

SUBJECT: A report and recommendation on a proposed Major Amendment to the Concept Plan and Development Program Statement for Planned Development #67, University Station, located at 3701 Montgomery Road in Evanston.

GENERAL INFORMATION:

Location: 3701 Montgomery Road, Cincinnati, OH 45207

Petitioner: MSA Design
316 West Fourth Street, Cincinnati, OH 45202

Owner: Xavier University
3800 Victory Parkway, Cincinnati, OH 45207

Request: A proposed Major Amendment to the Concept Plan and Development Program Statement for Planned Development #67 to change the permitted uses to include smaller-scale recreation and entertainment uses for a new business located at 3701 Montgomery Road.

EXHIBITS:

Provided in addition to this report are the following exhibits:

- Exhibit A – Location Map
- Exhibit B – Development Program Statement
- Exhibit C – Development Plans
- Exhibit D – Amended Concept Plan

BACKGROUND:

Planned Development #67 (PD-67), University Station, formerly known as Dana Montgomery, was established on October 3, 2012. University Station consists of properties located within the City of Norwood and the City of Cincinnati. The project portion that is located within the City consists of office and commercial spaces as part of a larger development site near Xavier University's campus also including more offices, residential/student apartments, and retail. A Major Amendment to the Concept Plan and Development Program Statement was approved in April of 2013, moving 6,880 square feet of retail space that was originally slated for the Norwood portion of the development site to the City of Cincinnati portion.

In November of 2024, another Major Amendment was approved to establish the new College of Osteopathic Medicine which is currently under construction.

The applicant team MSA Design, on behalf of Xavier University, requested another Major Amendment on February 12, 2025 to amend the existing Concept Plan and Development Program Statement to include additional uses. The additional approved uses would include, "small-scale recreation and entertainment" and uses consistent with the Commercial Neighborhood – CN zoning district such as retail, commercial, office, and housing. Other than expanding the uses permitted, all other aspects of the Planned Development will remain the same and will not affect any physical attributes, including the subject building located at 3701 Montgomery Road.

ADJACENT LAND USE AND ZONING:

The site is currently zoned as a Planned Development (PD-67). The adjacent zoning and land uses are as follows:

North:

Zoning: O-PUD (City of Norwood)

- Use: Institutional, commercial, student housing, retail
- East:**
 Zoning: MG-T
 Use: Commercial, surface parking
- South:**
 Zoning: RM-2.0-MH and CC-A-T
 Use: Single-family residential, commercial, gas station
- West:**
 Zoning: IR
 Use: Institutional

PROPOSED DEVELOPMENT AND CHANGES TO CONCEPT PLAN:

The applicant is proposing to change the permitted uses within the building located at 3071 Montgomery Road. The subject building was previously home to Listermann's Trail House and Truist Bank. The original Planned Development established the proposed building uses as "retail," "retail/restaurant," and "restaurant/bar." Xavier University is now seeking to amend PD-67 to allow the use of "small-scale recreation and entertainment" and uses consistent with the Commercial Neighborhood – CN zoning district.

Per *Section 1429-12. – Amendments to the Planned Development Concept Plan* of the Cincinnati Zoning Code, this is considered a Major Amendment which must be approved by Cincinnati Planning Commission and City Council.

BASIC REQUIREMENTS OF A PLANNED DEVELOPMENT DISTRICT:

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

- a. ***Minimum Area*** – *The minimum area of a PD must be two contiguous acres.*
 Planned Development #67 is 6.478 acres total.
- b. ***Ownership*** – *Evidence that the petitioner 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.*
 Xavier University is the owner of the subject site.
- c. ***Multiple Buildings on a Lot*** – *More than one building is permitted on a lot.*
 This is an existing building that is not being modified other than the use.
- 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 the site 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.*
 No portion of the site is 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.*

No portion of the site is 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. 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 applicant team has submitted a proposed Major Amendment to the Concept Plan and Development Program Statement that includes sufficient information regarding the proposed use.

