

**Honorable City Planning Commission
Cincinnati, Ohio**

December 17, 2021

SUBJECT: A report and recommendation on a proposed zone change at 115-125 W. McMillan Street from Commercial Community – Mixed (CC-M) and Residential Mixed (RMX) to Planned Development (PD) including the Concept Plan and Development Program Statement in CUF.

GENERAL INFORMATION:

Location: 115-125 W. McMillan Street and 124-142 Lyon Street in CUF (Attachment A)

Petitioner: Barrett P. Tullis, Esq.
1 East 4th Street, Suite 1400
Cincinnati, OH 45202

Owner: Moerlein Properties, LLC (Hallmark Campus Communities)
150 East Broad Street
Columbus, OH 43215

Request: To change the zoning of the property at 115-125 W. McMillan Street from Commercial Community – Mixed (CC-M) and Residential Mixed (RMX) to Planned Development (PD) to permit a multi-family building with five floors over a two-level parking garage, with 103 dwelling units with 411 beds and 263 off-street parking spaces.

ATTACHMENTS:

Provided in addition to this report are the following attachments:

- Attachment A - Location Map
- Attachment B - Petition for Zone Change and Development Program Statement
- Attachment C - Plat and Legal Description
- Attachment D - Concept Plan
Includes: Demolition Plan, Proposed Site Plan, Floor Plans, and Renderings
- Attachment E – Comparison from November 5, 2021, Plan to Current Plan
Includes: Sections, Street View Renderings and Birds Eye Renderings
- Attachment F - Coordinated Site Review Letter
- Attachment G - Letters from Community Members
- Attachment H – CUFNA, CHBA and CCCURC Letter

BACKGROUND:

Hallmark Campus Communities wishes to develop the subject property, comprised of fifteen parcels and 1.34 acres in size into a multi-family apartment building known as “Gateway Lofts.” It is located at the corner of W. McMillan Street, Moerlein Avenue, and Lyon Street in CUF. The northern portion of the property is 0.41 acres and contains a surface parking lot. It is zoned Commercial Community – Mixed (CC-M), which has a maximum building height of 85’. The southern portion of the site is 0.93 acres and currently contains six residential buildings – three three-families and three two-families which would be demolished. The property is zoned Residential Mixed (RMX) which has a maximum building height of 35’. The property slopes down approximately 20’ from W. McMillan Street to Lyon Street.

On May 5, 2021, the applicant formally applied for a zone change to a Planned Development. The proposal reviewed by the City Planning Commission on November 5, 2021, was for 113 units with 442 beds, including three five-bedroom townhomes off Lyon Street. The applicants proposed 223 off-street parking spaces within the two-level parking garage for a parking ratio of 0.50 spaces per bed. The application counted 18 existing on-street parking spaces in the calculations for a parking ratio of 0.55 parking spaces per bed. The proposed elevations were five-stories over a two-level parking garage for a height of 54'-10" up to the right-of-way on W. McMillan Street and a seven story building off Lyon Street, with three two-story ~20 foot tall townhomes and parking garage structure approximately five feet off Lyon Street, stepped back an additional ten feet to a six-story, ~64' building, then stepped back another seven feet to a seven story, 75'-6" building a total of 22' off the right-of-way of Lyon Street (Attachment D). The estimated cost of the overall development is currently \$41,000,000.

On November 5, 2021, the City Planning Commission voted to hold the proposal at staff's recommendation to give the applicant team additional opportunity to meet with the community and revise their plans based on feedback received by the CUF Neighborhood Association (CUFNA), the Clifton Heights Business Association (CHBA), and the City Planning Commission. The applicant team met with CUFNA, the CHBA and nearby residents regarding the proposed development on November 23, 2021, to present two options for moving forward.

The first option presented was for 109 units and 434 beds with 223 off-street parking spaces for a parking ratio of 0.51. This option included three five-bedroom townhomes along Lyon Street. The second option was for 103 units and 411 beds, along with 263 off-street parking spaces for a parking ratio of 0.64. This proposal removed the townhomes and increased the setback of the parking garage to ~10' off Lyon Street.

Similar to what was previously submitted, both proposals showed the four floors above the two parking garage levels set back 15' from Lyon Street for a building that is ~64' tall. The applicant has proposed further stepping back the top floor of the building to be 36' from the Lyon Street right-of-way at the corner of Moerlein Avenue and Lyon Street and 44' from the Lyon Street right-of-way in the middle of the building. The previous plan showed the top floor stepped back 22' from the Lyon Street right-of-way.

The applicant has decided to proceed with revising their application to reflect the second option, which removed the townhomes and maximized the amount of off-street parking.

DIFFERENCES FROM PREVIOUS PLAN:

From the previous plan submitted for the November 5, 2021, City Planning Commission meeting, the following changes were made:

1. Scale/height/setbacks along Lyon Street
 - a. The previous plan included three townhomes set back 5' along Lyon Street with a height of ~20', with the upper floors stepped back an additional 10' and the top floor stepped back an additional 7'. The plan also stepped back the corners on the upper floors along Lyon Street to soften the wall effect of the development on the surrounding properties.
 - b. The current plan removes the three townhomes along Lyon Street and steps the parking garage back ~10' from the Lyon Street right-of-way with a height of ~20', with the

upper floors stepped back an additional 5' (15' from the Lyon Street right-of-way) and the top floor corners stepped back an additional 21' – 6" for a total of 36' – 6" and the interior of the building setback an additional 29' for a total of 44' from Lyon Street.

2. Density

- a. The previous plan was for 113 units and 442 beds.
- b. The current plan is for 103 units and 411 beds.

3. Parking

- a. The previous plan was for 223 off-street parking spaces for a ratio of 0.5 spaces per bed.
- b. The current plan is for 263 off-street parking spaces for a ratio of 0.64 spaces per bed.

A comparison of the two building sections is included as Attachment E.

ADJACENT LAND USE AND ZONING:

The subject property is currently zoned Commercial Community – Mixed (CC-M) and Residential Mixed (RMX). The existing zoning and land use surrounding the subject site is as follows:

North:

Zoning: Commercial Community – Mixed (CC-M)
Existing Use: Mixed-use and hotel (U-Square)

East:

Zoning: Commercial Community – Mixed (CC-M) and Residential Mixed (RMX)
Existing Use: Commercial restaurant (Adriatico's) and low density residential

South:

Zoning: Residential Mixed (RMX)
Existing Use: Low-density residential

West:

Zoning: Commercial Community – Mixed (CC-M) and Residential Mixed (RMX)
Existing Use: Convenience market and low-density residential

PROPOSED DEVELOPMENT:

Hallmark Campus Communities has site control of the fifteen parcels at the corner of W. McMillan Street, Moerlein Avenue, and Lyon Street to develop the 1.34-acre site.

Gateway Lofts

Building

The applicant is proposing two five-story buildings built on top of a two-story parking garage. The total building footprint is 52,940 square feet and will cover approximately 90.7% of the site. The proposed building contains 103 units with 411 beds, including 11 two-bedroom units, four three-bedroom units, 63 four-bedroom units, 25 five-bedroom units.

The northern building would be situated at the right-of-way line on W. McMillan Street and has varying setbacks along Moerlein Avenue up to the right-of-way line. Along Lyon Street, the building

is proposed to have a 10' setback for the two parking garage levels, a 15' setback for four levels of apartments, and a 36' – 6" setback at the corners on the top floor and 44' in the middle of the top floor.

Due to the difference in grade from W. McMillan Street to Lyon Street, the top of the parking garage is even with W. McMillan Street and is fully exposed along Lyon Street. The proposed apartment building is five-stories along W. McMillan Street with a floor height of 54'-10" and a parapet height of ~60'. Along Lyon Street the two levels of the parking garage are approximately 20' tall. A five-story building is proposed on top of the parking garage, with the first four floors set back 15' from the Lyon Street right-of-way at a height of ~64', with a parapet height of ~70'. An additional story is stepped back a total of 36'-6" at the corner of Moerlein Street and Lyon Street and 44' in the middle of the building to make the building 75'- 6" in height with a parapet making the building appear 80' tall. However, this top story is stepped back significantly and cannot be viewed when walking or driving down Lyon Street. With the parapet, this building will appear ~70' above Lyon Street.

Parking and Circulation

263 off-street parking spaces are proposed on a two-level parking garage for a ratio of 2.55 parking spaces per unit and 0.64 parking spaces per bed. The lower level of the parking structure contains 135 parking spaces and is proposed to be accessed off Lyon Street with the upper level proposed to have 136 spaces and accessed off Moerlein Avenue. The applicant made a point to maximize parking at the cost of additional units to get closer to the requested 0.7 parking ratio. There is no vehicular access between the two levels. The applicant is negotiating with the U-Square garage across the street for a guarantee of an additional parking spaces. Representatives of the garage spoke to its availability at the November 5, 2021, City Planning Commission meeting but at the time of this report an agreement has not been confirmed in writing.

Open Space, Landscaping, and Buffering

Final landscaping and buffering will be submitted with the Final Development Plan. The Development Program Statement proposes an approximately 7,652 square foot amenity courtyard for residential use and will contain approximately 4,216 square feet of green space around the perimeter of the site. The green space will be professionally landscaped and maintained. The open space will represent approximately 22% of the total site's acreage.

Schedule

If approved, construction is expected to start immediately and will be completed on or before the fall semester of 2023. The development will be built in one phase.

BASIC REQUIREMENTS OF A PLANNED DEVELOPMENT DISTRICT:

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

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

The proposed zone change area is approximately 1.34 contiguous acres (Attachment C). Council may approve a PD District that contains less than the minimum acreage required for an area on an affirmative recommendation of the City Planning Commission, finding that special site characteristics exist, and the proposed land uses justify development of the property as a PD.

- 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 has site control of the property (Attachment C).

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

The submitted Concept Plan and Development Program Statement show a two-level parking garage with two five-story residential buildings built on top, which is considered one structure (Attachments B and D).

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

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

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

CONCEPT PLAN AND DEVELOPMENT PROGRAM STATEMENT:

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

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

The applicant has submitted a Development Program Statement that includes sufficient information regarding proposed uses, building locations, adjacent streets and building set back lines (Attachments B and D).

- 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 has site control of the property (Attachment C).

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

The petitioner has provided a schedule for the proposed development. The estimated timeline provided as part of the Concept Plan and Development Program Statement is outlined in the *Proposed Development* section of this report with a targeted opening date for the 2023-2024 school year. An approval of the Concept Plan and Development Program Statement would lapse two years from its effective date unless a Final Development Plan is approved, or the City Planning Commission approves an extension per Sec. 1429-11.

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

The proposed development was reviewed by departments during the Coordinated Site Review process, including the City’s Metropolitan Sewer District (MSD), Stormwater Management Utility (SMU), and Greater Cincinnati Water Works (GCWW). Additional plans will be submitted as part of the Final Development Plan.

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

The Development Program Statement explains that 22% of the site (13,066 square feet) will be preserved as open space. The majority of the open space will be the amenity deck for the building residents; however, trees and plantings are proposed along the perimeter of the 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. The applicant has stated that this development proposal will be built in one phase.

A Final Development Plan must be filed for any portion of an approved Concept Plan that the petitioner wishes to develop; this plan must conform substantially to the approved Concept Plan and Development Program Statement. The Final Development Plan requirements anticipate changes from the Concept Plan by requiring significantly more detail. Approval of the Final Development Plan would allow the petitioner to obtain the necessary permits to proceed with development. The process

allows the City Planning Commission to authorize staff to approve Minor Amendments that might be necessary and establishes the process for Major Amendments that must be reviewed and approved.

COORDINATED SITE REVIEW:

The proposed zone change and Concept Plan went through Coordinated Site Review as a Development Design Review in May of 2021. A Coordinated Site Review Advisory Team meeting was held on May 18, 2021. A meeting with the petitioner and project partners was held on May 25, 2021, to allow the petitioner the opportunity discuss the comments outlined by each of the departments. The original letter recommended the project not move forward, but the issues were addressed in subsequent submissions. Additional requirements need to be met before permits are obtained. The full letter is attached as Attachment F. Below is an outline of the major additional requirements that will be addressed in the Final Development Plan:

- An approved utility site plan is required to be submitted to and reviewed by the Metropolitan Sewer District (MSD) in order to obtain permits.
- Stormwater Management Utility (SMU) requires a grading plan, erosion and sediments control plan, stormwater calculations, and a utility site plan prior to permitting.
- Greater Cincinnati Water Works (GCWW) requires disconnecting service branch lines that are not needed and replacing existing lead private service branch lines to serve the new development.
- The Fire Department outlined requirements for a Bi-directional Antenna device within the building to ensure proper radio coverage during an emergency.
- The Department of Transportation and Engineering (DOTE) explained requirements for the driveways and improvements needed to the existing walkways.

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

PUBLIC COMMENT:

Staff has received several letters from CUFNA and the CHBA over the course of 2021 outlining their continued concerns, which are attached as part of Attachment G. After the City Planning Commission held this item at their November 5, 2021 meeting, the applicant revised their plans and shared the two different proposals at a meeting attended by representatives of CUFNA, CBHA, the University of Cincinnati (UC), and surrounding property owners on November 23, 2021. The applicant team presented the two options, one which had more units, including townhomes on Lyon Street, and a lower parking ratio, and another that had more parking but removed the townhomes. Almost every meeting attendee recommended keeping townhomes on Lyon Street.

During this meeting, members of CUFNA thanked the applicants for making portions of the changes they have been requesting but stated the changes did not go far enough. On December 3, 2021, staff received a joint letter signed by CUFNA, CHBA, and CHCURC stating their unified concerns from all three organizations about the proposed development, including:

- Lyon Street is a residential street that needs to be treated as such from a massing and use standpoint;
- Adequately parking a development of this scale (goal of 70% ratio of parking spaces to beds) is critically important to avoid making a bad parking situation worse;

- The Verge development is a recent project with many overlapping aspects that should be replicated and used as a guide when developing the project (location, PD, mixed residential/commercial zoning, student housing, underground parking, etc.); and
- They do support development and want to see this surface parking lot in their business district developed.

The letter also expressed their disappointment of the applicant removing the three proposed townhomes on Lyon Street and not removing an additional floor off Lyon Street. It expressed disappointment in the lack of compromise in the design, rather a “take it or leave it” approach with only the two options shown at the November 23, 2021 meeting. The letter also stated the neighborhood’s willingness to compromise, as several suggestions were made at the meeting that are included below, such as making the building a “donut”, similar to the Verge, while turning some of the bedrooms to provide them with adequate windows to achieve a larger setback of the upper floors. Other suggestions included adding a third level to the parking garage with an entrance off W. McMillan Street to create the additional parking desired, through the feasibility of that is not known.

Although this proposal does add additional parking, the letter states that this version of the development is worse in their opinion than what was originally proposed at the November 5, 2021 City Planning Commission meeting.

Additionally, the letter recommends the following changes to the development as proposed:

- Remove the entire upper level of rooms on Lyon Street. This would reduce the bed count by around 20 beds thereby improving the parking ratio. It would also improve the massing on Lyon Street.
- Combine the "U" and "L" shaped buildings into a donut. That would allow the development to achieve the 30 ft setback on the upper floors on Lyon as the applicant recommended and not negatively impact their density / bed count.
- Construct the townhomes on Lyon Street. This would add back in 23 beds (more than what was lost by removing the uppermost floor on Lyon St). It would also retain some of the residential feel of Lyon Street.
- Design the townhomes to look aesthetically different from the overbuild / upper floors so that they stand out and appear to be entirely different from street level.
- Pickup / Dropoff- questions of how deliveries will be handled still have not been adequately addressed. Proper planning will ensure neighboring businesses and residents aren't negatively impacted by 400+ students' daily deliveries.
- Construction Staging- This site has zero lay down area for construction. It is imperative that any approval requires a suitable staging plan. Construction will take a minimum of 18 months so there will be a substantial impact on adjacent streets and property owners.

The full letter is included as Attachment H.

CONSISTENCY WITH PLANS:

Plan Cincinnati (2012)

The proposed zone change is consistent with the Goal in the Live Initiative Area of *Plan Cincinnati* (2012) to “Provide a full spectrum of housing options, and improve housing quality and affordability” (p. 164) and the Strategy to “Provide quality healthy housing for all income levels” (p. 165). It is also

consistent with the Strategy in the Compete Initiative Area to “Target investment to geographic areas where there is already economic activity” (p.115) and the Guiding Geographic Principle to “Focus revitalization on existing centers of activity” (p. 86), as the subject property is partially within the Clifton Heights Neighborhood Business District.

Although this project represents a significant investment in the CUF neighborhood and City of Cincinnati, the proposed zone change and Concept Plan as proposed is not consistent with a Strategy of the Live Initiative Area to “Support and stabilize our neighborhoods” (p. 160), as CUFNA and residents of Lyon Street believe this will set off a chain reaction of other seven-story developments in an area that generally consists of two-to-four story buildings.

