funds into Citizens Jobs Fund revenue account no. 308x8571.

Section 3. 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 and 2.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

Date: March 27, 2024

To: Mayor and Members of City Council 202400936
From: Sheryl M.M. Long, City Manager
Subject: **Emergency Legislative Resolution – Objection to Renewal of Midwest Textiles Warehouse LLC d/b/a Drip Coffee Lounge’s Liquor Permit**

Transmitted herewith is an emergency legislative resolution captioned as follows:

OBJECTING to the renewal of the D5J, D6 class liquor permit number 5931167 applied for by Midwest Textiles Warehouse LLC d/b/a Drip Coffee Lounge to the Ohio Division of Liquor Control.

This resolution is necessary under R.C. 4303.271 for Cincinnati City Council to object to the renewal of Midwest Textiles Warehouse LLC d/b/a Drip Coffee Lounge’s liquor permit as recommended by the Cincinnati Police Department.

cc: Emily Smart Woerner, City Solicitor

EESW/DML(dmm)
Attachment
399060

EMERGENCY

Legislative Resolution

DML

RESOLUTION NO. _____ - 2024

OBJECTING to the renewal of the D5J and D6 liquor permit number 5931167 applied for by Midwest Textiles Warehouse, LLC d/b/a Drip Coffee Lounge to the Ohio Division of Liquor Control.

WHEREAS, Midwest Textiles Warehouse, LLC d/b/a Drip Coffee Lounge has applied for the renewal of the D5J and D6 liquor permit number 5931167 for the premises located at 2927 Colerain Avenue, Cincinnati, Ohio 45225; and

WHEREAS, the Council of the City of Cincinnati objects to the application for the above permit for the reasons set forth in Section 1 hereof; now, therefore,

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

Section 1. That the Council of the City of Cincinnati objects to the application of Midwest Textiles Warehouse, LLC d/b/a Drip Coffee Lounge located at 2927 Colerain Avenue, Cincinnati, Ohio 45225 for the annual renewal of the D5J and D6 liquor permit number 5931167 for the following reasons:

1. The applicant has operated the liquor permit business in a manner that demonstrates a disregard for the laws, regulations, and local ordinances of this state; and
2. The permit premises are so located with respect to the neighborhood that renewal of the permit would cause substantial interference with the public decency, sobriety, peace, and good order of the neighborhood.

Section 2. That Council requests a hearing on the above application be held in the City of Cincinnati, Hamilton County, Ohio, where the applicant’s business is conducted, and which is the county seat.

Section 3. That Council hereby designates the City Solicitor or any of the City Solicitor’s assistants to represent Council at any hearings pertaining to this application.

Section 4. That two certified copies of this resolution and the attached City Solicitor's statement that this objection is based upon substantial legal grounds be forwarded by the Clerk of Council by registered or certified mail to the Superintendent of the Ohio Division of Liquor Control at 6606 Tussing Road, Reynoldsburg, Ohio 43068.

Section 5. That this legislative resolution 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 need to transmit this objection to the Ohio Division of Liquor Control at least thirty days prior to the permit's expiration on June 1, 2024.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

March 27, 2024

Re: Midwest Textiles LLC d/b/a Drip Coffee Lounge
2927 Colerain Avenue
Cincinnati, Ohio 45225

Liquor Permit #: 5931167
Class: D5J, D6

It is the opinion of the City Solicitor, as chief legal officer for the City of Cincinnati, that Cincinnati City Council's objection to the renewal of the above permit is based upon substantial legal grounds within the meaning and intent of division R.C. 4303.292(A).

Emily Smart Woerner
City Solicitor

Date: March 27, 2024

To: Mayor and Members of City Council 202400937
From: Sheryl M.M. Long, City Manager
Subject: **Emergency Legislative Resolution – Objection to Renewal of Risconi Bar and Kitchen, LLC’s Liquor Permit**

Transmitted herewith is an emergency legislative resolution captioned as follows:

OBJECTING to the renewal of the D5, D6 class liquor permit number 2600009 applied for by Risconi Bar and Kitchen, LLC to the Ohio Division of Liquor Control.

This resolution is necessary under R.C. 4303.271 for Cincinnati City Council to object to the renewal of Risconi Bar and Kitchen, LLC’s liquor permit as recommended by the Cincinnati Police Department.

cc: Emily Smart Woerner, City Solicitor

EESW/DML(dmm)
Attachment
399063

EMERGENCY

Legislative Resolution

DML

RESOLUTION NO. _____ - 2024

OBJECTING to the renewal of the D5 and D6 liquor permit number 2600009 applied for by Risconi Bar and Kitchen, LLC to the Ohio Division of Liquor Control.

WHEREAS, Risconi Bar and Kitchen LLC has applied for the renewal of the D5 and D6 liquor permit number 2600009 for the premises located at 126 W. Sixth Street, Cincinnati, Ohio 45202; and

WHEREAS, the Council of the City of Cincinnati objects to the application for the above permit for the reasons set forth in Section 1 hereof; now, therefore,

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

Section 1. That the Council of the City of Cincinnati objects to the application of Risconi Bar and Kitchen, LLC located at 126 W. Sixth Street, Cincinnati, Ohio 45202 for the annual renewal of the D5 and D6 liquor permit number 2600009 for the following reasons:

1. The applicant has operated the liquor permit business in a manner that demonstrates a disregard for the laws, regulations, and local ordinances of this state; and
2. The permit premises are so located with respect to the neighborhood that renewal of the permit would cause substantial interference with the public decency, sobriety, peace, and good order of the neighborhood.

Section 2. That Council requests a hearing on the above application be held in the City of Cincinnati, Hamilton County, Ohio, where the applicant's business is conducted, and which is the county seat.

Section 3. That Council hereby designates the City Solicitor or any of the City Solicitor's assistants to represent Council at any hearings pertaining to this application.

Section 4. That two certified copies of this resolution and the attached City Solicitor's certification that this objection is based upon substantial legal grounds be forwarded by the Clerk of Council by registered or certified mail to the Superintendent of the Ohio Division of Liquor Control at 6606 Tussing Road, Reynoldsburg, Ohio 43068.

Section 5. That this legislative resolution 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 need to transmit this objection to the Ohio Division of Liquor Control at least thirty days prior to the permit's expiration on June 1, 2024.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

March 27, 2024

Re: Risconi Bar and Kitchen, LLC
126 W. Sixth Street
Cincinnati, Ohio 45202

Liquor Permit #: 2600009
Class: D5, D6

It is the opinion of the City Solicitor, as chief legal officer for the City of Cincinnati, that Cincinnati City Council's objection to the renewal of the above permit is based upon substantial legal grounds within the meaning and intent of division R.C. 4303.292(A).

Emily Smart Woerner
City Solicitor

March 27, 2024

To: Mayor and Members of City Council 202400938
From: Sheryl M. M. Long, City Manager
Subject: **Emergency Ordinance – CRC: Ohio River Trail ODNR Grant**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the establishment of capital improvement program project account no. 980x199x241916, “Ohio River Trail – ODNR RTP Grant,” to provide grant resources for the construction of a foot trail connecting a segment of the Ohio River Trail into a complete loop; **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant of up to \$150,000 from the State of Ohio, Ohio Department of Natural Resources Recreation Trails Program (ALN 20.219) to newly established capital improvement program project account no. 980x199x241916, “Ohio River Trail – ODNR RTP Grant”; and **AUTHORIZING** the Finance Director to deposit the grant resources of up to \$150,000 into newly established capital improvement program project account no. 980x199x241916, “Ohio River Trail – ODNR RTP Grant.”

Approval of this Emergency Ordinance would authorize the establishment of capital improvement project account no. 980x199x241916, “Ohio River Trail – ODNR RTP Grant,” to provide grant resources for the construction of a foot trail connecting a segment of the Ohio River Trail (ORT) into a complete loop. Additionally, the Emergency Ordinance would authorize the City Manager to apply for, accept, and appropriate a grant in an amount up to \$150,000 from the State of Ohio, Ohio Department of Natural Resources (ODNR) Recreation Trails Program (RTP), to capital improvement program project account no. 980x199x241916, “Ohio River Trail – ODNR RTP Grant.” Finally, the Emergency Ordinance authorizes the Finance Director to deposit the grant resources into capital improvement program project account no. 980x199x241916, “Ohio River Trail – ODNR RTP Grant.”

The Cincinnati Recreation Commission and River West Working Group partnered to submit a grant application to the ODNR to support the construction of a foot trail connecting a segment of the Ohio River Trail into a complete loop. The City has already applied for the grant, but no grant funds will be accepted without approval from the City Council.

The grant requires a local match of 20 percent, which will be provided from existing and future allocations to the “Outdoor Facility Renovations” and “Recreation Facility Improvements” capital improvement program project accounts. There are no new FTEs associated with this grant application.

Extending the Ohio River Trail is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood livability” and strategy to “[e]xpand options for non-automotive travel,” as well as the “Live” goal to “[c]reate a more livable community” and the strategy to “[b]ecome more walkable” as described on pages 129-134 and 156-159 respectively of Plan Cincinnati (2012).

The reason for the emergency is to ensure compliance with grant deadlines.

The Administration recommends passage of this Emergency Ordinance.

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



Attachment

EMERGENCY

KKF

-2024

AUTHORIZING the establishment of capital improvement program project account no. 980x199x241916, “Ohio River Trail – ODNR RTP Grant,” to provide grant resources for the construction of a foot trail connecting a segment of the Ohio River Trail into a complete loop; **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant of up to \$150,000 from the State of Ohio, Ohio Department of Natural Resources Recreation Trails Program (ALN 20.219) to newly established capital improvement program project account no. 980x199x241916, “Ohio River Trail – ODNR RTP Grant”; and **AUTHORIZING** the Finance Director to deposit the grant resources of up to \$150,000 into newly established capital improvement program project account no. 980x199x241916, “Ohio River Trail – ODNR RTP Grant.”

WHEREAS, the Cincinnati Recreation Commission and River West Working Group partnered to submit a grant application to the Ohio Department of Natural Resources to support the construction of a foot trail connecting a segment of the Ohio River Trail into a complete loop; and

WHEREAS, the grant application deadline was March 15, 2024, and the City has already applied for the grant, but no grant funds will be accepted without approval by Council; and

WHEREAS, the grant requires a local match of twenty percent which will be provided from existing and future allocations to the “Outdoor Facility Renovations” and “Recreation Facility Improvements” capital improvement program project accounts; and

WHEREAS, there are no new FTEs/full time equivalents associated with this grant; and

WHEREAS, extending the Ohio River Trail is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood livability” and strategy to “[e]xpand options for non-automotive travel,” as well as the “Live” goal to “[c]reate a more livable community” and the strategy to “[b]ecome more walkable” as described on pages 129-134 and 156-159 respectively 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. 980x199x241916, “Ohio River Trail – ODNR RTP Grant,” is established to provide grant resources for the construction of a foot trail connecting a segment of the Ohio River Trail into a complete loop.

Section 2. That the City Manager is authorized to apply for, accept, and appropriate a grant of up to \$150,000 from the State of Ohio, Ohio Department of Natural Resources Recreation Trails

Program (ALN 20.219) to newly established capital improvement program project account no. 980x199x241916, “Ohio River Trail – ODNR RTP Grant.”

Section 3. That the Director of Finance is authorized to deposit the grant resources into newly established capital improvement program project account no. 980x199x241916, “Ohio River Trail – ODNR RTP Grant.”

Section 4. 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 3.

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 to ensure compliance with grant deadlines.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

March 27, 2024

To: Mayor and Members of City Council

202400940

From: Sheryl M. M. Long, City Manager

Subject: Ordinance – DOTE: River Road Crossings Safety Improvements

Attached is an Ordinance captioned:

ESTABLISHING capital improvement program project account no. 980x233x242347, “River Rd Crossings Safety Imprvmnts - CRISI,” for the purpose of rebuilding existing traffic signals with railroad pre-emption, making equipment improvements at grade crossings, and increasing storage capacity for vehicles exiting the Anderson Ferry onto River Road; **AUTHORIZING** the City Manager to accept and appropriate grant resources of up to \$6,067,200 awarded by the U.S. Department of Transportation Federal Railroad Administration under the Consolidated Rail Infrastructure and Safety Improvements (CRISI) Program (ALN 20.325) to newly established capital improvement program project account no. 980x233x242347, “River Rd Crossings Safety Imprvmnts - CRISI”; and **AUTHORIZING** the Director of Finance to deposit the grant resources into capital improvement program project account no. 980x233x242347, “River Rd Crossings Safety Imprvmnts - CRISI.”

Approval of this Ordinance establishes capital improvement program project account no. 980x233x242347, “River Rd Crossing Safety Imprvmnts – CRISI,” to rebuild existing traffic signals with railroad pre-emption, make equipment improvements at grade crossings, and increase storage capacity for vehicles exiting the Anderson Ferry onto River Road. This Ordinance also authorizes the City Manager to accept and appropriate grant resources up to \$6,067,200 from the CRISI Program (ALN 20.325) to new capital improvement program project account no. 980x233x242347, “River Rd Crossing Safety Imprvmnts – CRISI.” Finally, this Ordinance authorizes the Finance Director to deposit grant resources into the capital improvement program project account.

The CRISI grant requires matching resources of up to \$1,516,800, which is available in capital improvement program project account no. 980x233x232306, “Street Improvements.” No new FTEs/full time equivalents are associated with acceptance of these grant resources.

The River Road Highway/Rail Grade Crossing Safety Improvements project is in accordance with the “Connect” goal to “[d]evelop a regional transportation system that promotes economic vitality” and strategy to “[s]upport regional and intercity transportation initiatives” as described on pages 139 - 145 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. 980x233x242347, “River Rd Crossings Safety Imprvmnts - CRISI,” for the purpose of rebuilding existing traffic signals with railroad pre-emption, making equipment improvements at grade crossings, and increasing storage capacity for vehicles exiting the Anderson Ferry onto River Road; **AUTHORIZING** the City Manager to accept and appropriate grant resources of up to \$6,067,200 awarded by the U.S. Department of Transportation Federal Railroad Administration under the Consolidated Rail Infrastructure and Safety Improvements (CRISI) Program (ALN 20.325) to newly established capital improvement program project account no. 980x233x242347, “River Rd Crossings Safety Imprvmnts - CRISI”; and **AUTHORIZING** the Director of Finance to deposit the grant resources into capital improvement program project account no. 980x233x242347, “River Rd Crossings Safety Imprvmnts - CRISI.”

WHEREAS, on October 27, 2021, Council approved Ordinance No. 409-2021, which authorized the City Manager to apply for grants awarded by the U.S. Department of Transportation Federal Railroad Administration under the Consolidated Rail Infrastructure and Safety Improvements (“CRISI”) Program (ALN 20.325) to ensure the timely completion of various road and at-grade rail crossing signalization construction projects throughout Cincinnati on U.S. Route 50; and

WHEREAS, the City was awarded up to \$6,067,200 under the CRISI Program for the River Road Highway/Rail Grade Crossing Safety Improvements Project; and

WHEREAS, the City’s Department of Transportation and Engineering intends to use these grant resources to rebuild four existing traffic signals with railroad preemption, including all associated railroad equipment along River Road at grade crossings at Barkley Avenue, Access Road, Anderson Ferry Road, and 5400 River Road; and

WHEREAS, Council authorization is required to accept and appropriate these grant resources; and

WHEREAS, the CRISI grant requires matching resources of up to \$1,516,800, which are available for this purpose in capital improvement program project account no. 980x233x232306, “Street Improvements”; and

WHEREAS, no new FTEs/full time equivalents are associated with acceptance of these grant resources; and

WHEREAS, acceptance of these resources to complete the River Road Highway/Rail Grade Crossing Safety Improvements Project is in accordance with the “Connect” goal to “[d]evelop a regional transportation system that promotes economic vitality” and strategy to “[s]upport regional and intercity transportation initiatives” as described on pages 139 - 145 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. 980x233x242347, “River Rd Crossings Safety Imprvmnts - CRISI,” is established for the purpose of rebuilding existing traffic signals with railroad pre-emption, making equipment improvements at grade crossings, and increasing storage capacity for vehicles exiting the Anderson Ferry onto River Road.

Section 2. That the City Manager is authorized to accept and appropriate grant resources of up to \$6,067,200 awarded by the U.S. Department of Transportation Federal Railroad Administration under the Consolidated Rail Infrastructure and Safety Improvements (CRISI) Program (ALN 20.325) to newly established capital improvement program project account no. 980x233x242347, “River Rd Crossings Safety Imprvmnts - CRISI.”

Section 3. That the Director of Finance is authorized to deposit the grant resources into capital improvement program project account no. 980x233x242347, “River Rd Crossings Safety Imprvmnts - CRISI.”

Section 4. 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 3.

Section 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

March 20, 2024

To: Mayor and Members of City Council

202400879

From: Sheryl M. M. Long, City Manager

Subject: Ordinance – Parks: Trust for Public Land Monetary Donation

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to accept a donation of up to \$2,785 from the Trust for Public Land (“TPL”) to reimburse travel expenses for Parks Department employees to attend the TPL Park Equity Accelerator meeting on April 23-25, 2024 in New York; **AUTHORIZING** the Director of Finance to deposit the donated funds into General Fund 050 revenue account no. 8571, “Contributions – Specific Purpose”; and **AUTHORIZING** the transfer and appropriation of up to \$2,785 from the unappropriated surplus of the General Fund to the Parks Department General Fund non-personnel operating budget account no. 050x201x7200.

Approval of this Ordinance authorizes the City Manager to accept a donation of up to \$2,785 from the Trust for Public Land (“TPL”) to reimburse travel expenses for Parks Department employees to attend the TPL Park Equity Accelerator meeting on April 23-25, 2024 in New York. This Ordinance also authorizes the deposit of the donation into the General Fund as well as the transfer and appropriation of the donated resources to the Parks Department General Fund non-personnel operating budget.

From April 23-25, 2024, three Parks Department employees have an opportunity to attend the Trust for Public Land Park Equity Accelerator conference in New York. The conference supports the goal of enhancing access to city parks throughout the urban system and includes site visits and collaboration with other parks personnel from across the nation with an opportunity to learn and share best practices.

This donation does not require matching funds, and there are no FTEs/full time equivalents associated with this donation.

Acceptance of this donation is in accordance with the “Live” goal to “[c]reate a more livable community” and strategy to “[s]upport and stabilize our neighborhoods,” as well as the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community” and strategy to “[u]nite our communities” as described on pages 160-163 and 207-212 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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



Attachment

AUTHORIZING the City Manager to accept a donation of up to \$2,785 from the Trust for Public Land (“TPL”) to reimburse travel expenses for Parks Department employees to attend the TPL Park Equity Accelerator meeting on April 23-25, 2024 in New York; **AUTHORIZING** the Director of Finance to deposit the donated funds into General Fund 050 revenue account no. 8571, “Contributions – Specific Purpose”; and **AUTHORIZING** the transfer and appropriation of up to \$2,785 from the unappropriated surplus of the General Fund to the Parks Department General Fund non-personnel operating budget account no. 050x201x7200.

WHEREAS, from April 23-25, 2024, three Parks Department employees have an opportunity to attend the Trust for Public Land Park Equity Accelerator conference in New York; and

WHEREAS, the conference supports the goal of enhancing access to city parks throughout the urban system and includes site visits and collaboration with other parks personnel from across the nation with an opportunity to learn and share best practices; and

WHEREAS, the Parks Department is working with the Trust for Public Land to research best practices and techniques to ensure the equitable distribution of limited resources across the parks system; and

WHEREAS, the conference is related to Parks Department employees’ official duties; and

WHEREAS, the donation of \$2,785 from the Trust for Public Land will fully reimburse the cost of travel expenses incurred by the City for three Parks employees to attend the conference; and

WHEREAS, the travel costs are customary and commensurate with the ordinary cost of travel to New York; and

WHEREAS, this donation does not require matching funds, and there are no FTEs/full time equivalents associated with this donation; and

WHEREAS, acceptance of this donation is in accordance with the “Live” goal to “[c]reate a more livable community” and strategy to “[s]upport and stabilize our neighborhoods,” as well as the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community” and strategy to “[u]nite our communities” as described on pages 160-163 and 207-212 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 authorized to accept a donation of up to \$2,785 from the Trust for Public Land to reimburse travel expenses for Parks Department employees to attend the Trust for Public Land Park Equity Accelerator conference in New York in April 2024.

Section 2. That the Director of Finance is authorized to deposit the donated funds into General Fund 050 revenue account no. 8571, "Contributions – Specific Purpose."

Section 3. That Council authorizes the transfer and appropriation of up to \$2,785 from the unappropriated surplus of the General Fund to Parks Department General Fund non-personnel operating budget account no. 050x201x7200.

Section 4. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of the donation and Sections 1 through 3.

Section 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

March 20, 2024

To: Mayor and Members of City Council

202400880

From: Sheryl M. M. Long, City Manager

Subject: Ordinance – Parks: 4th Quarter In-Kind Donations

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to accept in-kind donations and contributions of artwork, horticultural supplies, other miscellaneous supplies, and rental services from the Cincinnati Parks Foundation, valued at approximately \$124,341.41 to benefit various City parks.

Approval of this Ordinance will authorize the City Manager to accept in-kind donations and contributions from the Cincinnati Parks Foundation valued at approximately \$124,341.41 to benefit and improve various City parks. An attachment is provided with a detailed list of the in-kind donations and contributions, summarized in the chart below, including date of donation, donor’s name, a brief description of the donation, and assessed value.

Donated Items	Amount
Artwork	\$3,266.00
Horticultural Supplies	\$73,006.72
Other Miscellaneous Supplies	\$25,483.69
Rental Services	\$22,585.00
Total:	\$124,341.41

Acceptance of these in-kind donations and contributions does not require new FTEs/full time equivalents or matching funds.

Acceptance of in-kind donations and contributions to benefit various City parks 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 193-198 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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



Attachments

AUTHORIZING the City Manager to accept in-kind donations and contributions of artwork, horticultural supplies, other miscellaneous supplies, and rental services from the Cincinnati Parks Foundation, valued at approximately \$124,341.41, to benefit various City parks.

WHEREAS, the Cincinnati Parks Foundation donated artwork, horticultural supplies, other miscellaneous supplies, and rental services to the City of Cincinnati to benefit and improve various City parks; and

WHEREAS, the value of the in-kind donations is approximately \$124,341.41; and

WHEREAS, there are no matching funds required to accept these donations, and there are no new FTEs/full time equivalents associated with this donation; and

WHEREAS, acceptance of in-kind donations and contributions to benefit various City parks 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 set forth on pages 193-198 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 authorized to accept in-kind donations from the Cincinnati Parks Foundation of artwork, horticultural supplies, other miscellaneous supplies, and rental services valued at approximately \$124,341.41 to benefit and improve various City parks, as outlined in Attachment A hereto.

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

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

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

ATTACHMENT A

Parks Foundation In-Kind Donations - 4th Quarter 2023

Date	Num	Name	Memo	Expense Code	Amount
11/13/2023	15435	Holthaus Lackner Signs	Inv 81536 Wolf statue sign	Artwork	\$ 3,266.00
12/13/2023	15480	NATORP LANDSCAPE SUPPLY	Inv 139000 2 tribute trees	Horticultural Supplies	\$ 332.00
12/13/2023	15481	NATORP LANDSCAPE SUPPLY	Inv 140221 Dillon Sharp	Horticultural Supplies	\$ 161.00
12/13/2023	15479	NATORP LANDSCAPE SUPPLY	Inv 139880 replacement tree T.JC	Horticultural Supplies	\$ 133.50
11/30/2023	15463	Dietl International	Inv DTL-803493-002 terminal handling charges	Horticultural Supplies	\$ 203.68
11/19/2023	15440	Cincinnati Toolbank	Inv 63724 - Madtree Bond hill tree plantng 2023	Horticultural Supplies	\$ 132.19
11/19/2023	15439	Gray's Tree Experts	Inv 1083 - Madtree Bond hill tree plantng 2023	Horticultural Supplies	\$ 3,440.00
11/19/2023	15453	H. Hafner & Sons, Inc.	inv 457041, 377, 481 mulch Bond Hill Madtree planting	Horticultural Supplies	\$ 1,590.00
11/17/2023	15438	NATORP LANDSCAPE SUPPLY	Inv 136939 Bond Hill project trees	Horticultural Supplies	\$ 20,347.50
11/09/2023	15429	NATORP LANDSCAPE SUPPLY	Inv 138207 2 acer legacy	Horticultural Supplies	\$ 332.00
11/09/2023	15433	NATORP LANDSCAPE SUPPLY	Inv 139358 2 trees	Horticultural Supplies	\$ 285.25
10/26/2023	15400	NATORP LANDSCAPE SUPPLY	Inv 136996 tribute trees ordered by Boutelle	Horticultural Supplies	\$ 884.50
10/23/2023	15377	NATORP LANDSCAPE SUPPLY	Inv 121401 fall releaf trees	Horticultural Supplies	\$ 31,847.50
10/23/2023	15380	Quail Ridge Specimen Trees, LLC	Inv 1608 Fall Releaf trees	Horticultural Supplies	\$ 1,600.00
10/23/2023	15378	Riverside Native Trees and Nursery, LLC	Inv 081920 Fall releaf trees	Horticultural Supplies	\$ 5,725.00
10/23/2023	15379	WOODY WAREHOUSE NURSERY, INC.	Cust 10236, order 196556 fall releaf trees	Horticultural Supplies	\$ 5,992.60
12/13/2023	15476	Vandalia Rental	Contract 216885-0000 Scissor lift 26'	Rental	\$ 22,585.00
12/31/2023	15518	Baron Identification Products	Inv 50368 Hobbins Lennertz	Supplies	\$ 67.50
12/31/2023	15512	E C SHAW COMPANY	Inv 844781 Christiansen	Supplies	\$ 320.00
12/31/2023	15509	E C SHAW COMPANY	Inv 844778 Quint	Supplies	\$ 186.00
12/31/2023	15510	E C SHAW COMPANY	Inv 844779 Dalton	Supplies	\$ 186.00
12/31/2023	15511	E C SHAW COMPANY	Inv 844780 Vennemeyer	Supplies	\$ 186.00
12/31/2023	15513	E C SHAW COMPANY	Inv 844782 Bailey	Supplies	\$ 186.00
12/29/2023	15498	Baron Identification Products	Inv 50214 Hobbins, Hermann,Males, Caldemeyer,Sloneker,Kakalow replace 15436	Supplies	\$ 135.00
12/18/2023	15486	E C SHAW COMPANY	Inv 844300 Males	Supplies	\$ 186.00
12/13/2023	15477	Baron Identification Products	Inv 50282 Gibran Parker	Supplies	\$ 40.50
12/13/2023	15475	SERVICE SUPPLY LTD INC	Inv 23443 5 dumor benches	Supplies	\$ 8,798.00
11/27/2023	15455	Groundwork Ohio River Valley, Inc.	Inv 3206 Mad Tree Bond Hill all hands supplies	Supplies	\$ 699.32
11/19/2023	15442	E C SHAW COMPANY	Inv 843772 Burnsie	Supplies	\$ 186.00
11/09/2023	15431	Baron Identification Products	Inv 50191 Christiansen	Supplies	\$ 54.00
11/09/2023	15430	Country Casual Teak, Inc.	Inv 9997 5 6ft monarch benches	Supplies	\$ 9,599.09
11/09/2023	15428	E C SHAW COMPANY	Inv 842049 Jennifer Rudolph	Supplies	\$ 186.00
11/09/2023	15427	E C SHAW COMPANY	Inv 842048 Linnett Orlemann Leisner	Supplies	\$ 156.00
10/26/2023	15398	Baron Identification Products	Inv 50162 Cohen	Supplies	\$ 27.00
10/23/2023	15383	Baron Identification Products	Inv 50120 Goodman, Cohen	Supplies	\$ 60.50
10/23/2023	15393	Wintergreen Corp.	Acct 622473 Order 2347574 holiday wreaths etc.	Supplies	\$ 3,457.82
10/16/2023	15371	Baron Identification Products	Inv 50120 Goodman Cohen	Supplies	\$ 60.50
10/09/2023	15332	Baron Identification Products	Inv 50096 soul, livingston, magoon, meyer, schuh, dickey	Supplies	\$ 176.50
10/09/2023	15333	Baron Identification Products	Inv 50098 terri & dave, mitchell quite	Supplies	\$ 54.00
10/01/2023	459		Amazon-Gazebo for Nature Next Door Program	Supplies	\$ 475.96
				Total	\$ 124,341.41

March 20, 2024

To: Mayor and Members of City Council

202400878

From: Sheryl M. M. Long, City Manager

Subject: Emergency Ordinance – CRC: Queen City Slam Basketball Tournament Donations

Attached is an Emergency Ordinance captioned:

AUTHORIZING the City Manager and employees of the Cincinnati Recreation Commission to solicit and accept donations of money, sponsorships, in-kind contributions, team registration fees, vendor fees, and other things of value from the Cincinnati business community, individual benefactors, and other appropriate sources to provide resources to support the Queen City Slam Basketball Tournament; and **AUTHORIZING** the Director of Finance to deposit the resources donated to or generated by the event into Fund No. 319, “Contributions for Recreation Purposes.”