- b. **Ownership** – *Evidence that the petitioner 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 applicant has provided evidence that Xavier University has sufficient control over the subject tract of land.

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

The project will be constructed in a single phase.

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

The proposal is seeking additional permitted uses in an existing building. The applicant is aware of future permit requirements for interior renovations.

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

No changes to the density and open space are proposed.

PUBLIC COMMENT AND NOTIFICATION:

There was a virtual public staff conference held on April 2, 2025, with no members of the public in attendance. City staff and a member of the applicant team were in attendance and held the meeting. Notices for the public staff conference and the City Planning Commission meeting were sent out to all property owners within 400 feet of the site and the Evanston Community Council.

CONSISTENCY WITH PLANS:

Plan Cincinnati (2012)

The proposal is consistent with multiple goals and principles of *Plan Cincinnati*:

- Compete Goal 2: “Cultivate our position as the most vibrant and economically healthiest part of our region” through the strategies to “Target investment to geographic areas where there is already economic activity” and to “strategically select areas for new growth” (p. 115).
- Guiding Geographic Principle to “Focus revitalization on existing centers of activity” (p. 86).

Evanston Work Plan (2019)

The proposal is consistent with multiple goals and recommendations of the *Evanston Work Plan*:

- Community Conversation Insight of “Bringing Life Back to Business Districts” (p. 12). The plan specifically highlights the community’s desire to see new investment and new life located within the business districts.
- Goal 2 to “Position commercial real estate to support a diversity of locally and corporately owned businesses that would be attractive to residents and where our community can work and thrive” (p. 13).
- Goal 3 to “Revive Evanston’s Business Districts to preserve the rich culture and history of the community, reflecting education and the arts and promoting the community as a great place to live and work” (p. 13).

CITY PLANNING COMMISSION ACTION:

According to Section §1429-11(a) of the Cincinnati Zoning Code, 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 proposal is consistent with *Plan Cincinnati* and the *Evanston Work Plan*.

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 proposal is an amendment to an already approved and established Planned Development district.

3. *Deviations from the base district regulations applicable to the property at the time of the PD application are justified by compensating benefits of the PD concept plan and development program statement;*

The proposal is an amendment to an already approved and established Planned Development and is seeking additional permitted uses in an existing structure.

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

All provisions are covered in the submitted Concept Plan and Development Program Statement.

ANALYSIS:

The proposed Major Amendment to the Concept Plan and Development Program Statement would allow for additional permitted uses of the subject building formerly known as the Listermann Trail House and Truist Bank which has been closed. The existing space from the former brewery/restaurant will stay the same, and the former bank space, directly north of the brewery/restaurant will become an arcade, incorporating and combining the “restaurant/bar” use into the new use. The proposed new use of the former bank space is classified as a “small-scale recreation and entertainment” according to the Cincinnati Zoning Code. This use was not identified in the

original Concept Plan and Development Program Statement as it only described the uses as “retail”, “retail/restaurant,” and “restaurant/bar.” The Major Amendment would also permit all uses within the CN-Commercial Neighborhood zoning district including “retail services,” “office,” “open space,” and “eating and drinking establishments.” This would limit potential future Major Amendments and allow for flexibility of the space as the market and neighborhood changes.

The additional permitted uses will not affect any physical attributes of the Planned Development. The building, landscaping, parking and other development associated with the subject building are all staying the same. The uses are compatible with the mixed-use Planned Development. The proposed allowed uses are consistent with the type of development envisioned by the community of Evanston and consistent with the aforementioned plans.

CONCURRENT APPROVAL WITH FINAL DEVELOPMENT PLAN:

According to §1429-16 *Concurrent Approval of Concept Plan, Development Program Statement and Final Development Plan* - The City Planning Commission may review and approve the Concept Plan, Development Program Statement and the Final Development Plan concurrently, provided that the applicant meets the submission requirements of both the Concept Plan and the Final Development Plan. The Planning Commission's approval of the Final Development Plan is contingent on the applicant obtaining City Council's approval of the Planned Development map amendment without changes.