University Impact Area Solutions Study (2016)

The redevelopment of this area is partly consistent with the *University Impact Area Solutions Study (2016)* as the proposed development is located in an area identified as a “future development opportunity” (p. 50). However, this specific proposal is inconsistent with one of the values for new development which states that “Existing residential buildings in the CUF neighborhood are two to three stories. New developments should not be more than one story higher than adjacent traditional buildings. If one property is higher than an adjacent property, the highest floor on the high property should not be more than one story higher than the highest floor on the adjacent lower property” (p.49).

CITY PLANNING COMMISSION ACTION:

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

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

The proposed uses are compatible with the surrounding land use patterns along W. McMillan Street, as the northern portion of the site is currently zoned for commercial development and within the Clifton Heights Neighborhood Business District. Adjacent uses within the Business District are of similar and complimentary uses, size, and scale. However, the proposed building form (seven stories upwards of 80’) along Lyon Street is not compatible with existing development patterns in that location. The University Impact Area Solutions Study (2016)’s values for new development states that “Existing residential buildings in the CUF neighborhood are two to three stories. New developments should not be more than one story higher than adjacent traditional buildings. If one property is higher than an adjacent property, the highest floor on the high property should not be more than one story higher than the highest floor on the adjacent lower property” (p.49).

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;*

This Planned Development has the potential for superior urban design, but additional care needs to be taken for the development to fit in with the scale and context of Lyon Street. A similar proposal on W. McMillan Street, W. Clifton Avenue and Lyon Street,

now known as The Verge was approved by the City Planning Commission on October 17, 2014. The original design had similar issues to this development related to parking and scale. After receiving similar neighborhood feedback as the original proposal for this development, the upper floors on Lyon Street were reduced from six-stories on top of a two-level parking garage to four-stories on top of a two-level parking garage. Although this is still taller than the 35-foot maximum height permitted in the RMX zoning district, six three-story townhomes were constructed along Lyon Street, with the upper floors set back 30' from the right-of-way. If the building is built taller along W. McMillan Street and lower along Lyon Street, there is an opportunity for superior urban design. The Planned Development process permits greater community input during the design stage of the development for a project that will work for the developer and the community.

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 residential density is not permitted in the existing zoning districts, as the CC-M zoning allows for a maximum density of 700 square feet per dwelling unit, and the RMX zoning allows one-to-three-family units. The proposed height along W. McMillan Street is consistent with the CC-M zoning, which has a maximum building height of 85', but it not consistent with the RMX zoning on both sides of Lyon Street, which has a maximum building height of 35'. The form of existing buildings on this portion of Lyon Street are two-to-four stories. The PD zoning district is appropriate in this location and allows the developer to be innovative in site development combining a mix of uses, open space, 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 and are complete as submitted or will be detailed in the Final Development Plan. See *Proposed Development* section for more detail.

ANALYSIS:

The proposed zone change would permit a five-story building constructed on a two-level parking garage for a new student housing development. Due to rapidly rising enrollment numbers at the University of Cincinnati, the need for additional housing for students is apparent. The scale and density of the proposed plan are consistent with the development patterns on W. McMillan Street but are not consistent with the existing development patterns along Lyon Street as the building is essentially six stories in this location.

The proposed development is in a desirable location for students; it is within the Clifton Heights Neighborhood Business District and has close proximity to existing retail, entertainment, and parking amenities, along with the University of Cincinnati. The surrounding zoning districts are a split of commercial and lower-density residential zoning. The subject property in its current form does not

adequately scale the project down to fit within the residential character of Lyon Street. Over several versions of these plans, CUFNA, CHBA and CHCURC have repeatedly requested that the developer build the building taller on W. McMillan Street and lower on Lyon Street and establish a parking ratio of 0.7 parking spaces per bed. During public meetings, CUF residents have repeatedly stated that seven or eight stories on W. McMillan Street is appropriate if the height is lowered along Lyon Street. The applicant has cited the rising costs of concrete and steel, along with supply chain issues and not wanting to pass the additional construction costs onto their residents as reasons to not build taller, as their product is typically wood frame construction, which is limited to four-to-five stories tall before different materials are required.

Staff is also concerned about the precedent this development would set for other developments in this area. If a six to seven-story building is considered appropriate here, other property owners have stated their intentions to potentially develop buildings to similar heights in this area, including on the south side of Lyon Street, where most buildings in the area are two to four stories.

The Department of City Planning and Engagement believes that a Planned Development is an appropriate zoning designation for this site as it allows for continued public engagement through all phases of the development. A Planned Development also provides assurance to the City and the community of the intended uses and scale of the development. The Planned Development process ensures that any significant modification to this would constitute a Major Amendment to the Concept Plan and requires public engagement and a public hearing process. In the CUF area, larger projects like this one have become more common in recent years as the University of Cincinnati enrollment has continued to grow. Typically, these types of projects receive mixed reviews from neighborhood groups, but in this case, neighborhood feedback has been a critical part of the development process as CUFNA, CHBA and CHCURC still have several unified concerns still have not been addressed as part of this current plan and have requested that this version of the development not be approved.

FINDINGS:

It is the opinion of staff of the Department of City Planning and Engagement that the Concept Plan and Development Program Statement are not in compliance with §1429-11 (a) *City Planning Commission Action*. The proposal is not fully consistent with the purpose of the Planned Development District Regulations as addressed in this report.

CONCLUSIONS:

The staff of the Department of City Planning and Engagement does not support the proposed Concept Plan, Development Program Statement, and zone change from Commercial Community – Mixed (CC-M) and Residential Mixed (RMX) to Planned Development (PD) for the following reasons:

1. PD zoning is appropriate in this area as the proposed development does not conform with existing zoning. Although the site is smaller than two acres, the unique location and topography of the site make a PD appropriate in this case. The zone change, Concept Plan, and Development Program Statement are necessary to establish a PD that allows for the construction of a mixed-use building for multi-family residential. However:
 - a) The scale of the building on Lyon Street does not enhance the residential character of Lyon Street. Although the 10' to 12' setback of the parking garage is more in line with setbacks of nearby properties, it does not include any residential units and creates a

decorative wall with nice landscaping in front. The proposed six story, ~64' building stepped back 15' from the right-of-way with the top story stepped back an additional 29' from the right-of-way does not complement the existing character of Lyon Street.

2. This investment is consistent with the *Plan Cincinnati* Goal 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). It is also consistent with the Strategy in the Compete Initiative Area to “Target investment to geographic areas where there is already economic activity,” as the subject property is partially within the Clifton Heights Neighborhood Business District. However, the proposed plan has serious potential to destabilize this portion of the neighborhood, specifically Lyon Street and lead to more large-scale developments in this area. The proposed development is within an area identified as a “future development opportunity” within the *University Area Impact Solutions Study*, but it does not meet the values for new development outlined in the plan.
3. The PD zoning district requires a more extensive public process than a regular zone change, which allows community members to have additional opportunities to be heard during the proposal. Typically, new developments have a mixed review from community members and neighborhood groups. In this case, CUFNA, CHBA, and CHCURC are uniformly against this development moving forward as proposed.

RECOMMENDATION:

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

1. **REJECT** the Concept Plan and Development Program Statement as submitted; and
2. **ADOPT** the Department of City Planning and Engagement Findings as detailed on page 11 of this report; and
3. **DENY** the proposed zone change at 115-125 W. McMillan Street from Commercial Community – Mixed (CC-M) and Residential Mixed (RMX) to Planned Development (PD) including the Concept Plan and Development Program Statement in CUF.

Respectfully submitted:



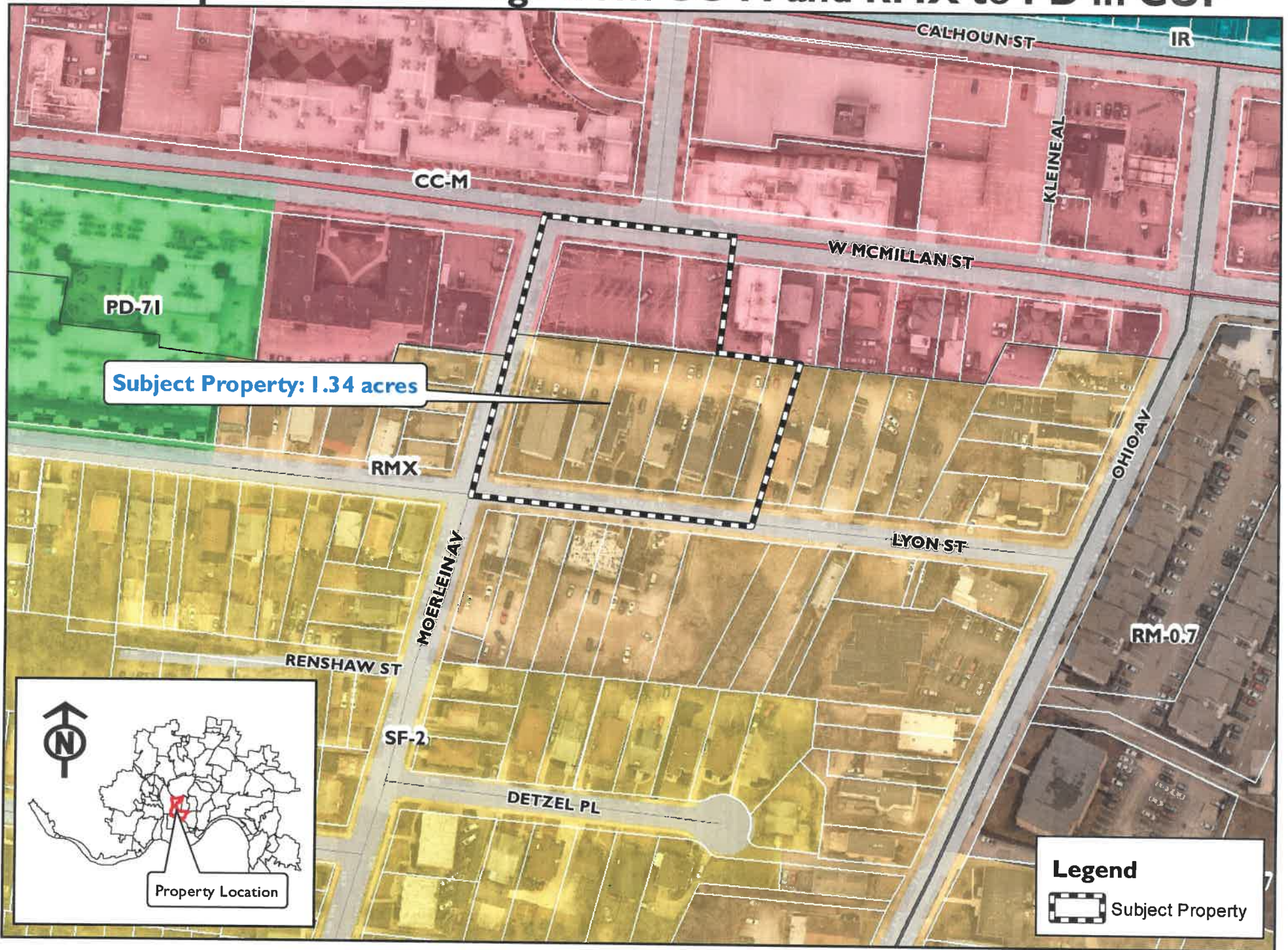
James Weaver, AICP, Senior City Planner
Department of City Planning and Engagement

Approved:



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

A - Proposed zone change from CC-M and RMX to PD in CUF



**PETITION FOR CHANGE OF ZONING OF PROPERTY
LOCATED IN THE CITY OF CINCINNATI, OHIO**

To: The Honorable Council of the City of Cincinnati

Date: April 5, 2021

I hereby request your Honorable Body to amend the Zoning Map of the City of Cincinnati by changing the area described in the attached legal documentation and depicted on the attached plat from the CC-M and RMX Zone Districts to the PD Zone District.

Location of Property (Street Address): 142 Lyon Street, 138 Lyon Street, 136 Lyon Street,
132 Lyon Street, 128 Lyon Street, 126 Lyon Street, and 124 Lyon Street;

125 W. McMillan Avenue, 119 W. McMillan Avenue, and 115 W. McMillan Avenue

Area Contained in Property (Excluding Streets): 1.31 acres

Present Use of Property: Residential (CC-M and RMX Zoning)

Proposed Use of Property & Reason for Change: Multi-family residential / student housing

The rezoning is sought to allow the redevelopment of the Property for student housing

Property Owner's Signature: _____

Name Typed: Will Kirk, Moerlein Properties, LLC

Address: 150 East Broad Street,
Columbus, Ohio 43215

Phone: 614-883-1046

Agent Signature: _____

Name Typed: Barrett P. Tullis, Esq.

Address: 1 East 4th Street, Suite 1400,
Cincinnati, Ohio 45202

Phone: 513-562-1445

Please Check if the Following Items are Attached

Application Fee X

Copies of Plat X

Copies of Metes and Bounds X

Development Program Statement in Support of PD Rezoning

Moerlein Properties, LLC, an affiliate of Hallmark Campus Communities (“Hallmark”), is petitioning the City of Cincinnati to rezone approximately 1.34 acres of real property for a multi-family student housing project. The property currently consists of ten individual parcels which will be consolidated upon rezoning to form one parcel. The property is bordered by McMillan Street to the north, Moerlein Avenue to the west, and Lyon Street to the south. The property is currently used as surface parking and residential uses.

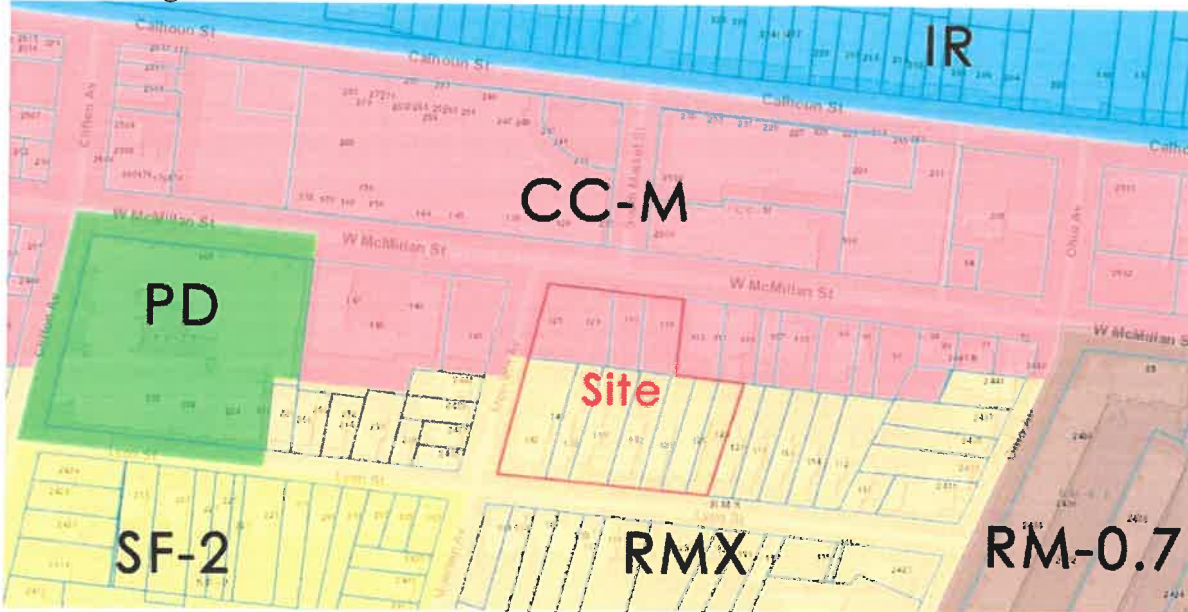
Hallmark Campus Communities is an experienced student housing developer having completed numerous projects in the Midwest. Within Cincinnati, Hallmark recently completed the University Edge project at 3250 Jefferson Avenue in 2012.

Hallmark is excited to present this redevelopment opportunity to Cincinnati. Hallmark has a strong track record of redeveloping similar sites and is a leading expert in the multi-family market, whether in student housing or market rate apartments geared towards young professionals and empty-nesters alike. Hallmark and the design team have worked together for over twenty years and have developed well over 7,500 units of apartments and 10,000 beds of student housing.

The vision for this community is geared towards undergraduate students due to its proximity to the University of Cincinnati as well as the growth rate and projections of UC. As shown on the regional context map, the entire west campus is within a ten minute walk from the site, and UC’s Medical campus is roughly a fifteen minute walk. There are several bus routes, shuttles, car and bike sharing options that are convenient to the McMillan & Calhoun corridor making this a very transit and walking friendly site that virtually eliminate the need for an automobile.