This Emergency Ordinance authorizes the City Manager and employees of the Cincinnati Recreation Commission (“CRC”) to solicit and accept donations of money, sponsorships, in-kind contributions, team registration fees, vendor fees, and other things of value from the Cincinnati business community, individual benefactors, and other appropriate sources to provide resources to support the Queen City Slam Basketball Tournament. This Emergency Ordinance also authorizes the Director of Finance to deposit the resources donated to or generated by the event into Fund No. 319, “Contributions for Recreation Purposes.”

The Queen City Slam Basketball Tournament will be hosted by the City and the CRC in partnership with Big City Ticket, LLC aka Hoop It Up on August 10, 2024. The Queen City Slam Basketball Tournament will engage youth and adults by providing recreation and access to community resources to support and foster continued community development.

Supporting the Queen City Slam Basketball Tournament is in accordance with the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community” and the strategy to “[u]nite our communities” as described on pages 207-212 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to accept donations in a timely manner.

The Administration recommends passage of this Emergency Ordinance.

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



Attachment

EMERGENCY

CNS

-2024

AUTHORIZING the City Manager and employees of the Cincinnati Recreation Commission to solicit and accept donations of money, sponsorships, in-kind contributions, team registration fees, vendor fees, and other things of value from the Cincinnati business community, individual benefactors, and other appropriate sources to provide resources to support the Queen City Slam Basketball Tournament; and **AUTHORIZING** the Director of Finance to deposit the resources donated to or generated by the event into Fund No. 319, “Contributions for Recreation Purposes.”

WHEREAS, the Queen City Slam Basketball Tournament will be hosted by the City and the Cincinnati Recreation Commission (“CRC”) in partnership with Big City Ticket, LLC aka Hoop It Up on August 10, 2024; and

WHEREAS, the Queen City Slam Basketball Tournament will allow the City and CRC the opportunity to engage youth and adults by providing recreation and access to community resources to support and foster continued community development through a one-day basketball event for youth and adults; and

WHEREAS, only donated, non-City resources may be used for awards or cash prizes associated with the Queen City Slam Basketball Tournament; and

WHEREAS, supporting the Queen City Slam Basketball Tournament is in accordance with the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community” and the strategy to “[u]nite our communities” as described on pages 207-212 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 and employees of the Cincinnati Recreation Commission are authorized to solicit and accept donations of money, sponsorships, in-kind contributions, team registration fees, vendor fees, and other things of value from the Cincinnati business community, individual benefactors, and other appropriate sources to provide resources to support the Queen City Slam Basketball Tournament.

Section 2. That the Director of Finance is authorized to deposit the resources donated to or generated by the event into Fund No. 319, “Contributions for Recreation Purposes.”

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

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 donations in a timely manner.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

March 20, 2024

To: Mayor and Members of City Council

202400883

From: Sheryl M. M. Long, City Manager

Subject: Ordinance – Law: Center for Community Progress Technical Assistance Scholarship

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to apply for and accept in-kind services in the form of a technical assistance scholarship provided by Center for Community Progress.

Center for Community Progress is a national non-profit organization dedicated to tackling vacant properties that provides support to local communities to address systemic vacancy. In September 2023, representatives from the City of Cincinnati, the Hamilton County Land Reutilization Corporation, and the Hamilton County Treasurer’s Office attended an intensive training offered by Center for Community Progress focused on education of novel tools and policies for addressing vacant and deteriorated properties, which included the opportunity to obtain up to 150 hours of technical assistance from Center for Community Progress. A proposal was submitted to utilize technical assistance from Center for Community Progress to build a coalition of partners and stakeholders impacted by vacant and deteriorated properties. The proposal was successful, and the technical assistance scholarship will be utilized by Law Department staff with an approximate value of \$40,000.

The grant does not come with a match requirement. No new FTEs/full time equivalents are required.

Due to the application deadline of January 9, 2024, the City already applied for the scholarship before the effective date of this ordinance, but no scholarship resources will be accepted without approval by the City Council.

Applying for this technical assistance scholarship is in accordance with the “Compete” goal to “[s]trategically select areas for new growth” and the “Live” goal to “[s]upport and stabilize our neighborhoods” as described on pages 114-119 and pages 156-162 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

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



Attachment

AUTHORIZING the City Manager to apply for and accept in-kind services in the form of a technical assistance scholarship provided by Center for Community Progress.

WHEREAS, Center for Community Progress is a national non-profit organization dedicated to tackling vacant properties that provides support to local communities to address systemic vacancy; and

WHEREAS, in September 2023, representatives from the City of Cincinnati, the Hamilton County Land Reutilization Corporation, and the Hamilton County Treasurer’s Office attended an intensive training offered by Center for Community Progress focused on education of novel tools and policies for addressing vacant and deteriorated properties, which included the opportunity to obtain up to 150 hours of technical assistance, valued at approximately \$40,000, from Center for Community Progress; and

WHEREAS, the City of Cincinnati, in partnership with the Hamilton County Land Reutilization Corporation and the Hamilton County Treasurer, submitted a successful proposal to Center for Community Progress to utilize the technical assistance from Center for Community Progress to build a coalition of partners and stakeholders impacted by vacant and deteriorated properties; and

WHEREAS, the technical assistance scholarship will be utilized by Law Department staff in collaboration with other City Departments and external stakeholders; and

WHEREAS, this scholarship does not require matching funds, and there are no new FTEs/full time equivalents associated with this scholarship; and

WHEREAS, to meet the Center for Community Progress application deadline of January 9, 2024, the City already applied for the scholarship before the effective date of this ordinance, but no scholarship resources will be accepted without approval by Council; and

WHEREAS, the vacant property project and scholarship application is in accordance with the “Compete” goal to “[s]trategically select areas for new growth” and the “Live” goal to “[s]upport and stabilize our neighborhoods” as described on pages 114-119 and pages 156-162 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 authorized to apply for and accept a donation of in-kind services of a technical assistance scholarship from Center for Community Progress.

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

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

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

March 25, 2024

To: Members of the Budget and Finance Committee 202400942
From: Sheryl M. M. Long, City Manager
Subject: **Emergency Ordinance – DCED: King Records Project (B Version)**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the transfer and return to source of \$205,000 from capital improvement program project account no. 980x164x221616, “King Records Building Restoration,” to the unappropriated surplus of General Fund 050; **AUTHORIZING** the transfer and appropriation of \$205,000 from the unappropriated surplus of General Fund 050 to the Department of Community and Economic Development FY 2024 non-personnel operating budget account no. 050x164x7200 to provide resources for professional services and operating support to allow King Records Legacy, Inc. d/b/a King Records Legacy Foundation to undertake pre-development activities related to the eventual renovation of the former King Records building; and **DECLARING** that the King Records Legacy, Inc. d/b/a King Records Legacy Foundation’s pre-development activities related to the eventual renovation of the former King Records building serve a public purpose because the eventual renovation of the former King Records building will foster local improvements and investment and increase neighborhood vitality.

The “B Version” of this Emergency Ordinance transfers and appropriates \$205,000, which is reflective of a recently revised funding proposal from the King Records Legacy Inc. (KRL) nonprofit corporation. The original version of this Emergency Ordinance would have authorized the transfer and appropriation of \$410,000 to the General Fund. KRL indicated that over a 12-month period from 2024 into part of 2025, it would utilize up to \$205,000 of City funding to scale up its project planning, project management, fundraising, and marketing activities.

Approval of this Emergency Ordinance authorizes the transfer and return to source of \$205,000 from capital improvement program project account no. 980x164x221616, “King Records Building Restoration,” to the unappropriated surplus of General Fund 050. This Emergency Ordinance also authorizes the transfer and appropriation of \$205,000 from the unappropriated surplus of General Fund 050 to the Department of Community and Economic Development FY 2024 non-personnel operating budget account no. 050x164x7200 to provide resources for professional services and operating support to allow King Records Legacy, Inc. d/b/a King Records Legacy Foundation to undertake pre-development activities related to the eventual renovation of the former King Records building. Finally, this Emergency Ordinance declares certain activities serve a public purpose.

Ordinance No. 0369-2021 authorized the transfer and appropriation of \$1,000,000 to capital improvement program project account no. 980x164x221616, “King Records Building Restoration,” to provide resources to preserve, restore, and renovate the former King Records building in the Evanston neighborhood.

King Records Legacy, Inc. made a request to allow for up to \$410,000 in those City resources be used to support professional services and operational support, allowing King Records Legacy, Inc. to undertake further fundraising, project planning, and community engagement related to the renovation of the former King Records property. This request was later revised down to \$205,000.

The work would further the goals and objectives of KRL's existing preferred developer agreement with the City, in which KRL is required to perform certain pre-development planning and due diligence work for an eventual renovation and reuse of the City-owned former King Records studio building. KRL is currently formulating a long-term vision for a mixed-use facility to house a King Records history center, events space, recording studio, and education center. The largest portion of the City funds, approximately two-thirds, would be used to fund a full-time contracted employee to serve as KRL's executive director for 12 months, to include such items as overseeing fundraising, grant writing, community and stakeholder engagement, serving as the liaison to the City and consulting on the continued stabilization of the property, overseeing a marketing campaign, and organizing a benefit concert. The next largest portion of the funds would be utilized for a professional marketing campaign. In addition to the City funds, KRL commits to raising approximately \$150,000 in private funds to conduct a professional fundraising campaign to be performed in concert with the City-funded activities during the term of the City funding.

Prior to requesting any additional operating support from the City, KRL will achieve this fundraising goal and will perform both the privately and publicly funded portions of their work. KRL will also continue to demonstrate progress on the milestones established in its preferred developer agreement. KRL indicated that it will agree to a performance metric of raising at least \$2,000,000 in private and non-City predevelopment funds as a direct result of the activities funded by the City, with hopes of reaching this goal in 12 months. Securing such funds would position KRL to be able to complete necessary pre-development design and cost studies, feasibility studies and business planning, community engagement, and other pre-requisites to engage in a final national campaign to raise the funds for the complete renovation and buildout. At the end of the 12-month funding term, the parties will evaluate the progress toward the \$2,000,000 goal and consider appropriate next steps.

Providing resources for the renovation of the former King Records building is in accordance with the "Sustain" goal to "[p]reserve our natural and built environment" and strategy to "[p]reserve our built history" as described on pages 193-198 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to deploy funding to allow the pre-development activities related to the eventual renovation of the former King Records building to remain on schedule.

The Administration recommends passage of this Emergency Ordinance.

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

Attachment



EMERGENCY

LES/B

- 2024

AUTHORIZING the transfer and return to source of \$205,000 from capital improvement program project account no. 980x164x221616, “King Records Building Restoration,” to the unappropriated surplus of General Fund 050; **AUTHORIZING** the transfer and appropriation of \$205,000 from the unappropriated surplus of General Fund 050 to the Department of Community and Economic Development FY 2024 non-personnel operating budget account no. 050x164x7200 to provide resources for professional services and operating support to allow King Records Legacy, Inc. d/b/a King Records Legacy Foundation to undertake pre-development activities related to the eventual renovation of the former King Records building; and **DECLARING** that the King Records Legacy, Inc. d/b/a King Records Legacy Foundation’s pre-development activities related to the eventual renovation of the former King Records building serve a public purpose because the eventual renovation of the former King Records building will foster local improvements and investment and increase neighborhood vitality.

WHEREAS, on September 22, 2021, Council passed Ordinance No. 369-2021, authorizing the transfer and appropriation of \$1,000,000 to capital improvement program project account no. 980x164x221616, “King Records Building Restoration,” to provide resources to preserve, restore, and renovate the former King Records building in the Evanston neighborhood; and

WHEREAS, King Records Legacy, Inc. made a request that the City provide up to \$410,000 in resources to support professional services and operational support to allow King Records Legacy, Inc. to undertake further fundraising, project planning, and community engagement related to the renovation of the former King Records property; and

WHEREAS, providing resources for the renovation of the former King Records building is in accordance with the “Sustain” goal to “[p]reserve our natural and built environment” and strategy to “[p]reserve our built history” as described on pages 193-198 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the transfer and return to source of \$205,000 from capital improvement program project account no. 980x164x221616, “King Records Building Restoration,” to the unappropriated surplus of General Fund 050 is authorized.

Section 2. That \$205,000 is transferred and appropriated from the unappropriated surplus of General Fund 050 to the Department of Community and Economic Development FY 2024 non-personnel operating budget account no. 050x164x7200 to provide resources for professional

services and operating support to allow King Records Legacy, Inc. d/b/a King Records Legacy Foundation to undertake pre-development activities related to the eventual renovation of the former King Records building.

Section 3. That the King Records Legacy, Inc. d/b/a King Records Legacy Foundation's pre-development activities related to the eventual renovation of the former King Records building serve a public purpose because the eventual renovation of the former King Records building will foster local improvements and investment and increase neighborhood vitality.

Section 4. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of Sections 1 through 3.

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 deploy funding to allow the pre-development activities related to the eventual renovation of the former King Records building to remain on schedule.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

Date: March 20, 2024

To: Mayor and Members of City Council

202400898

From: Sheryl M. M. Long, City Manager

Subject: RESOLUTION OF NECESSITY FOR GROUP 1 RESIDENTIAL STREET LIGHTING
(2023-2026)

Attached is a legislative resolution captioned as follows:

DECLARING the necessity of assessing properties in Lighting Group 1 that benefit from special street lighting within the City of Cincinnati for the cost of such lighting for the three-year period beginning August 1, 2023.

The Assessed Street Lighting program allows property owners to pay the added cost for enhanced or increased street lighting services. The Assessed Street Lighting program is divided into three groups; each group is assessed for a three-year period with one group being renewed each year. The groups are classified by the category of lighting and divided into individual districts usually consisting of a street segment.

- Group 1 consists of residential streets lighted by boulevard lights on decorative poles with underground wiring formally owned by Duke Energy and now owned and maintained by the City.
- Group 2 consists of streets within the central business district. There are various types of lighting within this area, most of which is owned and maintained by the City.
- Group 3 is an assortment of lights and streets not included in Group 1 and Group 2. Included in this group are neighborhood business districts and new residential developments. The ownership and maintenance responsibility for the lighting in these areas is divided between Duke Energy and the City.

The lighting for Group 1 consists of 871 streetlights of various types and wattages installed on boulevard poles. The estimated total assessment for Group 1 is \$371,947.24 for the three-year assessment period. The City pays for a portion of the total street lighting costs that is relatively equivalent to what is normally provided from City funds on non-assessed streets. This lighting credit, the city's share of the cost of this lighting, for Group 1 varies from \$0.33 to \$2.00 per foot for the period and is determined by the street classification. On streets that have both standard lighting and special lighting, a 2% credit to the total operating and maintenance costs is applied instead. The City also pays the assessments associated with lighting intersections and city, federal, and state property contained within an assessment district.

The annual assessment renewal process has four major steps, which require action by City Council:

1. A Resolution of Necessity is prepared by the Law Department and submitted for passage.

2. After Council passes the Resolution of Necessity, all property owners who will be assessed more than \$500.00 for the three-year period are notified and given an opportunity to object to the proposed assessment.
3. After all objections to the proposed assessment have been addressed, an Ordinance Determining to Proceed is prepared by the Law Department and submitted for passage.
4. Immediately following the Ordinance Determining to Proceed, an Assessing Ordinance is prepared and submitted.

The Administration recommends the passage of the attached legislative resolution.

Attachment I – Lighting Assessment Estimates

cc: John S. Brazina, Director, Transportation and Engineering

Legislative Resolution

RESOLUTION NO. _____ - 2024

DECLARING the necessity of assessing properties in Lighting Group 1 that benefit from special street lighting within the City of Cincinnati for the cost of such lighting for the three-year period beginning August 1, 2023.

WHEREAS, Chapter 727 of the Ohio Revised Code authorizes the City to levy and collect special assessments for the cost of special street lighting upon abutting, adjacent, contiguous, or specially benefitted lots or lands within the City; and

WHEREAS, Council has determined that properties abutting, adjacent, and contiguous to the streets or portions of streets identified on the attached Attachment A specially benefit from the special street lighting thereon; now, therefore,

BE IT RESOLVED by the Council of the City of Cincinnati, State of Ohio, three-fourths of the members elected thereto concurring:

Section 1. That it is hereby declared necessary and conducive to the public health, safety, convenience, and general welfare to assess properties that benefit from special street lighting in Lighting Group 1 on the streets set forth in Attachment A attached hereto, which assessments shall be for such properties' share of the cost of such lighting during the three-year period commencing on August 1, 2023.

Section 2. That the plans, specifications, and cost estimates corresponding to the proposed assessments are on file in the Clerk of Council's office, incorporated herein by reference, and hereby approved.

Section 3. That the City of Cincinnati shall pay from \$0.33 to \$2.00 per front foot for the City's share of the cost of the special lighting subject to the proposed assessment, depending on the street classification, which is equivalent to the estimated cost of lighting the streets to standard-level street lighting and is greater than two percent of the total cost of the special street lighting.

Section 4. The balance of the cost shall be assessed by the front-foot method upon all lots and lands that specially benefit from the lighting, except public right-of-way bounding and abutting upon the street or portions thereof and lands owned by the federal or state government.

Section 5. That all properties along the portions of the right of way listed on Attachment A are found to be specially benefited by the special street lighting.

Section 6. That the assessments shall be paid in cash to the City Treasurer within thirty days after the passage of the assessing ordinance or, at the option of the property owner, in three annual installments with interest payable to the City; and that assessments not paid in cash within the thirty-day period shall be certified to the County Auditor for collection by the County Treasurer in the same manner as real estate taxes are collected.

Section 7. That the City Administration shall prepare, in accordance with the method of assessment set forth in Sections 3 and 4 hereof, an estimate of the amount of the assessment against each lot or parcel to be assessed and shall file it in the Clerk of Council's office.

Section 8. That notice of the passage of this resolution shall be provided to the owners of the parcels of land to be assessed pursuant to Ohio Revised Code Section 727.14 by the Clerk of Council, or a person designated by the Clerk: (i) by publication once a week for two consecutive weeks in a newspaper of general circulation within the City of Cincinnati; (ii) by publication of notice on the City's website; (iii) as provided in Ohio Revised Code Section 7.16; or (iv) if the estimated assessment against an owner is over five hundred dollars, as provided in Ohio Revised Code Section 727.13. Notice shall also be provided in accordance with Article II, Section 6 of the City Charter.

Section 9. That the portion of the cost of any uncollectible assessments of federal, state, or City property shall be paid by the City out of a fund provided for this purpose.

Section 10. That notes and bonds of the City of Cincinnati may be issued in anticipation of the levy and collection of the special assessments.

Section 11. That this legislative resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

Dist #	Street	Limits	Number of Lights	Proposed Rate per Front Foot per Year	Total Assessment
1	ANDINA AVENUE	from the east line of Reading Road to the west line of Rhode Island Avenue	18	\$0.56	\$7,450.14
2	AVONLEA AVENUE	from the east line of Reading Road to the west line of Rhode Island Avenue	19	\$0.57	\$7,887.58
3	BAYARD AVENUE	from the north line of Erie Avenue to the south line of Victoria Avenue	18	\$0.56	\$7,582.01
4	BEAVERTON AVENUE	from the west line of Parkdale Avenue to approx. 487.41' west of west line of Elmshade Avenue	11	\$0.65	\$4,743.81
5	BEECHVIEW CIRCLE	Beechview from the south line of Montgomery Road to Rogers Park Place & Rogers Park Pl from the south line of Montgomery Road to the south line of Beech View Subdivision	14	\$0.56	\$5,895.17
6	BELLA VISTA	from the east line of Reading Road to its east terminus	6	\$0.74	\$2,628.84
7	BELLEWOOD AVENUE	from the west line of Ridge Avenue to the east line of Lester Road	9	\$0.59	\$3,817.49
8	BERKLEY AVENUE	from the west line of Rhode Island Avenue to the east line of Reading Road	19	\$0.57	\$8,026.81
9	CASTELTON PLACE	from 140' south of the south line of Northwood Drive to its north terminus	8	\$0.64	\$3,440.64
10	CATALINA AVENUE	from the west line of Rhode Island Avenue to its west terminus	22	\$0.67	\$9,520.05
11	CHALFONTE PLACE	from the west line of Reading Road to its west terminus	6	\$0.61	\$2,562.63
12	CHEYENNE DRIVE	from the south line of Towanda Terrace to the west line of Maketewah View Subdivision	7	\$0.60	\$2,925.21
13	CLIFTON AVENUE	E.S. from the south line of M. L. King Drive to 855' south of the south line of Ludlow Avenue. W.S. from the north line of Mc Millian Street to the south line of Dixmyth	64	\$1.47	\$31,591.30
14	CLIFTON AVENUE	from the south line of Ludlow Ave.: to 855' south of the south line of Ludlow Avenue E.S. the south line of Dixmyth Avenue W.S.	15	\$1.24	\$6,414.78
15	CLIFTON AVENUE	from the north line of Ludlow Avenue to the south line of Lafayette Avenue	39	\$0.47	\$13,382.12
16	CORONADO AVENUE	from the north line of Zula Avenue to the south line of Cleves Pike	17	\$0.79	\$7,512.27
17	CORVALLIS AVENUE	from the west line of Parkdale Avenue to approx. 466.92' west of the west line of Elmshade Avenue	11	\$0.60	\$4,679.90
18	COVEDALE AVENUE	from the north line of Cleves Pike to the south line of Sidney Road	15	\$0.63	\$6,426.54
19	EILEEN DRIVE	from the north line of Madison Road to the south line of Markbrite Avenue	10	\$0.66	\$4,321.03

Dist #	Street	Limits	Number of Lights	Proposed Rate per Front Foot per Year	Total Assessment
20	EPWORTH AVENUE	from the north line of Werk Road to the south line of Ramona Avenue	9	\$0.78	\$3,974.94
21	EUGENIE LANE	from the east line of Werk Road to the west line of LaFeuille Avenue	11	\$0.60	\$4,596.52
22	FAR HILLS DRIVE	Michigan Avenue, south and around Michigan Avenue	10	\$0.56	\$4,131.91
23	FENMORE DRIVE	from the west line of Paddock Road to the east line of Coad Drive	6	\$0.74	\$2,632.73
24	GARDEN LANE	from the west line of Rhode Island Avenue to the west terminus	14	\$0.54	\$5,791.98
25	GRAFTON AVENUE	from the north line of Dale Road to the north line of 5438 Grafton Avenue	14	\$0.58	\$5,919.29
26	GREENLAND PLACE	from the north line of Northwood Drive to 163 feet south of the south line of Miramar Court	6	\$0.64	\$2,577.79
27	HANSFORD PLACE	from the south line of Harrison Ave to the south terminus	8	\$0.68	\$3,464.93
28	HAYWARD AVENUE	from the south line of Principio Avenue to the north line of Arnold Street	12	\$0.67	\$5,196.67
29	JOHNSTONE PLACE	from the south line of Madison Road to the south terminus	8	\$0.63	\$3,429.55
30	KELLYWOOD AVENUE	from the north line of Guerley Road to the north terminus	10	\$0.62	\$4,281.40
31	KENOVA AVENUE	from the west line of Reading Road to a point approximately 1500' west of Reading Road	13	\$0.61	\$5,551.46
32	LACONIA AVENUE	from the north line of Dale Road to the north terminus	13	\$0.58	\$5,507.22
33	LAKELAND AVENUE	from the west line of Parkdale Avenue to approximately 505.08 feet west of Elmshade Avenue	9	\$0.58	\$3,813.85
34	LARRY AVENUE	from the east line of Hamilton Avenue to the east terminus	9	\$0.63	\$3,860.42
35	LAWN AVENUE	from the west line of Rhode Island Avenue to the west terminus	16	\$0.56	\$6,745.57
36	LILLIAN DRIVE	from the north line of Dale Road to the north terminus	10	\$0.60	\$4,258.33
37	LUDLOW AVENUE	from the south line of LaFayette Avenue to the west line of Whitfield Avenue	37	\$0.63	\$13,833.40
38	MANOR HILL DRIVE	from the north line of Ludlow Avenue to the north terminus	8	\$0.50	\$3,240.94
39	MARLINGTON AVENUE	from the east line of Westgate Avenue to the west line of Middlebrook Avenue from the south line of Marlinton Avenue to the north line of Downing Avenue. Westgate Ave from the south line of Marlinton to the north line of Downing.	10	\$0.74	\$4,382.44
40	SOUTH CLEROSE CIRCLE	from the east line of Rosemont Avenue to the east line of Rosemont Avenue	12	\$0.64	\$5,152.61

Dist #	Street	Limits	Number of Lights	Proposed Rate per Front Foot per Year	Total Assessment
41	NORTHAMPTON DRIVE	from the east line of Reading Road to the east terminus	5	\$0.63	\$2,144.82
42	NORTHCUTT AVENUE	from the east line of Reading Road to the west line of Rhode Island Avenue	19	\$0.59	\$7,971.33
43	NORTHWOOD DRIVE	from 150 feet west of Reading Road to the east line of Castleton Place	11	\$0.59	\$4,675.56
44	ORCHARD LANE	the north line of Montgomery Road to approx. 1800' north of Montgomery Road	14	\$0.56	\$5,897.31
45	PORTSMOUTH AVENUE	the east line of Paxton Avenue to Victoria Ln/ and Victoria Ln to the the north line of Victoria Avenue	26	\$0.64	\$11,164.67
46	RAWSON WOODS LANE	from the west line of Middleton Avenue to the west terminus And Rawson Woods Circle.	7	\$0.27	\$2,500.55
47	RAYMAR DRIVE	from the south line of Victoria Avenue to Raymar Blvd and Raymar Blvd from the south line of Victoria Ave to the north line of Erie Avenue	24	\$0.72	\$10,478.48
48	ROBINWOOD AVENUE	from the west terminus to Hurley Ave and Hurley Ave from the north line of Kenova & the to west line of Scottwood to Robinwood Ave	13	\$0.69	\$5,652.68
49	ROOKWOOD DRIVE	Rookwood Drive- from the north line of Grandin Road to Rookwood Place. Rookwood Place- from Rookwood Drive to E. Rookwood Drive. E. Rookwood Drive- from the west line of Edwards Road to Rookwood Lane. Rookwood Lane- from Rookwood Drive to the east terminus. S. Rookwood Drive-from Rookwood Drive to E. Rookwood Drive.	30	\$0.59	\$12,732.14
50	ROSECLIFF AVENUE	from from the west line of Reading Road to the east line of Parkdale Avenue	4	\$0.45	\$1,616.65
51	SCHULTE DRIVE	from the south line of Carnation Park Subdivision on Schulte Dr to the east terminus	10	\$0.67	\$4,322.82
52	SCOTTWOOD AVENUE	from from the south line of Shenandoah Avenue to the north line of Kenova Avenue	10	\$0.42	\$4,000.59
53	SHENANDOAH AVENUE	from from the west line of Reading Road to approximately 446.09' west of Elmshade Avenue	18	\$0.63	\$7,716.75
54	STRATFORD AVENUE	from the south line of Probasco Street to 400' south of the south line of Joselin Ave.	8	\$0.62	\$3,423.75
55	STRATFORD PLACE	from the east line of Paddock Road northeast to the northeast terminus	4	\$0.63	\$1,716.89

<u>Dist #</u>	<u>Street</u>	<u>Limits</u>	<u>Number of Lights</u>	<u>Proposed Rate per Front Foot per Year</u>	<u>Total Assessment</u>
56	SUNCREST DRIVE	from the west line of Herschel Avenue to the north line of Griest Avenue	9	\$0.59	\$3,820.60
57	TOWANDA TERRACE	from the west line of Paddock Road to the west line of Maketwah View Subdivision	10	\$0.74	\$4,311.02
58	VICTORIA AVENUE	from the east line of Paxton Road to the west line of Erie Avenue	27	\$0.83	\$12,009.90
59	WARWICK AVENUE	from the south line of Mitchell Avenue to the north line of Clinton Springs Avenue	11	\$0.62	\$4,623.87
60	WERKASTLE LANE	from the east line of Werk Road to the west line of Eugenie Lane	8	\$0.60	\$3,347.05
61	YORKSHIRE PLACE	from the north line of Northwood Drive to the north terminus	7	\$0.77	\$3,082.72
62	U OF C	East side of Clifton Calhoun to M. L. King	23	\$1.79	\$11,584.82
Count of Assemblies			<u>871</u>	Total Assessment:	<u>\$371,947.24</u>

March 20, 2024

To: Mayor and Members of City Council

From: Sheryl M.M. Long, City Manager

202400896

Subject: **Emergency Ordinance** – Approving and Authorizing a CRA Tax Exemption Agreement with Cincinnati Curated, LLC of 34 W Court St.