FINDINGS:

It is the opinion of staff of the Department of City Planning and Engagement that the Major Amendment to the Concept Plan and Development Program Statement are following §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.

RECOMMENDATION:

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

1. **ADOPT** the Department of City Planning and Engagement Findings as detailed in this report; and
2. **APPROVE** the proposed Major Amendment to the Concept Plan and Development Program Statement for Planned Development #67, University Station, located at 3701 Montgomery Road in Evanston.

Respectfully submitted:



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

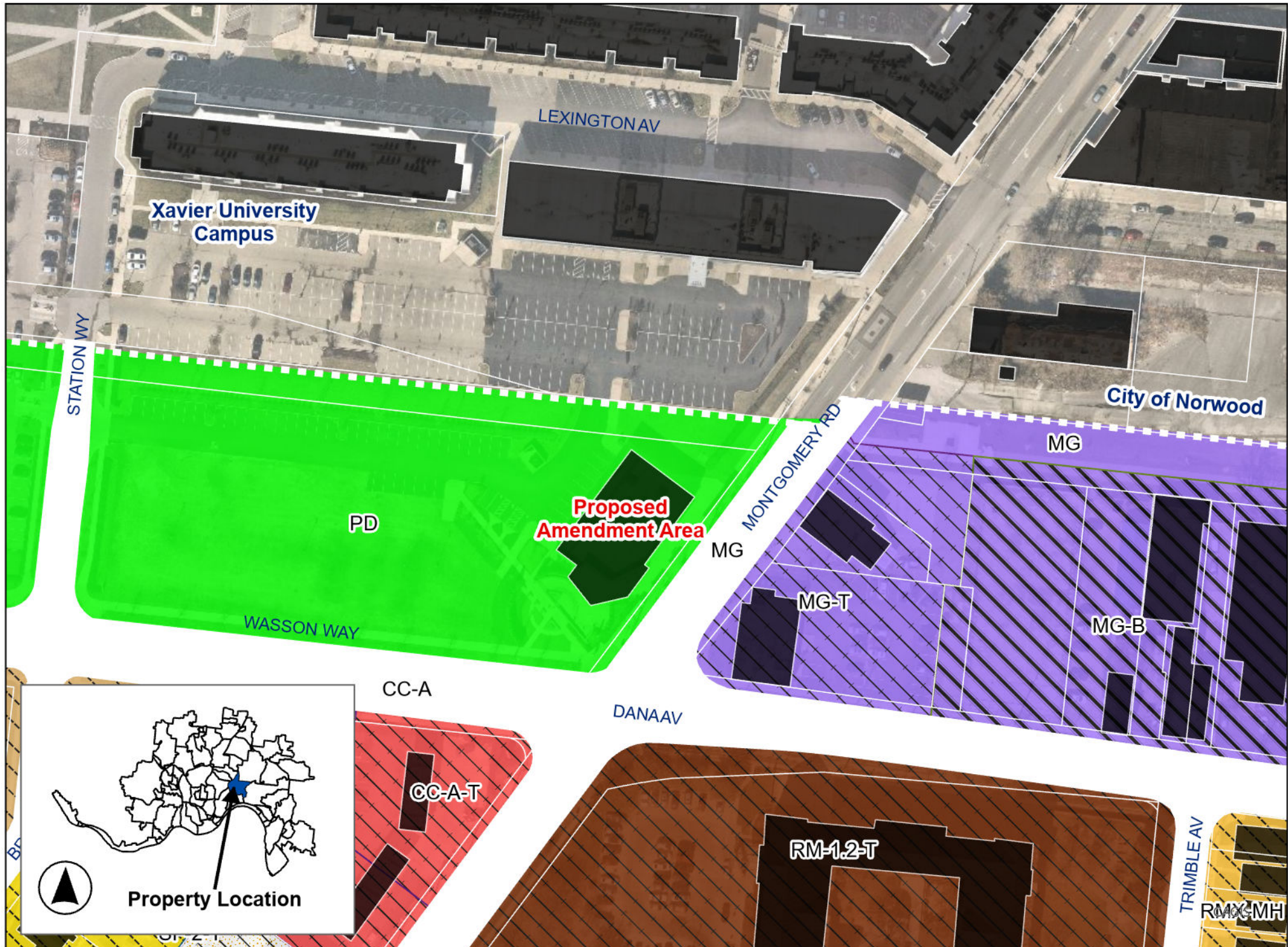
Approved:



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

Proposed Major Amendment for PD-67 in Evanston

Exhibit A



Development Program Statement

PD-67 Use Change for Trailhouse at 3701 Montgomery Road

February 12, 2025

Xavier university requests a Major Amendment to the Final Development Plan for Phase 1 of Planned Development District #67 (PD-67), University Station, located at 3701 Montgomery Road in Evanston, for a partial Use Change. PD-67 established a "business corridor" along Dana Avenue and a "main street corridor" along Montgomery Road including portions of Montgomery Road and Cleaney Avenue in Norwood.

Since the establishment of PD-67, Xavier University has gained control of the building at 3701 Montgomery Road and is proposing a major amendment to the Concept Plan for Planned Development District # 67 (PD-67) to provide a Use Change for the 6,880 square building located at 3701 Montgomery Road (the corner of Montgomery Road and Dana Avenue).

When the proposal for this building was submitted as an amendment to PD-67 in 2013, the building's uses were loosely described in various drawings and documents as "retail," "retail/restaurant," and "restaurant/bar." The university seeks to modify the planned development to allow uses that are consistent with the Commercial Neighborhood CN zone, which is the character of development sought for the Montgomery Road and Cleaney Avenue "main street corridor."

This Use Change will not affect any physical attributes of the Planned Development. The building, landscaping, parking and other development associated with this building and its use are existing. Other than the use change, all other aspects of the planned development would remain the same.