Surrounding Context:



The sites along McMillan are currently zoned CC-M or Commercial Community Mixed district and the southern portion of the site is in the RMX or Residential Mixed district. The immediate surroundings are generally consistent in scale and uses to the proposed redevelopment. Immediately across McMillan are 5 and 6 story infill buildings and a strong pedestrian connection to UC via the Market Street signalized intersections and streetscape. Moving further west down McMillan, a 3.5 to 5 story “The Majestic” apartments and a newer infill development the “Verge” anchor the south side. To the east along McMillan sits a one-story retail building then houses that have been converted to retail and/or apartments.

The remaining parcels surrounding the site are primarily residential apartments (converted houses) that are in the 3 to 5 story range depending on the natural topography and location. In several instances the houses to the east allow parking in the front yards and across Lyon Street there are some vacant parcels and more rental properties. Further to the east, along Ohio Avenue, there are more modern apartments in the RM-0.7 district as well as some mid-century 4 and 5 story apartment buildings.

Existing Site:

The site along McMillan is currently zoned CC-M or Commercial Community Mixed district and the southern portion of the site is in the RMX or Residential Mixed district. The current uses on the site consist of a surface parking lot on the CC-M zoned north half and six rental properties on the RMX zoned southern portion of the site. There is ample access to the site as it is surrounded on three sides by McMillan St., Moerlein Ave., and Lyon St. with garage access restricted to Lyon St. and Moerlein Ave. There is approximately twenty feet of fall from McMillan to Lyon which is mitigated by a +/-10’ high wall along the property line dividing the two zoning districts and the residential structures’ first floor sitting about 10’ above Lyon St. via a retaining

Attachment B

wall along the Right of Way and steps up to the first floor. Parking is provided to the rear of the residential structures, via a gravel parking area leaving little room for greenspace and landscaping.

Gateway Lofts

Gateway Lofts is a planned six story multi-family building. It will contain 116 total units, with a maximum of 469 beds. The project is planned to have a mix of 2 bedroom, 4 bedroom, and 5 bedroom units. It will contain 153 on-site parking spaces, or 1.32 spaces per units. The parking will be underground and secured. There is ample public transportation available in the immediate vicinity of the project.

The current mixture of units consists of primarily four-bedroom units (70%) and five-bedroom units (21%) that tend to attract the undergraduate students with a relatively low number of two-bedroom units (9%) that tend to appeal to upper classmen or graduate aged students. This mix reinforces the targeted market mentioned above and comes into play with the lifestyle trends of this market and their need for automobiles. One of the goals of this project is to lessen the dependency on the car and encourage our residents to walk and ride bicycles instead. The development provides the parking via a parking structure underneath the building which will also house several bike racks in a covered and secured setting.

The project will include ample open space. It will feature an approximately 9,300 square foot amenity courtyard for resident use, and will contain approximately 6,425 square feet of green space. The green space will be professionally landscaped and maintained. The open space will represent approximately 27% of the total site's acreage.

The overall lot coverage percentage will be approximately 89%. The 51,555 square foot building will cover approximately 88% of the site, and the 325 square foot asphalt drive will cover approximately .5% of the site.

Hallmark engineers have reviewed the existing utility infrastructure. All storm water measurements will be professionally calculated and the project will comply with all applicable storm water regulations. The existing sanitary sewer service is sufficient for the development, as is existing gas and electric. The property is not in the Hillside Overlay District and the site does not pose any material geotechnical concerns. None of the existing buildings on the property are of any historical value.

The estimated cost of the overall development is currently \$41,000,000. Project financing has been secured pending the outcome of this rezoning petition. Construction is expected to start on or before the end of 2021, and is expected to be completed on or before the fall semester of 2023. The development will be built in one phase.

Hallmark is committed to working with the surrounding community, and has had preliminary discussions with the local neighborhood council. These discussions will continue through the rezoning process and development design. The building will be professionally managed by an experience student housing operator. All tenants will be subject to written lease

Attachment B

agreements, as well as well-developed rules and regulations focused specifically for student tenants.

Architectural Massing & Materials:

The proposed Gateway Lofts building is a single structure designed with a fresh urban appeal. It is our intent to break down the overall mass of the building by a pattern of projecting and receding faces with a diversity of exterior materials, to create an interesting articulation of shadow and light along the streets. The street facades will also include balconies on the upper levels for added layers of interest. The structure will utilize a parapet wall with projecting cornice surrounding flat roof areas and screening the mechanical equipment such as A/C condensing units. Although the building has more contemporary massing with flat roofs, many aspects of the design call on more traditional patterns of textures. One example is the chosen window patterns which are comprised primarily of smaller punched openings of the traditional building instead of long expanses of unbroken glass. Another example is the use of familiar and relatable materials such as brick which has been concentrated at the lowest level of the building where people have the most intimate interactions with the building. With this approach, we feel the building adds a refreshing appeal to the area while maintaining a relationship to the older surroundings it is placed within.

The primary materials include brick veneer, fiber cement panels with panel trim for relief, and vinyl siding. These materials are used to create a pleasing interplay of textures, colors (both light and dark), and changing patterns of shade and shadow with the movement of the sun. A second brick type, which will vary in color and size from the primary brick, is used to create a distinctive base to the building. This architectural device helps to reduce the apparent scale of the building.

Streetscape & Pedestrian Realm:

The streetscape along McMillan will be consistent with the remainder of the Clifton Heights Urban Renewal Area. The proposed building anchors this streetscape with the primary building entrance and a series of storefront glass and awnings at the terminus of the Market Street corridor. Given the location of the traffic signal, lower overhead electric and crosswalks, tree planters will need to be strategically placed to provide a consistent look in this portion of the McMillan streetscape. A secondary pedestrian access has been shown along the northeast portion of the site. This access will relate to the existing grades of the adjacent retail and provide an 'at grade' connection between the amenity deck and the public walk at McMillan.

The streetscape along Moerlein Avenue will extend the 6' walk adjacent to the parallel parking with upright trees and foundation plantings in the greenspace outside of the Right of Way. Moerlein has a significant slope which the proposed development will use to gain access to the upper-level garage parking by utilizing a curbcut in approximately the same location as the existing curbcut. A small portion of this frontage will likely be needed to provide a home for transformers with access to the public street. The 'break' between the 5 story portions above the parking garage fronting Moerlein will provide for a secondary emergency access point from the public street to

Attachment B

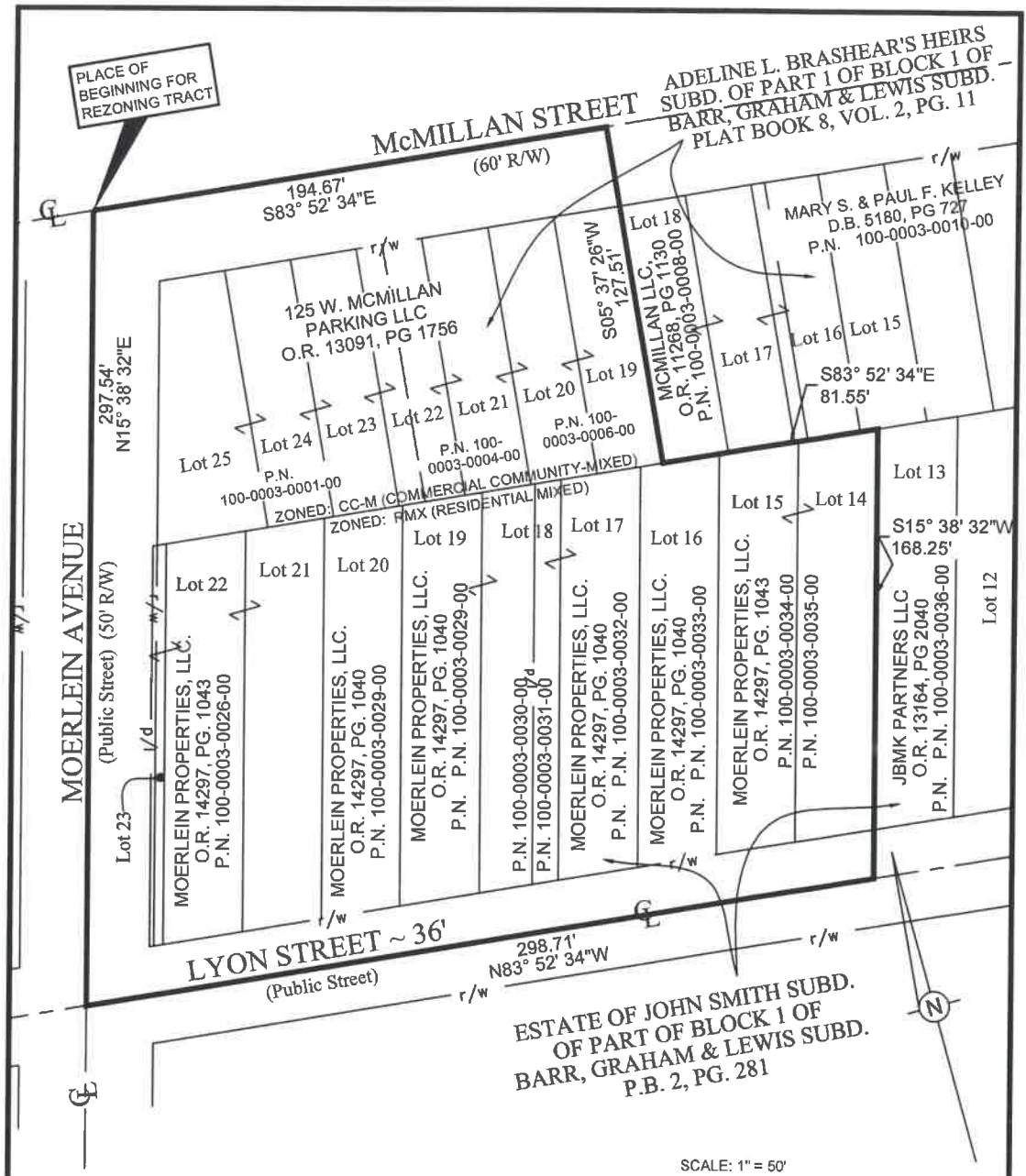
the amenity deck/courtyard. This emergency access to the deck can utilize the relatively level drive leading to the garage to stage equipment and rescue workers if necessary.

Similar to Moerlein, Lyon Street will provide a consistent 6 foot walk along parallel parking on the project's side of the street with ample landscaping in the greenspace beyond. A single curbcut along Lyon Street will provide access to the lower-level parking within the garage structure and trash service will likely be handled in the southeast corner as well. This lower-level of the garage will be partially buried as Lyon slopes down approximately four feet from Moerlein towards the east.

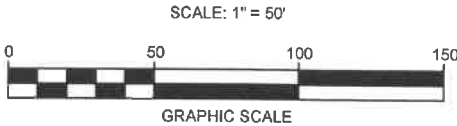
Gateway Lofts will be compatible with surrounding development from both an architectural style and density perspective. Quality student housing is desperately needed in the UC area, and this project will help fill this critical need. Hallmark has been present in this market for nearly a decade and has seen consistent full occupancy on our asset as well as nearly all surrounding assets. We have had a bulk lease with the University for many years and have seen enrollment trending upward with an increased demand for student beds.

The enclosed plans provide additional detail and design information, as well as the detailed information required by Chapter 1429 of the Cincinnati Zoning Code.

10692138.2



BASIS OF BEARINGS: Basis of bearings is the centerline of McMillan Street, being N 83° 52' 34" E, derived from VRS observations referencing monument, PID designation of DH9007 and CORS_ID of KYBO, Ohio South Zone, NAD 83 (2011 Adj.), and all other bearings are based upon this meridian.



**EXHIBIT OF A 1.741 ACRE TRACT TO BE REZONED,
ALONG MOERLEIN AVENUE, BETWEEN MCMILLAN STREET &
LYON STREET, CITY OF CINCINNATI, HAMILTON CO., OHIO**



SCALE: 1" = 50'
APRIL 20, 2021
V3 Companies, Ltd.
3500 Snouffer Road, Ste. 225
Columbus, Ohio 43235
Ph: (614) 761-1661

April 20, 2021

**DESCRIPTION OF A 1.741 ACRE TRACT TO BE REZONED,
ALONG MOERLEIN AVENUE, BETWEEN McMILLAN STREET & LYON STREET,
CITY OF CINCINNATI, HAMILTON CO., OHIO**

Situated in the State of Ohio, County of Hamilton, City of Cincinnati, and being all of Lots Nos. 19-25, inclusive, as shown upon the plat entitled Adeline L. Brashear's Heirs Subdivision of Part 1 of Block 1 of Barr, Graham & Lewis Subdivision, of record in Plat Book 8, Volume 2, Page 11, said lots having been conveyed to 125 W. McMillan Parking LLC, by deed of record in Official Record 13091, Page 1756, all of Lots Nos. 14, 15, 21, 22 and a portion of 23, as shown upon the plat entitled Estate of John Smith Subdivision of part of block 1 of Barr, Graham & Lewis Subdivision, of record in Plat Book 2, Page 281, said lots having been conveyed to Moerlein Properties, LLC, by deed of record in Official Record 14297, Page 1043, all of Lots Nos. 16-20, inclusive, as shown upon the plat entitled Estate of John Smith Subdivision of part of block 1 of Barr, Graham & Lewis Subdivision, of record in Plat Book 2, Page 281, said lots having been conveyed to Moerlein Properties, LLC, by deed of record in Official Record 14297, Page 1040, and portions of McMillan Street (60 feet in width), Moerlein Avenue (50 feet in width) and Lyon Street (36 feet in width), all records referenced to the recorder's Office, Hamilton County, Ohio, said tract to be rezoning boundaed and described as follows:

Beginning at a point at the intersection of the centerline of McMillan Street with the centerline of Moerlein Avenue;

thence S 83° 52' 34" E along the centerline of McMillan Street a distance of 194.67 feet to a point at the intersection of the Centerline of McMillan Street with the northerly extension of the east line of said Lot No. 19, also being the northerly extension of Lot No. 18, as shown upon said plat entitled Adeline L. Brashear's Heirs Subdivision of Part 1 of Block 1 of Barr, Graham & Lewis Subdivision, said Lot No. 18 being a portion of a tract of land conveyed to McMillan LLC, by deed of record in Official Record 11268, Page 1130;

thence S 05° 37' 26" W crossing a portion of said McMillan Street, along the east line of said Lot No. 19 and along the west line of said Lot No. 18 a distance of 127.51 feet to a point at the southeast corner of said Lot No. 19, the southwest corner of said Lot No. 18 and in the north line of said Lot No. 16, as shown upon said plat entitled Estate of John Smith Subdivision of part of block 1 of Barr, Graham & Lewis Subdivision;

thence S 83° 52' 34" E along the south line of said Lot No. 18, along the south lines of Lots Nos. 17, 16 and a portion of the south line of Lot No. 15, as shown upon said plat entitled Adeline L. Brashear's Heirs Subdivision of Part 1 of Block 1 of Barr, Graham & Lewis Subdivision, along a portion of the north line of said Lot No. 16 and along the north lines of said Lots Nos. 15 and 14 a distance of 81.55 feet to a point at the northeast corner of said Lot No. 14 and at the northwest corner of Lot No. 13, as shown upon said plat entitled Estate of John Smith Subdivision of part of block 1 of Barr, Graham & Lewis Subdivision, said Lot No. 13 having been conveyed to JBK Partners LLC, by deed of record in Official Record 13164, Page 2040;

thence S 15° 38' 32" W along the east line of said Lot No. 14 and along the west line of said Lot No. 13, and each extended southerly a distance of 168.25 feet to a point in the centerline of Lyon Street;

thence N 83° 52' 34" W along the centerline of Lyon Street a distance of 298.71 feet to a point at the intersection of the centerline of Lyon Street with the centerline of Moerlein Avenue;

thence N 15° 38' 32" E along the centerline of Moerlein Street a distance of 297.54 feet to the place of beginning;

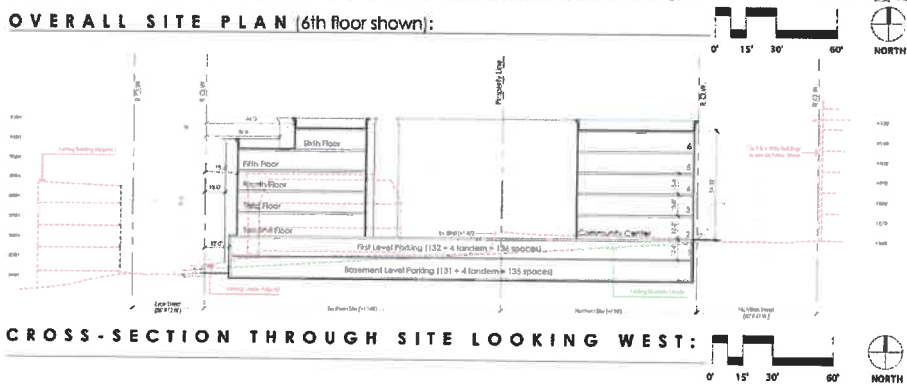
containing 1.741 acres of land, more or less.