Attached is an Emergency Ordinance captioned:

APPROVING AND AUTHORIZING the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement (LEED or Living Building Challenge) with Cincinnati Curated, LLC, thereby authorizing a 15-year tax exemption for 100% of the value of improvements made to real property located at 34 W Court Street in the Central Business District of Cincinnati, in connection with the remodeling of an existing building into approximately 629 square feet of commercial space and approximately 5,566 square feet of residential space, consisting of 5 residential units, which remodeling shall be completed in compliance with Leadership in Energy and Environmental Design Silver, Gold or Platinum standards or Living Building Challenge Standards, at a total remodeling cost of approximately \$845,456.

STATEMENT

HOUSING: The activation of a vacant, blighted building will address a need for housing options in the Downtown area. The additional units this project will provide could help to alleviate Cincinnati’s strained housing market, which is currently experiencing increasing affordability issues due to lack of supply. Although these housing units are anticipated to be short term rental units, research shows that over the long run, short term rentals often become long-term rental housing.

BACKGROUND/CURRENT CONDITIONS

The project is located at 34 W Court St in Downtown. Currently the property is a vacant building constructed in the 1850’s with an addition built in 1854. The building has never been properly modernized nor renovated to include proper insulation, ventilation, HVAC, wiring, and plumbing. Once completed, the rebuilt project will have obtained a LEED Silver certification through USGBC and be comprised of 5 residential units (1 being owner occupied). The project will also feature a 1st floor commercial space that will be utilized in a manner that benefits children attending the School for Creative and Performing Arts while waiting for after school programs.

DEVELOPER INFORMATION

Cincinnati Curated, LLC is owned and operated by Melissa Brown Jones. Ms. Jones is a first-time developer in Cincinnati. Ms. Jones is not only the developer for this project but will also be a resident at 34 W Court Street.

RECOMMENDATION

The Administration recommends approval of this Emergency Ordinance.

Attachment: Project Outline and Proposed Incentive

Copy: Markiea L. Carter, Director, Department of Community & Economic Development

Project Outline

Project Name	34 W Court St CRA
Street Address	34 W Court St
Neighborhood	Downtown
Property Condition	Vacant Building
Project Type	Renovation
Project Cost	Hard Construction Costs: \$834,456 Acquisition Costs: \$340,000 Soft Costs: \$176,980 Total Project Cost: \$1,351,436
Private Investment	Private Financing: \$825,000 Developer Equity: \$300,000
Sq. Footage by Use	Residential: 5,566 SF Office: 629 SF
Number of Units and Rent Ranges	1 studio Unit; Rent Range varies (STR) 3 1-BR Units; Rent Range varies (STR) 1 2-BR unit; Developer Residence 1 Commercial unit; Rent not yet determined 5 Total Units
Median 1-BD Rent Affordable To	This will be an owner-occupied building with the remainder of the units registered and operated as short-term rentals.
Jobs and Payroll	Estimated Creation of 3 FTE positions Total Payroll for Construction FTE Positions: \$87,500 Estimated Construction FTE Positions: 15 Total Payroll for Construction FTE Positions: \$1.30MM
Location and Transit	Located in Downtown Transit Score: 81
Community Engagement	Not presently in developer's plan.
Plan Cincinnati Goals	Live Initiative Area Goal 3 (p. 169-171), Sustain Initiative Area Goal 2 (p.193-198)

Project Image and Site Map



Proposed Incentive

Incentive Terms	15-year, net 52%
Incentive Application Process	Commercial CRA – Downtown Streetcar Area
“But For”	Without Abatement: -2% rate of return (stabilized) With Abatement: 4% rate of return (stabilized) Note: Ordinance 275-2017 states that commercial improvements which obtain LEED status shall not be subject to financial analysis.
Environmental Building Certification	LEED SILVER
VTICA	Streetcar VTICA – 15%
SBE/MBE/WBE Goals	SBE Goal of 30%
Planning Commission Approval	N/A
Other Incentives & Approvals	N/A

Potential Taxes Forgone & Public Benefit

Taxes Forgone	Value
Annual Net Incentive to Developer	\$7,442
Total Term Incentive to Developer	\$111,625
City's Portion of Property Taxes Forgone (Term)	\$0
City's TIF District Revenue Forgone (Term)	\$156,704

Public Benefit		Value
CPS PILOT	Annual	\$4,723
	Total Term	\$70,839
VTICA	Annual	\$2,147
	Total Term	\$32,199
Income Tax Total Term (Maximum)		\$135,122
Total Public Benefit (CPS PILOT, VTICA, Income Tax)		\$238,160

Total Public Benefit ROI*	\$2.13
City's ROI**	\$7.89

* This figure represents the total dollars returned for public purposes (City/Schools/Other) over the benefit received.

**This figure represents the total dollars returned for City/ over the City's property taxes forgone. Note this figure does not include any short term rental taxes collected if the owner does indeed operate the units as short term rentals.

For Reference: 2023 Cincinnati MSA Area Median Income Limits

AMI	1	2	3	4	5	6	7	8
30%	\$21,250	\$24,300	\$27,350	\$30,350	\$32,800	\$35,250	\$37,650	\$40,100
50%	\$35,400	\$40,450	\$45,500	\$50,550	\$54,600	\$58,650	\$62,700	\$66,750
60%	\$42,480	\$48,540	\$54,600	\$60,760	\$65,520	\$70,380	\$75,240	\$80,100
80%	\$56,650	\$64,750	\$72,850	\$80,900	\$87,400	\$93,850	\$100,350	\$106,800

EMERGENCY

EVK

- 2024

APPROVING AND AUTHORIZING the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement (LEED or Living Building Challenge) with Cincinnati Curated LLC, thereby authorizing a fifteen-year tax exemption for 100 percent of the value of improvements made to real property located at 34 W. Court Street in the Central Business District of Cincinnati, in connection with the remodeling of an existing building into approximately 629 square feet of commercial space and approximately 5,566 square feet of residential space, consisting of five residential rental units, which remodeling shall be completed in compliance with Leadership in Energy and Environmental Design Silver, Gold or Platinum standards or Living Building Challenge standards, at a total remodeling cost of approximately \$845,456.

WHEREAS, to encourage the development of real property and the acquisition of personal property, Council by Ordinance No. 274-2017 passed on September 27, 2017, designated the area within the corporate boundaries of the City of Cincinnati as a “Community Reinvestment Area” pursuant to Ohio Revised Code (“R.C.”) Sections 3735.65 through 3735.70 (the “Statute”); and

WHEREAS, Ordinance No. 275-2017 passed by Council on September 27, 2017, as amended by Ordinance No. 339-2018, passed by Council on October 31, 2018, (as amended, the “Commercial Policy Ordinance”), sets forth certain additional policies, conditions, and limitations regarding newly constructed or remodeled commercial and residential structures in the Community Reinvestment Area; and

WHEREAS, to encourage the development of real property in a more environmentally-friendly manner, the Commercial Policy Ordinance incentivizes: (i) construction and remodeling to Leadership in Energy and Environmental Design (“LEED”) standards (as defined by the U.S. Green Building Council); and (ii) construction and remodeling that obtains (a) Living Building Challenge Net Zero certification, (b) Living Building Challenge Full certification, or (c) solely in circumstances where the construction or remodeling complies with the requirements of the “Energy Petal” of the Living Building Challenge, Living Building Challenge Petal certification, in each case as defined by the International Living Future Institute and the Cascadia Green Building Council (collectively, “LBC” standards), all pursuant to the Statute; and

WHEREAS, effective October 23, 2017, the Director of Development of the State of Ohio determined that the area within the corporate boundaries of the City of Cincinnati contains the characteristics set forth in the Statute and confirmed such area as a Community Reinvestment Area under the Statute; and

WHEREAS, Cincinnati Curated LLC (the “Company”) desires to remodel an existing building into approximately 629 square feet of commercial space and approximately 5,566 square feet of residential space, consisting of five residential rental units on real property at 34 W. Court Street located within the corporate boundaries of the City of Cincinnati, to LEED or

LBC standards (the “Improvements”), provided that the appropriate development incentives are available to support the economic viability of the Improvements; and

WHEREAS, to provide an appropriate development incentive for the Improvements, the City Manager has recommended a Community Reinvestment Area Tax Exemption Agreement (LEED or Living Building Challenge), in substantially the form of Attachment A to this ordinance, to authorize a real property tax exemption for the Improvements in accordance with the Statute; and

WHEREAS, the property is located within the Cincinnati City School District; and

WHEREAS, the Board of Education of the Cincinnati City School District (the “Board of Education”), pursuant to that certain Tax Incentive Agreement effective as of April 28, 2020 (as may be amended, the “Board of Education Agreement”), has approved exemptions of up to 100 percent of Community Reinvestment Area projects, waived advance notice and the right to review such projects, and waived sharing or allocation of municipal income taxes in connection with such projects; and

WHEREAS, pursuant to the Board of Education Agreement, the Company has entered into (or will enter into) an agreement with the Board of Education requiring the Company to pay the Board of Education amounts equal to 33 percent of the exempt real property taxes; and

WHEREAS, the City’s Department of Community and Economic Development estimates that the real property tax exemption for the Improvements will provide an annual net benefit to the Company in the amount of approximately \$7,540; and

WHEREAS, the Company has represented that it has entered into (or will enter into) a voluntary tax incentive contribution agreement with a third-party organization for amounts equal to fifteen percent of the exempt real property taxes, which funds shall be committed by the third-party organization to support the streetcar that specially benefits the property; and

WHEREAS, the Improvements do not involve relocation of part or all of the Company’s operations from another county or municipal corporation in Ohio or, if there is relocation, notice has been given per R.C. Section 3735.673; now, therefore,

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

Section 1. That Council approves a Community Reinvestment Area Tax Exemption Agreement (LEED or Living Building Challenge) with Cincinnati Curated LLC (the “Agreement”), thereby authorizing a fifteen-year tax exemption for 100 percent of the assessed value of improvements to be made to real property located at 34 W. Court Street in Cincinnati, as calculated by the Hamilton County Auditor, in connection with the remodeling of an existing building into approximately 629 square feet of commercial space and approximately

5,566 square feet of residential space, consisting of five residential rental units, to be constructed in compliance with Leadership in Energy and Environmental Design Silver, Gold or Platinum standards (as defined by the U.S. Green Building Council) or Living Building Challenge standards (as described in the Agreement and as determined by the International Living Future Institute and the Cascadia Green Building Council, as applicable) at a total remodeling cost of approximately \$845,456.

Section 2. That Council authorizes the City Manager:

- (i) to execute the Agreement on behalf of the City of Cincinnati (the “City”) in substantially the form of Attachment A to this ordinance;
- (ii) to submit on behalf of Council annual reports on the Agreement to the Director of the Ohio Department of Development, in accordance with Ohio Revised Code Section 3735.672, and to the Board of Education of the Cincinnati City School District, as necessary; and
- (iii) to take all necessary and proper actions to fulfill the City’s obligations under the Agreement.

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 allow the remodeling described in this ordinance and the corresponding revitalization of the City of Cincinnati and the benefits to the City’s economic welfare to begin at the earliest possible time.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

Community Reinvestment Area Tax Exemption Agreement
(LEED or Living Building Challenge)

This Community Reinvestment Area Tax Exemption Agreement (this "Agreement") is made and entered into as of the Effective Date (as defined on the signature page hereof) by and between the CITY OF CINCINNATI, an Ohio municipal corporation (the "City"), and CINCINNATI CURATED LLC, an Ohio limited liability company (the "Company").

Recitals:

- A. The City, through the adoption of Ordinance No. 274-2017 on September 27, 2017, designated the entire City of Cincinnati as a Community Reinvestment Area to encourage the development of real property and the acquisition of personal property in that area, pursuant to Ohio Revised Code Sections 3735.65 through 3735.70 (the "Statute").
- B. In accordance with the Statute, the Ohio Director of Development has forwarded to the City the Director's determination dated October 23, 2017, stating that the findings contained in Ordinance No. 274-2017 are valid and that the entire City is a Community Reinvestment Area under the Statute. By such determination, the Director of Development of the State of Ohio determined that the area within the corporate boundaries of the City of Cincinnati contains the characteristics set forth in the Statute and confirmed such area as a Community Reinvestment Area under the Statute.
- C. The Council of the City of Cincinnati has also passed Ordinance No. 275-2017 as of September 27, 2017, as amended by Ordinance No. 339-2018, passed on October 31, 2018, Ordinance No. 370-2020, passed on November 12, 2020, and Ordinance No. 24-2022, passed on February 2, 2022 (as amended, the "Commercial Policy Ordinance"), which sets forth certain additional policies, conditions and limitations regarding newly constructed or remodeled commercial and residential structures in the Community Reinvestment Area.
- D. Pursuant to the Commercial Policy Ordinance, a project that is constructed or remodeled to (1) Leadership in Energy and Environmental Design ("LEED") Silver, Gold or Platinum standards (as defined by the U.S. Green Building Council), or (2) receives a (a) Living Building Challenge Net Zero certification, (b) Living Building Challenge Full certification, or (c) solely in circumstances where the construction or remodeling complies with the requirements of the "Energy Petal" of the Living Building Challenge, Living Building Challenge Petal certification, in each case as defined by the International Living Future Institute and the Cascadia Green Building Council (such qualifying remodeling or construction is referred to, collectively, as "LBC" remodeling or construction), may qualify for a longer term and/or greater abatement.
- E. The Company is the sole owner of certain real property within the City, located at 34 W. Court Street, Cincinnati, Ohio 45202 (the "Property"), as further described in Exhibit A (Legal Description of Property) hereto. Notwithstanding the foregoing, the Property shall not include any residential condominiums being developed in connection with the Project (as defined below) (the "Excluded Property"), and the Company acknowledges and agrees that the City's Community Reinvestment Area program entails separate applications by the owner of any residential condominium units included within the Project. For the avoidance of doubt, the Excluded Property shall not be exempt under this Agreement; however, this provision shall not be deemed to prohibit any owners from time to time of any Excluded Property from separately applying for a tax abatement in accordance with applicable law.
- F. The Company has proposed to remodel a building located on the Property to LBC standards or LEED Silver, Gold or Platinum standards, as defined by the U.S. Green Building Council, within the boundaries of the City of Cincinnati, as more fully described in Section 1 herein (the "Project"); provided that the appropriate development incentives are available to support the economic viability of the Project.

- G. The Statute provides that if any part of a project is to be used for commercial or industrial purposes, including projects containing five or more dwelling units, in order to be eligible for tax exemption the City and the Company must enter into an agreement pursuant to Ohio Revised Code Section 3735.671 prior to commencement of construction or remodeling.
- H. The City, having appropriate authority under the Statute for this type of project, agrees (as provided herein and subject to all conditions herein) to provide the Company with the tax exemption incentives stated herein, available under the Statute, for development of the Project.
- I. The Company has submitted to the City an application for this tax exemption agreement (the "Application"), a copy of which is attached hereto as Exhibit B, has remitted with the Application the City application fee of One Thousand Two Hundred Fifty Dollars (\$1,250) made payable to the City.
- J. The Director of the City's Department of Community and Economic Development has recommended approval of the Application on the basis that the Company is qualified by financial responsibility and business experience to create and preserve employment opportunities and improve the economic climate of the City.
- K. The Board of Education of the Cincinnati City School District (the "Board of Education"), pursuant to that certain *Tax Incentive Agreement* effective as of April 28, 2020, has approved exemptions of up to one hundred percent (100%) of Community Reinvestment Area projects, waived advance notice and right to review such projects, and waived sharing or allocation of municipal income taxes in connection with such projects.
- L. The Company has entered into (or will enter into) an agreement with the Board of Education requiring the Company to pay the Board of Education amounts equal to thirty-three percent (33%) of the full amount of exempt real property taxes that would have been paid to Hamilton County if this Agreement were not in effect (the "Board of Education Agreement").
- M. The Company represents and warrants to the City that the Company and its major tenants, if any, do not intend to relocate part or all of their operations to the City from another county or municipal corporation in the State of Ohio (the "State").
- N. The Company represents that within the past three (3) years neither the Company, any related member of the Company, nor any entity to which the Company is a successor has discontinued operations at a project site in the State during the term of a property tax exemption agreement (under Ohio Revised Code Section 3735.671, 5709.62, 5709.63 or 5709.632) applicable to that site, and the Company acknowledges that misrepresentation hereunder will result in voiding of this Agreement.
- O. The Company represents and warrants to the City that the Company is not subject to an Enterprise Zone Agreement with the City of Cincinnati for the Property or the Project.
- P. City Council passed (i) Motion No. 201401368 on November 19, 2014, establishing a tax incentive policy that incentivizes each applicant for a real property tax abatement in the neighborhoods of Downtown and OTR to enter into a voluntary tax incentive contribution agreement with a third-party organization ("VTICA") for an amount equal to a percentage of the real property taxes that would have been payable on the abated property but for the City-authorized tax abatement (the "VTICA Contribution"), which funds shall be committed by a third-party organization to support the streetcar that specially benefits the abated property, and (ii) Motion No. 201501592 on December 16, 2015, which established that the VTICA Contribution to be recognized by the Director of the Department of Community and Economic Development is 15% of the real property taxes that would have been payable on the abated property but for the City-authorized tax abatement. The Commercial Policy Ordinance confirmed that such motions have not been superseded and remain the will of Council.

- Q. The Company acknowledges that the Streetcar will specially benefit the Project due to (a) the Streetcar's enhancement of public transit options in such neighborhoods and (b) the anticipated increase in property values attributable to public investment in Streetcar infrastructure.
- R. The Company represents and warrants to the City that the Company has entered or will enter into a VTICA and shall pay the VTICA Contribution each year for the full term of the abatement.
- S. This Agreement has been authorized by Ordinance No. _____-2024, passed by Cincinnati City Council on _____, 2024.
- T. In determining to recommend and authorize this Agreement, the Department of Community and Economic Development and City Council, respectively, have acted in material reliance on the Company's representations in the Application and herein regarding the Project including, but not limited to, representations relating to the number of jobs to be created and/or retained by the Company, the Board of Education Agreement, the VTICA Contribution, and the Project's effect in promoting the general welfare of the people of Cincinnati by, for example, encouraging the development of real property located in the Community Reinvestment Area and thereby promoting economic growth and vitality in Cincinnati.

NOW, THEREFORE, pursuant to Ohio Revised Code Section 3735.67(A) and in conformity with the format required under Ohio Revised Code Section 3735.671, in consideration of the mutual covenants contained herein and the benefit to be derived by the parties from the execution hereof, the parties agree as follows:

Section 1. Project. Upon issuance of the necessary zoning and building approvals, the Company agrees to remodel the existing building into 5 residential units consisting of approximately 5,566 square feet, and commercial space consisting of approximately 629 square feet on the Property (the "Improvements") at an estimated aggregate cost of \$845,456 to commence after the execution of this Agreement and to be completed no later than October 31, 2026; *provided*, however, that the Director of the Department of Community and Economic Development (the "Housing Officer") may, in his or her discretion, extend such deadline for a period of up to 12 months by written notice if, in the Director's judgment, the Company is proceeding in good faith towards completion. **The Error! Reference source not found.** shall be in compliance with applicable building code and zoning regulations, as well as complying with LBC standards or LEED Silver, Gold or Platinum standards, as defined by the U.S. Green Building Council. The Company hereby represents that either or both of the following clauses (a) and (b) are true: (a) it has registered with the U.S. Green Building Council with intent to certify compliance with LEED Silver, Gold or Platinum standards, or (b) it has registered with the International Living Future Institute and/or the Cascadia Green Building Council with intent to certify compliance with LBC standards. In addition to the foregoing, (A) the Project shall comply with the Americans with Disabilities Act, together with any and all regulations or other binding directives promulgated pursuant thereto (collectively, the "**ADA**"), and (B) if (i) any building(s) within the Project is subject to the accessibility requirements of the ADA (e.g., by constituting a "place of public accommodation" or another category of structure to which the ADA is applicable) and (ii) such building(s) is not already required to meet the Contractual Minimum Accessibility Requirements (as defined below) pursuant to the ADA, applicable building code requirements, or by any other legal requirement, then the Company shall cause such building(s) to comply with the Contractual Minimum Accessibility Requirements in addition to any requirements pursuant to the ADA and the applicable building code or legal requirement. As used herein, "**Contractual Minimum Accessibility Requirements**" means that a building shall, at a minimum, include (1) at least one point of entry (as used in the ADA), accessible from a public right of way, with respect to which all architectural barriers (as used in the ADA) to entry have been eliminated, and (2) if such accessible point of entry is not a building's primary point of entry, conspicuous signage directing persons to such accessible point of entry.

Section 2. Real Property Tax Exemption. Subject to the satisfaction of the conditions set forth in this Agreement, the City approves exemption from real property taxation, pursuant to and to the

fullest extent authorized by the Statute, of one hundred percent (100%) of the amount by which the Improvements increase the assessed value of the Property as determined by the Hamilton County Auditor, for a period of fifteen (15) years, provided that the Company shall have entered into the Board of Education Agreement. Within 120 days after completion of the Project (unless otherwise extended in writing by the City's Housing Officer), the Company must file the appropriate application for tax exemption with the City's Housing Officer. The Company is solely responsible to take this action. Upon receipt of the application for tax exemption, the City will proceed with the exemption authorized by this Agreement. In accordance with Ohio Revised Code Section 3735.67, the exemption is conditioned on verification by the Housing Officer of (A) the completion of **Error! Reference source not found.**, (B) the cost of **Error! Reference source not found.**, (C) the facts asserted in the application for exemption, (D) compliance with LBC standards or LEED Silver, Gold or Platinum standards, as defined by the U.S. Green Building Council, and (E) if a remodeled structure is a structure of historical or architectural significance as designated by the City, state or federal government, that the appropriateness of the remodeling has been certified in writing by the appropriate agency. If the required verification is made, the Housing Officer will forward the exemption application to the Hamilton County Auditor with the necessary certification by the Housing Officer. Subject to the conditions set forth in this Agreement, the exemption commences the first tax year for which the Improvements would first be taxable were the Improvements not exempted from taxation. The dates provided in this paragraph refer to tax years in which the subject property is assessed, as opposed to years in which taxes are billed. No exemption shall commence after tax year 2027 nor extend beyond the earlier of (i) tax year 2041 or (ii) the end of the fifteenth (15th) year of exemption.

Section 3. Use; Maintenance; Inspections. The Company shall use the Property solely for the purposes described in Section 1 hereof and shall properly maintain and repair the Property throughout the period of tax exemption authorized herein. The Company authorizes the Housing Officer, or the Housing Officer's designees, to enter upon the Property as reasonably required to perform property inspections in accordance with Ohio Revised Code Section 3735.68.

Section 4. Compliance with Board of Education Agreement. As a condition of the tax exemption authorized under this Agreement, the Company agrees to enter into and comply with its obligation under the Board of Education Agreement.

Section 5. Duty of Company to Pay Taxes. As required by Ohio Revised Code Section 3735.671(B)(3), the Company shall pay such real property taxes as are not exempted under this Agreement and are charged against the Property and shall file all tax reports and returns as required by law. If the Company fails to pay such taxes or file such returns and reports, exemptions from taxation granted or authorized under this Agreement are rescinded beginning with the year for which such taxes are charged or such reports or returns are required to be filed and continuing thereafter.

Section 6. Company Certifications Regarding Non-Delinquency of Tax Obligations. As required by Ohio Revised Code Section 3735.671(B)(4), the Company certifies that at the time this Agreement is executed, the Company does not owe any delinquent real or tangible personal property taxes to any taxing authority of the State, and does not owe delinquent taxes for which the Company is liable under Ohio Revised Code Chapters 5735, 5739, 5741, 5743, 5747 or 5753, or if such delinquent taxes are owed, the Company currently is paying the delinquent taxes pursuant to an undertaking enforceable by the State or an agent or instrumentality thereof, has filed a petition in bankruptcy under 11 U.S.C. §101, et seq., or such a petition has been filed against the Company. For the purposes of this certification, delinquent taxes are taxes that remain unpaid on the latest day prescribed for payment without penalty under the chapter of the Ohio Revised Code governing payment of those taxes.

Section 7. Covenant of Satisfaction of Tax and Other Obligations. In accordance with Ohio Revised Code Section 9.66, (A) the Company affirmatively covenants that it does not owe: (i) any delinquent taxes to the State or to a political subdivision of the State; (ii) any moneys to the State or a State agency for the administration or enforcement of any environmental laws of the State; or (iii) any other moneys to the State, a State agency or a political subdivision of the State that are past due, regardless of whether the amounts owed are being contested in a court of law or not; (B) the Company

authorizes the City and/or the State to inspect the personal financial statements of the Company, including tax records and other similar information not ordinarily open to public inspection; and (C) the Company authorizes the Ohio Environmental Protection Agency and the Ohio Department of Taxation to release information to the City and or other State departments in connection with the above statements. As provided by statute, a knowingly false statement under this section may be prosecuted as a first degree misdemeanor under Ohio Revised Code Section 2921.13, may render the Company ineligible for any future economic development assistance from the State or any political subdivision of the State, and will result in the City requiring the Company's repayment of any assistance provided by the City in connection with the Project.

Section 8. City Cooperation. As required by Ohio Revised Code Section 3735.671(C)(4), upon specific request from the Company, the City shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve and maintain exemptions from taxation granted under this Agreement including, without limitation, joining in the execution of all documentation and providing any necessary certificates required in connection with such exemptions.