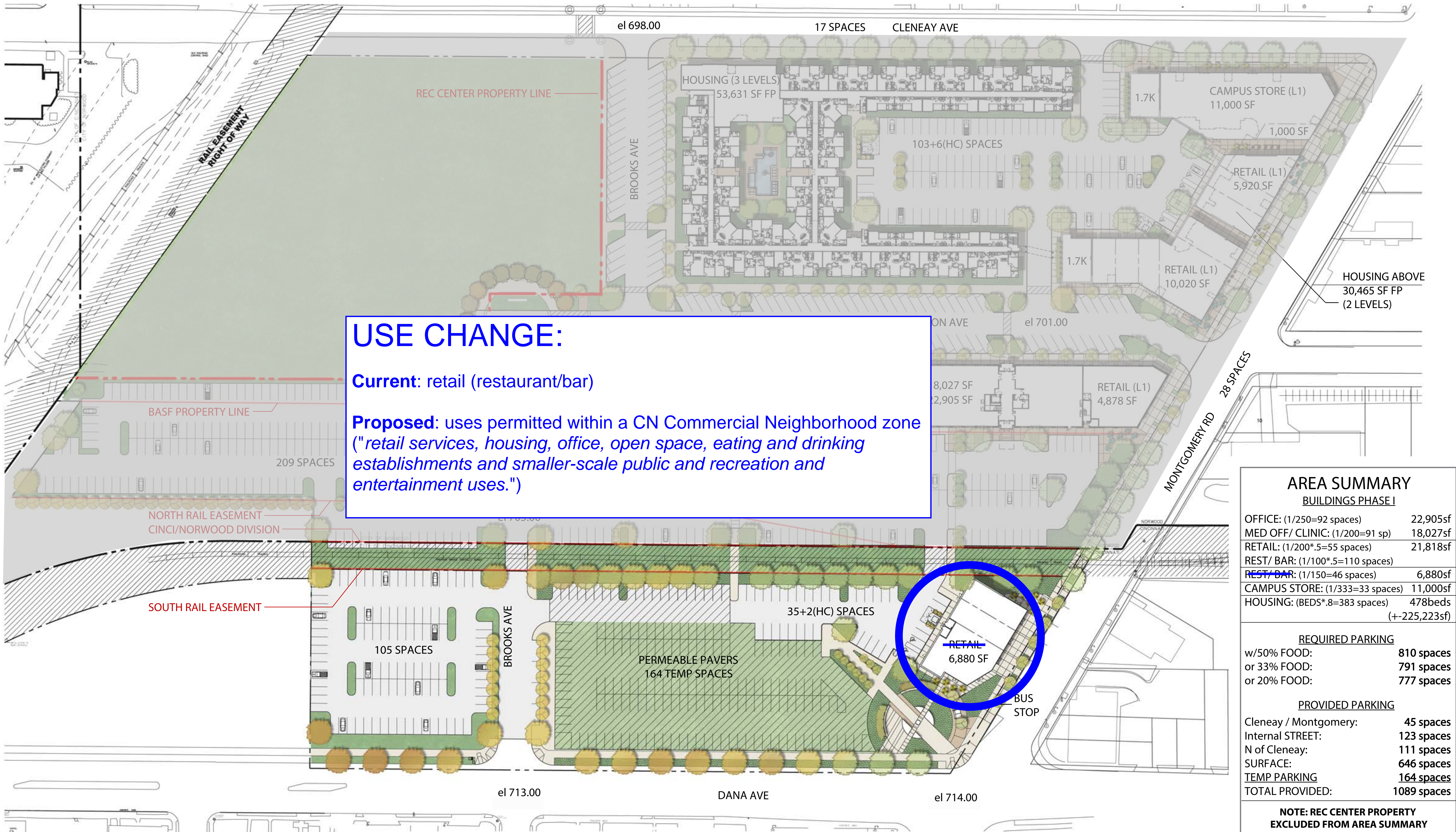
The Use Change is compatible with the intent of the planned development. Further, the proposed allowable uses are consistent with the type of development envisioned in the Evanston Neighborhood Business District (NBD) Urban Renewal Plan (1998), consistent with Plan Cincinnati (2012) initiatives and goals, and supports recent city initiatives to revitalize neighborhoods and support their business districts.

A

B

C

D



USE CHANGE:

Current: retail (restaurant/bar)

Proposed: uses permitted within a CN Commercial Neighborhood zone ("retail services, housing, office, open space, eating and drinking establishments and smaller-scale public and recreation and entertainment uses.")

AREA SUMMARY	
BUILDINGS PHASE I	
OFFICE: (1/250=92 spaces)	22,905sf
MED OFF/ CLINIC: (1/200=91 sp)	18,027sf
RETAIL: (1/200*.5=55 spaces)	21,818sf
REST/ BAR: (1/100*.5=110 spaces)	
REST/ BAR: (1/150=46 spaces)	6,880sf
CAMPUS STORE: (1/333=33 spaces)	11,000sf
HOUSING: (BEDS*.8=383 spaces)	478beds
	(+225,223sf)
REQUIRED PARKING	
w/50% FOOD:	810 spaces
or 33% FOOD:	791 spaces
or 20% FOOD:	777 spaces
PROVIDED PARKING	
Cleneay / Montgomery:	45 spaces
Internal STREET:	123 spaces
N of Cleneay:	111 spaces
SURFACE:	646 spaces
TEMP PARKING	164 spaces
TOTAL PROVIDED:	1089 spaces
NOTE: REC CENTER PROPERTY EXCLUDED FROM AREA SUMMARY	

Xavier university requests a Major Amendment to the Final Development Plan for Phase 1 of Planned Development District #67 (PD-67), University Station, located at 3701 Montgomery Road in Evanston, for a partial Use Change. PD-67 established a "business corridor" along Dana Avenue and a "main street corridor" along Montgomery Road including portions of Montgomery Road and Cleaneay Avenue in Norwood.