The above description was prepared by Kevin L. Baxter, Ohio Surveyor No. 7697, of V3 Companies, Ltd., (formerly Bird+Bull, Inc.) Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House records in April, 2021. Basis of bearings is the centerline of McMillan Street, being N 83° 52' 34" E, derived from VRS observations referencing monument, PID designation of DH9007 and CORS_ID of KYBO, Ohio South Zone, NAD 83 (2011 Adj.), and all other bearings are based upon this meridian.

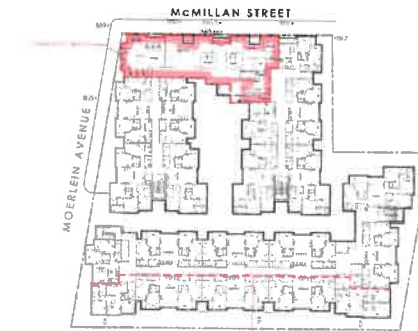
Attachment D



OVERALL SITE PLAN (6th floor shown):



CROSS-SECTION THROUGH SITE LOOKING WEST:



UPPER FLOORS



FIRST FLOOR



BASEMENT FLOOR DIAGRAM

DEVELOPMENT DATA:

Existing Zoning: CC-M (north) RMX (south)
Proposed Zoning: Planned Development

Site Area: (58,306.7 SF) +/- 1.34 Acres
Height: 6-Story + Bsmt.
Total Units: 103
Density: 76.9 Du/Ac.
Total Bedrooms: 411

Unit Mix:
2 bedroom: 11 (11%)
3 bedroom: 4 (4%)
4 bedroom: 63 (61%)
5 bedroom: 25 (24%)
5 bed townhouse: 0 (0%)

Parking Spaces Provided:	Parking Ratios:	
Off Street:	sp/unit	sp/bed
Standard Spaces: 255	2.48	0.62
Tandem Spaces: 8		
Total Garage Spaces: 263	2.55	0.64
On Street:		
Moerlein Parking: 8		
Lyon Parking: 10		
Total: 281	2.73	0.68

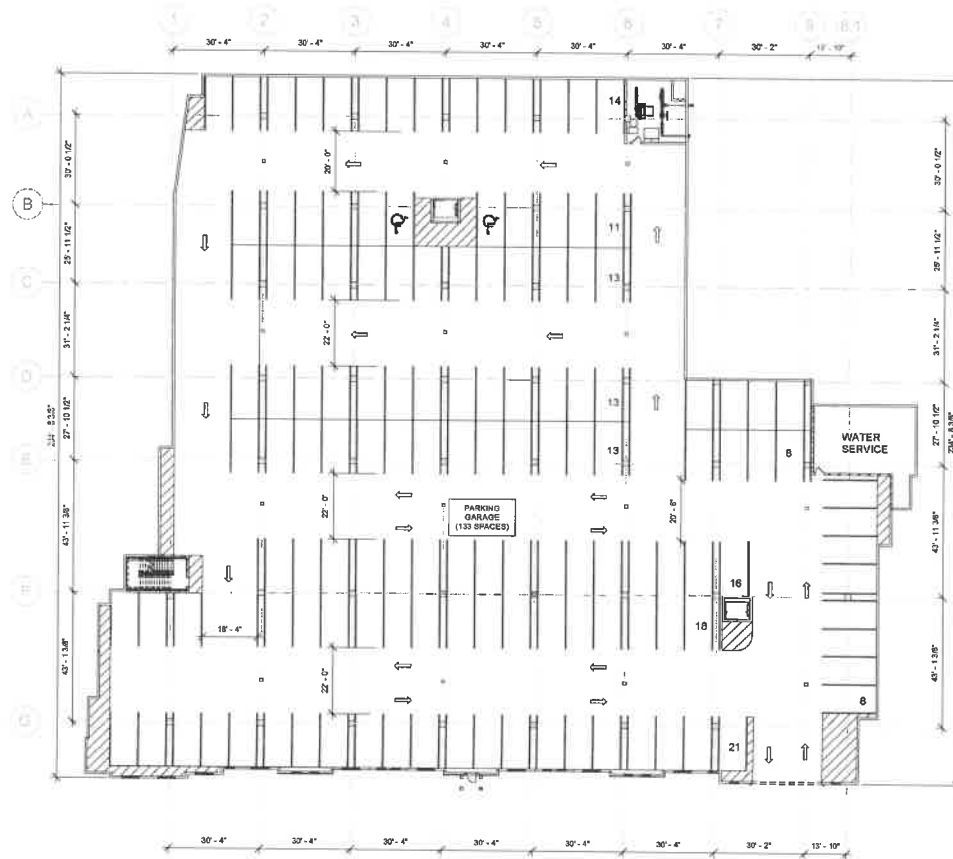
Open Space Provided:
Sidewalk: 1,198 SF (2% of site)
Amenity Deck: 7,452 SF (13% of site)
Green Space: 4,214 SF (7% of site)
Total: 13,066 SF (22% of site)

Lot Coverage:
Building: 52,550 SF (90% of site)
Asphalt Drive: 390 SF (0.7% of site)
Total: 52,940 SF (90.7% of site)



SITE CONTEXT

Gateway Lofts Cincinnati McMillan Street



1 Overall Basement Plan Presentation
1" = 20'-0"

DEAN A. WENZ
ARCHITECTS

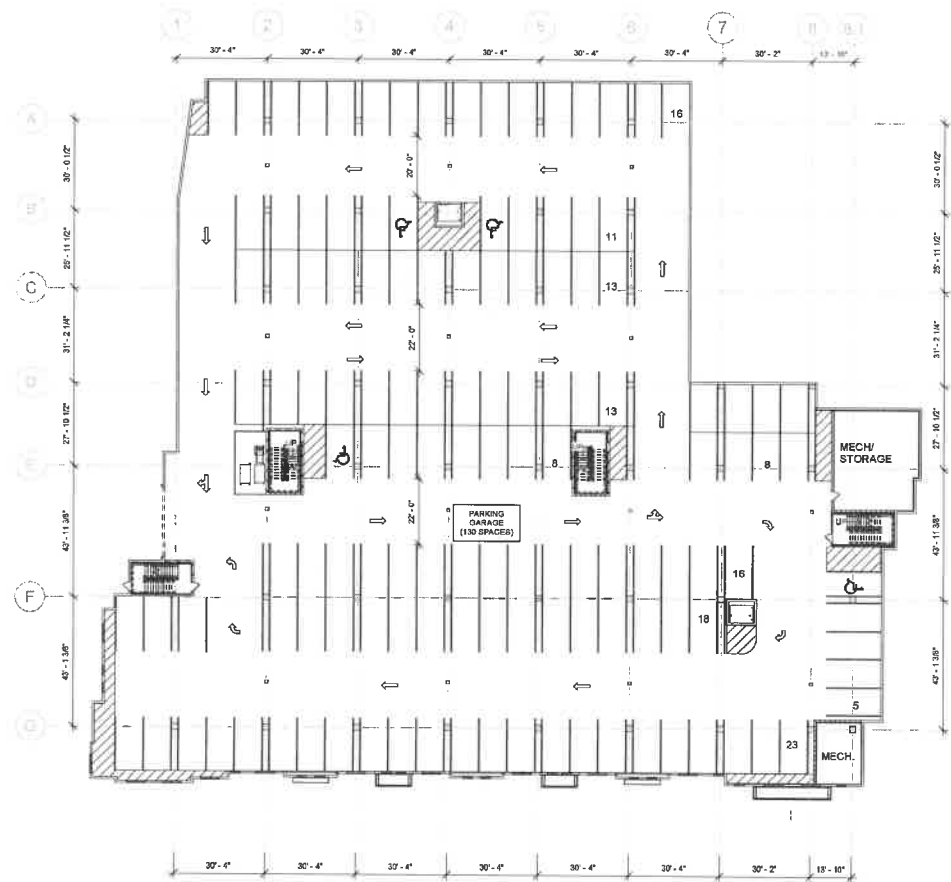
2463 East Main Street

Bexley, Ohio 43209

Phone (614) 239-6868

www.wenz-architecture.com

Gateway Lofts Cincinnati McMillan Street

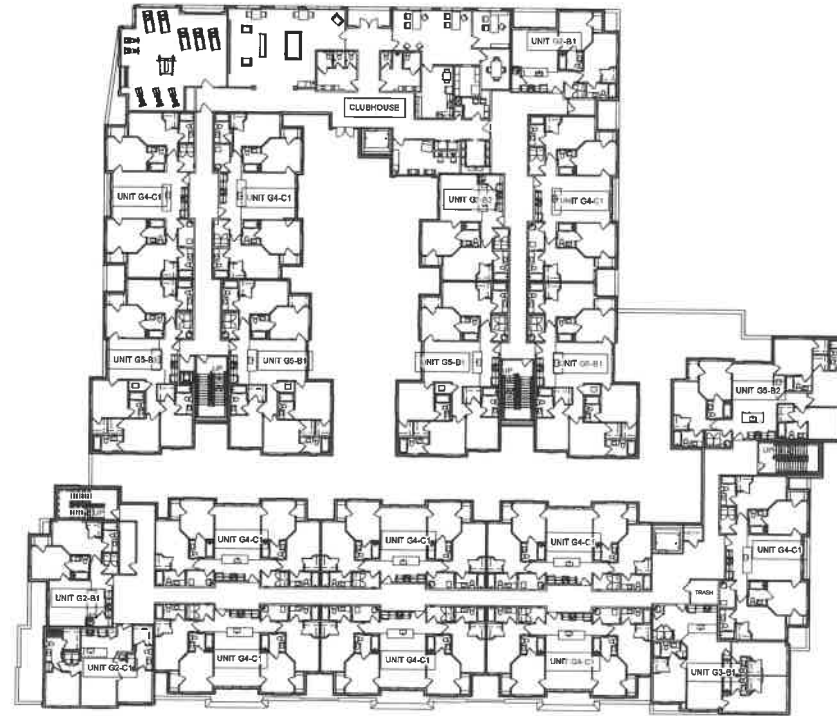


1 Overall 1st Floor Plan Presentation
1" = 20'-0"

DEAN A. WENZ
ARCHITECTS

2463 East Main Street Bexley, Ohio 43209 Phone (614) 239-6868 www.wenz-architecture.com

Gateway Lofts Cincinnati
McMillan Street



1 Overall 2nd Floor Plan Presentation
1" = 20'-0"

DEAN A. WENZ
ARCHITECTS

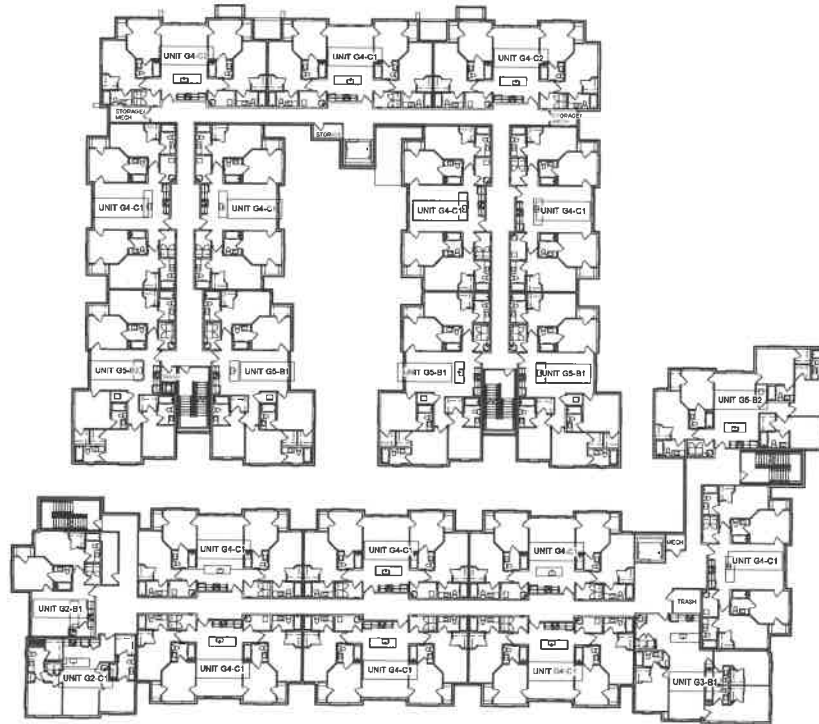
2463 East Main Street

Bexley, Ohio 43209

Phone (614) 239-6868

www.wenz-architecture.com

Gateway Lofts Cincinnati
McMillan Street



① 3rd Floor Plan Presentation
1" = 20'-0"

DEAN A. WENZ
ARCHITECTS

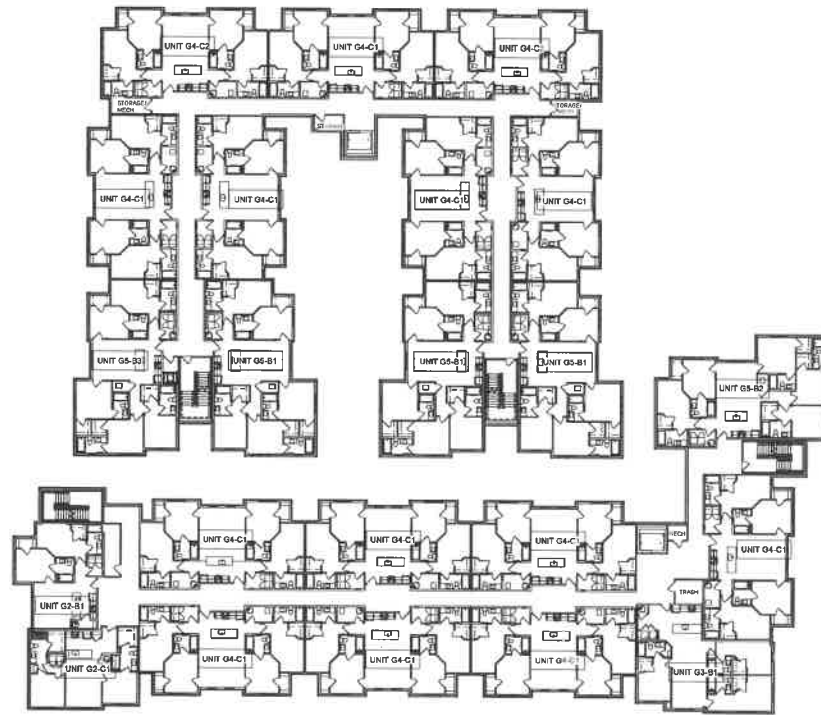
2463 East Main Street

Bexley, Ohio 43209

Phone (614) 239-6868

www.wenz-architecture.com

Gateway Lofts Cincinnati McMillan Street

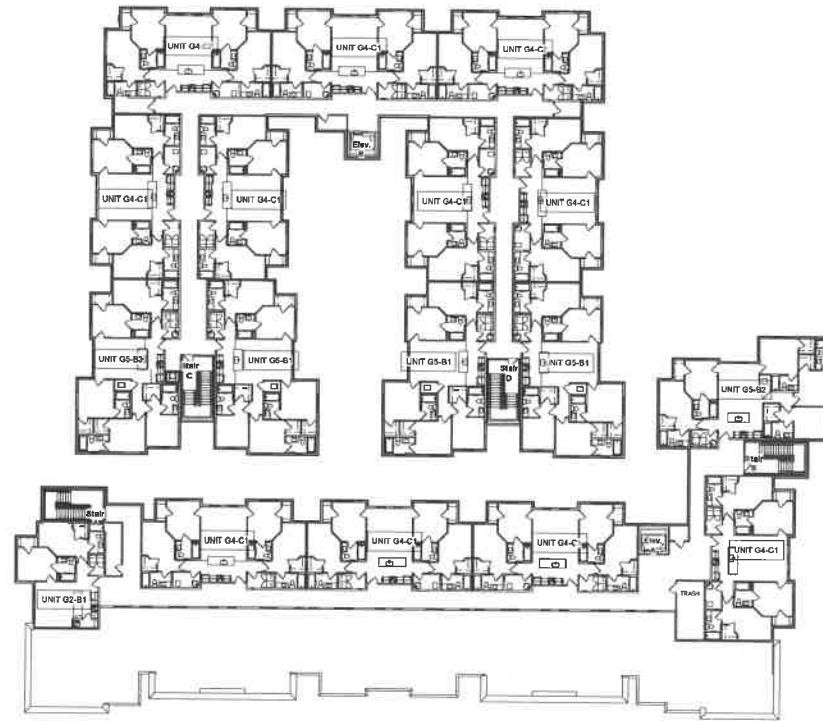


① 4th & 5th Floor Plan Presentation
1" = 20'-0"