Section 9. Continuation of Exemptions. As provided in Ohio Revised Code Section 3735.671(B)(7), if for any reason the City revokes the designation of the City of Cincinnati as a Community Reinvestment Area, entitlements granted under this Agreement shall continue for the number of years specified under this Agreement, unless the Company materially fails to fulfill its obligations under this Agreement and the City terminates or modifies the exemptions from taxation authorized pursuant to this Agreement.

Section 10. City Not Liable. The Company acknowledges that the exemption authorized in this Agreement is subject to approval and implementation by the appropriate state and/or county taxing authorities. The Company acknowledges that the City does not give any guarantee or assurance that the exemption approved in this Agreement will be so approved, and the Company agrees that in no event shall the Company seek to hold the City liable in any way in the event such exemption is not granted or implemented.

Section 11. Small Business Enterprise Program.

A. Compliance with Small Business Enterprise Program. The policy of the City is that a fair share of contracts be awarded to Small Business Enterprises (as such term is defined in Cincinnati Municipal Code ("CMC") Section 323-1-S, "SBEs"). Pursuant to CMC Section 323-11, the City's annual goal for SBE participation shall be thirty percent (30%) of the City's total dollars spent for construction (as such term is defined in CMC Section 323-1-C4), supplies (as such term is defined in CMC Section 323-1-S5), services (as such term is defined in CMC Section 323-1-S) and professional services (as such term is defined in CMC Section 323-1-P2). Accordingly, the Company shall use its best efforts and take affirmative steps to achieve the City's goal of voluntarily meeting thirty percent (30%) SBE participation. A list of SBEs may be obtained from the City's Department of Economic Inclusion. The Company may refer interested firms to the City's Department of Economic Inclusion for review and possible certification as an SBE. The Company shall comply with the provisions of CMC Chapter 323, including without limitation taking at least the following affirmative steps:

- (i) Including qualified SBEs on solicitation lists.
- (ii) Assuring that SBEs are solicited whenever they are potential sources.

The Company must advertise, on at least two separate occasions, both in local minority publications and in other local newspapers of general circulation, invitations to SBEs to provide services, to supply materials, or to bid on construction contracts, as applicable.

(iii) When economically feasible, dividing total requirements into small tasks or quantities so as to permit maximum SBE participation.

(iv) If any subcontracts are to be let, the Company shall require the prime contractor (if different from the Company) to take the above affirmative steps.

(v) Prior to the commencement of work under any subcontracts, the Company shall provide to the City a list of such subcontractors, including information as

to the dollar amount of the subcontracts and such other information as may be requested by the City. The Company shall update the report monthly.

(vi) The Company shall periodically document its best efforts and affirmative steps to meet the above SBE participation goals by submitting such information as may be requested from time to time by the City.

B. Remedies for Noncompliance with Small Business Enterprise Program. Failure of the Company or its contractors and subcontractors to take the affirmative steps specified above, to provide fair and equal opportunity to SBEs, or to provide technical assistance to SBEs as may be necessary to reach SBE participation as set out in CMC Chapter 323 may be construed by the City as failure of the Company to use its best efforts, and, in addition to other remedies under this Agreement, may be a cause for the City to file suit in Common Pleas Court to enforce specific performance of the terms of this Section. The provisions of CMC Section 323-99 are hereby incorporated by reference into this Agreement.

Section 12. Jobs. The Company represents that, as of the date of the execution of this Agreement, the Company has no existing employment at the Property or in the State.

Section 13. Job Creation and Retention.

A. Jobs to be Created by Company. The Company agrees to use its best efforts to create (i) 3 full-time permanent jobs, and (ii) 15 full-time temporary construction jobs, at the Property in connection with the Project. In the case of the construction jobs, the job creation and retention period shall be concurrent with remodeling, and in the case of the other jobs described herein, the job creation period shall begin upon completion of remodeling and shall end three (3) years thereafter.

B. Company's Estimated Payroll Increase. The Company's increase in the number of employees will result in approximately (i) \$87,500 of additional annual payroll with respect to the full-time permanent jobs, and (ii) \$1,298,813 of additional annual payroll prior to the completion of the Project with respect to the full-time temporary construction jobs.

C. Community Reinvestment Area Employment. The Company shall (i) adopt hiring practices to ensure that at least twenty-five percent (25%) of the new employees shall be residents of the City of Cincinnati and (ii) give preference to residents of the City relative to residents of the State who do not reside in the City when hiring new employees under this Agreement.

D. Posting Available Employment Opportunities. To the extent allowable by law, the Company shall use its best efforts to post available employment opportunities within the Company's organization or the organization of any subcontractor working with the Company with the Ohio Means Jobs Center, 1916 Central Parkway, Cincinnati, Ohio 45214-2305, through its Employer Services Unit Manager at 513-746-7200.

Section 14. Equal Employment Opportunity. This Agreement is subject to the City's Equal Employment Opportunity Program contained in CMC Chapter 325. The Equal Employment Opportunity Clause in CMC Section 325-9 is incorporated by reference in this Agreement. The term "Company" is substituted for "Contractor" throughout CMC Section 325-9 in the context of this Agreement.

Section 15. Compliance with Immigration and Nationality Act. In the performance of its obligations under this Agreement, the Company agrees to comply with the provisions of the Immigration and Nationality Act codified at 8 U.S.C. §§ 1324a(a)(1)(A) and (a)(2). Any noncompliance with such provisions shall be solely determined by either the federal agencies authorized to enforce the Immigration and Nationality Act or the U.S. Attorney General, in accordance with Executive Order 12989 of the U.S. President dated February 13, 1996, and as amended by Executive Order 13465 of the U.S. President dated June 6, 2008.

Section 16. Default. As provided in Ohio Revised Code Section 3735.671(B)(7), if the Company materially fails to fulfill its obligations under this Agreement, or if the City determines that the certification as to delinquent taxes required by this Agreement (Section 6 hereof) or the covenant of satisfaction of tax and other obligations (Section 7 hereof) is fraudulent, the City may terminate or modify the exemptions from taxation granted or authorized under this Agreement and may require the repayment by the Company of the amount of taxes that would have been payable had the Improvements not been exempted from taxation pursuant to this Agreement. A modification of exemption may be in the form of reduction in the number of years that eligible property is exempt and/or a reduction in the exemption percentage. The City shall provide written notice to the Company prior to finding the Company in default under this section. The notice shall provide the Company with not less than thirty (30) days to cure the default prior to City termination or modification of the exemptions under this Agreement. The City may extend the cure period as reasonably necessary under the circumstances. In the event of such termination or modification, the City is authorized to so notify the appropriate taxing authorities in order to effect the termination or modification. If repayment of previously exempt taxes is required by the City under this Section, such amount shall be paid as directed by the City within thirty (30) days of written demand. The City may secure repayment of such taxes by a lien on the Property in the amount required to be repaid. Such a lien shall attach, and may be perfected, collected, and enforced, in the same manner as a mortgage lien on real property, and shall otherwise have the same force and effect as a mortgage lien on real property. Amounts due and not paid when due under this Section 16 shall bear interest at the rate specified in Ohio Revised Code Section 1343.03(A) (as in effect on the date of the City's payment demand).

Section 17. Annual Review and Report. As required by Ohio Revised Code Sections 3735.671(B)(5) and 5709.85, the Company shall provide to the City's Tax Incentive Review Council (or to the City Manager if so requested by the City) any information reasonably required by the Council or the City Manager to evaluate the Company's compliance with this Agreement, including returns filed pursuant to Ohio Revised Code Section 5711.02 if requested by the Council or City Manager. The performance of the Company's obligations stated in this Agreement shall be subject to annual review by the City's Tax Incentive Review Council (the "Annual Review and Report"). The Company shall submit information for the Annual Review and Report to the City no later than March 1 of each year.

Section 18. Revocation.

A. Generally. Pursuant to Ohio Revised Code Section 3735.68, the housing officer shall make annual inspections of the properties within the community reinvestment area upon which are located structures or remodeling for which an exemption has been granted under Ohio Revised Code Section 3735.67. If the housing officer finds that the property has not been properly maintained or repaired due to the neglect of the Company, the housing officer may revoke the exemption at any time after the first year of exemption. If the Company has materially failed to fulfill its obligations under this Agreement, or if the owner is determined to have violated division (E) of that section (see Section 18(B) of this Agreement), City Council, subject to the terms of the agreement, may revoke the exemption at any time after the first year of exemption. The housing officer or City Council shall notify the county auditor and the Company that the tax exemption no longer applies. If the housing officer or legislative authority revokes a tax exemption, the housing officer shall send a report of the revocation to the community reinvestment area housing council and to the tax incentive review council established pursuant to section 3735.69 or 5709.85 of the Revised Code, containing a statement of the findings as to the maintenance and repair of the property, failure to fulfill obligations under the written agreement, or violation of division (E) of Ohio Revised Code Section 3735.671, and the reason for revoking the exemption.

B. Prior Statutory Violations. The Company represents and warrants to the City that it is not prohibited by Ohio Revised Code Section 3735.671(C) from entering into this Agreement. As required by Ohio Revised Code Section 3735.671(B)(7), exemptions from taxation granted or authorized under this Agreement shall be revoked if it is determined that the Company, any

successor to the Company or any related member (as those terms are defined in division (C) of Ohio Revised Code Section 3735.671) has violated the prohibition against entering into this Agreement under division (C) of Ohio Revised Code Section 3735.671 or under Ohio Revised Code Sections 5709.62, 5709.63, or 5709.632 prior to the time prescribed by that division or either of those sections.

Section 19. False Statements; Penalties; Material Representations.

A. Generally. As required in connection with Ohio Revised Code Section 9.66(C), the Company affirmatively covenants that it has made no false statements to the State or the City in the process of obtaining approval for this Agreement. If any representative of the Company has knowingly made a false statement to the State or the City to obtain approval for this Agreement, or if the Company fails to provide any information expressly required under the Application, the Company shall be required to immediately return all benefits received under this Agreement (by payment of the amount of taxes exempted hereunder, paid as directed by the City within thirty (30) days of written demand) and the Company shall be ineligible for any future economic development assistance from the State, any State agency or any political subdivision of the State pursuant to Ohio Revised Code Section 9.66(C)(1). Amounts due and not paid under this Section 19 shall bear interest at the rate of twelve percent (12%) per year. Any person who provides a false statement to secure economic development assistance (as defined in Ohio Revised Code Section 9.66) may be guilty of falsification, a misdemeanor of the first degree, pursuant to Ohio Revised Code Section 2921.13(F)(1), which is punishable by fine of not more than One Thousand Dollars (\$1,000) and/or a term of imprisonment of not more than six (6) months.

B. Material Representations – Board of Education Agreement and VTICA. The Parties acknowledge and agree that a material failure by the Company to comply with its representations concerning the Board of Education Agreement or VTICA Contribution shall constitute an event of default for purposes of Section 16 (Default) and the basis for revocation under Section 18 (Revocation). Subject to the terms of the VTICA, if the VTICA is unenforceable for reasons of infeasibility or otherwise, the Company shall enter into alternative arrangements providing for the economic equivalent of the VTICA Contribution in order to support the streetcar. Such arrangements may include, but are not limited to, providing for the economic equivalent of the VTICA Contribution through formation of a special improvement district. For purposes of this Section 19.B, alternative arrangements must result in services substantially similar to those that would have been supported through the VTICA and at a value that is the economic equivalent of the VTICA Contribution, which value shall not be required to exceed the VTICA Contribution amount that would have been payable by the Company. Any determination of infeasibility or mechanism for providing alternative arrangements is subject to approval by the City at its sole discretion. Nothing in this Section 19.B shall operate to limit the City's enforcement authority under this Agreement including, without limitation, Section 16, Section 18, and Section 19.A.

Section 20. Conflict of Interest. The Company covenants that, to the Company's knowledge, no employee of the City has any personal interest, direct or indirect, in any matters pertaining to the Project, and the Company agrees to take appropriate steps to prevent any employee of the City from obtaining any such interest throughout the term of this Agreement.

Section 21. Annual Fee. The Company shall pay an annual fee of Five Hundred Dollars (\$500) or one percent (1%) of the annual taxes exempted under this Agreement, whichever is greater, but not to exceed Two Thousand, Five Hundred Dollars (\$2,500) per annum. This fee is due with submission of the information for Annual Review and Report by March 1 of each year.

Section 22. Discontinued Operations. As provided in Ohio Revised Code Section 3735.671(C), if, prior to the expiration of the term of this Agreement, the Company discontinues operations at the Project so that the Property is no longer being used for the purposes described in Section 1 hereof, then the Company, its successors, and any related member shall not enter into an agreement under Ohio Revised Code Sections 3735.671, 5709.62, 5709.63 or 5709.632, and no

legislative authority shall enter into such an agreement with the Company, its successors or any related member prior to the expiration of three (3) years after the discontinuation of operations. As used in this Section 22, "successors" and "related member" shall have the meanings set forth in Ohio Revised Code Section 3735.671(C).

Section 23. Notices. Unless otherwise specified herein, each party shall address written notices, demands and communications in connection with this Agreement to the other party as follows (or to such other address as is communicated in accordance with this Section):

To the City:

City of Cincinnati
Attention: Director of the Department of Community and Economic Development
Centennial Plaza Two, Suite 700
805 Central Avenue
Cincinnati, Ohio 45202

To the Company:

Cincinnati Curated LLC
Attention: Melissa Brown Jones
855 Matz Court
Union, Kentucky 41091

If the Company sends a notice to the City alleging that the City is in default under this Agreement, the Company shall simultaneously send a copy of such notice to: City Solicitor, City of Cincinnati, 801 Plum Street, Room 214, Cincinnati, OH 45202.

Section 24. Acknowledgment of City Participation. The Company agrees to acknowledge the support of the City on construction signs, project and exhibition signage, and any publicity such as that appearing on the internet, television, cable television, radio, or in the press or any other printed media. In identifying the City as a Project partner, the Company shall use either the phrase "Project Assistance by the City of Cincinnati" or a City of Cincinnati logotype or other form of acknowledgement that has been approved in advance in writing by the City.

Section 25. Entire Agreement. This Agreement and the Exhibits attached hereto constitute the entire agreement between the City and the Company with respect to the subject matter herein, superseding any prior or contemporaneous agreement with respect thereto.

Section 26. Governing Law. This Agreement is entered into and is to be performed in the State. The City and the Company agree that the law of the State of Ohio shall govern the rights, obligations, duties and liabilities of the parties to this Agreement and shall govern the interpretation of this Agreement.

Section 27. Waiver. The City's waiver of any breach by the Company of any provision of this Agreement shall not constitute or operate as a waiver by the City of any other breach of such provision or of any other provisions, nor shall any failure or delay by the City to enforce any provision hereof operate as a waiver of such provision or of any other provision.

Section 28. Severability. This Agreement shall be severable; if any part or parts of this Agreement shall for any reason be held invalid or unenforceable by a court of competent jurisdiction, all remaining parts shall remain binding and in full force and effect.

Section 29. Amendment. This Agreement may be modified or amended only by a written agreement duly executed by the parties hereto or their representatives.

Section 30. Non-Assignment. As required by Ohio Revised Code Section 3735.671(B)(6), this Agreement is not transferable or assignable by the Company without the express written approval of the City Manager of the City. If the Company has entered into a Board of Education Agreement or VTICA in connection with the Property, the City shall not approve the assignment of this Agreement unless the assignee has assumed the Company's remaining obligations under the Board of Education Agreement and VTICA, as applicable. Failure to assign or otherwise perform the Company's obligations under the Board of Education Agreement or VTICA upon transfer of the Property during the term of the tax abatement authorized by this Agreement shall be basis for revocation of the tax exemption under Section 18.

Section 31. Recording. At its election, the City may record this Agreement at the City's expense in the Hamilton County Recorder's Office.

Section 32. Legislative Action Required. As provided in Ohio Revised Code Section 3735.671, the Company and the City acknowledge that this Agreement must be approved by formal action of the City Council of the City as a condition for this Agreement to take effect. Notwithstanding anything to the contrary herein, this Agreement shall take effect after the later of the date of such approval or the final date of execution of this Agreement by all parties.

Section 33. Additional Representations and Warranties of Company. The Company represents and warrants that (a) it is duly organized and existing and it has full power and authority to take, and has taken, all action necessary to execute and deliver this Agreement and any other documents required or permitted to be executed or delivered by it in connection with this Agreement, and to fulfill its obligations hereunder; (b) no notices to, or consents, authorizations or approvals of, any person are required (other than any already given or obtained) for its due execution, delivery and performance of this Agreement; and (c) this Agreement has been duly executed and delivered by it and constitutes the legal, valid and binding obligation of the Company.

Section 34. Certification as to Non-Debarment. The Company represents that neither it nor any of its principals is presently debarred by any federal, state, or local government agency. In completing the Project, the Company shall not solicit bids from any contractors or subcontractors who are identified as being debarred by any federal, state, or local government agency. If the Company or any of its principals becomes debarred by any federal, state, or local government agency during the term of this Agreement, the company shall be considered in default under this Agreement.

Section 35. Appeals. Pursuant to Ohio Revised Code Section 3735.70, a person aggrieved under the Statute or this Agreement may appeal to the community reinvestment area housing council, which shall have the authority to overrule any decision of a housing officer. Appeals may be taken from a decision of the council to the court of common pleas of the county where the area is located.

Section 36. Wage Enforcement.

(i) Applicability. Council passed Ordinance No. 22-2016 on February 3, 2016, which ordained Chapter 326 (Wage Enforcement) of the Cincinnati Municipal Code (the "Wage Enforcement Chapter"). The Wage Enforcement Chapter was then amended by Ordinance No. 96-2017, passed May 17, 2017. As amended, the Wage Enforcement Chapter imposes certain requirements upon persons entering into agreements with the City whereby the City provides an incentive or benefit that is projected to exceed \$25,000, as described more particularly in the Wage Enforcement Chapter. Cincinnati Municipal Code Section 326-5 requires that the language below be included in contracts subject to the Wage Enforcement Chapter.

(ii) Required Contractual Language. Capitalized terms used, but not defined, in this clause (ii) have the meanings ascribed thereto in the Wage Enforcement Chapter.

(a) This contract is or may be subject to the Wage Enforcement provisions of the Cincinnati Municipal Code. These provisions require that any Person who has an Agreement with

the city or with a Contractor or Subcontractor of that Person shall report all Complaints or Adverse Determinations of Wage Theft and Payroll Fraud (as each of those terms is defined in Chapter 326 of the Cincinnati Municipal Code) against the Contractor or Subcontractors to the Department of Economic Inclusion within 30 days of notification of the Complaint or Adverse Determination.

(b) If this contract is subject to the Wage Enforcement provisions of Chapter 326 of the Cincinnati Municipal Code, the Person entering into this contract is required to include provisions in solicitations and contracts regarding a Development Site that all employers, Contractors or Subcontractors performing or proposing to perform work on a Development Site provide an initial sworn and notarized "Affidavit Regarding Wage Theft and Payroll Fraud" on a form prescribed by the city manager or his or her designee and, within 30 days of an Adverse Determination or Complaint of Wage Theft or Payroll Fraud, shall provide an "Amended Affidavit Regarding Wage Theft and Payroll Fraud" on a form prescribed by the city manager or his or her designee.

(c) If this contract is subject to the Wage Enforcement provisions of Chapter 326 of the Cincinnati Municipal Code, the Person entering into this contract is required to authorize, and does hereby specifically authorize, any local, state or federal agency, court, administrative body or other entity investigating a complaint of Wage Theft or Payroll Fraud against the Person (collectively "investigative bodies") to release to the City's Department of Economic Inclusion any and all evidence, findings, complaints and determinations associated with the allegations of Wage Theft or Payroll Fraud upon the City's request and further authorizes such investigative bodies to keep the City advised regarding the status of the investigation and ultimate determination. If the investigative bodies require the Person to provide additional authorization on a prescribed form or in another manner, the Person shall be required to provide such additional authorization within 14 days of a request by the City.

(d) If this Agreement is subject to the Wage Enforcement provisions of Chapter 326 of the Cincinnati Municipal Code, the Person entering into this Agreement shall include in its contracts with all Contractors language that requires the Contractors to provide the authorizations set forth in subsection (c) above and that further requires each Contractor to include in its contracts with Subcontractors those same obligations for each Subcontractor and each lower tier subcontractor.

(e) If this Agreement is subject to the Wage Enforcement provisions of Chapter 326 of the Cincinnati Municipal Code, the Person entering into this Agreement shall post a conspicuous notice on the Development Site throughout the entire period work is being performed pursuant to the Agreement indicating that the work being performed is subject to Cincinnati Municipal Code Chapter 326, Wage Enforcement, as administered by the City of Cincinnati Department of Economic Inclusion. Such notice shall include contact information for the Department of Economic Inclusion as provided by the department.

(f) Under the Wage Enforcement provisions, the City shall have the authority, under appropriate circumstances, to terminate this contract or to reduce the incentives or subsidies to be provided under this contract and to seek other remedies, including debarment.

Section 37. Legal Requirements. In completing and operating the Project, the Company shall comply with all applicable statutes, ordinances, regulations, and rules of the government of the United States, State of Ohio, County of Hamilton, and City of Cincinnati.

Section 38. Counterparts and Electronic Signatures. This Agreement may be executed by the parties hereto in two or more counterparts and each executed counterpart shall be considered an original but all of which together shall constitute one and the same instrument. This Agreement may be executed and delivered by electronic signature; any original signatures that are initially delivered electronically shall be physically delivered as soon as reasonably possible.

Remainder of this page intentionally left blank. Signature page follows.

Executed by the parties on the dates indicated below, effective as of the later of such dates (the "Effective Date").

CITY OF CINCINNATI,
an Ohio municipal corporation

CINCINNATI CURATED LLC,
an Ohio limited liability company

By: _____
Sheryl M. M. Long, City Manager

By: _____

Date: _____, 2024

Printed Name: _____

Title: _____

Date: _____, 2024

Authorized by resolution dated _____

Approved as to Form:

Assistant City Solicitor

Certified Date: _____

Fund/Code: _____

Amount: _____

By: _____
Karen Alder, City Finance Director

Exhibit A to CRA Agreement

LEGAL DESCRIPTION OF PROPERTY

Property Address: 34 W. Court Street, Cincinnati, Ohio 45202

Auditor's Parcel ID: 076-0002-0132-00

Situate in the City of Cincinnati, Hamilton County, Ohio, to-wit: The east one-half (1/2) of Lot No. Twenty-three (23) in Square 7 of Piatt & Grandin's Subdivision, plat of which is recorded in Deed Book 22, page 113 in the Recorder's Office of Hamilton County, Ohio. Said east half of Lot No. Twenty-three being seventeen (17) feet in front on the north side of Court Street between Vine and Race Streets and extending back northwardly between parallel lines the same width in rear as in front one hundred and twenty-four (124) feet to an alley.

Exhibit B to CRA Agreement

APPLICATION FOR TAX EXEMPTION



APPLICATION FOR COMMERCIAL TAX ABATEMENT

CITY OF CINCINNATI COMMUNITY REINVESTMENT AREA

COMMERCIAL, INDUSTRIAL, MIXED-USE, MULTI-UNIT (5+ UNITS)

Note: After review and recommendation by the Department of Community & Economic Development, all applications must be reviewed and approved by the City of Cincinnati Council before commencing construction. Any projects that start construction before City Council approval will be **INELIGIBLE** for a Commercial CRA Tax Abatement.

SECTION I – Applicant/Project Information

Applicant Information:

Legal Name of Property Owner Applying for Abatement: Melissa Brown Jones

Form of business enterprise Cincinnati Curated LLC (corporation, partnership, proprietorship, LLC, non-profit, or other)

Is the Applicant affiliated with a larger developer or development entity? (Yes / No) If Yes, please provide the name of this developer or development entity: _____

Legal Address of real property owner: 855 Matz Ct. Union, KY 41091

Federal Tax ID #(s): 87-1969224

Applicant Contact Person: Melissa Brown Jones Title: Owner

Phone: 214-315-7932 Main Contact email address: brownmk1@gmail.com

Address of subject property 34 W. Court Street Cincinnati Zip: 45202

Hamilton County Auditor Parcel ID#: 076 - 0002 - 0132-00 (attach a page listing all parcels and addresses if more than one parcel)

City of Cincinnati Neighborhood: Court Street Historic District (Central Business)

Is any other financial assistance being requested from the City of Cincinnati for this project? Yes No

If yes, please indicate the Development Analyst with whom you are working:

n/a

Space/Units to be constructed/renovated:

Construction Type: New Construction Renovation
 What percentage of the existing structure is currently occupied: 0 %

Total sqft/units to be constructed/renovated:
 Commercial: 629 (sqft) Office: _____ (sqft) Industrial: 1,421 (sqft) *basement (eventually)*
 Residential: 5,566 (sqft) Residential: ~~5,566~~ 5 (# of units)

<p>Project Type:</p> <p><input type="checkbox"/> Commercial (Retail, Office etc)</p> <p><input type="checkbox"/> Industrial</p> <p><input type="checkbox"/> Multi-Unit Residential (5 or more units)</p> <p><input checked="" type="checkbox"/> Mixed-Use (Residential & Commercial)</p> <p>Describe the break down in use in SF below:</p> <p><u>101 - 629 SF (storefront) 102 - 751 SF</u> <u>201 - 519 SF (studio apt.) 202 - 779 SF</u> <i>1-bed</i> <u>301 - 2,717 SF (family apt.) 302 - 792 SF</u> <i>apts.</i></p>	<p>Please indicate if the project intends to meet Leadership in Energy and Environmental Design (LEED) levels as defined by the U.S. Green Building Council (www.usgbc.org).</p> <p><input type="checkbox"/> Project is <u>not</u> LEED-certified</p> <p><input checked="" type="checkbox"/> LEED Silver</p> <p><input type="checkbox"/> LEED Gold</p> <p><input type="checkbox"/> LEED Platinum</p> <p>Please indicate if the project will be qualified under the Living Building Challenge program (http://living-future.org/lbc):</p> <p><input checked="" type="checkbox"/> Project is <u>not</u> LBC qualified</p> <p><input type="checkbox"/> LBC Full</p> <p><input type="checkbox"/> LBC Net Zero</p> <p><input type="checkbox"/> LBC Petal (requires "Energy Petal")</p> <p><i>hope to be in future</i></p>
<p>If approved for an abatement, does the Applicant intend to enter into a Voluntary Tax Incentive Contribution Agreement (VTICA)?</p> <p><input checked="" type="radio"/> Yes <u>15</u> % <input type="radio"/> No</p> <p>(A VTICA is an agreement with a third-party non-profit designated by the City in which the Applicant would contribute a portion of the abated taxes to support neighborhood-based projects and services as well as City-wide affordable housing initiatives [note that VTICAs in the vicinity of the Streetcar are used to support streetcar operations]. As indicated the applicable City legislation & policies as this is a significant factor in determining the terms of the abatement.)</p>	

General Project Information:

Project Name (of Applicable): 34 West Court Street

Description of the project:
Please see attached letter.

Please provide a brief description of the applicant's development experience:
See attached

Please state why this project deserves a tax exemption from the City of Cincinnati and what benefits the project will bring to the neighborhood where it is located:
See attached

If Commercial or Industrial, state the nature of commercial/industrial activity (manufacturing, warehousing, wholesale or retail stores, or other) to be conducted at the site: _____

Please detail the project's planned community engagement (link for community council boundaries):
See attached

SECTION II – Job Creation/Retention

Job Creation and Retention:
 The Company will agree to use its best efforts to retain and/or create at least the following estimated number of employee positions at the Property in connection with the Project, in accordance with the specified schedule, and to maintain the minimum employment levels throughout the period of the incentive. The Job numbers below are to be listed in Full Time Equivalent (FTE) positions. FTEs are calculated by the number of total hours worked divided by the maximum number of compensable hours for a full-time work schedule (40hrs/week).