Since the establishment of PD-67, Xavier University has gained control of the building at 3701 Montgomery Road and is proposing a major amendment to the Concept Plan for Planned Development District # 67 (PD-67) to provide a Use Change for the 6,880 square building located at 3701 Montgomery Road (the corner of Montgomery Road and Dana Avenue).

When the proposal for this building was submitted as an amendment to PD-67 in 2013, the building's uses were loosely described in various drawings and documents as "retail," "retail/restaurant," and "restaurant/bar." The university seeks to modify the planned development to allow uses that are consistent with the Commercial Neighborhood CN zone, which is the character of development sought for the Montgomery Road and Cleaneay Avenue "main street corridor."

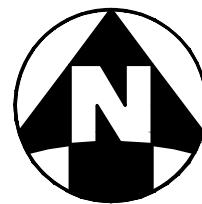
This Use Change will not affect any physical attributes of the Planned Development. The building, landscaping, parking and other development associated with this building and its use are existing. Other than the use change, all other aspects of the planned development would remain the same.

The Use Change is compatible with the intent of the planned development. Further, the proposed allowable uses are consistent with the type of development envisioned in the Evanston Neighborhood Business District (NBD) Urban Renewal Plan (1998), consistent with Plan Cincinnati (2012) initiatives and goals, and supports recent city initiatives to revitalize neighborhoods and support their business districts.