DEAN A. WENZ
ARCHITECTS

2463 East Main Street Bexley, Ohio 43209 Phone (614) 239-6868 www.wenz-architecture.com

Gateway Lofts Cincinnati
McMillan Street



1 6th Floor Plan Presentation
1" = 20'-0"

DEAN A. WENZ
ARCHITECTS

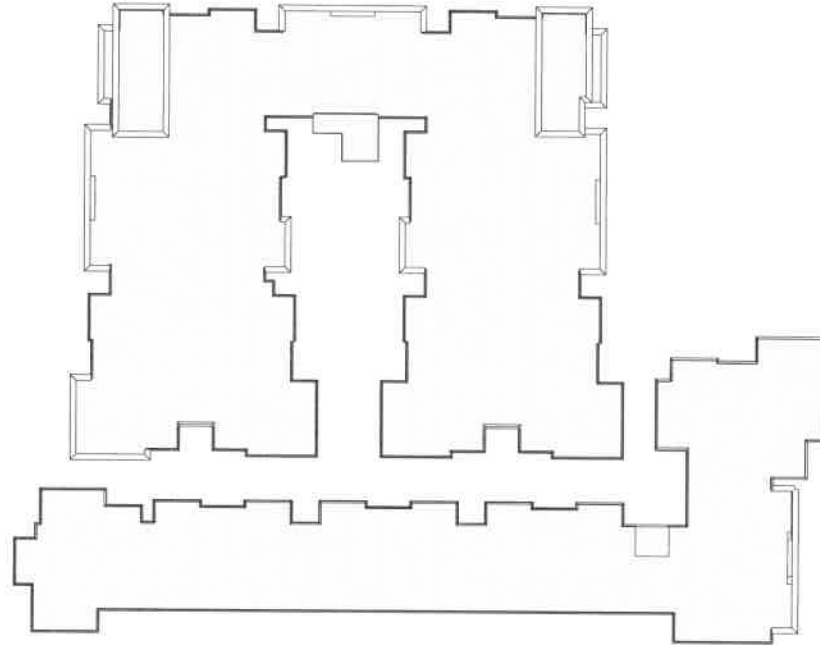
2463 East Main Street

Bexley, Ohio 43209

Phone (614) 239-6868

www.wenz-architecture.com

Gateway Lofts Cincinnati
McMillan Street



① Overall Roof Plan Presentation
1" = 20'-0"

DEAN A. WENZ
ARCHITECTS

2463 East Main Street Bexley, Ohio 43209 Phone (614) 239-6868 www.wenz-architecture.com

Attachment D

Gateway Lofts Cincinnati
McMillan Street



① North
3/32" = 1'-0"



② East
3/32" = 1'-0"

DEAN A. WENZ
ARCHITECTS

2463 East Main Street Bexley, Ohio 43209 Phone (614) 239-6868 www.wenz-architecture.com

Attachment D

Gateway Lofts Cincinnati
McMillan Street



3 South
3/32" = 1'-0"



4 West
3/32" = 1'-0"

DEAN A. WENZ
ARCHITECTS

2463 East Main Street

Bexley, Ohio 43209

Phone (614) 239-6868

www.wenz-architecture.com

Gateway Lofts Cincinnati
McMillan Street



1 Lyon Street Presentation
12" = 1'-0"

DEAN A. WENZ
ARCHITECTS

2463 East Main Street Bexley, Ohio 43209 Phone (614) 239-6868 www.wenz-architecture.com

Gateway Lofts Cincinnati
McMillan Street



① McMillan Street Presentation
1/2" = 1'-0"

DEAN A. WENZ
ARCHITECTS

2463 East Main Street Bexley, Ohio 43209 Phone (614) 239-6868 www.wenz-architecture.com

Gateway Lofts Cincinnati
McMillan Street



© McMillan Entrance Presentation
12" = 1'-0"

DEAN A. WENZ
ARCHITECTS

2463 East Main Street

Bexley, Ohio 43209

Phone (614) 239-6868

www.wenz-architecture.com

Gateway Lofts Cincinnati
McMillan Street



① Moerlein Corner View Presentation
1/2" = 1'-0"

DEAN A. WENZ
ARCHITECTS

2463 East Main Street

Bexley, Ohio 43209

Phone (614) 239-6868

www.wenz-architecture.com

Attachment D

Gateway Lofts Cincinnati- McMillian Street Alternate Plan 2

1/11/2021

APARTMENT BUILDINGS

Building	Proposed Quantity	Apartment Units/Bldg.	Beds/Bldg.	Residential Net Leasable Area (1)	Circulation & Utility Area/ Bldg (2)	Clubhouse Net Area	Garage Net Area	Building Total Gross Area 2nd Floor
Building 1	1	50	183	80,473	18,893		48,026	148,792
Building 2	1	53	228	98,981	22,219		48,626	140,805
SubTotals:	2	103	411	149,454	40,912			289,597

(1) Net Area includes separation of units only.

(2) Includes corridors, stairs, elevators, gift utilities.

Unit Count Ballois:

Building 2 (LOFTS)		Unit Net Area Sq. Ft.	No. of Units/Bldg.	Beds/Bldg.	Total Unit Net Area	1st flr.	2nd flr.	3rd flr.	4th flr.	5th flr.	6th flr.
2 Bedroom	G2-B1	844	5	10	4,222	0	1	1	1	1	1
	G2-B2	844	0	0	0	0	0	0	0	0	0
	G2-C1	971	4	8	3,884	0	1	1	1	1	0
	G2-D1	841	0	0	0	0	0	0	0	0	0
	G2-D2	894	0	0	0	0	0	0	0	0	0
TOTAL 2 BEDROOM GARDEN			9	18	8,106	0	2	2	2	2	1
3 Bedroom	G3-B1	1333	4	12	5,332	0	1	1	1	1	0
TOTAL 3 BEDROOM GARDEN			4	15	6,332	0	1	1	1	1	0
4 Bedroom	G4-B1	1,512	0	0	0	0	0	0	0	0	0
	G4-B2	1,512	0	0	0	0	0	0	0	0	0
	G4-B3	1,453	0	0	0	0	0	0	0	0	0
	G4-C1	1,475	32	128	47,200	0	7	7	7	7	4
	G4-C2	1,475	0	0	0	0	0	0	0	0	0
TOTAL 4 BEDROOM GARDEN			32	128	47,200	0	7	7	7	7	4
5 Bedroom	G5-B1	1,685	0	0	0	0	0	0	0	0	0
	G5-B2	1,685	5	25	8,325	0	1	1	1	1	1
TOTAL 5 BEDROOM GARDEN			5	25	8,325	0	1	1	1	1	1
5 Bedroom	T5-B5	1,786	0	0	0	0	0	0	0	0	0
TOTAL 5 BEDROOM TOWNHOUSE			0	0	0	0	0	0	0	0	0
BUILDING TOTALS			60	183	64,847	0	11	11	11	11	6
Average Unit Net Area					1,079						

Building 1 (LOFTS)		Unit Net Area Sq. Ft.	No. of Units/Bldg.	Beds/Bldg.	Total Unit Net Area	1st flr.	2nd flr.	3rd flr.	4th flr.	5th flr.	6th flr.
2 Bedroom	G2-B1	844	1	2	844	0	1	0	0	0	0
	G2-B2	844	1	2	844	0	1	0	0	0	0
TOTAL 2 BEDROOM GARDEN			2	4	1,688	0	2	0	0	0	0
4 Bedroom	G4-B1	1,512	0	0	0	0	0	0	0	0	0
	G4-B2	1,512	0	0	0	0	0	0	0	0	0
	G4-C1	1,475	23	92	33,925	0	3	5	5	5	5
	G4-C2	1,475	8	32	11,800	0	2	2	2	2	2
TOTAL 4 BEDROOM GARDEN			31	124	45,725	0	5	7	7	7	7
5 Bedroom	G5-B1	1,685	15	75	24,975	0	3	3	3	3	3
	G5-B2	1,685	5	25	8,025	0	0	0	0	0	0
	G5-B3	1,617	5	25	8,085	0	1	1	1	1	1
TOTAL 5 BEDROOM GARDEN			20	100	31,085	0	4	4	4	4	4
BUILDING TOTALS			53	228	104,472	0	11	11	11	11	11
Average Unit Net Area					1,971						

UNIT SUMMARY				
Bedroom Type	Unit Type	Unit Net Area	Units/ Site	Percent
2 Bedroom	G2-B1	844	6	6%
	G2-B2	844	1	1%
	G2-C1	971	4	4%
	G2-D1	941	0	0%
	G2-D2	894	0	0%
3 Bedroom	G3-B1	1,333	4	4%
4 Bedroom	G4-B1	1,512	0	0%
	G4-B2	1,512	0	0%
	G4-B3	1,453	0	0%
	G4-C1	1,475	55	63%
	G4-C2	1,475	8	8%
5 Bedroom	G5-B1	1,685	15	15%
	G5-B2	1,685	5	5%
	G5-B3	1,617	5	5%
	T5	1,786	0	0%
TOTAL			103	100%

Parking Sources	
Basement	134
1st Floor	128
TOTAL	262
Spaces Per Bed	0.64

CK Type A Units	Type A Units- Bldg. A.	2.05
Minimum Units Required		3

Attachment E
November 5, 2021 rendering looking west along Lyon Street



Attachment E
Proposed rendering looking west along Lyon Street



Attachment E
November 5, 2021 rendering looking northwest



Attachment E
Proposed rendering looking northwest



Attachment E
November 5, 2021 rendering looking northeast



Attachment E
Proposed rendering looking northeast





May 20, 2021

Mr. Barrett Tullis
KMK Law
One E. Fourth Street, Suite 1400
Cincinnati, Ohio 45202

Re: 115-125 W. McMillan Street | Gateway Lofts (D) – **(CPRE210041)** Final Recommendations

Dear Mr. Tullis,

This letter is to inform you that our CSR Advisory-TEAM and CSPRO Committee has reviewed your proposed project at **115-125 W. McMillan Street** in the Community of CUF. The information provided is the recommendations of the City of Cincinnati and must be followed as you move forward with your project. As a reminder, we will have a **WebEx conference call meeting** with you on **May 25, 2021 @ 1:30 pm** to discuss this information. Please see the feedback listed below. Thank you for developing within the City of Cincinnati.

City Planning Department

Immediate Requirements to move the project forward:

1. **The project requires a zone change to Planned Development (PD), which was applied for on 5/4/21**
 - a. **The application is missing a justification statement as to why the PD is less than two acres.**

Requirements to obtain permits:

1. Once the zone change, Concept Plan and Development Program Statement is approved, a Final Development Plan is required.

Recommendations:

1. The Department of City Planning recommends sharing these plans with the CUF Neighborhood Association and surrounding property owners. Staff would also recommend stepping the upper floors of the building back on Lyon Street to lessen the impact to surrounding properties, similar to The Verge.

Contact:

- **James Weaver** | City Planning | 513-352-4882 | james.weaver@cincinnati-oh.gov

Buildings & Inspections – Zoning

Immediate Requirements to move the project forward:

1. **The proposed work does not meet the requirements of the CC-M and RMX districts for ground-floor commercial use and density.** The applicant has applied for rezoning to a Planned Development District.

Requirements to obtain permits:

- None

Recommendations:

- None



Contact:

- **Doug Owen** | ZPE | 513-352-2441 | douglas.owen@cincinnati-oh.gov

Metropolitan Sewer District (MSD)

Immediate Requirements to move the project forward:

- None at this time

Requirements to obtain permits:

1. Your project may change flow to a sewer overflow. Please complete the Request for Availability of Sewer Service Form online. The link to the online form can be found at http://www.msdbg.org/customer_care/development_services/index.html
2. An approved site utility plan will be required for each building to receive approved permit.
3. Detention will be reviewed by Jeff Chen at jeff.chen@cincinnati-oh.gov or 513-244-1357 per Section 303 of the MSD Rules and Regulations. For additional site storm water requirements within the City of Cincinnati, contact the Stormwater Management Utility (SMU) at 513.591.5050.

Recommendations

- None at this time

Contact:

- **Jim Wood** | MSD | 513-352-4311 | jim.wood@cincinnati-oh.gov

Stormwater Management Utility (SMU)

Immediate Requirements to move the project forward:

- None

Requirements to obtain permits:

1. Submit grading plan.
2. Submit utility plan.
3. Submit calculations for storm sewer.
4. Submit erosion control plan.

Recommendation:

- None

Contact:

- **Rob Goodpaster** | SMU | 513-581-0893 | robert.goodpaster@cincinnati-oh.gov

Water Works

Immediate Requirements to move the project forward:

- None

Requirements to obtain permits:

1. A stamped and recorded consolidation plat will be required before any new branch(es) or meter(s) sold.
2. The subject development property is receiving water service from the following:

Address	Branch #	Size	Meter #	Size	
140 Lyon St (FOD)	H-30407	3/4"	56399	5/8"	Unknown mat'l private side
124 Lyon St	H-30201	3/4"	48131	5/8"	Lead private side
124 Lyon St	H-30201	3/4"	611	5/8"	Lead private side
126 Lyon St	H-30202	3/4"	48132	5/8"	Lead private side
128 Lyon St	H-24975	3/4"	57080	5/8"	Lead private side
132 Lyon St	H-26343	3/4"	57414	5/8"	Lead private side
136 Lyon St	H-29175	3/4"	56873	5/8"	Lead private side
138 Lyon St	H-30228	3/4"	12710	5/8"	Lead private side
142 Lyon St	H-30408	3/4"	114781	5/8"	Lead private side
119 W McMillan St	H-57520	5/8"	FOD		Lead service line
115 W McMillan St	H-56598	5/8"	129517	3/4"	Lead service line
2540 Moerlein Ave	H-234929	1"	234929	1"	

Note: * Please note that there are known health risk with lead service lines. Greater Cincinnati Water Works records indicate lead to be associated with the above listed water service lines, at this site. In accordance with CMC Chapter 401 Division M, should be replaced with copper service line if it is to remain. Please contact the GCWW Lead Service Line Replacement Coordinator Kathleen Frey at (513) 591-5068. Please call 513-651-5323 and/or refer to <http://www.cincinnati-oh.gov/water/lead-information/>.

3. Any existing water service branch not to be used for this development, must be properly disconnected at the owner's / developer's expense. Owner would be required to fill out the online Discontinuance Form (FOD) at <https://www.cincinnati-oh.gov/water/engineering-construction/forms-specifications/fod/> authorizing removal of the existing water service branch before any new water service can be sold. Any questions contact 513-591-7837.

Recommendations:

1. It is the responsibility of the owner/developer to abandoned branches which will require a drawing showing which branches are to be physically removed from the main. This requirement may be waived in the event Greater Cincinnati Water Works has an active construction project. Each branch will need to show the branch number. Submit to Shawn Wagner at Shawn.Wagner@gcww.cincinnati-oh.gov
2. The Owner(s)/Developer(s) will need to hire a Greater Cincinnati Water Works certified licensed and bonded plumber and fire protection company to perform the private water service branch design work and installation.
3. The Owner(s)/Developer(s) must have a licensed plumber that is bonded and certified with GCWW and fill out the Online Branch application <https://www.cincinnati-oh.gov/water/engineering-construction/forms-specifications/> for water service.

Contact:

- **Rick Roell** | WaterWorks | 513-591-7858 | richard.roellr@gcww.cincinnati-oh.gov

Fire Department

Immediate Requirements to move the project forward:

1. Hydrants and FDC placement are not to block fire apparatus access to the structures.
2. Confirm that the Fire Department Connection is within 50' of a fire hydrant.
3. Post indicator valves cannot be more than 40 feet from the building it services.

4. The connection fitting should be 5-inch Storz type.
5. Fire-Flow: The flow rate of water supply, measures @ 20 pressure/per/square inch (psi) (138Kpa) residual pressure, that is available for firefighting which equal the sum of 2 fire hydrants.
6. The minimum fire flow requirements for Residential structures (1, 2 and 3) multi-family dwelling at 56,000 sq are 2800 gallons/per/minute (GPM) @ 20 pressure/per/square inch (psi) (138Kpa). Based on building having suppression system.
7. The two closest Fire Hydrants are 142 Lyon and 2450 Moerlein Avenue.

Requirements to obtain Permits:

1. The Cincinnati Fire Department requires this project to install Bi-directional Antenna device within the building.
2. Requirements for Emergency Responders Radio Coverage:
 - o New or existing building 20,000 square feet or greater.
 - o New and existing building with lower level extending 2 or more stories below grade plane.
 - o New or existing building with a total basement or parking area 10,000 square feet or greater.
 - o New and existing building 5 or more stories above grade plane.
3. Code Reference for Emergency Responders Radio Coverage is the Ohio Fire Code, (J) Section 510 Emergency responder radio coverage.