Existing positions at the site of the company to be retained:
 Full-Time Equivalent 0 employees; total annual payroll \$ _____

Will the project involve relocation of positions from another company location in the State of Ohio to the City of Cincinnati? Yes No

Existing positions at other company locations in Ohio to be relocated:

Address of Other Location(s): _____
 Full-Time Equivalent _____ employees; total annual payroll \$ _____

Address of Other Location(s): _____
 Full-Time Equivalent _____ employees; total annual payroll \$ _____

*Please attach additional sheets if other locations exceed spaces provided above.

M. Jones

Will the project involve relocation of positions from another company location outside of the State of Ohio to the City of Cincinnati? No

Existing positions at other company locations outside of the State of Ohio:

Address of Other Location: _____
Full-Time Equivalent _____ employees; total annual payroll \$ _____
Address of Other Location: _____
Full-Time Equivalent _____ employees; total annual payroll \$ _____
Address of Other Location: _____
Full-Time Equivalent _____ employees; total annual payroll \$ _____

*Please attach additional sheets if other locations exceed spaces provided above.

Estimate the number of **new employees** the property owner will cause to be created at the facility that comprises the project site within **three years**. Job creation projection must be itemized by the name of the employer (add an additional page if more than one employer). FTEs are calculated by the number of total hours worked divided by the maximum number of compensable hours for a full-time work schedule (40hrs/week):

Full-Time Equivalent 3 employees (Total); total annual payroll \$ 87,500
During the first twelve months of the agreement: _____ positions
During the second twelve months of the agreement: _____ additional positions
During the third twelve months of the agreement: _____ additional positions

Temporary Construction 15 jobs; total annual payroll \$ 1,298,813
Length of Construction Period: 12 months

In addition to the Full Time Equivalent positions listed above, are there any part time jobs and associated payroll? If so, please provide, as well as a description of the positions:

Please provide a brief description of the Job Creation that is associated with this Project (types of jobs; e.g. fabrication, warehousing, sales, operations, management, technical, retail, etc.):

architectural, construction, professional services, retail, security cleaning and maintenance

Note to Applicant: Ohio Revised Code Section 3735.673 requires the City formally to notify each county or corporation from which the company intends to relocate, and the Ohio Development, prior to approval of a tax exemption agreement. This notification must be sent prior to consideration of the exemption by Cincinnati City Council.

SECTION III – Project Investment

Real Estate Investment:

Indicate the estimated cost of the construction or remodeling: \$ ~~845,456~~
Estimated total cost of the project (including soft costs & acquisition): \$ 1,351,436
Estimated Project start date: March 2024 Estimated Project completion date: September 2026
Current Auditor's value of property (aggregate value of all parcels involved): 285,000
Estimated post-construction value of property: 743,951
(Please provide appraisal or other method for determining post-construction value of the property)

Other Investment * *will email spreadsheet*

Investment in Machinery & Equipment (M&E) at the Property: \$ _____

Investment in Furniture, Fixtures, and Equipment (FF&E) at the Property: \$ _____

Other Investment: \$ _____

Description of Other Investment: _____

SECTION IV – Applicant Certifications

Does the property owner owe:

1. Any delinquent taxes to the State of Ohio, the City of Cincinnati or another political subdivision of the State? YES NO
2. Any moneys to the State of a state agency for the administration or enforcement of any environmental laws of the State? YES NO
3. Any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not? YES NO

If the applicant responds yes to any of the three above questions, please provide details of each instance including but not limited to the location, amounts, and/or case identification numbers (please submit additional sheets for response).

The Applicant authorizes the City and/or the Ohio Department of Development to inspect the personal financial statements of the Applicant, including but not limited to tax records and other similar information not ordinarily open to public inspection; and authorizes the Ohio Environmental Protection Agency and the Ohio Department of Taxation to release information to the City and/or the Ohio Department of Development in connection with the above statements.

Note: The above statements as to taxes and other obligations, and authorization to inspect, are required by Ohio Revised Code Section 9.66 (C) (1), As provided by statute, a knowingly false statement under this paragraph may be prosecuted as a first degree misdemeanor under Ohio Revised Code 2921.13 (D) and may render the Applicant ineligible for any future economic development assistance from the state or any political subdivision.

Please initial that you have read the above. X ABJ

Project Completion:

Once the project is complete, the Applicant is required to submit a CRA Completion Application Form along with required documentation noted therein. It is the Applicant's responsibility to submit this completed form to the City of Cincinnati to ensure the tax abatement will be initiated by the Hamilton County Auditor.

Please initial that you have read the above statement and understand that the abatement will not be considered by the Hamilton County Auditor's Office until the CRA Completion Application Form is complete and submitted.

X ABJ

Additional Certifications by Applicant:

- The Applicant acknowledges that the property is **Not Eligible** for tax exemption if construction activities are commenced prior to the execution of a Community Reinvestment Area Tax Exemption Agreement between the Applicant and the City. No agreement may be executed by the City without prior approval by Cincinnati City Council.
- The Applicant acknowledges that if the application is approved by Cincinnati City Council, a \$750.00 application fee payable to "Treasurer, State of Ohio" will be due. Applicant must submit this fee to the City's Department of Community & Economic Development upon approval by Cincinnati City Council.
- The Applicant acknowledges that a Payment In Lieu of Taxes (PILOT) agreement in the amount of 33% of the annual value of the exemption with Cincinnati Board of Education will be required. The form of this PILOT agreement is available upon request.
- The Applicant acknowledges that if one of the City's considerations for granting a tax exemption is the applicant's representation that it will enter into a VTICA, then the failure by the Applicant to do so is considered grounds for the City of Cincinnati to terminate the tax exemption granted to the Applicant.
- The Applicant acknowledges that all tax exemptions must submit an Annual Report on or before March 31 of each year. This report must be submitted for each year of the tax exemption agreement including during the construction period.
- The Applicant acknowledges that all tax exemptions will be subject to an annual monitoring fee of 1% of the annual taxes exempted under the agreement or \$500, whichever is greater; no City annual fee will be greater than \$2,500 per year. This annual monitoring fee must be submitted with each Annual Report.
- The Applicant acknowledges that to be eligible for tax exemption by the City of Cincinnati, the subject property must be located within the City of Cincinnati.
- The Applicant acknowledges that exemption values are determined by the Hamilton County Auditor's Office.
- The Applicant acknowledges that the City of Cincinnati may revoke the tax exemption any time after the first year if the property has building code violations or is delinquent on the property taxes.
- The Applicant acknowledges that the City of Cincinnati Council may rescind or alter the Ordinance granting tax exemptions.
- The Applicant agrees to supply additional information upon request.

Please initial that you have read the above. X MBJ

RECEIVED
MAR 24 2023
COMMUNITY & ECONOMIC DEVELOPMENT

Prior Agreement. Applicant represents and warrants that neither Applicant, nor any "predecessor" or "related member" is a party to another agreement granting tax exemption relating to a structure in this state at which the Applicant (or the predecessor or related member) has discontinued or intends to discontinue operations prior to the expiration of the term of that agreement. (Note: This information is required by Ohio Revised Code 3735.671 (E). As used herein "predecessor" means a person or entity that has transferred assets or equity to Applicant, which transfer resulted in the full or partial non-recognition of gain or loss, or resulted in a carryover basis, both as determined by rule adopted by the Ohio Tax Commissioner; and "related member" has the same meaning as defined in Ohio Revised Code 5733.042 without regard to division (B) of that section.)

Please initial that you have read the above. X MBJ

I declare under the penalties of falsification that this application, including all enclosed documents and statements, has been examined by me, and to the best of my knowledge and belief is true, correct, and complete.

Melissa Brown Jones
Signature of Applicant

21 March 2023
Date

Melissa Brown Jones
Printed Name

Owner, Cincinnati Curated LLC
Title (if signed as officer)

Please complete this application in its entirety and submit to the Department of Community & Economic Development along with required supporting documentation. Please make and retain a copy of this application for your records. Please allow 4 weeks for the Department of Community & Economic Development to review and follow-up on this application.

Send Completed Application to:

City of Cincinnati
Department of Community & Economic Development
805 Central Avenue, Suite 710
Cincinnati, Ohio 45202
Attention: Commercial Tax Abatement Application

Processing Timeline

Upon receipt of a completed application, city staff will work diligently to process the request and respond to the applicant in a timely manner. For estimating purposes, below is a timeline that the applicant should use from the date of the completed application to estimate the date that the applicant will be able to commence construction if the assistance request is approved. Note that most applicants do not initially submit a complete application and for most applicants some back and forth will be required with city staff to ensure the application is complete before the internal city review process can begin.

Internal City Review & Offer Letter	Four weeks
Contract Drafting & Legislative Approval	Twelve weeks
Contract Signature & Pre-construction Process	Two weeks
Estimated Timeline	Eighteen weeks

Note that the applicant cannot commence construction prior to having a signed agreement from the city or the requested assistance may not be provided by the city.

STREETCAR VTICA AREA



Required Application Attachments

<p>Please provide the following required items as a corresponding attachment. <i>If you believe a particular item is not applicable to your project, please address the item by including an explanation of why you believe it is not applicable.</i> Please ensure that all sections of the application are complete and that ALL REQUIRED ATTACHMENTS LISTED BELOW ARE SUBMITTED/ ADDRESSED WITH YOUR APPLICATION. Please check all items that are included. If an item is left unaddressed by the Applicant, the reviewing department <u>cannot</u> complete its review of the application.</p>		
Attachment Number	Attached Y/N	Attachment Description
#1	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>Public Purpose:</u> List the major reasons why City Assistance is necessary. Discuss the project gap, why other sources are not available to fill that gap (including debt and owner equity) and how City assistance will allow the gap to be filled. For property sale requests explain why a non-competitive sale is being requested and the public benefits that will be realized.
#2	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>Development Team:</u> A) Corporate Resolution, Articles of Incorporation, and an Operating/Partnership Agreement for entity applying for assistance showing who is authorized to sign for the organization B) Certificate of Good Standing from the Ohio Secretary of State for all Organizations that will be involved in the project C) Resumes of owners and/or key managers or partners. In the case of Real Estate development, provide information for the entire development team (developer, architect, contractor, leasing/sales agent, LEED certifications, etc.) D) Names, addresses, photos and a brief description of recent projects completed by the development team of similar type and size to that proposed in this application.
#3	<input checked="" type="radio"/> Yes <input type="radio"/> No	Current Financial Statement or other acceptable third party verification of funds from all entities or individuals who will be contributing more than 20% of the required equity for the investment.
#4	<input type="radio"/> Yes <input type="radio"/> No	<u>Financial Information:</u> A) Real Estate Projects: Provide spreadsheet of 10 year cash flow projection and list all project assumptions (rent rates, revenue & expense growth, etc). Provide budget that details total project investment (reference Section III of application). These documents may be requested in Excel format.

		<p>2) Current business financial statement (less than 90 days old);</p> <p>3) Business financial projections for three fiscal years (privately held companies only);</p> <p>4) Business financial information for the last three fiscal years on affiliate businesses when appropriate.</p>
#5	<input checked="" type="radio"/> Yes <input type="radio"/> No	<p><u>Sources of Funds:</u> For all sources included in the sources and uses provided in #4 above, please attach documentation:</p> <p>A) Conditional bank commitment and/or term sheet B) List of any additional grant requests pending or committed C) Tax credits allocated or being applied for D) Financing Projections E) Other</p>
#6	<input checked="" type="radio"/> Yes <input type="radio"/> No	<p><u>Cost Verifications:</u> Cost verifications and/or third party cost estimates. If third-party estimates are not available, explain your methodology for arriving at your project budget. Please include:</p> <p>A) Purchase agreements for any acquisitions B) Contractor Estimates or bids for new construction and/or rehabilitation C) Architectural Contract D) Other</p>
#7	<input type="radio"/> Yes <input type="radio"/> No	<p><u>Environmental Site Assessments:</u> Summary Review / Statement of Phase I & Phase II ESA results</p>
#8	<input checked="" type="radio"/> Yes <input type="radio"/> No	<p><u>Market Information:</u></p> <p>A) Summary of appraisal, market study, Real Estate comps and industry information with sources. B) Include a copy of any third-party or in-house market analysis completed for the preparation of financial projection assumptions (sales or lease prices, absorption and capture rates, vacancy rates, expense escalators, etc.).</p>
#9	<input checked="" type="radio"/> Yes <input type="radio"/> No	<p>Copy of proposed construction plans/renderings etc.</p>
#10	<input type="radio"/> Yes <input type="radio"/> No	<p><u>Proposed Project Timeline:</u> Anticipated milestones – Please provide in Gantt format if available.</p>
#11	<input type="radio"/> Yes <input type="radio"/> No	<p><u>Legal Description of the Property Involved:</u> This may include a survey as well as a written legal.</p>
#12	<input checked="" type="radio"/> Yes <input type="radio"/> No	<p>If this project is seeking LEED or Living Building Challenge (Full, Net Zero, or Petal [must include "Energy Petal"]) Certification, provide confirmation of registration</p>
#13	<input checked="" type="radio"/> Yes <input type="radio"/> No	<p><u>Application Fee</u> (\$1,250 made payable to city of Cincinnati and \$750 for the Ohio Department of Development)</p>

#14	<input type="radio"/> Yes <input type="radio"/> No	<u>City Business Disclosure Form</u>
#15	<input type="radio"/> Yes <input type="radio"/> No	<u>SBE Utilization Plan</u>
#16	<input type="radio"/> Yes <input type="radio"/> No	<u>Balanced Development Application</u>



202400909

Meeka D. Owens
Cincinnati City Council

March 18th, 2024

Feasibility of a Cincinnati Rental Improvement Fund (CRIF)

WE MOVE that the administration prepare a report within sixty (60) days on the feasibility of the Philadelphia Housing Develop Corporation's (PHDC) Rental Improvement Fund (RIF) being implemented in the City of Cincinnati, including but not limited to:

- Costs
- Possible funding sources from Local, State, and Federal sources
- Identification of scope/eligibility, including but not limited to, possible pilot neighborhoods.
- Identification of how improvements will be in alignment with the Green Cincinnati Plan.
- Identification of how this program could prevent evictions and/or legal actions.
- How this program can accommodate, support, and expand current Financial Assistance Programs such as Emergency Repair Grants, CARE, HIP, HFHGC, HSP, and HARBOR
- How education of this program can be a part of landlord/tenant trainings
- How this can factor into the Code Enforcement Process
- Involvement from the Law Department's Quality of Life team
- Identification of local partners to leverage including but not limited to, banks, NGOs, and contractors.
- Overall steps for implementation.



Councilmember Meeka D. Owens





CAL

3/18

DR

[Faint, illegible handwritten text]

STATEMENT

Philadelphia, Pennsylvania's Rental Improvement Fund (RIF) elevates small landlord to improve their properties and to keep them affordable. By implementing a program like this, Cincinnati would be capable of stating that we want local ownership of rental properties, and we want them to be improved with local means. This program does not just elevate small housing providers but also elevates local contractors, plumbers, roofers, carpenters, and more. This program will advance opportunities for multiple different facets of our community.

This program is just beginning in Philadelphia but has already allocated almost a \$1 million dollars to 40 providers. Many providers were under the impression that this program would not be as effective as promised but were able to renovate their home over the course of a couple weeks. This program would be highly beneficial for small housing providers as the loan structure established in Philadelphia allows for fully forgive and with no additional interest, allowing housing providers to improve their property without future financial consequences.

Rental Improvement Funds show the importance for state and local partnerships for the aspiration of healthy stable housing. By leveraging state and local dollars, Pennsylvania has been able to address neighborhoods of a major metropolitan city and revitalize them while maintaining rents. The establishment of a Rental Improvement Fund would be game changing for Cincinnati and would allow small housing providers to keep their properties rather than selling them to large LLCs. Resulting in a more equitable and localized housing ecosystem.



202400916

Seth Walsh
Councilmember

3/14/2023

MOTION

To Study the Feasibility of the City Assuming Operations of the Ault Park 4th of July Fireworks

WE MOVE that the administration produces a report within thirty (30) days on the feasibility of assuming operations of the 4th of July fireworks celebration in Ault Park from the Ault Park Advisory Council (APAC), Hyde Park Neighborhood Council (HPNC), and Mt. Lookout Community Council (MLCC). This report should include background information on the history of the 4th of July fireworks celebration, the logistics of running the event including any support needed from other City departments, how much funding is necessary, and what is needed to make the event sustainable going forward.

BACKGROUND

The 4th of July fireworks celebration in Ault Park has been going on for over 50 years and has been historically put on by a group of volunteers in the community. The event has been very successful and grown considerably over time and is a staple of 4th of July in Cincinnati. However, in part due to this growth and success, it was recently announced by the volunteer organizers that they can no longer independently organize, fund, and administer the event. The primary stated reasons are safety and security and fundraising. The organizers explored many options but concluded that they do not have the capacity to “own” the event any longer.

Councilmember Seth Walsh

Date: March 13, 2024

To: Mayor and Members of City Council 202400828
From: Sheryl M. M. Long, City Manager
Subject: ORDINANCE – Amending CMC 507-1-F Fifteenth Street West Walnut to Vine

Attached is an ordinance captioned as follows:

MODIFYING Chapter 507, “One-Way Streets,” of the Cincinnati Municipal Code by **AMENDING** Section 507-1-F, “Fifteenth Street, west from Vine Street to Central Parkway,” to convert the portion of Fifteenth Street located between Walnut Street and Vine Street in the Over-the-Rhine neighborhood from a two-way street to a westbound one-way street.

The Department of Transportation and Engineering evaluated and supported a request from local stakeholders to convert a portion of 15th St., between Walnut St. and Vine St. in Over-the-Rhine, from two-way traffic to one-way traffic. After public engagement, this change was approved at Cincinnati Planning Commission on February 16, 2024. This change will not significantly impact existing street parking and is intended to improve traffic flow and enhance safety.

The Administration recommends passage of the attached ordinance.

cc: John S. Brazina, Director, Transportation and Engineering

MODIFYING Chapter 507, “One-Way Streets,” of the Cincinnati Municipal Code by **AMENDING** Section 507-1-F, “Fifteenth Street, west from Vine Street to Central Parkway,” to convert the portion of Fifteenth Street located between Walnut Street and Vine Street in the Over-the-Rhine neighborhood from a two-way street to a westbound one-way street.

WHEREAS, the stakeholders along Fifteenth Street between Walnut Street and Vine Street in the Over-the-Rhine neighborhood requested the conversion of vehicle traffic on Fifteenth Street from two-way to one-way to address safety concerns associated with the street’s width; and

WHEREAS, the City Planning Commission, having the authority to approve the change in use of streets, approved the conversion of the portion of Fifteenth Street located between Walnut Street and Vine Street from a two-way street to a westbound one-way street at its regularly scheduled meeting on February 16, 2024; and

WHEREAS, Council considers the conversion of the portion of Fifteenth Street located between Walnut Street and Vine Street from a two-way street to a westbound one-way street 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 507-1-F, “Fifteenth Street, west from Vine Street to Central Parkway,” of the Cincinnati Municipal Code is hereby amended to read as follows:

Sec. 507-1-F. Fifteenth Street, west from ~~Vine~~ Walnut Street to Central Parkway.

Section 2. That the proper City officials are hereby authorized to take all necessary and proper actions to carry out the provisions and intent of this ordinance, including the fabrication and installation of street signage in accordance with the Department of Transportation and Engineering’s policies and procedures.

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

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

New language is underscored. Deleted language is struck through.

February 22, 2024

To: Mayor and Members of City Council 202400567
From: Sheryl M. M. Long, City Manager
Subject: Ordinance for the Rezoning of 3060 Durrell Avenue to Planned Development No. 98 in Evanston

Transmitted is an Ordinance captioned:

AMENDING the official zoning map of the City of Cincinnati to rezone certain real property located at 3060 Durrell Avenue in the Evanston neighborhood from the RMX, “Residential Mixed,” zoning district to Planned Development District No. 98, “The Mingo.”

The City Planning Commission recommended approval of the zone change at its February 16, 2024 meeting.

Summary:

The petitioner, Kinglsey and Company, requested a zone change to a planned development for the redevelopment of the existing site into a multi-family development consisting of two apartment buildings with a total of 240 market-rate and affordable units, ranging from studio apartments to three-bedroom apartments.

The City Planning Commission recommended the following on February 16, 2024 to City Council:

1. **ACCEPT** the Concept Plan and Development Program Statement as submitted; and
2. **ADOPT** the Department of City Planning and Engagement Findings as detailed on pages 3-9 of this report; and
3. **APPROVE** the proposed zone change from Residential Mixed (RMX) to a Planned Development (PD), including a Concept Plan and Development Program Statement, located at 3060 Durrell Avenue in Evanston.

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

AMENDING the official zoning map of the City of Cincinnati to rezone certain real property in the area generally located at 3060 Durrell Avenue in the Evanston neighborhood from the RMX, “Residential Mixed,” zoning district to Planned Development District No. 98, “The Mingo.”

WHEREAS, 3060 Durrell Investors, LLC (“Owner”) owns approximately 4.513 acres of real property in the Evanston neighborhood generally located at 3060 Durrell Avenue (“Property”), which Property the Owner’s affiliate, Kingsley Consulting, LLC, doing business as Kingsley + CO. (“Petitioner”), seeks to redevelop over multiple phases into approximately 67,880 square feet of multi-family residential across two buildings containing 240 apartments, 248 off-street parking spaces, and approximately one acre of open and amenity space including a swimming pool, patios, and a dog park (“Project”); and

WHEREAS, the Owner and the Petitioner have sufficient control over the Property to affect the Project and have petitioned the City to rezone the Property from the RMX, “Residential Mixed,” zoning district to Planned Development District No. 98, “The Mingo” (“PD-98”), to undertake the Project; and

WHEREAS, the Petitioner has submitted a concept plan and development program statement for PD-98, which documents describe the land use and development regulations that will govern the development and conform with the requirements of Cincinnati Municipal Code Section 1429-09; and

WHEREAS, on February 16, 2024, the City Planning Commission approved the rezoning of the Property from the RMX, “Residential Mixed,” zoning district to PD-98, upon a finding that: (i) the Petitioner’s concept plan and development program statement are consistent with applicable plans and policies and are compatible with surrounding development; (ii) the concept plan and development program statement enhance the potential for superior urban design in comparison with the development under the base district regulations that would apply if the plan were not approved; (iii) deviations from the base district regulations applicable to the Property at the time of the Petitioner’s application are justified by compensating benefits of the concept plan and development program statement; and (iv) the concept plan and development program statement include adequate provisions for utility services, refuse collection, open space, landscaping and buffering, pedestrian circulation, traffic circulation, building design, and building location; and

WHEREAS, a committee of Council held a public hearing on the proposed rezoning of the Property following due and proper notice pursuant to Cincinnati Municipal Code Section 111-1, and the committee approved the rezoning, finding it in the interest of the public’s health, safety, morals, and general welfare; and

WHEREAS, the Project is consistent with Plan Cincinnati (2012), particularly a goal of the Live Initiative Area to “[p]rovide a full spectrum of housing options, and improve housing quality and affordability” as described on page 164, and the strategy to “[p]rovide quality healthy housing for all income levels” as described on page 165; and

WHEREAS, the Project is also consistent with the Evanston Work Plan (2019), including the goal to “[c]reate a sustainable, mixed income neighborhood without displacement” as described on page 40; and

WHEREAS, Council considers the establishment of PD-98 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 Council hereby adopts as its own independent findings the Department of City Planning and Engagement’s and the Cincinnati Planning Commission’s findings that the planned development proposed by 3060 Durrell Investors, LLC and its affiliate, Kingsley Consulting, LLC, doing business as Kingsley + CO., for the real property generally located at 3060 Durrell Avenue in the Evanston neighborhood as shown on the map attached hereto as Attachment A and incorporated herein by reference conforms to the requirements of Cincinnati Municipal Code Sections 1429-05, 1429-09, and 1429-11.

Section 2. That the shape and area of the City’s official zoning map in the location of the real property shown on the map attached hereto as Attachment A and incorporated herein by reference, and being more particularly described on the legal description attached hereto as Attachment B and incorporated herein by reference, is hereby amended from the RMX, “Residential Mixed,” zoning district to Planned Development District No. 98, “The Mingo” (“PD-98”).

Section 3. That the development program statement, attached hereto as Attachment C and incorporated herein by reference, and that the concept plan, attached hereto as Attachment D and incorporated herein by reference, are hereby approved. The approved concept plan and

development program statement shall govern the use and development of the subject property during the effective period of PD-98.

Section 4. That, should PD-98 lapse pursuant to provisions of Cincinnati Municipal Code Chapter 1429, "Planned Development Districts," the Property shall revert to the RMX, "Residential Mixed," zoning district in effect immediately prior to the effective date of PD-98.