PRELIMINARY : DIMENSIONS, SQUARE FOOTAGE AND CONFIGURATIONS ARE SUBJECT TO CHANGE AS PLANS DEVELOP



studio costandi ARCHITECTURE + PLANNING



MSA DESIGN



Planned Development 67
Use Change

Number	Date	Issued For

Amended
Concept
Plan

Date
02/10/2025
Scale
AS INDICATED
Proj. Number

Drawing Number

G-101

25 MONTGOMERY DEVELOPMENT LLC
3825 EDWARDS RD 103
CINCINNATI OH 45209

NEWTON CLARION ASSOCIATES LLC
1418 CENTRAL PKWY # 201
CINCINNATI OH 45202

TOWER LEASING LLC
1418 CENTRAL PARKWAY # 201
CINCINNATI OH 45202

POND REALTY COMPANY
250 EAST FIFTH ST #285
CINCINNATI OH 45202

WILLIAMS KENARD THOMPSON & JAMES
E WILLIAMS
1836 DANA AVE
CINCINNATI OH 45207

BECKFORD DONNELL G & MONNA L
PO BOX 801
CINCINNATI OH 45201

635 KRESS LLC
6528 RIPPLEWOOD LN
CINCINNATI OH 45230

850 HATHAWAY LLC
PO BOX 19117
CINCINNATI OH 45219

ALEXANDER BERTRAM
PO BOX 36163
CINCINNATI OH 45236

BATES CONSTANCE L
1721 DANA AVE
CINCINNATI OH 45207-1138

BOWLING DANIEL E & COURTNEY A
3628 IDLEWILD AVE
CINCINNATI OH 45207

BRYAN CARLIER LLC
86 WATCH HILL LN
NEWPORT KY 41071

BULLARD GAIL V
3621 MONTGOMERY RD
CINCINNATI OH 45207-1134

CINCINNATI METROPOLITAN HOUSING
AUTHORITY
1635 WESTERN AVE
CINCINNATI OH 45214

DILLARD CLARENCE L
1825 RUTLAND AVE
CINCINNATI OH 45207

DURANT EDNA
3645 BROOKS AVE
CINCINNATI OH 45207-1107

ELAINE TASHA BUTLER LLC
1821 RUTLAND AVE
CINCINNATI OH 45207

EQUITY TRUST COMPANY
4 RENNEL DR
CINCINNATI OH 45226

HEARN LEONA
3629 NEWTON AVE
CINCINNATI OH 45207-1115

HUFF DOUG
3661 CLARION AVE
CINCINNATI OH 45207

HUMPHRIES GWENDOLYN N
3635 CLARION AVE
CINCINNATI OH 45207

HUMPHRIES NELSON
3638 CLARION AVE
CINCINNATI OH 45207

J E W PROPERTIES LLC
1836 DANA AVE
CINCINNATI OH 45207

JENKINS MARTHA S@5
1757 DANA AVE
CINCINNATI OH 45207-1136

LERDA JOHN B & LORI A
2118 TOFTREE DR
BRIDGEVILLE PA 15017

MUSKIES LLP
1832 DANA AVE
CINCINNATI OH 45207

NEWTON CLARION ASSOCIATES LLC
8322 ARBORCREST DR
CINCINNATI OH 45236

OMW LLC
3633 NEWTOWN AVE
CINCINNATI OH 45227

PARISH OF ST ANDREWS
1809 RUTLAND AVE
CINCINNATI OH 45207

POMPANO PROPERTIES LLC
2722 CALEDON LN
CINCINNATI OH 45244

POPHAM GREGORY C II
996 APPLEBLOSSOM DR
COVINGTON KY 41017

ROSSER WILMA @3
6426 WELTON ST
CINCINNATI OH 45213

RUEVE GROUP LLC
3700 MONTGOMERY RD
CINCINNATI OH 45207

SHARIEFF SAFIRA & NAZHAT TAQUL
3613 HIDDEN POND RD
LEXINGTON KY 40502

STONE LANES
3746 MONTGOMERY RD
CINCINNATI OH 45212

UNITED DAIRY FARMERS INC
3955 MONTGOMERY RD
CINCINNATI OH 45212

WALKER MARVIN
3636 IDLEWILD AVE
CINCINNATI OH 45207

WARNER CHARLES
1817 RUTLAND AVE
CINCINNATI OH 45207-1219

WILLIAMS LARRY D
4818 NELAPARK DR
DAYTON OH 45424

XAVIER UNIVERSITY
3800 VICTORY PW
CINCINNATI OH 45207

XUPROP CO
643 W COURT ST
CINCINNATI OH 45203

BIRCH CHARLES D & BRENDA E
SANDERS
3652 BROOKS AVE
CINCINNATI OH 45207-1108

HARRIS GERALD K & BRENDA L
1729 DANA AVE
CINCINNATI OH 45207-1138

EWERS AND MCCOLLOM COMPANY INC
1902 DANA AVE
CINCINNATI OH 45207

ST ANDREWS CHURCH PARISH THE
1809 RUTLAND AVE
CINCINNATI OH 45207

LISTERMANN DANIEL E & SUSAN M
4120 FOREST AVE
CINCINNATI OH 45212

579 BLAIR LLC
5535 COLERAIN AVE C/O RAW
PROPERTY MANAGEMENT
CINCINNATI OH 45239

LA VENTURA LLC
1418 CENTRAL PARKWAY STE 201
CINCINNATI OH 45202

QZ FUNDING LLC
880 NORTHWOOD BLVD STE 3T
INCLINE VILLAGE NV 89451

SOUTHWEST OHIO REGIONAL TRANSIT
AUTHORITY
1014 VINE ST SUITE 2000
CINCINNATI OH 45202-1122

SOUTHWEST OHIO REGIONAL TRANSIT
AUTHORITY
31 E GEORGIA ST SUITE 300
INDIANAPOLIS IN 46204

JDS HOLDINGS III LLC
3385 CREEK RD UNIT 3
CINCINNATI OH 45241

EVANSTON COMMUNITY COUNCIL
PO BOX 12128
CINCINNATI, OH 45212