Recommendations:

- None

Contact:

- **Kenneth Caldwell** | Fire Dept. | 513-357-7595 | kenneth.caldwell@cincinnati-oh.gov

Office of Environment and Sustainability (OES)

Immediate Requirements to move forward with project:

- None

Requirements to obtain permits:

1. Commercial waste, including construction and demolition debris, generated during the demolition of existing site structures and/or the construction of the new site structures as part of this development project must utilize a City franchised commercial waste collection service per Cincinnati Municipal Code Chapter 730. Current franchise holders include Rumpke of Ohio, Republic Services of Ohio, Best Way of Indiana, and Bavarian Trucking Company.

Recommendations:

1. Due to the age of the existing site structures, asbestos, lead based paint, and other hazardous building materials should be surveyed and, if needed, abatement should be conducted following all applicable regulations prior to their demolition.
2. The development goal should be to earn at a minimum the LEED Certified rating level.
3. Rooftop solar should be considered in the design as a renewable energy source.
4. Site parking should include electric vehicle charging stations.
5. Site areas designated for trash carts should also have at least equal space designated for recycling carts (or dumpsters).

6. The use of trees in the landscape design should be included to enhance urban forestry.
7. The use of pervious surfaces should be maximized to the extent practical in the design.

Contact:

- **Howard Miller** | OES | 513-352-6999 | howard.miller@cincinnati-oh.gov

Parks Department (Urban Forestry)

Immediate Requirements to move the project forward:

- None

Requirements to obtain permits:

1. If working withing 15' of a City street trees, or Project requires its removal Applicant must submit a Public Tree Work Permit (PTWP) application. City must be compensated prior to approval of any removals.

Recommendations:

1. Parks, Urban Forestry asks developer to contact Forestry (Jacob Edwards) to discuss any proposed street tree planting, and to discuss layout of cutouts of street trees.

Contact:

- **Robin Hunt** | Urban Forestry | 513-861-9070 | robin.hunt@cincinnati-oh.gov

Department of Transportation & Engineering (DOTE)

Immediate Requirements to move the project forward:

- None

Requirements to obtain permits:

1. **The in and out of both levels of the garages needs to be flipped, this will also change the direction of the flow within the garages.**
2. **All three sides of the site need 10' sidewalks with tree wells. McMillan needs to match the score pattern on the north side.**
3. The right of way on all three sides of the site needs to be at the back of the 10' walks.
4. The sidewalks need to be at a 2% cross slope. The curb heights should be 6".
5. McMillan needs to match the black streetscape sign and meter poles on north side.
6. Are you proposing any lighting?
7. No door swings are permitted into the right of way.
8. No portion of the foundation is to cross the property line into the right of way.
9. Any encroachments into the right of way require RSP or easement.
10. Driveways to meet City standards.
11. A DOTE permit is needed for all work in the right of way.
12. Contact DTEaddress@cincinnati-oh.gov for assigned addresses prior to submitting permit applications.

Recommendations:

- None

Contact:

- **Morgan Kolks** | DOTE | 513-335-7322 | morgan.kolks@cincinnati-oh.gov

Buildings & Inspections – Buildings

Immediate Requirements to move the project forward:

- None

Requirements to obtain permits:

1. A discussion with a plan's examiner is encouraged.

Recommendations:

- None

Contact:

- **Robert Martin** | B&I Plans Exam | 513-352-2456 | robert.martin@cincinnati-oh.gov

Law Department

Immediate Requirements to move the project forward:

1. No comments at this time.

Requirements to obtain permits:

- None

Recommendations:

- None

Contact:

- **Charles Martinez** | Law | 513-352-3359 | charles.martinez@cincinnati-oh.gov

Department of Community & Economic Development (DCED)

Immediate Requirements to move the project forward:

- None

Requirements to obtain permits:

- None

Recommendations:

- None

Contact:

- **Roy Hackworth** | DCED | 513-352-6119 | roy.hackworth@cincinnati-oh.gov

Health Department

Immediate Requirements to move the project forward:

- None

Requirements to obtain permits:

2. No need for Health to review project as proposed.

Recommendations:

- None

Contact:

- **Trisha Blake** | Health Dept. | 513-352-2447 | trisha.blake@cincinnati-oh.gov



Police Department

Immediate Requirements to move the project forward:

- None currently.

Requirements to obtain permits:

- No comments.

Recommendations:

- None

Contact:

- **Katalin Howard** | Police Dept. | 513-352-3298 | katalin.howard@cincinnati-oh.gov
- **Brandon Kyle** | Police Dept. | 513-564-1870 | brandon.kyle@cincinnati-oh.gov

FINAL ACTION: The CSR Advisory-TEAM and CSPRO Committee believes that the proposed project plan **lacks sufficient information** and recommends that the project **not move forward** to City Planning Commission until the requirements from City Planning, Zoning, and DOTE have been addressed.

Sincerely,

A handwritten signature in blue ink that reads "Art Dahlberg".

Art Dahlberg,
Director of Buildings and Inspections Department
& CSPRO Committee Chair

A handwritten signature in blue ink that reads "Rodney D. Ringer".

Rodney D. Ringer,
Development Manager

AD:RDR:hs



NEIGHBORHOOD ASSOCIATION

representing Clifton Heights | University Heights | Fairview

May 13, 2021

Department of City Planning
Two Centennial Plaza
805 Central Avenue, Suite 700
Cincinnati, OH 45202

City Council
City Hall
801 Plum Street
Cincinnati, OH 45202

Re: Gateway Lofts

To All It May Concern:

The CUF Neighborhood Association has recently become aware of yet another proposal for student housing in Clifton Heights. We were informed by the Clifton Heights Community Urban Redevelopment Corporation (CHCURC) who had learned of the proposal after the owners had presented the plan to the city, with a request for a Planned Development zone change. The owners, Hallmark Campus Communities, also built University Edge, another high-density student housing development on Jefferson Avenue.

The current proposal, Gateway Lofts, calls for a solid six-story building on McMillan Avenue wrapping around the corner down Moerlein Avenue and then around onto Lyon Street. McMillan is indeed zoned properly for such development; however, Moerlein and Lyon are zoned for 1-3 dwelling units. Existing detached houses on these streets are two and three stories. The Gateway Lofts concept map shows two parcels: parcel 1 at .4 acres, and parcel 2 at .93 acres, yet city planning and zoning rules require two acres for a Planned Development. This project would result in the demolition of the detached houses and permanent zoning change from residential to commercial.

Our community continues to be faced with oversized developments that are in opposition to our community plan and city zoning. Typically, CUF is provided cursory notification after such projects are for all intents already approved by the city. There are about 15 similar projects in the neighborhoods abutting the University of Cincinnati at various stages of planning/completion.

CUF is a neighborhood of mostly one and two-family detached houses and small apartments with a varied population of homeowners, long-term renters and students. This makeup is a defining, positive quality of the neighborhood. Each time a block of single-family homes and small multi-family homes is demolished and replaced by a huge, student-only housing project, this diverse and valued character of our neighborhood is diminished. Furthermore, these oversized housing projects overwhelm the community's infrastructure, mainly through over-crowding, traffic congestion and lack of parking. Other developments currently under construction will add thousands of additional cars,

Attachment G

with no meaningful resolution of CUF parking issues. This after multiple parking studies/evaluations, the University Impact Area Solutions Study, and promises by City Council with no follow through to date. Meanwhile other neighborhoods in the city are granted residential permit parking programs.

In general, CUF is opposed to zone changes which downgrade residential areas. Citizens should have some assurance that the city will abide by its own zoning ordinances in protecting residential areas from commercial encroachment. We believe that developers should not be given preferential treatment over residents. Developers are routinely granted tax abatements and TIF funding while providing no positive benefit to our residents.

Specifically, CUF is opposed to the use of Planned Development in this proposal. A similar Planned Development at the former Goetz/Lenhardt's property in 2014 prompted CUF to sue the city for not following its own ordinances.

Time and again the city has approved development plans in CUF without considering CUF's community plan, the Clifton Heights/UC Joint Urban Renewal Plan, the Impact Study recommendations and its own ordinances. We are hopeful this pattern will change with Greg Landsman's *Balanced Development Scorecard* and with your careful consideration of the expressed wishes of our organization, representing the approximately 17,000 residents of CUF.

Sincerely,



Chip Kussmaul, President
CUF Neighborhood Association



NEIGHBORHOOD ASSOCIATION

representing Clifton Heights | University Heights | Fairview

19 July 2021

To: James Weaver, Department of City Planning and Engagement

RE: The Gateway Lofts and proposed Re-zoning to Planned Development

Dear James Weaver and the City Planning team,

As currently planned, the Gateway Lofts is a great example of a development project that fails to compliment the needs and opportunities of its location in the CUF neighborhood.

HEIGHT AND SETBACK

- While the current planned height along McMillan is appropriate, the plan for more than 75 feet and 7-stories along Lyon street, with no yard or setback on Lyon, is unacceptable.
- Lyon Street is a residential street of single family and two-family homes – any new build must be respectful of the neighboring homes and complimentary of existing home heights and setbacks.
- Neighboring homes on Lyon are setback from the street at a minimum of 25 feet; this project should be respectful of the neighborhood and provide a similar setback.
- Heights along Lyon should be similar to existing home heights, and can step up gradually toward McMillan.
- The current plan essentially creates a massive wall along Lyon Street, in a residential area of our neighborhood. Not only would this look out of place, but it would also feel very imposing to existing residents.

ZONING

- The project proposes to change the zoning on Moerlein and Lyon Streets, from residential to planned development, which is in opposition to CUF's community plan.
- As mentioned in previous CUF communications, the city's own code requires 2 acres for a planned development; this project has less than that.
- The city should abide by its own zoning ordinances in protecting residential areas from commercial encroachment.
- Citizens should be able to build and own in a residential area with the expectation that whatever is built around them will conform as they have conformed.

STYLE

- The Lofts, in the cold international style of architecture, show no sensitivity to surrounding residential buildings.
- More sensitivity could be achieved through choice of materials and roofline.

Attachment G

DENSITY

- The city must recognize the sheer number of these large apartment projects that have been approved for our relatively small community space without considerate planning.

PARKING

- While it is commendable that, after meeting with the community, the developer added 48 parking spaces to their plan, it simply is not enough to alleviate concerns of CUF residents.
- Parking congestion in CUF is already unacceptably challenging; the residential neighborhood simply cannot absorb overflow parking from another large student housing development.
- Residents are already concerned about pedestrian safety and emergency vehicle access on CUF's streets; this project will make an existing problem worse.

COMMUNITY BENEFITS

- The current plan offers no benefit to the community.
- With frontage along the business district, a hotel directly across McMillan, a major University just one block away, and more than 20,000 people living within walking distance to this site, it would be a shame and a lost opportunity if a development at this location failed to include any retail, restaurant, or other service that benefits the community.
- The Verge, located just one block away at McMillan and Clifton, had similar plans as a student housing-only project. However, in response to community feedback, the Verge revised their plans, and the site now offers 2 restaurants and a bank that are successful and serve the entire neighborhood.
- This project would be much more acceptable to CUF residents if it included plans for space that offered some benefit to the community.

The CUF neighborhood would like to see redevelopment that compliments the needs and opportunities of the community. The current plan for the Gateway Lofts falls short of recognizing the potential that this site deserves.

Sincerely,



Chip Kussmaul, President
CUF Neighborhood Association

Attachment G

Cc: City Council
CHBA
CHCURC

Ryan & Will,

Thanks for taking the time to meet with us and discuss your project. We thought it might be helpful for both parties if we summarized the concerns of the Clifton Heights Business Association (CHBA) in writing so that we could have a clear understanding of expectations as the process progresses.

In 2013 we spent months negotiating and massaging what ended up becoming the Verge. Those discussions involved all of the same stakeholders and while neither CHBA nor CUFNA got 100% of what we wanted, it did result in a financially viable project that didn't adversely impact neighbors or the business district. Given that fact, we feel that using the Verge as a measuring stick is a fair and efficient use of all of our times and energies.

Your Gateway Lofts site is incredibly similar in that it is 1.38 acres versus the Verge's 1.65 acres -- so about a 20% reduction in size. Both sites front on McMillan (a major artery) and back up to Lyon (a residential street). Both require a PD as the zoning is mixed.

Unfortunately, it feels like what's being proposed for the Gateway site is out of whack when compared to the Verge:

- 469 beds (Gateway) vs 495 (Verge) or only 5% less (even though site is 20% smaller)
- 214 Parking Spaces (Gateway) vs 380 (Verge) or over 75% less (even though site is only 20% smaller and has the same number of parking levels... 2)
- Both projects average 5 stories using McMillan as the grade; however, Verge placed the majority of density on McMillan (6 stories) to lessen the burden on Lyon (4 stories).
- The Lyon Street townhomes when compared have 2 very fundamental differences. The Verge has 30 feet of setback from the ROW to the larger overbuild; whereas you are proposing only 15 feet AND no setback relief on the SW and SE corners of the building. This dramatically reduces or even negates the value of the townhomes from a massing standpoint.

We believe that these issues can be remedied with the following modifications and encourage you to review the Verge's massing plans for reference:

- Take a story away on Lyon and add it to McMillan.
- Extend the townhomes to the east and west corners of the site on Lyon.
- Increase the townhome total depth / setback to 30 feet.
- Revisit the parking layout. The Verge was able to fit a lot more parking on a similar site. We know they incorporated tandem parking as one way to increase parking, but would encourage you to explore the ways in which they were able to maximize their counts.
- In conjunction with looking at parking efficiencies, please review your assumptions with regard to your abundance of 4 and 5 bedroom units. The resulting high number of beds is exacerbating your parking problem. The Verge ended up with approximately $\frac{2}{3}$ 1s & 2s and $\frac{1}{3}$ 3s & 4s. The Deacon is $\frac{2}{3}$ 1s and 2s and $\frac{1}{3}$ 3s & 4s. You are 93% 4s & 5s.

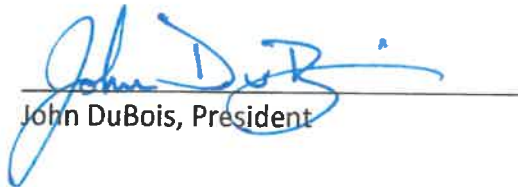
7/21/2021

- Lastly, we would like to see more attention paid to the NW corner to develop some architectural interest.

Given the fact that the Verge was able to make an undeniably financially successful product given these constraints / factors, we see no reason why the same or similar can't be done be with your Gateway project. We welcome the opportunity to work with you to solve for this and commit to doing so expediently.

Thank you,

The Clifton Heights Business Association



John DuBois, President

Weaver, James

From: J.D. DuBois <jd@duboisbooks.net>
Sent: Friday, August 20, 2021 9:34 AM
To: 'Ryan Pearson'; matt.bourgeois@chcurc.org; 'Chip Kussmaul'
Cc: 'Will Kirk'; 'Tullis, Barrett P.'; Weaver, James; Tom Erbeck
Subject: [External Email] RE: Hallmark Gateway - McMillan and Moerlein
Attachments: CHBA Letter to Hallmark.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

External Email Communication

Ryan,

Thanks for sharing the revisions. In reviewing them, I can't help but feel like this rendition of your project is worse than the original. The most notable change was to increase the parking by deleting the townhomes -- which since Day 1, all community stakeholders have said were critical.

I can't speak for the community council obviously, but I can say that the Clifton Heights Business Association, and myself personally, are very pro-development. We desperately want to see that surface parking lot developed; however, we don't believe what you're proposing is reasonable or necessary. From our perspective, the decisions that are being made must be being driven primarily by land acquisition costs. If you're unable to plan and propose a viable development which conforms to the current zoning or something comparable we must assume that only variable that we don't have any familiarity with, the acquisition price, must be out of sync.

The Clifton Heights Business Association does not oppose the concept of Planned Developments and understand its role in facilitating developments even in this case; however, we do not believe that the ability to do a PD should allow for a complete rewrite of the zoning where the only beneficiary is the party selling the land.

In our original letter (reattached for reference), we asked for the following considerations:

- Increase height on McMillan, drop it on Lyon... nothing was done in this regard.
- Pull back the SW and SE corners on Lyon... only the SW corner was pulled back which does not accomplish the objective.
- Reduce abundance of 4-5 bedroom units... nothing was done in this regard.
- Do something architecturally interesting with NW corner at McMillan... nothing was done in this regard.
- Increase the setback from 15 feet to 30 feet where the townhomes transitioned to the overbuild... the way I read it, the setback was actually decreased from 15 feet to 10 feet.
- Look at tandem parking to increase counts... it appears as though this was done.

It is worth noting that **the Clifton Heights Business Association has never objected to a development.** We have had difficult conversations like this one, but have always been able to find common ground with developers and that is something we value. I am simply the President of the organization and this would be a vote of the membership if we were to decide to support or oppose this development, but I can tell you the lack of progress made between revisions will not sit well with my members as it certainly doesn't with me.