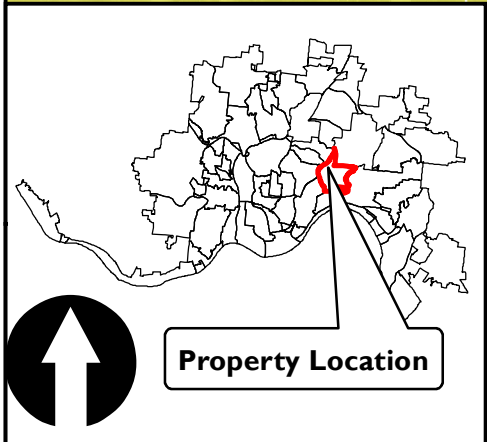
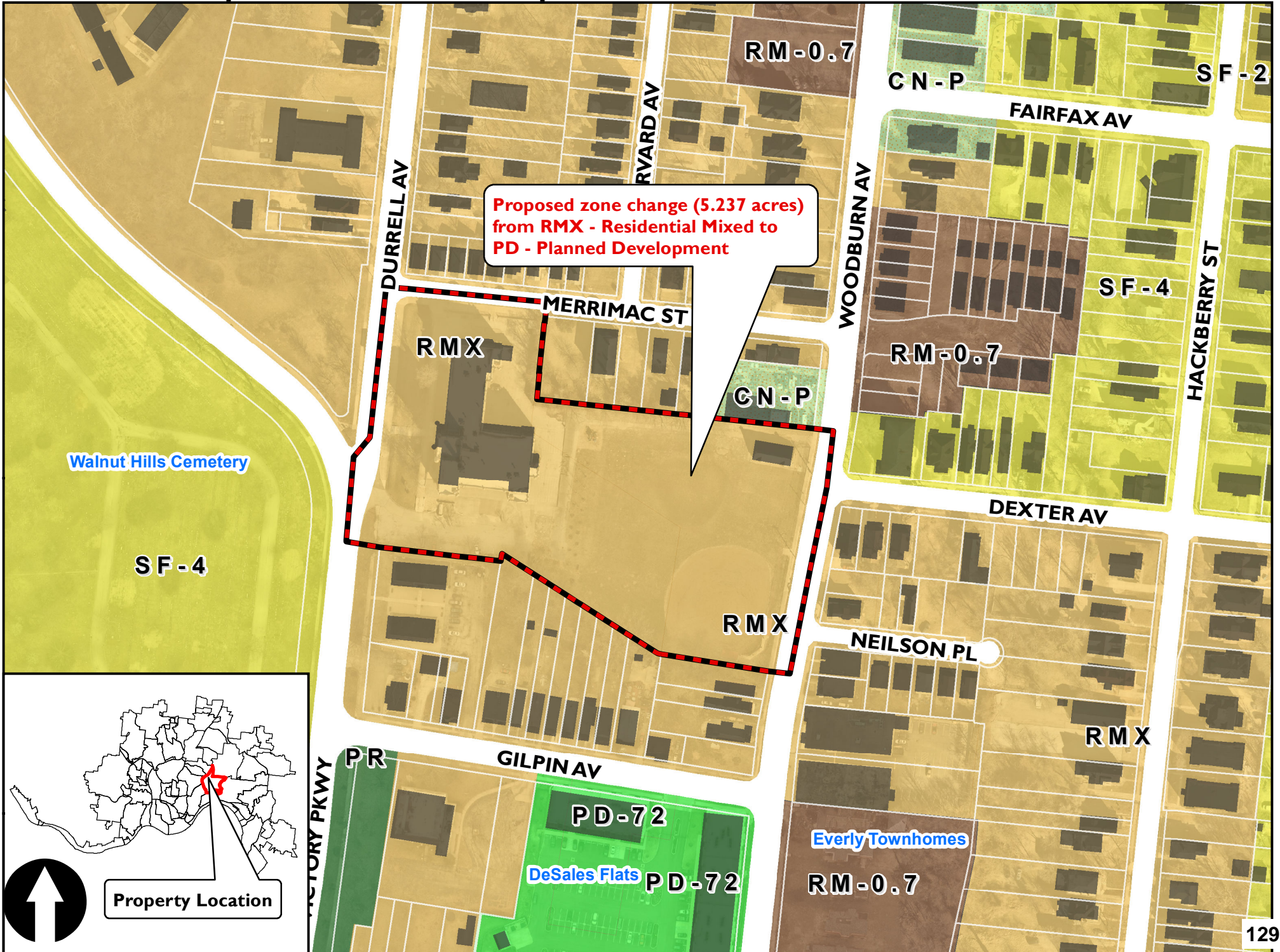
Section 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

Proposed Planned Development at 3060 Durrell Ave in in Evanston



LEGAL DESCRIPTION
(Zoning Description – 5.237 Acres)

Situated in Section 2, Town 3, Fractional Range 2, Miami Purchase, City of Cincinnati, Hamilton County, Ohio, and being more particularly described as follows:

Beginning at point at the intersection of the centerlines of Merrimac Street (40' R/W) and Durrell Avenue (60' R/W); Thence with said centerline of said Merrimac Street, S 83°57'44" E for a distance of 234.25' to a point; Thence leaving said centerline with the west lines and south line of the lands conveyed to 1521 Halsburg LLC as recorded in O.R. 13315, Pg. 220; Thence with the Westerly line of said Halsburg and its extension for the following five (5) courses and distances:

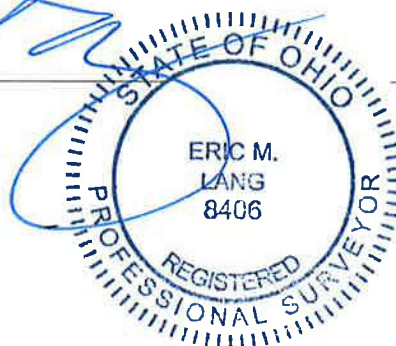
1. S 06°02'16" W for a distance of 29.93' to a point;
2. N 83°57'44" W for a distance of 0.58' to a point;
3. S 06°02'16" W for a distance of 72.75' to a point;
4. S 83°57'44" E for a distance of 0.58' to a point;
5. S 06°02'16" W for a distance of 38.43' to a rebar set at the Southwest corner of said Halsburg;

Thence with the Southerly line of said Halsburg and its extension, S 83°57'44" E a distance of 431.85' to point in the centerline of Woodburn Avenue (60' R/W); Thence with said centerline S 10°44'27" W for a distance of 358.42' to a point; Thence leaving said centerline with the north line of the lands conveyed to Martha Rainge & Druvillar White Rainge and its extension, as recorded in D.B. 3341, Pg. 598; N 80°48'38" W for a distance of 191.22' to a point on the Northerly line of lands conveyed to Eugene & Rebecca D. Caldwell as recorded in D.B. 4137, Pg. 688; Thence with the Northerly line of said Caldwell and its extension, N 57°16'45" W for a distance of 266.98' to a rebar set at the Northerly most corner of lands conveyed to KM Real Estate Holding Company LTD as recorded in O.R. 9290, Pg. 3504; Thence with the Westerly line of said KM Real Estate S 09°11'22" W for a distance of 10.89' to a rebar set on the Northeasterly corner of the lands conveyed to Sagesse Financial Inc.; Thence with the north line of said Sagessee and its extension N 83°18'57" W a distance of 225.66' to a point on the centerline of Victory Parkway (100' R/W); Thence with said centerline N 05°53'14" E for a distance of 234.27' to a point; Thence N 21°01'28" E for a distance of 76.59' to a point; Thence N 05°53'14" E for a distance of 67.99' to the **Point of Beginning**.

Containing 5.237 acres, more or less, and being subject to all legal highways and any and all easements of record.

The above description is based on a field survey made under the direct supervision of Eric M. Lang, Ohio Registration No.8406, on May 25, 2023. Bearings hereon are based on the Ohio State Plane Coordinate System, South Zone Grid, NAD '83 (2011-CORS) as per GPS observations from the Ohio Department of Transportation's Virtual Reference System (VRS).


Eric M. Lang



August 31, 2023
Date

**AMENDED AND RESTATED
CONCEPT PLAN & DEVELOPMENT PROGRAM STATEMENT**

**ZONING CHANGE REQUEST FOR
3060 DURRELL AVENUE, EVANSTON, CINCINNATI, OHIO**

1. **Applicant/Petitioner.**

Kingsley + Co. (the “Developer”)
PO Box 19967
Cincinnati, Ohio 45219

2. **Authorized Representative/Agent.**

Taft Stettinius & Hollister LLP
Sonya S. Jindal Tork, Esq.
425 Walnut Street, Suite 1800
Cincinnati, Ohio 45202

3. **Summary of Request.**

Kingsley + Co. is requesting a zone change from Residential - Mixed (RMX) to Planned Development (PD) for the property located at 3060 Durrell Avenue.

4. **Plan Elements. (Cincinnati Zoning Code §1429-09(a) and §1429-09(e))**

- a. **Project Description:** Kingsley + Co., a minority-owned developer, presents *The Mingo*, a transformative mixed-income housing project located at 3060 Durrell Avenue, in the heart of the vibrant neighborhood of Evanston, Cincinnati. Honoring the legacies of beloved and tireless community activists, Reverend Peterson Mingo and his wife, Regina Mingo, The Mingo will revitalize the former site of Christ Temple Full Gospel Baptist Church, where Reverend Mingo served as pastor and nurtured at-risk youth through organizations he founded including the Evanston Bulldogs and The Village. The Mingo tackles Cincinnati's urgent and critical need for mixed-income housing, offering diverse housing options alongside a dedicated business/co-working space, empowering residents to pursue entrepreneurial dreams and remote work opportunities.
- b. **Project Objectives:** In direct alignment with key priorities, goals, and objectives outlined in Plan Cincinnati and the Evanston Workplan, this proposal aims to:
 - i. Address the City's and Evanston's growing demand for diverse housing options through high-quality mixed-income units (75-110% AMI), contributing to Plan Cincinnati's target of expanding housing availability for all and promoting economic diversity and creating vibrant, inclusive

communities throughout the City and Evanston Workplan’s goal of creating a mixed-income neighborhood without displacement.

- ii. Elevate the quality of life for Evanston residents by delivering modern amenities, fostering a lively and vibrant community atmosphere, and integrating business/co-working spaces, as envisioned in the Evanston Workplan.
 - iii. Champion sustainable and walkable urban living by encouraging pedestrian activity and supporting public transportation initiatives, aligning with both Plan Cincinnati and the Evanston Workplan.
- c. **Site Description:** The project is located on a 4.513-acre site at 3060 Durrell Avenue in the Evanston neighborhood. The site currently includes the former Christ Temple Full Gospel Baptist Church and ballfield, which will be demolished prior to construction commencement. The site offers ample space to accommodate the development of 240 mixed-income housing units and associated amenities. The location is well-suited for urban living, with convenient access to public transportation and proximity to the Evanston Business District and downtown East Walnut Hills.
- d. **Proposed Land Use:** The proposed land use includes:
- i. 240 mixed-income housing units, ranging from studios to 3-bedroom apartments and approximately consisting of the following:
 - Studios: 24 units
 - 1 Bedroom: 119 units
 - 2 Bedroom: 79 units
 - 3 Bedroom: 18 units
 - ii. On-site parking facilities underneath a podium.
 - iii. Amenities, including a pool, rooftop spaces, dog runs, and business/co-working areas for residents.
- e. **Zoning Information:** The project site is currently zoned RMX (Residential Mixed Use), and the Developer is seeking to rezone the site to a Planned Development (PD) zoning designation. This rezoning aligns well with the surrounding zoning designations. To the north of the property, single-family homes are present. To the south, a multi-family project had successfully applied for a Planned Development (PD) zoning status. Additionally, to the northeast, there is RM .7 zoning, which is dense multifamily zoning. Given the nearby zoning designations, this property is well-suited to fit within the neighborhood envelope and contribute positively to the community.

- f. **Amenities:** The development will feature a range of thoughtfully curated amenities designed to enhance the living experience of residents. These amenities will include a pool for relaxation, rooftop spaces for socializing, dedicated dog runs for pet owners, and a business/co-working area to support residents in their professional endeavors.
- g. **Building Height and Configuration and Density:** Incorporating valuable feedback from the community, the proposal balances density and critical housing needs while respecting the neighborhood’s character with two four-story buildings comprising 240 mixed-income units and specifically includes:
 - i. A four-story building facing Woodburn Ave, with a height of 48 feet; and
 - ii. A four-story building on a podium facing Durrell Avenue, with parking facilities situated underneath the podium, and a height of 60 feet.
- h. **Parking:** By increasing the number of parking spaces to 248 off-street parking spots, the project provides ample parking with a 1:1.03 unit-to-space ratio. The proposed parking will be in compliance with Sections 1425-25 “Off Street Parking and Loading Dimensions” and 1425-29 “Parking Lot Land Use” of the Cincinnati Municipal Code.
- i. **Open Space, Pedestrian Circulation and Streetscaping:**
 - i. The plans for dedicated sidewalks, landscaping, a pool, and on-site green spaces, including rooftop areas and dog runs, contribute to a pedestrian-friendly and community-oriented environment.
 - ii. Streetscape elements such as street trees, benches, and trash receptacles are intended to be included. Final details related to sidewalks, open space calculations, dimensions, and elements in the public right-of-way will be determined at the time of any filing for a Final Development Plan.
- j. **Proposed Landscaping and Buffering.** Final landscaping and buffering will be determined at the time of any filing for a Final Development Plan; however, we offer the following perspectives. Landscaping shall be provided in open space wherever it is possible to sustain plant life and not impede other land uses. Buffer planting shall be used, wherever possible, to define public and semi-private to private spaces, including but not limited to the separation between sidewalks and ground floor residential uses.
- k. **Access and Connectivity:** The project's strategic location near two bus stops and its walkable proximity to the Evanston Business District and downtown East Walnut Hills makes it easily accessible for residents and supports sustainable transportation options. Additionally, it is only a 5-minute drive to downtown Cincinnati and in close proximity to the University of Cincinnati and Xavier University.

- l. **Environmental Considerations:** The project will incorporate sustainable design principles to minimize its environmental footprint. Energy-efficient systems and environmentally friendly construction practices will be employed to reduce energy consumption and promote sustainability. The Developer will construct the building to LEED silver building standards.
- m. **Exterior Lighting:** Final exterior lighting will be determined at the time of any filing for a Final Development Plan; however, we offer the following perspectives. All site lighting shall be positioned to effectively and safely illuminate streets and sidewalks. Lighting shall be shielded to ensure that light is directed away from adjacent residential properties. Proposed exterior lighting and height of lighting will conform to §1421-39 of the Cincinnati Zoning Code.
- n. **Signage:** Final signage will be determined at the time of any filing for a Final Development Plan. A signage plan will be submitted with the Final Development Plan and will follow the requirements of Section §1427 of the Cincinnati Zoning Code as a residential multi-family building.
- o. **Refuse Storage, Fencing, and Walls:** Refuse storage, fencing, and walls will be in compliance with the associated sections of the Cincinnati Municipal Code per §1421-33 “Fences and Walls” and §1421-35” Refuse and Storage Areas.
- p. **Revised Development/Concept Plan:** See Exhibit A for the Developer’s Revised Development/Concept Plan, which includes revised Site Context, Site Plans, Boundary & Topographic Survey, and Renderings.
- q. **Rezoning Plat:** See Exhibit B.

5. **Ownership. (Cincinnati Zoning Code §1429-09(b))**

The properties comprising the development site are listed below and are currently owned by 3060 Durrell Investors LLC, the beneficial owner of which is Chinedum K. Ndukwe.

Address	Parcel ID	Owner	Beneficial Owner
3060 Durrell Ave	055-0002-0121-00	3060 Durrell Investors LLC	Chinedum K. Ndukwe
3060 Durrell Ave	055-0002-0039-90	3060 Durrell Investors LLC	Chinedum K. Ndukwe

6. **Schedule/Timeline. (Cincinnati Zoning Code §1429-09(c))**

The project will be constructed in a phased approach with two anticipated phases for the overall development:

- a. Phase I: The Woodburn building will be constructed first with an estimated 18-month construction schedule.

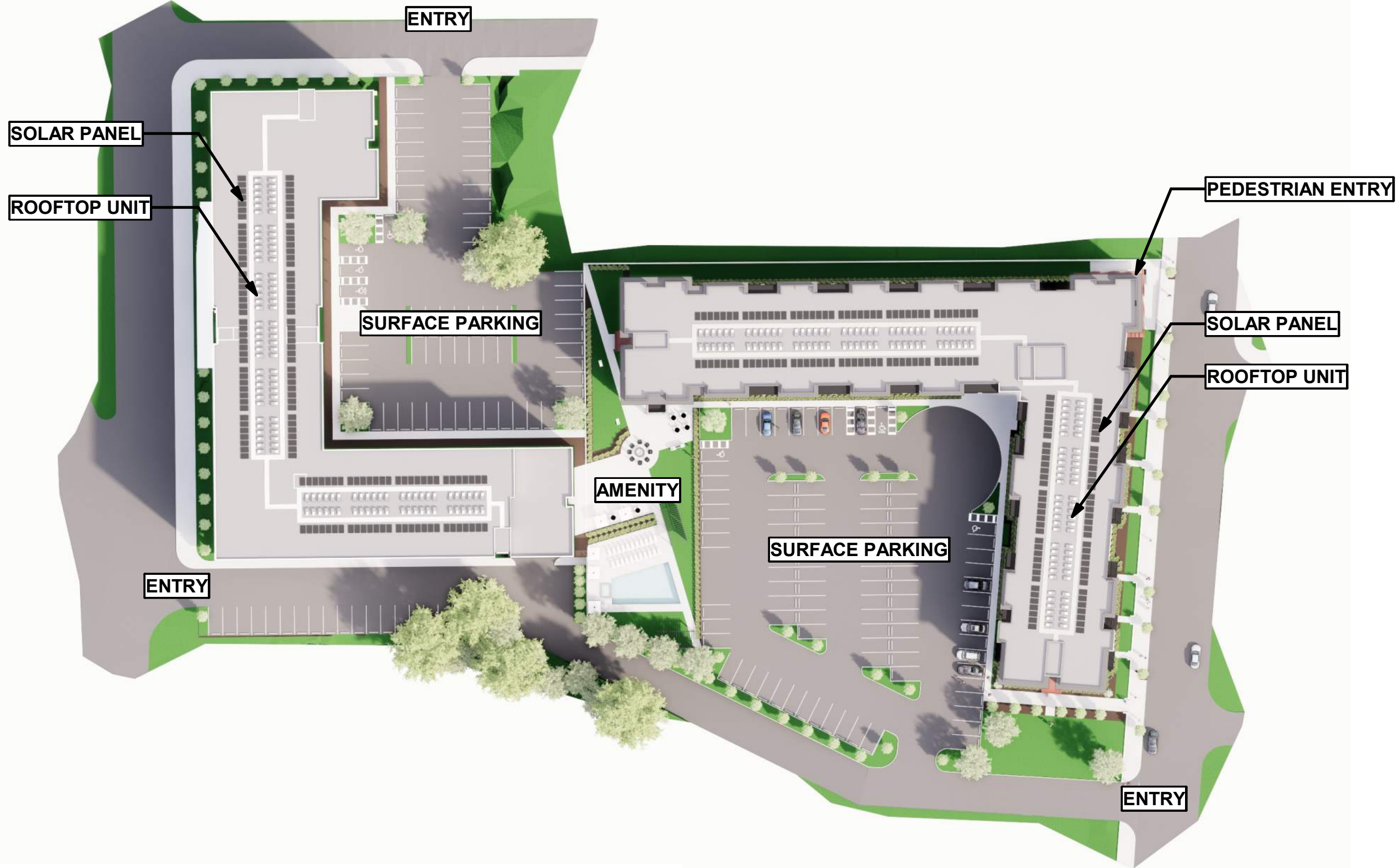
- b. Phase II: The Durrell building will start 4-6 months after the Woodburn building and will take 18 months to complete construction.
7. **Preliminary Reviews. (Cincinnati Zoning Code §1429-09(d))**
- a. **Geo-technical, Sewage, Water, Drainage, Approval and Permitting.** After analysis through the City's Coordinated Site Review (CSR) process, the proposed project is poised to move forward. Following a CSR Advisory Team meeting, a separate meeting with the Developer addressed departmental feedback. The Developer received a letter with recommendations and requirements from the City and will continue collaborating with relevant agencies and departments like DOTE, MSD, GCWW, Duke Energy, and Cincinnati Bell dba Altafiber to ensure compliance. The project will adhere to all local regulations and requirements, and the necessary approvals and permits, including the rezoning to a Planned Development, will be obtained to ensure compliance with City guidelines.
 - b. **Refuse Collection:** Trash and waste facilities shall be provided on-site and located in areas to limit visibility.
8. **Community Engagement and Collaboration:** The Developer has actively collaborated with the community and the City throughout the planning process. For over a year, the Developer has been actively engaged with the Evanston Community Council and Evanston Business Association about the project. The Developer received a letter of support for the project from the Evanston Community Council. The Developer has proactively worked to further engage with the community and the City to address any concerns and improve the quality of the development, incorporating valuable feedback and adjusting elements of the plan to coincide with community wishes. (See Exhibit C). Examples include:
- a. **Two Public Staff Conferences:** Committed to a collaborative approach, the Developer participated in two virtual public staff conferences, one on November 6, 2023, and another one on January 8, 2024, to gather community and City perspectives and feedback. Incorporating valuable suggestions, the Developer has revised its Concept Plan (see Exhibit A) and Development Program Statement. These revised documents address community concerns regarding design elements, parking, circulation, density, building height, open space, and impacts on the surrounding neighborhood, demonstrating responsiveness and flexibility. The initial plan has been significantly enhanced based on community feedback, resulting in revisions including the examples outlined below.
 - b. **Enhanced Design:** Incorporating brick and stone accents adds warmth and character, blending with the surrounding aesthetic and demonstrating a commitment to respect the existing fabric of the neighborhood. (See Exhibit A for new renderings and architectural design.)

- c. **More Responsive Density:** Decreasing the unit count by 60 (totaling 240 proposed units) ensures an appropriate scale for the site while still addressing the City’s and Evanston's critical need for diverse housing options.
- d. **Decreased Building Height:** Decreasing the Durrell Avenue side building to four-stories, instead of five-stories, balances critical and pressing housing needs while respecting the neighborhood’s character.
- e. **Ample Parking:** By increasing the number of parking spaces to 248 off-street parking spots, the project provides ample parking with a 1:1.03 unit-to-space ratio.
- f. **Inviting Streetscape, First-Floor Openness, and Enhanced Pedestrian Paths:** Extending sidewalks and adding front doors to first-floor Woodburn units to imitate the look and feel of nearby townhome developments on Woodburn, enhances pedestrian flow within the community, creates a welcoming and walkable environment connecting the development with the neighborhood and street-level engagement, and contributes to a vibrant community atmosphere.
- g. **Increased Vibrant, Open, and Green Spaces:** Increased landscaping and the expansion of open and green space, including rooftop areas and the addition of a dog park, contribute to a healthier, more vibrant and aesthetically pleasing community.
- h. **Sustainability & Environmental Friendliness:** Integrating environmentally friendly and sustainable elements into the design showcases the Developer's commitment to responsible development and aligning with Plan Cincinnati's environmental stewardship goals.

The Mingo at 3060 Durrell Avenue offers a plethora of public benefits, demonstrates responsiveness to community needs and wishes, and represents a significant step toward addressing the critical housing needs of Cincinnati residents, while fostering and supporting entrepreneurship, remote work opportunities, and sustainable urban living. The Mingo will create a vibrant, economically healthy, and inclusive community in the heart of Evanston, contributing positively to the City of Cincinnati's urban landscape, all in alignment with key priorities and objectives of Plan Cincinnati and the Evanston Workplan.

EXHIBITS

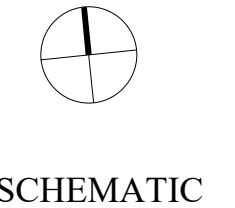
- A. Revised Development/Concept Plan (Site Context, Survey, Site Plans, Renderings)
- B. Rezoning Plat
- C. Community Engagement Summary



KINGSLEY DURRELL/MINGO DEVELOPMENT

NOT TO SCALE

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CINCINNATI, OH 45207
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PRELIMINARY
SITE PLAN

SD-100

BERARDI+
ARCHITECTURE | INTERIOR DESIGN | ENGINEERING
1398 GOODALE BOULEVARD, COLUMBUS, OHIO 43212
P 614.221.1110 berardipartners.com

SITE DEVELOPMENT

WOODBURN BUILDING FOOTPRINT:	34,130 SF
DURRELL BUILDING FOOTPRINT:	33,750 SF
TOTAL BUILDING FOOTPRINT:	67,880 SF
ASPHALT FOOTPRINT:	84,919 SF

WOODBURN UNIT BREAKDOWN

ST.	1-BR	2-BR	3-BR
24	63	38	8
	18%	46%	28%
			6%

TOTAL: 133 UNITS

DURRELL UNIT BREAKDOWN

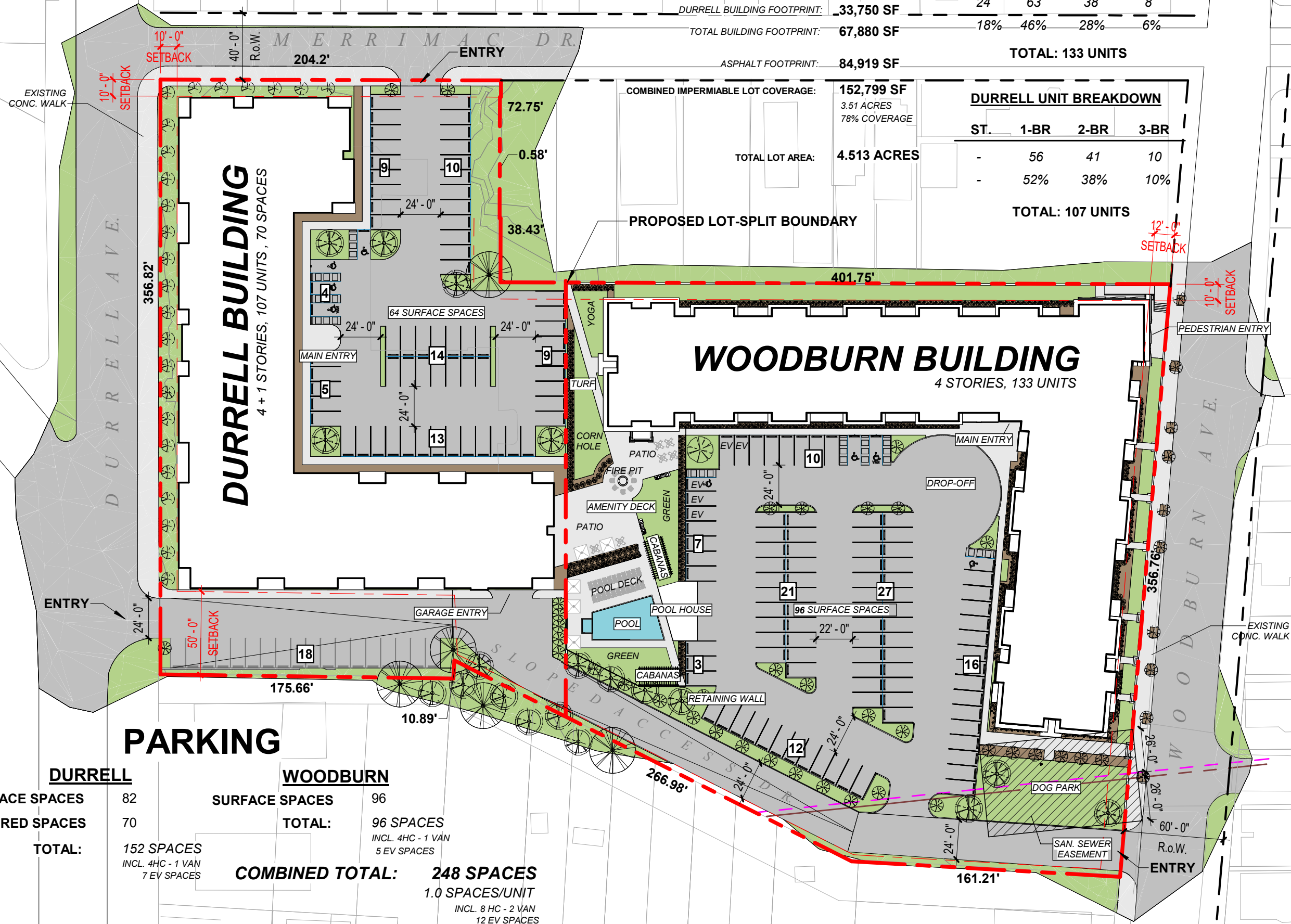
ST.	1-BR	2-BR	3-BR
-	56	41	10
-	52%	38%	10%

TOTAL: 107 UNITS

COMBINED IMPERMIABLE LOT COVERAGE: 152,799 SF
3.51 ACRES
78% COVERAGE

TOTAL LOT AREA: 4.513 ACRES

PROPOSED LOT-SPLIT BOUNDARY



DURRELL BUILDING
4 + 1 STORIES, 107 UNITS, 70 SPACES

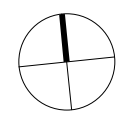
WOODBURN BUILDING
4 STORIES, 133 UNITS

PARKING

DURRELL		WOODBURN	
SURFACE SPACES	82	SURFACE SPACES	96
COVERED SPACES	70	TOTAL:	96 SPACES
TOTAL:	152 SPACES		INCL. 4HC - 1 VAN
	INCL. 4HC - 1 VAN		5 EV SPACES
	7 EV SPACES	COMBINED TOTAL:	248 SPACES
			1.0 SPACES/UNIT
			INCL. 8 HC - 2 VAN
			12 EV SPACES

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SCHEMATIC

PRELIMINARY
SITE PLAN

SD-100a

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P 614.221.1110 berardipartners.com

SITE DEVELOPMENT

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TOTAL BUILDING FOOTPRINT: **67,880 SF**
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18%	46%	28%	6%

TOTAL: 133 UNITS

DURRELL UNIT BREAKDOWN

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-	52%	38%	10%

TOTAL: 107 UNITS

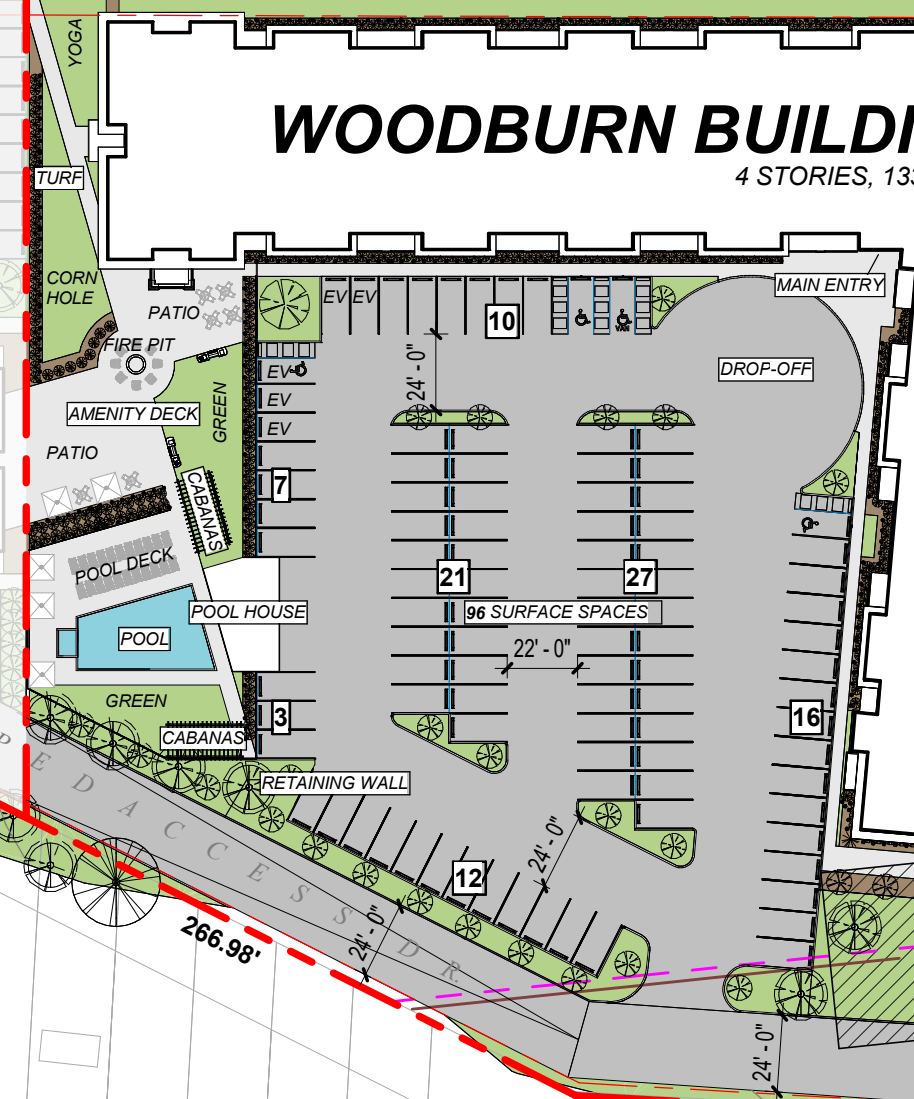
COMBINED IMPERMIABLE LOT COVERAGE: **152,799 SF**
3.51 ACRES
78% COVERAGE

TOTAL LOT AREA: **4.513 ACRES**

PROPOSED LOT-SPLIT BOUNDARY

WOODBURN BUILDING

4 STORIES, 133 UNITS



PARKING

DURRELL

SURFACE SPACES 82
COVERED SPACES 70
TOTAL: 152 SPACES
INCL. 4HC - 1 VAN
7 EV SPACES

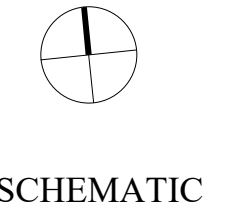
WOODBURN

SURFACE SPACES 96
TOTAL: 96 SPACES
INCL. 4HC - 1 VAN
5 EV SPACES

COMBINED TOTAL: 248 SPACES
1.0 SPACES/UNIT
INCL. 8 HC - 2 VAN
12 EV SPACES

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PRELIMINARY
SITE PLAN

SD-100b

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SITE DEVELOPMENT

WOODBURN BUILDING FOOTPRINT: 34,130 SF
DURRELL BUILDING FOOTPRINT: 33,750 SF
TOTAL BUILDING FOOTPRINT: 67,880 SF
ASPHALT FOOTPRINT: 84,919 SF

WOODBURN UNIT BREAKDOWN

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24	63	38	8
18%	46%	28%	6%

TOTAL: 133 UNITS

DURRELL UNIT BREAKDOWN

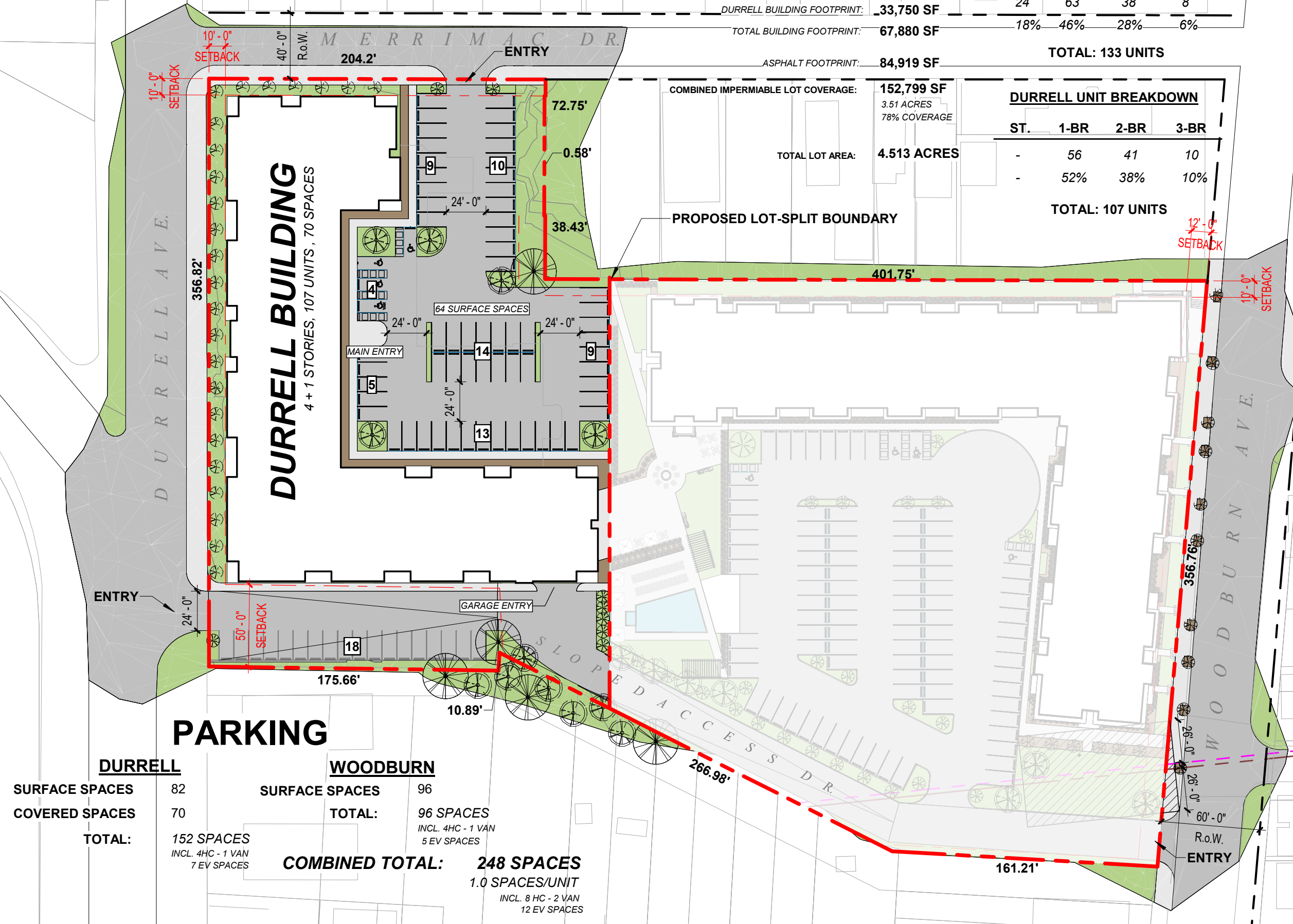
ST.	1-BR	2-BR	3-BR
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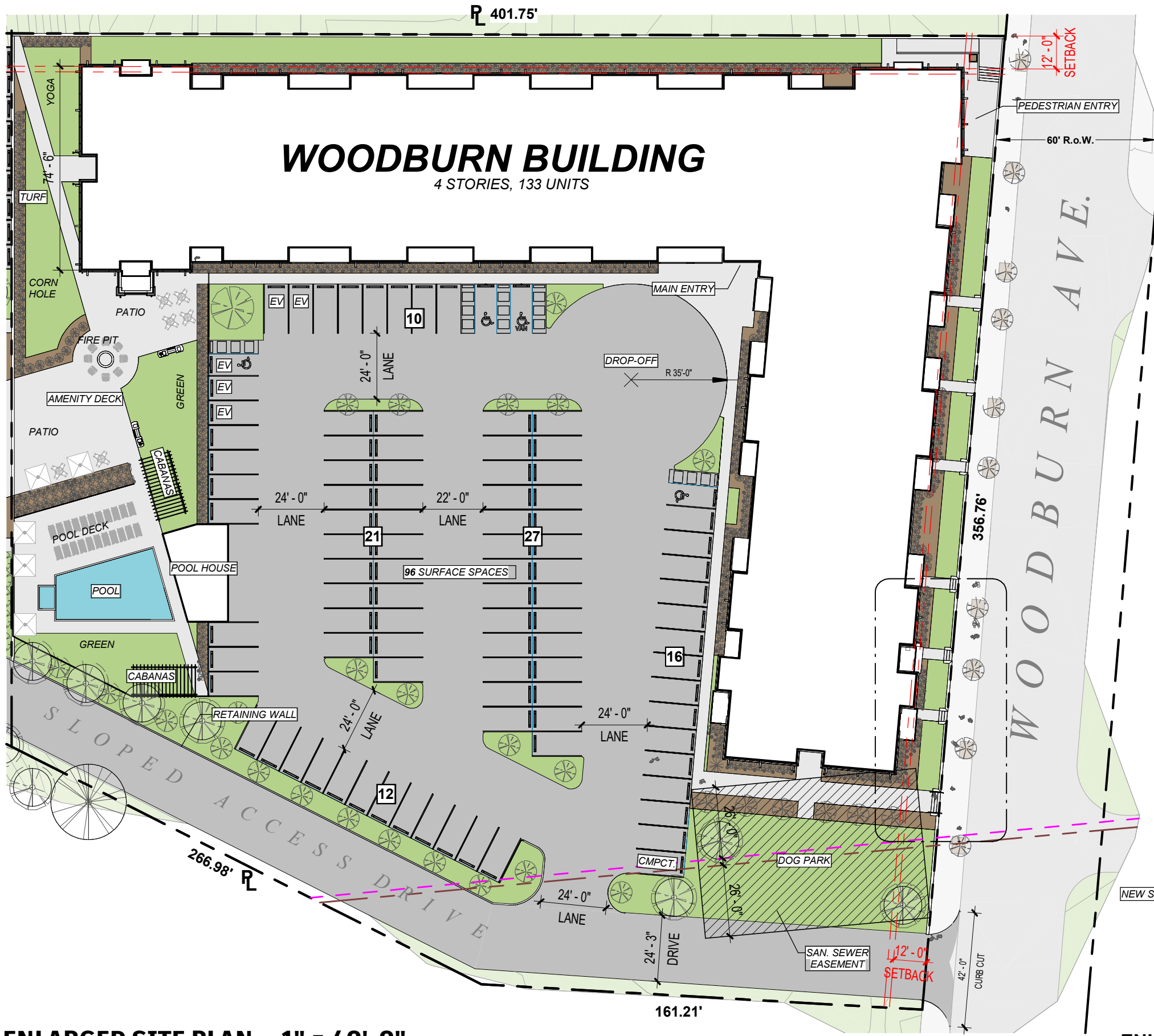
PROPOSED LOT-SPLIT BOUNDARY



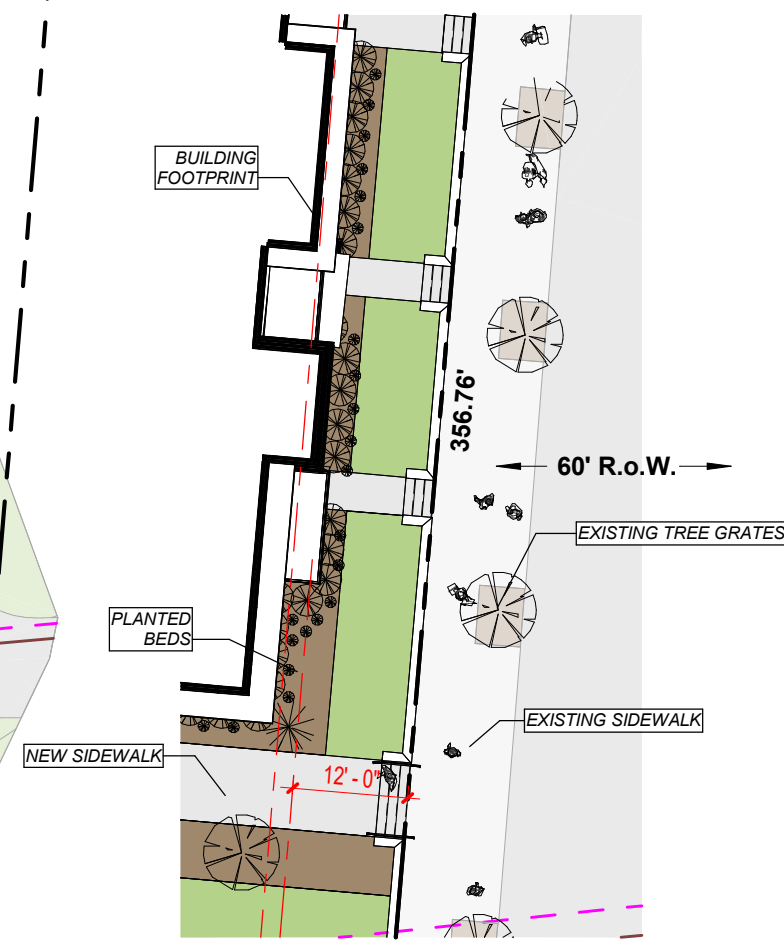
DURRELL BUILDING
4 + 1 STORIES, 107 UNITS, 70 SPACES

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DURRELL		WOODBURN	
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	7 EV SPACES	COMBINED TOTAL:	248 SPACES
			1.0 SPACES/UNIT
			INCL. 8 HC - 2 VAN
			12 EV SPACES



ENLARGED SITE PLAN 1" = 40'-0"



ENLARGED STREETScape CONDITION

SCHEMATIC

DATE: 1/25/2024
PROJECT #: 22156

PRELIMINARY SITE PLAN

SD-300

**Honorable City Planning Commission
Cincinnati, Ohio**

February 16, 2024

SUBJECT: A report and recommendation on a proposed zone change from Residential Mixed (RMX) to a Planned Development (PD), including a Concept Plan and Development Program Statement, located at 3060 Durrell Avenue in Evanston.

GENERAL INFORMATION:

Location: 3060 Durrell Avenue, Cincinnati, OH 45207

Petitioner: Kingsley and Company
Petitioner's Address: P.O. Box 19967, Cincinnati, OH 45219

Owner: 3060 Durrell Investors, LLC,
Owner's Address: P.O. Box 19967, Cincinnati, OH 45219

Request: To change the zoning of the property from Residential Mixed (RMX) to a Planned Development (PD) to allow for the construction of a four-story multi-family development of 240 apartments consisting of market rate and affordable housing units, including 248 parking spaces with some in an underground private garage, and other amenities such as a swimming pool and pool house, coworking spaces, cabanas, a fire pit area, ample greenspace, a dog park and other amenities.

EXHIBITS:

Provided in addition to this report are the following attachments:

- Exhibit A - Zoning Map
- Exhibit B – Zone Change Application
- Exhibit C – Legal Description
- Exhibit D – Existing Conditions Plat
- Exhibit E – Development Program Statement
- Exhibit F – Concept Plan
- Exhibit G – Proposed Renderings
- Exhibit H – Coordinated Site Review Letter
- Exhibit I – Community Engagement Summary
- Exhibit J – Correspondence

BACKGROUND:

The petitioner, Kingsley and Company, submitted an application for a proposed zone change to a Planned Development, including a Concept Plan and Development Program Statement, to develop a mixed income, multi-family development located at 3060 Durrell Avenue in Evanston. The current Residential – Mixed (RMX) zoning does not permit the proposed multi-family development.

The subject property is situated directly off Victory Parkway, between Durrell Avenue and Woodburn Avenue, and is approximately 4.51 acres. The proposed rezoning extends to the street centerlines and includes portions of the right-of-way along Durrell Avenue, Merrimac Street, and Woodburn Avenue bringing the rezoning proposal to a total of 5.24 acres. The site currently is home to the former Hoffman School and Hoffman Playground. The subject site borders the Walnut Hills neighborhood boundary and is near the East Walnut Hills neighborhood.

On June 2, 2023 the City Planning Commission reviewed a proposal to designate the Hoffman School as a local historic landmark. The City Planning Commission recommended denial of the designation of the Hoffman School and on June 26, 2023 City Council denied the designation. The school will be demolished to make room for the proposed multi-family development.

The applicant received approval on January 19, 2024, through the City’s subdivision process, to subdivide the site into two separate parcels to accommodate both proposed buildings on their own properties respectively. The western parcel along Victory Parkway and Durrell Avenue is 1.912 acres and the eastern parcel along Woodburn Avenue is 2.60 acres.

ADJACENT LAND USE AND ZONING:

The subject property is currently zoned Residential Mixed (RMX). The existing zoning and land use surrounding the subject site is as follows:

North:

Zoning: Commercial Neighborhood – Pedestrian (CN-P) and Residential Mixed (RMX)
Use: Commercial garage, multi-family apartment buildings and single-family dwellings.

East:

Zoning: Single Family Residential (SF-4) and Residential Mixed (RMX)
Use: Multi-family apartment buildings and single-family dwellings.

South:

Zoning: Planned Development #72, Residential Mixed (RMX) and Park and Recreation (PR)
Use: Multi-family apartment buildings and single-family dwellings.

West:

Zoning: Single Family Residential (SF-4) and Residential Mixed (RMX)
Use: Walnut Hills Cemetery and the Victory Parkway U.S. Navy Reserve.

PROPOSED DEVELOPMENT:

The proposed Concept Plan and Development Program Statement is for the redevelopment of the existing site into a multi-family development consisting of two apartment buildings with a total of 240 market-rate and affordable units, ranging from studio apartments to three-bedroom apartments (Exhibit F). The development is entitled “*The Mingo*,” named after Reverend Peterson Mingo and Regina Mingo who are members of Christ Temple Full Gospel Baptist Church. The Church is the most recent owner of the building and has operated within it for years.

Buildings

The Planned Development will consist of two separate buildings with one facing Woodburn Avenue and the other facing Victory Parkway and Durrell Avenue. The Woodburn Building is proposed as a four-story apartment building with frontage along Woodburn Avenue and will house approximately 133 of the proposed units. The building will have a height of 48-feet. The apartments will range from studio to three-bedroom apartments. The Durrell Building is proposed as a four-story apartment building with frontage along Durrell Avenue and Merrimac Street and will accommodate the other 107 units ranging from one-bedroom apartments to three-bedroom apartments. This four-story building will have an overall height of 60-feet and will be built upon a one-level underground parking podium.

Parking

The Woodburn Building will have a surface parking lot with 96 spaces at the entrance on Woodburn Avenue, with access to the proposed underground private garage for the Durrell Building. The Durrell Building will be constructed on a one-level underground parking garage containing 70 covered parking spaces and will have a surface parking lot with 82 spaces with an entry off Merrimac Street. The entire development has a ratio of 1.03 parking spaces per unit with approximately 248 off-street parking spaces, including handicap accessible and van spaces and EV parking. The proposed parking will be in compliance with Sections 1425-25 “Off Street Parking and Loading Dimensions” and 1425-29 “Parking Lot Land Use” of the Cincinnati Municipal Code.

Amenities

The proposal includes a swimming pool with a pool deck, pool house, cabanas, a firepit, corn hole areas, patios, and greenspace. It will also feature business/co-working spaces and a dog park along Woodburn Avenue. More details, including site plans, building plans, and elevations will be submitted with the Final Development Plan.

Open Space, Landscaping, and Buffering

The site will dedicate approximately one acre of open space (22% of the site), with landscaping, amenity spaces, and a dog park. A detailed landscaping plan will be submitted with the Final Development Plan. Both buildings will also have solar panels on the rooftop. Fencing, walls, refuse and storage areas will be in compliance with the associated sections of the Cincinnati Municipal Code per §1421-33 “Fences and Walls” and §1421-35 “Refuse and Storage Areas.”

Schedule

The development will be constructed in two phases, with the Woodburn building being Phase I and the Durrell building being Phase II. Phase I is expected to take approximately 18 months to complete and Phase II will start four to six months after commencing construction of Phase I (Exhibit E). The expected construction start date is intended for September of 2024, pending the Final Development Plan process and approvals.

BASIC REQUIREMENTS OF A PLANNED DEVELOPMENT DISTRICT:

Per §1429-05 of the Cincinnati Zoning Code, *Basic Requirements*, PD Districts and developments located 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 approximately 5.24 contiguous acres. The site itself is 4.51 acres.

- 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.*

The petitioner, Kingsley and Company, owns both properties (Exhibit E).

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

The submitted Concept Plan and Development Program Statement indicate one building on each lot.

- 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.*

No portion of the site is located within a historic district, nor does it contain any historic landmark.

- 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 site is not located within the 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 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 (Exhibit F and Exhibit G). 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 submitted Concept Plan and Development Program Statement includes sufficient information regarding proposed uses, building locations, site description, street and parking access, pedestrian circulation system, and open space and landscaping (Exhibit E). A geotechnical report will need to be submitted which will provide recommendations regarding earthwork, design, and construction of the project.

- 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.*

The petitioner, Kingsley and Company, owns both properties (Exhibit E).

- 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.*

This proposed development will be constructed in two phases. The first phase will take approximately 18-months to construct with expected constructions starting in September 2024. (Exhibit E).

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

The applicant team has been in contact with the City’s Department of Transportation and Engineering (DOTE), Metropolitan Sewer District (MSD), Stormwater Management Utility (SMU), and Greater Cincinnati Water Works (GCWW). The project has also gone through the

City's Coordinated Site Review process and will have to submit their Final Development Plan to be reviewed as well.

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

The Development Program Statement explains it will dedicate over one acre to open space. The density of the site is approximately 53 units per acre throughout the entire development site. For further detail, see the "Analysis" portion starting on page seven of the staff report.

f. Other Information - Any other information requested by the Director of City Planning or the City Planning Commission.

A signage plan will be submitted with the Final Development Plan and will follow the requirements of Section 1427 of the Cincinnati Zoning Code as a residential multi-family building.

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 requires significantly more detail than the Concept Plan. 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 development was reviewed through the Development Design Review of the Coordinated Site Review (CSR) process on October 6, 2023. The Department of City Planning and Engagement indicated the need for a zone change for the project to move forward, because the RMX zoning does not permit multi-family developments of more than three units. No immediate objections were voiced regarding the zone change or Concept Plan, however, the Department of Transportation and Engineering (DOTE) identified the requirement for a Traffic Impact Study and to work with the Department to remove the driveway access from the Durrell Avenue and Victory Parkway entrance. The CSR letter to the petitioner with City Department feedback is included as Exhibit H; it outlines additional requirements needed to be met before permits are obtained.

PUBLIC COMMENT AND ENGAGEMENT:

There were two public staff conferences held by the Department of City Planning and Engagement for the proposed Planned Development. The first staff conference was held on November 6, 2023 via Zoom with 47 people in attendance including City staff and members from the applicant team. The majority of the people in attendance had concerns regarding the scale of the overall development, that not enough off-street parking and greenspace had been provided, disappointment about the loss of the former Hoffman School that would be demolished for the project, decreasing property values, and increased traffic congestion.

The second public staff conference was held on January 8, 2024 via Zoom with 33 people in attendance including City staff and the applicant team. Many in attendance were appreciative of the revisions made as a result of concerns stated in the first staff conference but some of the previous concerns were restated, including the community's desire for more off-street parking, the height of the Durrell Building, and the overall scale of

the development. A summary of the applicant team’s additional engagement efforts may be found in Exhibit I.

Notices were sent to property owners within a 400-foot radius of the subject property and the Evanston Community Council for both public staff conferences and the February 16, 2024 City Planning Commission meeting. The East Walnut Hills Assembly and Walnut Hills Area Council were additionally notified of the public meetings due to their proximity to the proposed development. Correspondence received from community members may be found in Exhibit J.

CONSISTENCY WITH PLANS:

Plan Cincinnati (2012)

The zone change request is consistent with the Goal in the Live Initiative Area of *Plan Cincinnati* 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). This strategy aims to “Improve the quality and number of moderate to high-income rental and homeowner units” (p. 165). The proposed project will develop underutilized property into a residential community, providing new housing opportunities for the community and employees of nearby businesses and institutions.

This site’s location is within a Guiding Geographic Principle to “Focus revitalization on existing centers of activity” (p. 86). This adds to the overall goal of *Plan Cincinnati* to create walkable neighborhoods that contribute to neighborhood centers or neighborhood business districts. This location is in the Center of Activity for the Evanston 5 Points Neighborhood Business District which aims to target investment to geographic areas where there is already economic activity. The subject property is also near the East Walnut Hills Neighborhood Business District and other neighborhood assets. Lastly, there have been other residential projects, including both single-family and multi-family buildings, constructed along Woodburn Avenue the past few years, adding much needed housing units.

Evanston Work Plan (2019)

The zone change is also consistent with Goal 1 to “Create a sustainable, mixed income neighborhood without displacement” (p. 40). This proposed Planned Development contributes to the strategies within the plan by welcoming new residents and providing a broad spectrum of housing choices in the neighborhood that vary in price and type. This project will also promote African American participation and minority contractor involvement in construction projects stated verbatim in the Plan.

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 residential use is compatible with applicable plans (see “Consistency with Plans”) and the surrounding land use patterns. Adjacent land uses include multi- and single-family residential, and commercial. Three story multi-family and single-family homes are found north and south along Woodburn Avenue.

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 a residential development on a site that has been underutilized. Additionally, the Concept Plan and Development Program Statement illustrates how the proposed project will accommodate residential and parking needs through the project overall, an underground garage and surface parking lots. The existing RMX zoning would only permit one to three units on a single lot, so the property would have to be subdivided into multiple lots to create more than three units overall. Also, the RMX zoning doesn't permit multi-family buildings of more than three units. The applicant team has designed a plan to maximize density appropriately, while creating open space and off-street parking spaces after taking in community feedback.

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 land use for this property provides a productive use on what is currently a large site. The former Hoffman School is formerly home to the Christ Temple Full Gospel Baptist Church and a ballfield which will be demolished prior to construction. The proposed development is currently located in one zoning district, RMX, and within which the RMX district would not permit more than three units on a single lot. The PD zoning district allows the developer to be innovative in site development, combining quality site and building design, open space preservation, and increased 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 and will be further detailed in the Final Development Plan.

DIVERSITY AND ECONOMIC INCLUSION:

Kingsley and Company, a certified Minority Business Enterprise and African American owned business, integrates innovative and inclusive practices into its real estate development and construction activities. They have a focus on revitalizing underserved and diverse neighborhoods in Cincinnati, such as Avondale, Paddock Hills, and Evanston. Kingsley and Company's approach to development aims to contribute to a more equitable and vibrant Cincinnati, one inclusive project at a time.