J.D. DuBois
President, Clifton Heights Business Association

Attachment G

From: Ryan Pearson [mailto:rpearson@edgela.com]
Sent: Thursday, August 12, 2021 4:17 PM
To: Matt Bourgeois; JD DuBois; Chip Kussmaul
Cc: Will Kirk; Tullis, Barrett P.; James.Weaver@cincinnati-oh.gov
Subject: Hallmark Gateway - McMillan and Moerlein

<https://app.box.com/s/gum4w4bi36vsozawxzv12wp6sz2xvyr2>

Hello to all,

We have made another round of revisions and updated our zoning docs accordingly. The link above should direct you to a file share site where you can download the information for your review/records.

The revisions are highlighted in the 'summary' pdf. In general, the revisions reduced the overall bed count by 22 (from 469 to 447) and increased the parking in the garage by 21 spaces (from 214 to 235) which resulted in a 0.53 spaces/bed or just over 2 spaces per unit.

Let me know if you have any problems downloading these plans.

Respectfully,

Ryan Pearson, PLA
PRINCIPAL

EDGE

330 W. Spring Street, Suite 350
Columbus, OH 43215

Office: 614.486.3343
Direct: 614.487.3003
Mobile: 614.204.3854



So you think you know **EDGE**?
Discover more at the new edgela.com



NEIGHBORHOOD ASSOCIATION

representing Clifton Heights | University Heights | Fairview

August 7, 2021

To: James Weaver, Department of City Planning and Engagement

RE: The Gateway Lofts and proposed Re-zoning to Planned Development

Dear James Weaver and the City Planning team,

The Department of City Planning and Engagement has scheduled a second staff conference [Thursday](#), Sept. 9 to discuss the Gateway Lofts project. At the conclusion of the first staff conference, the developers were to make revisions based on the feedback they received; this has not occurred.

The revised plan includes more parking spaces and - partially - adds a few feet of setback from Lyon Street; however, the revised plan removes the townhomes on Lyon and instead extends parking all the way to Lyon. The building still provides zero setback at the corner of Lyon and Moerlein and further down on Lyon, showing a solid 7 stories at these points. The revised plan still has 7 stories on Lyon and only 5 stories on McMillan. It was suggested at the first staff conference that the developers go higher along McMillan in the business district and step down toward Lyon in the residential zone. This was not done. The revised plan does not incorporate the community's request for retail/restaurant or some other space that benefits the public along McMillan - right in the heart of our business district.

These are the main concerns we have with the original and revised plans:

1. Site does not qualify for zone change to Planned Development, per the city's rules. The developer never addressed this issue, although it was raised in the previous meetings.
2. Parking concerns. The neighborhood cannot absorb overflow parking from this project.
3. Setback along Lyon should uniformly respect the setback of neighboring homes.
4. Height along Lyon is more than 75 feet; neighboring homes on Lyon are 3 story.
5. Community requests townhomes on Lyon, a residential street.
6. New build in the business district does not contribute to the commerce of the business district. This property used to be the location of a restaurant where residents could gather. The proposed project is student-only, providing no benefit to the community, while imposing a massive structure stretching into a residentially zoned area.

Attachment G

Sincerely,

A handwritten signature in cursive script, appearing to read "Chip Kussmaul". The signature is written in dark ink on a light-colored background.

Chip Kussmaul, President
CUF Neighborhood Association

Cc: City Council
CHBA
CHCURC

Weaver, James

From: Dan Schimberg
Sent: Friday, September 24, 2021 3:48 PM
To: Tullis, Barrett P.
Cc: Weaver, James; Keough-Jurs, Katherine; Matt Bourgeois
Subject: [External Email] Re: Gateway Lofts meeting with CUFNA and neighbors

External Email Communication

Bear,

Please please please have the developer reach out to me. I will be out of town as I mentioned during their couple of days they offered to come to town. The issues I raised on the staff conference call have remained unchanged. I will vigorously oppose this development as presented because I feel it is inconsistent with the priorities of our neighborhood, stresses other existing infrastructure, creates huge logistical and safety problems and is too tall on Lyon St.

As a reminder the parking, garage stacking, garbage management, zero drop off, pick up or delivery accommodations, height is unprecedented on Lyon St, and finally setbacks are simply unacceptable. I have urged you to have them contact me directly to work thru these issues. I have been an active developer in this direct area for 30 years and have no problem with redevelopment. I in fact welcome it when done well and responsibly. I have a track record of supporting responsible development. This is a far cry from that.

Thanks

Dan

Dan Schimberg
President
Uptown Rental Properties
513-861-9394 ofc

Attachment G

Weaver, James

From: DBarclay
Sent: Tuesday, September 28, 2021 12:18 PM
To: 'Charles Kussmaul'; 'Tullis, Barrett P.'
Cc:

Subject: [External Email] RE: Gateway Lofts meeting with CUFNA and neighbors

Follow Up Flag: Follow up
Flag Status: Flagged

External Email Communication

Hello All,

I can make this meeting, but I am not sure what my presence is for. I have made most of my points on the Zoom calls and will make them here because I don't feel they are totally being addressed.

The developer can continue to make little tweaks to the design, but in my opinion, they are pretty much pointless until the city decides on what they think will work best for the neighborhood. I feel what we are given now in the design changes are what the developer thinks we would like to see to make the other major issues go away. The last concept even decreased the parking and there is still no setback. Yes, it is better than the original proposed design, but it doesn't fix the underlying issues.

I don't really think it is fair to the developer to continue down a path of insufficient parking and no front/side yard setbacks until that part of the development is agreed upon by the effective parties and the city... And to be honest I don't think they are.

I believe all the parties involved (excluding the developer) agree the parking is not sufficient for the project and will be bad for the neighborhood. The parking study that they seem to be refer to was done by a developer during the off season of the university and is from what I hear worthless and not really a good representation of the area. The perfect example is only 500 feet away at The Verge- which is 70% parked and still has a waiting list. The developer refers to their other projects(which have a waiting list), but isn't a block away the best reference? Also, on our last call they referred to the city own parking garages across the street. It is my understanding that those cannot be guaranteed to any one party and should not even be part of this conversation.

The front yard setback issue just seems to be ignored. Yes, the developer makes changes that step the building back, but that doesn't address the setback issue. It just masks it. We have fought in the past for some form of a front yard setback on other projects in the immediate area (The Verge has it on Lyon Street and the Deacon has it on University Court). What makes this project any different?

These two issues will drive the entire project and I don't feel the developer has sufficiently defended their position on how it is good for the neighborhood to go further with the currant design.

Until then, I feel talking about generator placement, garbage collection, Uber drop off locations and activity on the streets is pointless.

Attachment G

I'm not against a development, but it must work for the neighborhood. As designed, I feel this is not a good project for the area.

Doug Barclay

projects the developer refers to that they currently operate are not in the same vicinity don't care what the developers other projects show, they are not in the same vicinity



NEIGHBORHOOD ASSOCIATION

representing Clifton Heights | University Heights | Fairview

14 October 2021

To: James Weaver, Department of City Planning and Engagement

RE: The Gateway Lofts and proposed Re-zoning to Planned Development

Dear James Weaver and the City Planning team,

On the evening of Tuesday, October 5, 2021, representatives from Hallmark Campus Communities, Dean Wenz Architects, and KMK Law attended the CUF Neighborhood Association Board of Trustees meeting to discuss revised plans for the Gateway Lofts project. The Board wants to thank you for helping to arrange this meeting. This letter is to document the discussion that occurred Tuesday evening and the continued concerns of CUF residents regarding this proposed Planned Development.

HEIGHT

CUF has consistently shared with the developers that the height along Lyon is not acceptable. A massive 7-story building on a residential street of mostly 2-3 story single family and 2-family homes is not appropriate. Notably, the current height of this project along McMillan (part of the business district) is only 5-stories. CUF has repeatedly suggested that it would be more acceptable to add stories along McMillan and step down to a more appropriate height along Lyon; however, these suggestions have not been incorporated into the revised plans. The most recently revised plan maintains seven stories along Lyon, with a small setback on floors 3-6 and an additional setback on floor seven. Setback will be addressed separately; however, please note the 7-stories and massive height will be very present along Lyon as the 7th floor is still only approximately 15 feet beyond the sidewalk on Lyon. This height is not appropriate for Lyon and must be more significantly reduced in future revisions to complement the existing height of neighboring homes.

SETBACK

Previous plans offered zero setback on Lyon. The most recently revised plan maintains zero setback at the two corner sections of the building along Lyon and adds a small, varying setback from the sidewalk of up to five feet in some areas. The developers noted that the existing properties on Lyon have retaining walls that encroach on the right-of-way and suggested that the revised plan would be an improvement with regards to setback. However, the existing retaining walls are only several feet high, and the existing homes on Lyon are setback 25 feet from the sidewalk, providing a much more open setback and sightline than the plans for Gateway Lofts offer. An aerial view of the plans illustrates the stark difference in the setback of existing homes versus the planned tower along Lyon (see below). Note sections of zero setback at the corner sections and how all 7-stories are set closer to the street than existing homes.

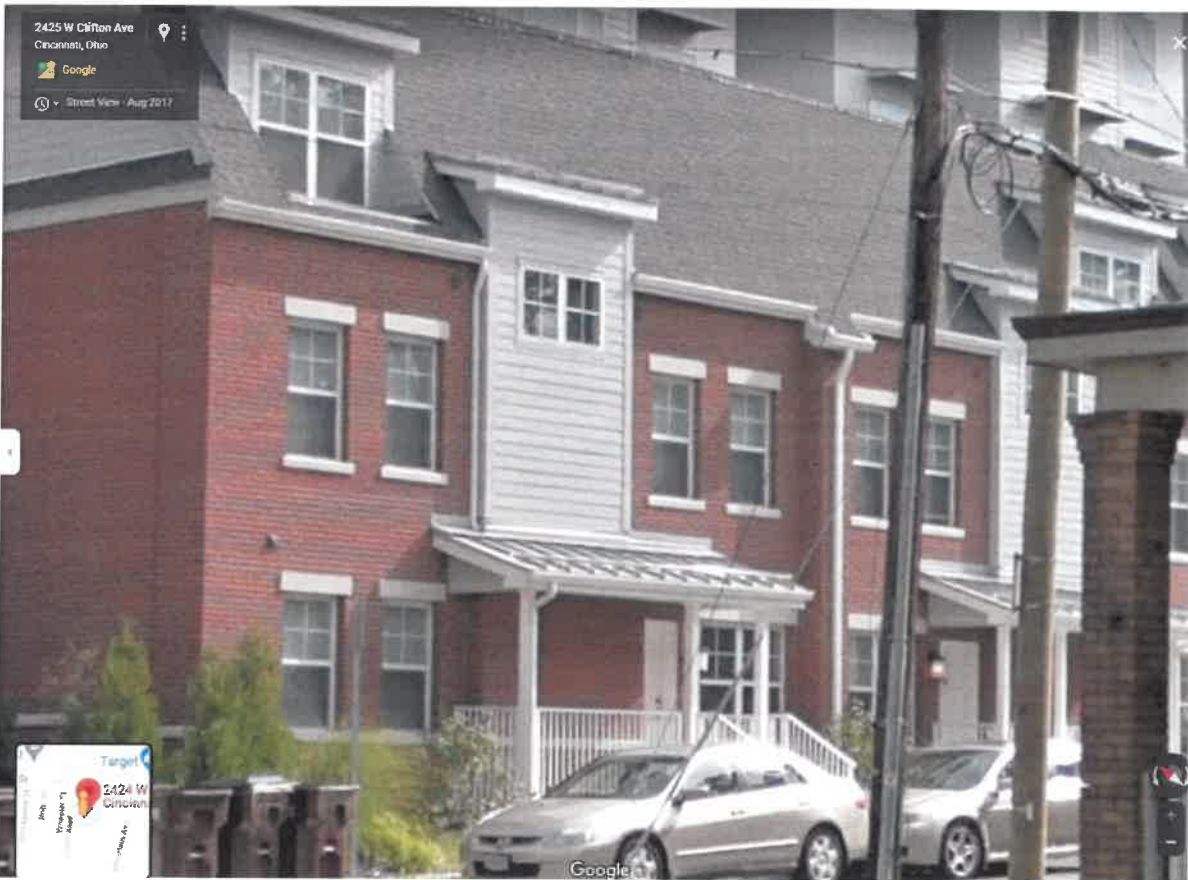
Attachment G

We acknowledge that not all homes on Lyon are setback 25 feet, and we are able to be flexible in this regard; however, zero setback at the corners is not acceptable. Setback and sightlines can be further improved with a more appropriate height and design of the building along Lyon.

TOWNHOMES

In a previous staff conference, CUF explained that incorporating townhomes along Lyon is important to the community, as it allows for interaction and connection that is valued as part of the culture of our neighborhood. Townhomes will activate Lyon and promote a greater sense of safety and community on Lyon. We appreciate that the developers are open to the inclusion of townhomes along Lyon; however, the most recent plan is not impressive. The plan includes only three townhomes, replacing the six existing homes, and the current design gives the appearance of a few doors along an enormous brick wall. Below are examples of townhomes within a few blocks of this location. We believe something similar in design to these would be more appropriate.

232 Lyon Street (Verge):



118 East McMillan Street:



2633 Jefferson Avenue:



PARKING

A major concern of CUF residents are the additional cars that large new developments bring to our neighborhood. It is imperative that any new housing development in CUF provide enough parking in their plans to accommodate the parking demand of their residents. The University of Cincinnati is different from other universities in that many UC students participate in co-op

programs, and most students bring cars with them. Residents of CUF are concerned that the current parking-to-bed ratio for this project is inadequate, and our residential streets do not have the capacity to absorb overflow parking/demand. The development team claimed that they had secured a commitment for 75 additional parking spaces for Gateway Loft residents in the U Square garages. This appears to have been either a misunderstanding or miscommunication, as our follow up with the U Square management verified that these are public garages with no ability to reserve or provide preferential treatment to any group. Monthly passes are sold on a first come first serve basis. We have suggested the developer consider including Zipcars or similar car share offerings in their plans to help encourage fewer cars.

Finally, residents of CUF have consistently asked that the frontage along McMillan include some restaurant/retail or other offering to benefit all neighborhood residents. This project on McMillan is at a prime location in the center of the neighborhood business district. We believe the long-term demand for restaurant/retail in this location will be strong. Even amid the pandemic slowdown, there are new stores opening across the street at U Square. A similar student housing project less than a block away ultimately decided to add two restaurants and a bank to their frontage along McMillan, all of which appear to be successful. Hallmark stated in a previous meeting that they do not include retail in their student housing projects. It is not clear to us if their hesitancy to add it into these plans has more to do with market trends or their lack of experience in mixed-use development. Either way, we continue to advocate strongly for something at this former Pomodori's Pizza location, in our business district, that serves the larger community.

CUF is part of a vibrant, university community where change is inevitable. Our organization is focused on the interests of CUF residents, and we are constantly engaging with various neighborhood stakeholders. The above concerns and suggestions are strongly supported among our community partners. The CUF neighborhood would like to see redevelopment that complements the needs and opportunities of the community. The current revised plan for the Gateway Lofts continues to fall short of recognizing the potential that this site deserves.

CUF is a long-established residential community. Zoning is quite restrictive in this regard and does not permit large commercial projects. This is for the protection of homeowners and long-term residents. Redevelopment along McMillan is in keeping with the needs of the community; but bringing such developments down to Lyon encroaches on the residential basis of our community.

We of CUF are understandably alarmed that development continues a southward course from the business district into our neighborhood. Other developers have indicated that they will follow suit with similar projects to the south of Lyon if the Gateway project is allowed to proceed. Homeowners and other long-term residents are rightfully concerned with where this all ends. We would like assurance from the planning department and city council that current zoning will be followed to prevent further encroachment into our residentially zoned areas.

According to the City zoning code, a Planned Development is supposed to include no less than two acres. This project falls short of that requirement, at only 1.34 acres. The developer has not reduced the scale of this project. Would there be more flexibility on their part, and willingness

Attachment G

to incorporate community feedback, if they had a full 2+ acres to work with? Perhaps the '2-acre minimum' guideline has some merit.

Sincerely,

A handwritten signature in blue ink that reads "Chip Kussmaul". The signature is written in a cursive style and is positioned above the printed name.

Chip Kussmaul, President
CUF Neighborhood Association

Cc: City Council
CHBA
CHCURC



October 26, 2021

Mr. James Weaver
Department of City Planning
City of Cincinnati
via email

Dear Mr. Weaver:

We write this letter to oppose the Gateway Development being proposed by Hallmark in its current form. We have communicated with the developer at length and very clearly stated our concerns over the entirety of the summer. Since the beginning we have made it clear that we viewed the 2013 Verge development as the comparable project that represents the scale we would be open to supporting.