ANALYSIS:

A Planned Development would permit the construction of a multi-family development of more than three units on a single lot that is currently underutilized within the community. The applicant has received approval through the City Subdivision process to split the existing parcel into two lots so the Woodburn Building and Durrell Building will each be on their own lot respectively. For any development consisting of more than three units, a subdivision would be required to accommodate larger density with the current RMX zoning. The proposed Planned Development allows the applicant to provide the proposed density within two buildings with ample parking accommodation. The current zoning requires 1.5 off-street parking spaces for every unit, which would have required the applicant to provide 360 off-street parking spaces, 112 more than what is currently being proposed. The site is located along two Metro Bus routes and is within walking distance of the Evanston Five-Points Neighborhood Business District and existing retail, bars, and restaurants within the East Walnut Hills Neighborhood Business District and other neighborhood assets such as the Evanston Recreation Center, Walnut Hills Cemetery, Evanston Academy, Purcell Marian High School, and Scarborough Woods.

The development will provide a variety of studios to three-bedroom units at both affordable and market rate

prices which would be available for existing and new residents and employees. This proposed development adds much needed housing options to the Evanston neighborhood as well as the City of Cincinnati. The current zoning is the only residential multi-family zoning district within the Cincinnati Zoning Code that does not permit multi-family developments of more than three units.

The Zoning Code defines Multi-Family Dwellings as a building or group of buildings that contain three or more dwelling units (§ 1401-01-M8. - Multi-Family Dwelling). The RM-2.0 zoning district permits multi-family units at a ratio of 2,000 sq. ft. of lot space per unit. The RM-1.2 zoning district permits multi-family units at a ratio of 1,200 sq. ft. of lot space per unit, while the RM-0.7 zoning district permits 700 sq. ft. of lot space per unit. The chart below displays the permitted density of the other RM zoning districts compared to the proposed Planned Development.

	PD	RM-2.0	RM-1.2	RM-0.7
	<i>Proposed Units</i>	<i>Max Permitted Units</i>	<i>Max Permitted Units</i>	<i>Max Permitted Units</i>
Woodburn Building	133 units	57 units	94 units	161 units
2.6 acres (113,256 sq. ft.)	851 sq. ft./unit 51 units/acre	2,000 sq. ft./unit	1,200 sq. ft./unit	700 sq. ft./unit
Durrell Building	107 units	42 units	69 units	119 units
1.91 acres (83,199 sq. ft.)	778 sq. ft./unit 56 units/acre	2,000 sq. ft./unit	1,200 sq. ft./unit	700 sq. ft./unit

The RM-0.7 zoning district would permit the developer to produce more units than being proposed (within the setback requirements) and would permit the applicant to only have to provide 240 off street parking spots. However, the RM-0.7 zoning district has no height restrictions for multi-family buildings. The Department of City Planning and Engagement believes that a Planned Development is the most appropriate zoning designation for this site as it provides assurance to the City and the community of the intended use and scale for the site. Any significant modification to this would constitute as a Major Amendment to the Concept Plan and require public engagement and a public hearing process. It also allows for continued public engagement through all phases of the development and eliminates further need for any zoning relief.

The applicant team revised the Concept Plan and Development Program Statement, considering the community’s feedback and concerns after the first public staff conference. The current submittal revised the overall unit count from 300 to 240 units, increased the off-street parking spaces to a total of 248 spaces, decreased the height of the Durrell Building from five stories to four stories for both buildings with increased greenspace and landscaping, and is now providing a dog park. The applicant also updated the proposed conceptual renderings to increase the aesthetic appeal. The final materials and color palettes will be provided as part of the Final Development Plan.

The impact on traffic and parking has also been considered by the developer as they have been in coordination with DOTE. Staff from the Department of City Planning and Engagement understands and acknowledges the concerns over the traffic congestion and need for parking, however the proposed development is adding much needed and desired residential units and amenities to the vibrant neighborhood. The applicant team has made multiple attempts to engage with the community and various City Departments to make them aware of the future development and to address concerns or comments and the team remains committed to working with the appropriate City Departments on their plans. The project will be reviewed through the Coordinated Site Review process when the Final Development Plan is submitted and will require another public staff conference and City Planning Commission approval.

FINDINGS:

It is the opinion of staff of the Department of City Planning and Engagement that the Concept Plan and Development Program Statement are in compliance with §1429-05 and §1429-09 and satisfies the criteria outlined in §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 and Engagement supports the proposed zone change from Residential Mixed (RMX) to Planned Development (PD), including the Concept Plan and Development Program Statement, to allow for a multi-family development for the following reasons:

1. It is consistent with the goal in the Live Initiative Area of *Plan Cincinnati* 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” which aims to “Improve the quality and number of moderate to high-income rental and homeowner units” and is consistent with the *Evanston Work Plan* to “Create a sustainable, mixed income neighborhood without displacement.”
2. The PD zoning district requires a more extensive public process than a regular zone change which will allow community members to have additional engagement opportunities during the Final Development Plan process.
3. The PD zoning is appropriate given the property’s size and location within the Evanston neighborhood and close proximity to the Evanston Five Points Neighborhood Business District and the East Walnut Hills Neighborhood Business District. The zone change and Concept Plan are necessary to establish a well thought out PD that allows for the construction of the development for the four-story multi-family development of 240 apartments consisting of market rate and affordable housing units.

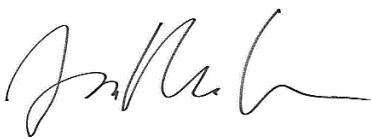
RECOMMENDATION:

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

1. **ACCEPT** the Concept Plan and Development Program Statement as submitted; and
2. **ADOPT** the Department of City Planning and Engagement Findings as detailed on pages 3-9 of this report; and
3. **APPROVE** the proposed zone change from Residential Mixed (RMX) to a Planned Development (PD), including a Concept Plan and Development Program Statement, located at 3060 Durrell Avenue in Evanston.

Respectfully submitted:

Approved:



Jesse Urbancsik, Senior City Planner
Department of City Planning and Engagement

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

February 22, 2024

Cincinnati City Council
 Council Chambers, City Hall
 Cincinnati, Ohio 45202

Dear Members of Council:

We are transmitting herewith an Ordinance captioned as follows:

AMENDING the official zoning map of the City of Cincinnati to rezone certain real property located at 3060 Durrell Avenue in the Evanston neighborhood from the RMX, “Residential Mixed,” zoning district to Planned Development District No. 98, “The Mingo.”

The City Planning Commission recommended approval of the zone change at its February 16, 2024 meeting.

Summary:

The petitioner, Kinglsey and Company, requested a zone change to a planned development for the redevelopment of the existing site into a multi-family development consisting of two apartment buildings with a total of 240 market-rate and affordable units, ranging from studio apartments to three-bedroom apartments.

The City Planning Commission recommended the following on February 16, 2024 to City Council:

1. **ACCEPT** the Concept Plan and Development Program Statement as submitted; and
2. **ADOPT** the Department of City Planning and Engagement Findings as detailed on pages 3-9 of this report; and
3. **APPROVE** the proposed zone change from Residential Mixed (RMX) to a Planned Development (PD), including a Concept Plan and Development Program Statement, located at 3060 Durrell Avenue in Evanston.

Motion to Approve: Mr. Eby

Ayes:

Ms. Beltran
 Ms. Kearney

Seconded: Ms. Beltran

Mr. Eby
 Mr. Samad
 Mr. Stallworth
 Mr. Weber

THE CITY PLANNING COMMISSION



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

March 26, 2024

To: Members of the Equitable Growth and Housing Committee

From: Sheryl M.M. Long, City Manager

202400917

Subject: Report on Financing Options for The Mingo

This report is in response to a request made during the April 12, 2024 Equitable Growth and Housing Committee that the Administration report on financing options for the proposed “Planned Development District No. 98, “The Mingo” project in Evanston (Ref. Doc. #202400567).

OVERVIEW

As described in the Zoning Change Request for 3060 Durrell Avenue, Kingsley + Co. is the developer for The Mingo (“the developer”), an innovative mixed-income housing project situated at 3060 Durrell Avenue in the Evanston neighborhood. Spanning across a 4.513-acre site, the project aims to transform the area by revitalizing the former Christ Temple Full Gospel Baptist Church and ballfield, which will be cleared before construction commences. The proposed development includes:

240 mixed-income housing units, comprising studios, one-bedroom, two-bedroom, and three-bedroom apartments, with the breakdown as follows:

Studios: 24 units

1 Bedroom: 119 units

2 Bedroom: 79 units

3 Bedroom: 18 units

On-site parking facilities situated underneath a podium for residents' convenience.

A host of amenities designed to enhance residents' quality of life, such as a pool, rooftop spaces, dog runs, and dedicated business/co-working areas.

DCED ENGAGEMENT

Following the Equitable Growth and Housing Committee’s decision not to approve the designation of the property as a local historic landmark, the Department of Community and Economic Development (DCED) briefly engaged with the developer. Given the absence of resources identified for demolition and the heightened sensitivity surrounding the building, DCED notified the Developer that the City Administration would not provide funding or incentives for the demolition of the structure. Consistent with our approach to all development projects, we advised the developer to explore alternative sources of public and private funding before approaching the City for assistance, particularly if redevelopment of the building remains a viable option after demolition.

DCED FINANCIAL INCENTIVES

The City of Cincinnati provides economic incentives to housing developers to spur investment, bolster economic growth, and meet housing demands. These programs underscore our dedication to cultivating vibrant, inclusive neighborhoods and advancing sustainable development practices. Developers seeking financial incentives from the City of Cincinnati must complete a financial assistance application. This application is crucial for DCED to evaluate and underwrite projects effectively. In the absence of detailed financial information for this project, the following incentives would be available for pursuit:

Community Reinvestment Area (CRA) Tax Abatement

The City of Cincinnati offers a Community Reinvestment Area (CRA) abatement program to companies and developers building or renovating a residential property of 5 or more units or a commercial, industrial, or mixed-use facility. CRA Tax exemptions reduce the operating expenses of a development project, thereby lowering the risk of the development and increasing the initial development investment beyond what would have been feasible without a tax exemption. Commercial projects are eligible for a maximum net tax exemption of up to 67% for up to 15 years. To be considered for a CRA Tax Exemption, a developer must apply to the City before beginning any construction activities. DCED will then review the application and provide a recommendation to City Council for a tax exemption at a level supported by internal underwriting, City policy, and City and state law. Notwithstanding this recommendation, City Council has the power to disapprove or approve the exemption at any amount or duration in accordance with City and State law. Not all developments will receive an exemption or the maximum possible exemption:

Project TIF

Project TIF allows municipalities to capture the increased property tax revenue that results from development or redevelopment in a specific area and use that revenue to fund improvements within that same area. Pursuant to state law, the City can exempt a percentage of the increase in assessed value of a property from real property taxes. Instead of those paying taxes, the owner pays service payments, also known as payments in lieu of taxes (PILOTs) in the same amount. The City can then use those PILOTs for a number of redevelopment purposes like public infrastructure improvements including environmental remediation, land acquisition, and demolition as well as urban redevelopment activities. TIFs can be for up to 30 years and for up to 67% net. TIF revenues can be utilized for a bond issuance or private financing for reimbursement of eligible improvements associated with the project.

Notice of Funding Availability (NOFA)

The Notice of Funding Availability (NOFA) loan program offers residential developers diverse financing opportunities for housing projects aimed at catalyzing positive transformations within our communities. Aligned with the objectives outlined in Plan Cincinnati, NOFA aims to bolster the provision of a comprehensive range of healthy housing options while enhancing affordability and quality.

Serving as a public gap financing mechanism, NOFA effectively harnesses private investment to foster the development of high-quality housing across the city. Loans under the NOFA program are allocated through a competitive application process, wherein DCED staff assess and endorse projects based on their alignment with the city's housing policy objectives.

Funding provided through the NOFA process can vary. Through this application process, we are able to attract various funding opportunities to awarded NOFA projects that consist of City, Federal (HOME and CDBG) and TIF resources.

Project Comparison

With only limited financial details available on the project proposal, DCED has compared this proposal to prior projects where the City provided financial support to surmise what financial support from the City the developer may seek in the future. Since this project is the new construction of 240 units outside of the Central Business District (CBD), similar projects were limited to projects involving new construction of at least 50 units outside of the CBD.

- Graphite Oakley (2020) – Status Under Construction. Graphite Oakley is located at 2980 Disney Street in the Oakley neighborhood of Cincinnati. It consists of the construction of five new buildings with enclosed parking on the first floor, consisting of approximately 564 parking spaces, and approximately 360,828 square feet of residential rental space on the upper floors, consisting of approximately 316 apartments at a total construction cost of approximately \$35,569,369. The City supported Graphite Oakley with a 12 year, net 52% CRA tax abatement
- Lester & Montgomery (2022) – Status: Under Construction. Lester and Montgomery Apartments is located at 5984-5988 Lester Road and 6006-6026 Montgomery Road in the Pleasant Ridge neighborhood of Cincinnati. It consists of the construction of one building consisting of 82 dwelling units, and approximately 6,013 square feet of commercial space at a total construction cost of approximately \$23,000,000. The City assisted Lester & Montgomery with a 15-year, net 67% CRA tax abatement and funded the acquisition of the property at a cost of \$950,000 through Pleasant Ridge Community Urban Redevelopment Corporation.
- Paramount Launch (2022) – Status: Under Construction. Paramount Launch is located at 954 E McMillan, 2458 Gilbert and 2429 Gilbert in the Walnut Hills neighborhood of Cincinnati. It consists of the construction of one new five story building and renovation of two historic buildings consisting of 56 residential units, 6790 square feet of commercial space and 23,000 square feet of office space at a total construction cost of approximately \$20,000,000. The City assisted Paramount Launch with a 15-year, net 67% CRA tax abatement, a \$900,000 forgivable loan through the Affordable Housing Leveraged Fund managed by CDF and the City funded the Walnut Hills Redevelopment Foundation to purchase the underlying former Kroger store (building and loan) at a total cost of \$1,300,000.

Based on the limited project information available and comparison with other similar neighborhood projects involving new construction, DCED anticipates the Developer will minimally seek a property tax-based incentive through either the Commercial CRA program (15-year net 52%) or a Project TIF incentive as a necessary inducement to

proceed with the proposed investment. Developer may also seek assistance from the Building Demolition and Site Revitalization Program from the Ohio Department of Development for the demolition of the former Hoffman School if resources are made available for application in a future funding round. The developer has not sought this assistance in the current state funding round, but this form of assistance has been sought by other similar projects under development now.

CONCLUSION

It is reasonable to assume that a project of this size in today's market would benefit from City financial incentives. Similar projects typically encounter financing gaps that can be supported by any of the programs outlined in this report. While various factors come into play when underwriting a project for financial incentives, our team is committed to carefully assessing each project's potential to maximize the benefits of our incentive programs and promote sustainable development within our community.

DCED has not received an application for financial assistance from the Developer. The analysis presented herein is based on information provided for the zone change which is insufficient for evaluating the need for financial incentives, as well as our understanding of market standards and past projects of similar scale.

As a best practice, DCED recommends that developers seeking financial incentives begin that process on a similar timeframe to seeking zoning relief as that allows these independent processes to proceed on similar timeframes and construction to then commence at the earliest possible time thereafter. Independent of City Council's action on this developer's request for zoning relief, DCED staff will reach out to the Developer to ensure the Developer has awareness of the incentives listed above and the associated applications and timelines. Should the developer wish to pursue any of the assistance options mentioned, DCED will reiterate that the City has previously indicated it will not provide funding or incentives for the demolition of the structure as part of any incentive package consideration.

This report is for informational purposes only and no action is required on this report.

Attachment A: Zone Change Request for 3060 Durrell

Copy: Markiea L. Carter, Director, Department of Community & Economic Development

**AMENDED AND RESTATED
CONCEPT PLAN & DEVELOPMENT PROGRAM STATEMENT**

**ZONING CHANGE REQUEST FOR
3060 DURRELL AVENUE, EVANSTON, CINCINNATI, OHIO**

1. **Applicant/Petitioner.**

Kingsley + Co. (the “Developer”)
PO Box 19967
Cincinnati, Ohio 45219

2. **Authorized Representative/Agent.**

Taft Stettinius & Hollister LLP
Sonya S. Jindal Tork, Esq.
425 Walnut Street, Suite 1800
Cincinnati, Ohio 45202

3. **Summary of Request.**

Kingsley + Co. is requesting a zone change from Residential - Mixed (RMX) to Planned Development (PD) for the property located at 3060 Durrell Avenue.

4. **Plan Elements. (Cincinnati Zoning Code §1429-09(a) and §1429-09(e))**

- a. **Project Description:** Kingsley + Co., a minority-owned developer, presents *The Mingo*, a transformative mixed-income housing project located at 3060 Durrell Avenue, in the heart of the vibrant neighborhood of Evanston, Cincinnati. Honoring the legacies of beloved and tireless community activists, Reverend Peterson Mingo and his wife, Regina Mingo, The Mingo will revitalize the former site of Christ Temple Full Gospel Baptist Church, where Reverend Mingo served as pastor and nurtured at-risk youth through organizations he founded including the Evanston Bulldogs and The Village. The Mingo tackles Cincinnati's urgent and critical need for mixed-income housing, offering diverse housing options alongside a dedicated business/co-working space, empowering residents to pursue entrepreneurial dreams and remote work opportunities.
- b. **Project Objectives:** In direct alignment with key priorities, goals, and objectives outlined in Plan Cincinnati and the Evanston Workplan, this proposal aims to:
 - i. Address the City's and Evanston's growing demand for diverse housing options through high-quality mixed-income units (75-110% AMI), contributing to Plan Cincinnati's target of expanding housing availability for all and promoting economic diversity and creating vibrant, inclusive

communities throughout the City and Evanston Workplan’s goal of creating a mixed-income neighborhood without displacement.

- ii. Elevate the quality of life for Evanston residents by delivering modern amenities, fostering a lively and vibrant community atmosphere, and integrating business/co-working spaces, as envisioned in the Evanston Workplan.
 - iii. Champion sustainable and walkable urban living by encouraging pedestrian activity and supporting public transportation initiatives, aligning with both Plan Cincinnati and the Evanston Workplan.
- c. **Site Description:** The project is located on a 4.513-acre site at 3060 Durrell Avenue in the Evanston neighborhood. The site currently includes the former Christ Temple Full Gospel Baptist Church and ballfield, which will be demolished prior to construction commencement. The site offers ample space to accommodate the development of 240 mixed-income housing units and associated amenities. The location is well-suited for urban living, with convenient access to public transportation and proximity to the Evanston Business District and downtown East Walnut Hills.
- d. **Proposed Land Use:** The proposed land use includes:
- i. 240 mixed-income housing units, ranging from studios to 3-bedroom apartments and approximately consisting of the following:
 - Studios: 24 units
 - 1 Bedroom: 119 units
 - 2 Bedroom: 79 units
 - 3 Bedroom: 18 units
 - ii. On-site parking facilities underneath a podium.
 - iii. Amenities, including a pool, rooftop spaces, dog runs, and business/co-working areas for residents.
- e. **Zoning Information:** The project site is currently zoned RMX (Residential Mixed Use), and the Developer is seeking to rezone the site to a Planned Development (PD) zoning designation. This rezoning aligns well with the surrounding zoning designations. To the north of the property, single-family homes are present. To the south, a multi-family project had successfully applied for a Planned Development (PD) zoning status. Additionally, to the northeast, there is RM .7 zoning, which is dense multifamily zoning. Given the nearby zoning designations, this property is well-suited to fit within the neighborhood envelope and contribute positively to the community.

- f. **Amenities:** The development will feature a range of thoughtfully curated amenities designed to enhance the living experience of residents. These amenities will include a pool for relaxation, rooftop spaces for socializing, dedicated dog runs for pet owners, and a business/co-working area to support residents in their professional endeavors.
- g. **Building Height and Configuration and Density:** Incorporating valuable feedback from the community, the proposal balances density and critical housing needs while respecting the neighborhood’s character with two four-story buildings comprising 240 mixed-income units and specifically includes:
 - i. A four-story building facing Woodburn Ave, with a height of 48 feet; and
 - ii. A four-story building on a podium facing Durrell Avenue, with parking facilities situated underneath the podium, and a height of 60 feet.
- h. **Parking:** By increasing the number of parking spaces to 248 off-street parking spots, the project provides ample parking with a 1:1.03 unit-to-space ratio. The proposed parking will be in compliance with Sections 1425-25 “Off Street Parking and Loading Dimensions” and 1425-29 “Parking Lot Land Use” of the Cincinnati Municipal Code.
- i. **Open Space, Pedestrian Circulation and Streetscaping:**
 - i. The plans for dedicated sidewalks, landscaping, a pool, and on-site green spaces, including rooftop areas and dog runs, contribute to a pedestrian-friendly and community-oriented environment.
 - ii. Streetscape elements such as street trees, benches, and trash receptacles are intended to be included. Final details related to sidewalks, open space calculations, dimensions, and elements in the public right-of-way will be determined at the time of any filing for a Final Development Plan.
- j. **Proposed Landscaping and Buffering.** Final landscaping and buffering will be determined at the time of any filing for a Final Development Plan; however, we offer the following perspectives. Landscaping shall be provided in open space wherever it is possible to sustain plant life and not impede other land uses. Buffer planting shall be used, wherever possible, to define public and semi-private to private spaces, including but not limited to the separation between sidewalks and ground floor residential uses.
- k. **Access and Connectivity:** The project's strategic location near two bus stops and its walkable proximity to the Evanston Business District and downtown East Walnut Hills makes it easily accessible for residents and supports sustainable transportation options. Additionally, it is only a 5-minute drive to downtown Cincinnati and in close proximity to the University of Cincinnati and Xavier University.

- l. **Environmental Considerations:** The project will incorporate sustainable design principles to minimize its environmental footprint. Energy-efficient systems and environmentally friendly construction practices will be employed to reduce energy consumption and promote sustainability. The Developer will construct the building to LEED silver building standards.
- m. **Exterior Lighting:** Final exterior lighting will be determined at the time of any filing for a Final Development Plan; however, we offer the following perspectives. All site lighting shall be positioned to effectively and safely illuminate streets and sidewalks. Lighting shall be shielded to ensure that light is directed away from adjacent residential properties. Proposed exterior lighting and height of lighting will conform to §1421-39 of the Cincinnati Zoning Code.
- n. **Signage:** Final signage will be determined at the time of any filing for a Final Development Plan. A signage plan will be submitted with the Final Development Plan and will follow the requirements of Section §1427 of the Cincinnati Zoning Code as a residential multi-family building.
- o. **Refuse Storage, Fencing, and Walls:** Refuse storage, fencing, and walls will be in compliance with the associated sections of the Cincinnati Municipal Code per §1421-33 “Fences and Walls” and §1421-35” Refuse and Storage Areas.
- p. **Revised Development/Concept Plan:** See Exhibit A for the Developer’s Revised Development/Concept Plan, which includes revised Site Context, Site Plans, Boundary & Topographic Survey, and Renderings.
- q. **Rezoning Plat:** See Exhibit B.

5. **Ownership. (Cincinnati Zoning Code §1429-09(b))**

The properties comprising the development site are listed below and are currently owned by 3060 Durrell Investors LLC, the beneficial owner of which is Chinedum K. Ndukwe.

Address	Parcel ID	Owner	Beneficial Owner
3060 Durrell Ave	055-0002-0121-00	3060 Durrell Investors LLC	Chinedum K. Ndukwe
3060 Durrell Ave	055-0002-0039-90	3060 Durrell Investors LLC	Chinedum K. Ndukwe

6. **Schedule/Timeline. (Cincinnati Zoning Code §1429-09(c))**

The project will be constructed in a phased approach with two anticipated phases for the overall development:

- a. Phase I: The Woodburn building will be constructed first with an estimated 18-month construction schedule.

- b. Phase II: The Durrell building will start 4-6 months after the Woodburn building and will take 18 months to complete construction.
7. **Preliminary Reviews. (Cincinnati Zoning Code §1429-09(d))**
- a. **Geo-technical, Sewage, Water, Drainage, Approval and Permitting.** After analysis through the City's Coordinated Site Review (CSR) process, the proposed project is poised to move forward. Following a CSR Advisory Team meeting, a separate meeting with the Developer addressed departmental feedback. The Developer received a letter with recommendations and requirements from the City and will continue collaborating with relevant agencies and departments like DOTE, MSD, GCWW, Duke Energy, and Cincinnati Bell dba Altafiber to ensure compliance. The project will adhere to all local regulations and requirements, and the necessary approvals and permits, including the rezoning to a Planned Development, will be obtained to ensure compliance with City guidelines.
 - b. **Refuse Collection:** Trash and waste facilities shall be provided on-site and located in areas to limit visibility.
8. **Community Engagement and Collaboration:** The Developer has actively collaborated with the community and the City throughout the planning process. For over a year, the Developer has been actively engaged with the Evanston Community Council and Evanston Business Association about the project. The Developer received a letter of support for the project from the Evanston Community Council. The Developer has proactively worked to further engage with the community and the City to address any concerns and improve the quality of the development, incorporating valuable feedback and adjusting elements of the plan to coincide with community wishes. (See Exhibit C). Examples include:
- a. **Two Public Staff Conferences:** Committed to a collaborative approach, the Developer participated in two virtual public staff conferences, one on November 6, 2023, and another one on January 8, 2024, to gather community and City perspectives and feedback. Incorporating valuable suggestions, the Developer has revised its Concept Plan (see Exhibit A) and Development Program Statement. These revised documents address community concerns regarding design elements, parking, circulation, density, building height, open space, and impacts on the surrounding neighborhood, demonstrating responsiveness and flexibility. The initial plan has been significantly enhanced based on community feedback, resulting in revisions including the examples outlined below.
 - b. **Enhanced Design:** Incorporating brick and stone accents adds warmth and character, blending with the surrounding aesthetic and demonstrating a commitment to respect the existing fabric of the neighborhood. (See Exhibit A for new renderings and architectural design.)

- c. **More Responsive Density:** Decreasing the unit count by 60 (totaling 240 proposed units) ensures an appropriate scale for the site while still addressing the City's and Evanston's critical need for diverse housing options.
- d. **Decreased Building Height:** Decreasing the Durrell Avenue side building to four-stories, instead of five-stories, balances critical and pressing housing needs while respecting the neighborhood's character.
- e. **Ample Parking:** By increasing the number of parking spaces to 248 off-street parking spots, the project provides ample parking with a 1:1.03 unit-to-space ratio.
- f. **Inviting Streetscape, First-Floor Openness, and Enhanced Pedestrian Paths:** Extending sidewalks and adding front doors to first-floor Woodburn units to imitate the look and feel of nearby townhome developments on Woodburn, enhances pedestrian flow within the community, creates a welcoming and walkable environment connecting the development with the neighborhood and street-level engagement, and contributes to a vibrant community atmosphere.
- g. **Increased Vibrant, Open, and Green Spaces:** Increased landscaping and the expansion of open and green space, including rooftop areas and the addition of a dog park, contribute to a healthier, more vibrant and aesthetically pleasing community.
- h. **Sustainability & Environmental Friendliness:** Integrating environmentally friendly and sustainable elements into the design showcases the Developer's commitment to responsible development and aligning with Plan Cincinnati's environmental stewardship goals.

The Mingo at 3060 Durrell Avenue offers a plethora of public benefits, demonstrates responsiveness to community needs and wishes, and represents a significant step toward addressing the critical housing needs of Cincinnati residents, while fostering and supporting entrepreneurship, remote work opportunities, and sustainable urban living. The Mingo will create a vibrant, economically healthy, and inclusive community in the heart of Evanston, contributing positively to the City of Cincinnati's urban landscape, all in alignment with key priorities and objectives of Plan Cincinnati and the Evanston Workplan.

EXHIBITS

- A. Revised Development/Concept Plan (Site Context, Survey, Site Plans, Renderings)
- B. Rezoning Plat
- C. Community Engagement Summary