The rationale for this is fairly obvious as both projects share a myriad of similarities:

- **Location** - within a block of one another and fronting on both West McMillan (commercial) and Lyon Streets (residential) ;
- **Zoning** – mix of residential and commercial ; under the minimum 2 acres stipulated for a Planned Development ;
- **Size** – Verge is 1.65 acres ; Gateway is 1.38 acres ; and
- **Use** – both student housing.

We spent many months with the developer of the Verge and the other community stakeholders to refine a development plan that worked for the developer AND the resident and business communities. In our view, the PD process worked as it should to help find compromise between the limitations of the mixed zoning, the financial feasibility of the development, and the concerns of the area stakeholders.

Due to the similarities between the Hallmark proposal and the Verge development, our comments were consistently to mirror what the Verge did in scale. Despite that feedback, the only modifications made were largely cosmetic and did not address the core of our issues.

For reference, I have attached our letter from July 21, 2021 letter which summarized our position. At this time, we still have the following concerns:

- **Density** (# of Beds) – the Verge had 495 beds vs 442 at Gateway... that represents only 12% fewer beds even though the site is only 20% smaller.
- **Parking** – The Verge had 380 parking spaces vs 223 at Gateway... that represents 40% fewer spaces even though the site is 20% smaller. The argument has been made that the parking isn't necessary and yet all of the Verge's parking is sold out at \$100 / month.

Attachment G

- **Massing** – Both projects average 5 stories using West McMillan as grade ; however, the Verge placed the majority of density on West McMillan (6 stories) to lessen the burden on Lyon (4 stories) ; and
- **Setbacks** – The Verge has 30 feet of setback from the Lyon ROW to the larger overbuild vs Gateway which has only 15 feet of setback from the Lyon ROW to its larger overbuild.

As we stated several months ago to the developer, we believe all of these issues can be addressed just as the Verge development was able to, by doing the following:

- Take a story off of Lyon Street and put it on West McMillan ;
- Increase the townhome total depth / setback to 30 feet ;
- Review the concentration of 4 & 5 bedroom units that are exacerbating the parking issue. The Verge had 2/3 of their units as 1 & 2 bedrooms and 1/3 3 & 4 bedrooms units. The most recent area development, the Deacon, is 1/3 1 & 2 bedrooms and 2/3 3 & 4 bedroom units. The Gateway by Hallmark is proposed to ***be 95% 4 & 5 Bedrooms.***

Thank you for your time throughout this process.

Sincerely,

JD DuBois, President

Attach: CHBA Letter to Hallmark dated 7/21/21

7/21/2021

Ryan & Will,

Thanks for taking the time to meet with us and discuss your project. We thought it might be helpful for both parties if we summarized the concerns of the Clifton Heights Business Association (CHBA) in writing so that we could have a clear understanding of expectations as the process progresses.

In 2013 we spent months negotiating and massaging what ended up becoming the Verge. Those discussions involved all of the same stakeholders and while neither CHBA nor CUFNA got 100% of what we wanted, it did result in a financially viable project that didn't adversely impact neighbors or the business district. Given that fact, we feel that using the Verge as a measuring stick is a fair and efficient use of all of our times and energies.

Your Gateway Lofts site is incredibly similar in that it is 1.38 acres versus the Verge's 1.65 acres -- so about a 20% reduction in size. Both sites front on McMillan (a major artery) and back up to Lyon (a residential street). Both require a PD as the zoning is mixed.

Unfortunately, it feels like what's being proposed for the Gateway site is out of whack when compared to the Verge:

- 469 beds (Gateway) vs 495 (Verge) or only 5% less (even though site is 20% smaller)
- 214 Parking Spaces (Gateway) vs 380 (Verge) or over 75% less (even though site is only 20% smaller and has the same number of parking levels... 2)
- Both projects average 5 stories using McMillan as the grade; however, Verge placed the majority of density on McMillan (6 stories) to lessen the burden on Lyon (4 stories).
- The Lyon Street townhomes when compared have 2 very fundamental differences. The Verge has 30 feet of setback from the ROW to the larger overbuild; whereas you are proposing only 15 feet AND no setback relief on the SW and SE corners of the building. This dramatically reduces or even negates the value of the townhomes from a massing standpoint.

We believe that these issues can be remedied with the following modifications and encourage you to review the Verge's massing plans for reference:

- Take a story away on Lyon and add it to McMillan.
- Extend the townhomes to the east and west corners of the site on Lyon.
- Increase the townhome total depth / setback to 30 feet.
- Revisit the parking layout. The Verge was able to fit a lot more parking on a similar site. We know they incorporated tandem parking as one way to increase parking, but would encourage you to explore the ways in which they were able to maximize their counts.
- In conjunction with looking at parking efficiencies, please review your assumptions with regard to your abundance of 4 and 5 bedroom units. The resulting high number of beds is exacerbating your parking problem. The Verge ended up with approximately ⅓ 1s & 2s and ⅓ 3s & 4s. The Deacon is ⅓ 1s and 2s and ⅓ 3s & 4s. You are 93% 4s & 5s.

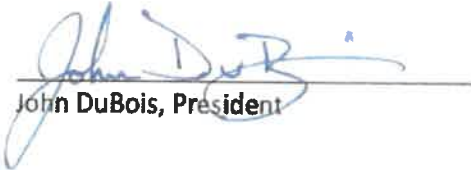
7/21/2021

- Lastly, we would like to see more attention paid to the NW corner to develop some architectural interest.

Given the fact that the Verge was able to make an undeniably financially successful product given these constraints / factors, we see no reason why the same or similar can't be done be with your Gateway project. We welcome the opportunity to work with you to solve for this and commit to doing so expediently.

Thank you,

The Clifton Heights Business Association



John DuBois, President

Attachment H



December 3, 2021

James Weaver, Senior City Planner
Department of City Planning & Engagement
City of Cincinnati
james.weaver@cincinnati-oh.gov

Mr. Weaver,

This letter is intended to summarize the shared concerns of the CUF Neighborhood Association, Clifton Heights Business Association, and Clifton Heights Community Urban Redevelopment Corporation. Before we do so, we would like to express our appreciation for how you have shepherded this process.

Our organizations do not always agree on everything, but we communicate openly and from the outset of discussions regarding this site, we have ALL collectively made several things clear to the developer and the City:

- Lyon Street is a residential street that needs to be treated as such from a massing and use standpoint ;
- Adequately parking a development of this scale (goal of 70% ratio of parking spaces to beds) is critically important to avoid making a bad parking situation worse ;
- The Verge development is a recent project with MANY overlapping aspects that should be replicated and used as a guide when developing the project (location, PD, mixed residential/commercial zoning, student housing, underground parking, etc) ; AND
- We want to see the surface parking lot in our business district developed.

There have been other issues that are important to our individual groups such as a retail presence on McMillan or lower overall density, but those aforementioned perspectives are UNEQUIVOCALLY supported by ALL of us.

We were greatly encouraged by your staff report that echoed these issues as you recommended holding the Planned Development request until the parking ratio could be increased to 0.7 : 1 AND until appropriate setbacks and massing could be addressed on Lyon Street.

We found your recommendations to be reasonable and felt they provided ample detail on how to achieve those recommendations. Furthermore, we were pleased that Planning Commission supported your recommendations and instructed us all to meet and find common ground.

At our meeting on November 23rd, we were disappointed to learn that the developer's only effort to meet your recommendations, and our long stated wishes, was to remove the townhomes on Lyon

Attachment H

Street that we had always advocated for. The developer also did not remove a level off of Lyon as was suggested, but rather moved it back slightly. These changes did not represent the compromise the Planning Commission had asked for at the end of their meeting. It was a “take it or leave it” approach that was forcing our organizations to choose between appropriately parking their development OR sacrificing any semblance of a residential street that the townhomes would provide.

In the interest of finding common ground / compromise, the suggestion was made to keep their bed count the same while further pulling back the top floor from Lyon Street (see shaded area below). This would have required their 2 different buildings (1 U-shaped and 1 L-shaped) to be combined into one donut shaped building. They said that was not possible because those bedrooms that faced the existing windows would not comply with code as there would be no windows anymore once the buildings were pushed together.



68 10/27/14 11:28:00 AM

In discussing this matter with an architect, they assured us that it was absolutely possible to do it, it would simply require a reorganizing of a bay of rooms so that bedrooms were oriented differently.

Given all of this feedback, we were surprised and disappointed to learn that the developer is presenting to Planning Commission “Alternate B” for approval. As we stated in the November 23rd meeting, we believe this alternate is actually worse than what was presented to Planning Commission

Attachment H

initially and does not even remotely meet the intent of the directives they've been given by the community stakeholders, City Planning Staff, or Planning Commission.

In summary, we still stand by your recommendations and believe that Planning Commission should as well. We assert that the following changes should be made before the Planning Commission should consider approving the PD:

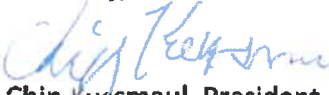
- Remove the entire upper level of rooms on Lyon Street. This would reduce the bed count by around 20 beds thereby improving the parking ratio. It would also improve the massing on Lyon Street.
- Combine the "U" and "L" shaped buildings into a donut. That would allow the development to achieve the 30 ft setback on the upper floors on Lyon as you recommended and not negatively impact their density / bed count.
- Add back the townhomes on Lyon Street. This would add back in 23 beds (more than what was lost by removing the uppermost floor on Lyon St). It would also retain some of the residential feel of Lyon St.
- Design townhomes to look aesthetically different from the overbuild / upper floors so that they stand out and appear to be entirely different from street level.
- Pickup / Dropoff – questions of how deliveries will be handled still have not been adequately addressed. Proper planning will ensure neighboring businesses and residents aren't negatively impacted by 400+ students' daily deliveries.
- Construction Staging – This site has zero lay down area for construction. We think it is imperative that any approval require a suitable staging plan. Construction will take a minimum of 18 months so there will be a substantial impact on adjacent streets and property owners.

Since 2004, there have been 6,300 beds of large scale, new construction, student housing developed in the Corryville & CUF communities (not including on campus). There is a LOT of precedent and a LOT of lessons learned. Those projects have all been overwhelmingly financially successful and found a way to be supported by the communities they impacted. The proposed development is simply too much on too small a site and represents excess relative to its peer projects.

We can only assume that the developer is either unwilling to make changes to bring them in line with their own projects (University Edge) and peer projects OR they are unable due to inflated land costs. Either way, that is no excuse to place the burden on the community and its stakeholders.

We remain committed to seeing a project happen at this site, we simply must oppose this project in its current form. If you have any questions, please feel free to discuss with any of us.

Sincerely,


Chip Kussmaul, President
CUF Neighborhood Assoc.


JD DuBois, President
Clifton Heights Business Assoc.


Matt Bourgeois, Director
Clifton Heights CURC

116 LYON STREET LLC
2570 MADISON RD # 22
CINCINNATI OH 45208

125 W MCMILLAN PARKING LLC
30 W 3RD STREET 4TH FL
CINCINNATI OH 45202

136 DETZEL LLC
2718 VINE ST
CINCINNATI OH 45219

227 LYON STREET LLC
3852 LINCOLN RD
CINCINNATI OH 45247

2423 OHIO LLC
5169 GRANTS GREDRICK
SOUTH LEBANON OH 45065

77 CORNERSTONE LLC
3322 BISHOP ST
CINCINNATI OH 45231

AHMAD MUHAMMAD & NABILA T
118 LYON ST
CINCINNATI OH 45219

ATKINSON APARTMENTS LLC
3449 MICHIGAN AVE LL #2
CINCINNATI OH 45208

BARCLAY REAL ESTATE PROPERTIES LLC
139 LYON ST SUITE 200
CINCINNATI OH 45219-1511

BATSCH PHILLIP M
9580 BLUEWING TER
CINCINNATI OH 45241

BATSCH STEVE T
227 LYON ST APT A
CINCINNATI OH 45219

CABS LLC
9442 OLD VILLAGE DR
LOVELAND OH 45140

CALHOUN PARTNERS LLC
1220 EDWARDS RD
CINCINNATI OH 45208

CALLAHAN CLARE & SYLVIA J PLYLER
219 LYON ST
CINCINNATI OH 45219-1303

CHATAUQUA PROPERTIES LLC
11752 GRANDSTONE LN
CINCINNATI OH 45249

CHIN JAMES
2855 WEST 24TH AVE
DENVER CO 80211

CHOLLEY JEFFREY J
8845 CUPSTONE DR
GALENA OH 43021

CHCURC
2510 OHIO AV, SUITE C
CINCINNATI OH 45219

DEERING PROPERTIES I LLC
3427 MANOR HILL DR
CINCINNATI OH 45220

DETTINGER LLC
2938 VERNON PL
CINCINNATI OH 45219

DETZEL PROPERTIES LLC
6022 MONTICELLO AVE
CINCINNATI OH 45224

DISSINGER MELISSA A & ROBERT L
105 FETTERBUSH RD
ELGIN SC 29045

DODD ALBERT S IV & ALBERT SIDNEY
DODD IV
229 LYON ST
CINCINNATI OH 45219-1303

DQSWO LLC
4138 SPANISH BAY DR
MASON OH 45040

EDENU LLC
359 RESOR AVE
CINCINNATI OH 45220

ELLERBE WALTER G & TERI R
12009 KILBRIDE DR
CINCINNATI OH 45251

ESM RESIDENTIAL LLC
5065 SHATTUC AVE
CINCINNATI OH 45208

FRANCIOSE WILLIAM J & MADONNA W
207 LYON ST
CINCINNATI OH 45219-1303

GRIGGS JOAN M
124 DETZEL PL
CINCINNATI OH 45219-1510

HUBBARD JASON J
9044 ZOELLNER DR
CINCINNATI OH 45251

KELLEY MARY S
3435 GOLDEN AVE #402
CINCINNATI OH 45226

LYON STREET RENTALS LLC
210 LYON ST
CINCINNATI OH 45219

MCMILLAN APARTMENTS LLC
7 JACKSON WALKWAY C/O GILBANE
DEV CO
PROVIDENCE RI 02903

MCMILLAN LLC
2985 GRANDIN RD
CINCINNATI OH 45208

MDB REAL ESTATE FIVE LLC
1564 GEORGETOWN RD
LOVELAND OH 45140

MITCHELL BRENDAN J
652 EDINBURGH CT
FT MITCHELL KY 41017

MOERLEIN PROPERTIES LLC
150 EAST BROAD ST
COLUMBUS OH 43215

OHIO-MCMILLAN APARTMENTS LLC
210 W MCMILLAN ST
CINCINNATI OH 45219

PAPPAS DOROTHY
2435 MOERLEIN AVE
CINCINNATI OH 45219-1531

RANZ KARYN M
112 DETZEL PL
CINCINNATI OH 45219-1510

ROQUE ALFREDO & MARIA
7913 KIRKLAND DR
CINCINNATI OH 45224

SCHMIDT PHILIP ERIC & PAMELE LYNN
7733 TEMPLIN RD
BLANCHESTER OH 45107

SMITH THERESA E & VINCENT DEPAUL
SMITH
4901 PICONE ST
METAIRIE LA 70006

STALLO ANDREW
4324 HUTCHINSON RD
CINCINNATI OH 45248

STATE OF OHIO
505 S STATE ROUTE 741
LEBANON OH 45036

CUF NEIGHBORHOOD ASSOCIATION
2364 W. MCMICKEN AV
CINCINNATI OH 45214

STAVALE FRANCESCO
116 DETZEL PL
CINCINNATI OH 45219

STRAIGHT STREET PROPERTIES LLC
10480 STABLEHAND DR
CINCINNATI OH 45242

TEPPERBERG BENJAMIN E TR
P O BOX 20163
CINCINNATI OH 45220

TJ PROPERTIES PLUS LLC
5699 ROSECLIFF DR
HILLIARD OH 43026

TURNER PAMELA A & TIMOTHY
140 DETZEL PL
CINCINNATI OH 45219-1510

U SQUARE LLC
1055 ST PAUL PL
CINCINNATI OH 45202

UC ELLIE LLC
1890 NORTHWEST BLVD SUITE 320
COLUMBUS OH 43212

UNIVERSITY BIBLE FELLOWSHIP
2441 MOERLEIN AVE
CINCINNATI OH 45219

UNIVERSITY HOUSING GROUP LLC
2616 SHORT VINE
CINCINNATI OH 45219

UNIVERSITY OF CINCINNATI
650 UNIVERSITY PAVILION OFFICE OF
GENERAL COUNSEL
CINCINNATI OH 45219

USQUARE HOTEL LLC
125 W SPRING ST
OXFORD OH 45056

WARNER STREET LLC
105 COURT ST # 1091
HAMILTON OH 45012

WELLS ROGER & JENNIFER
8404 GUSTIN RIDER RD
BLANCHESTER OH 45107

WILLIAMS NORMAN L
4806 COUNTRY WOODS LN
GREENSBORO NC 27410