

Honorable City Planning Commission
Cincinnati, Ohio

June 2, 2023

SUBJECT: A report and recommendation on a proposed zone change from Park and Recreation (PR) to Single-family Residential (SF-2) at 2133 Ravine Street in Over-the-Rhine.

GENERAL INFORMATION:

Owner: Conroy Place, LLC
Owner's address: 2347 Reading Road, Cincinnati, Ohio 45202
Applicant: Sean Suder, Suder, LLC
Applicant's address: 455 Delta Avenue, Suite 203, Cincinnati, Ohio 45226

BACKGROUND:

The proposed zone change is for a small vacant lot at the northwest corner of Ravine Street and Conroy Place in Over-the-Rhine. The applicant is requesting the current PR (Park and Recreation) zoning be changed to the adjacent SF-2 (Single-family Residential) for future development of a single-family home. The property is surrounded by single-family zoning and predominantly single-family homes aside from Fairview Park, adjacent to the north.

ADJACENT LAND USE AND ZONING:

South: SF-2 (Single-family residential)
East: SF-2 (Single-family residential)
North: PR (Park and Recreation)
West: SF-2 (Single-family residential)

ANALYSIS:

This property is located within the Over-the-Rhine neighborhood, near the CUF neighborhood, and touches a Hillside Overlay District. Any future development will need to meet the Hillside Overlay regulations. This zone change to SF-2 will provide for a new residential development, hopefully spurring the revitalization of vacant lots in the area. It is a community goal to increase residential uses and homeownership and create a more pedestrian-friendly character to the neighborhood. This site is on the hillside and will provide significant views of the City. It is of no benefit to the City for this parcel to remain zoned Park and Recreation when there is no park located on this small parcel at this address and it is privately-owned. The Over-the-Rhine Community Council is supportive of the zone change.

PUBLIC COMMENT:

The Department of City Planning and Engagement staff held a public staff conference on May 2, 2023, regarding this proposed zone change. The Over-the-Rhine and CUF community councils, along with property owners within 400 feet of the zone change were notified. One abutting property owner attended and had questions but there were no concerns about the zone change. Attached is a letter of support from a neighboring property owner who could not attend the staff conference.

CONSISTENCY WITH PLANS:

The proposed zone change is consistent with *Plan Cincinnati* (2012) in the Live Initiative Area, which recommends "to provide a full spectrum of housing options and improve housing quality and

affordability” (pg. 164) and “improve the quality and number of moderate to high-income rental and homeowner units” (pg. 165).

This proposal is also consistent with the *Over-the-Rhine Comprehensive Plan* (2002) particularly within the Housing Goal I to “Encourage and welcome new investment at all levels of the housing market and ensure the long-term sustainability of enough affordable housing to house current residents” (page 47).

CONCLUSIONS:

The staff of the Department of City Planning and Engagement supports the proposed change in zoning for the following reasons:

1. A new residential development could increase homeownership in the neighborhood.
2. This development is consistent with the *Over-the-Rhine Comprehensive Plan* (2002) and *Plan Cincinnati* (2012).
3. The site is zoned Park and Recreation but is surrounded by residential zoning and not currently a part of or used as a public park.
4. This zone change will be beneficial to the Over-the-Rhine community.

RECOMMENDATION:

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

APPROVE the proposed zone change from PR (Park and Recreation) to SF-2 (Single-family Residential) at 2133 Ravine Street in Over-the-Rhine.

Respectfully submitted:

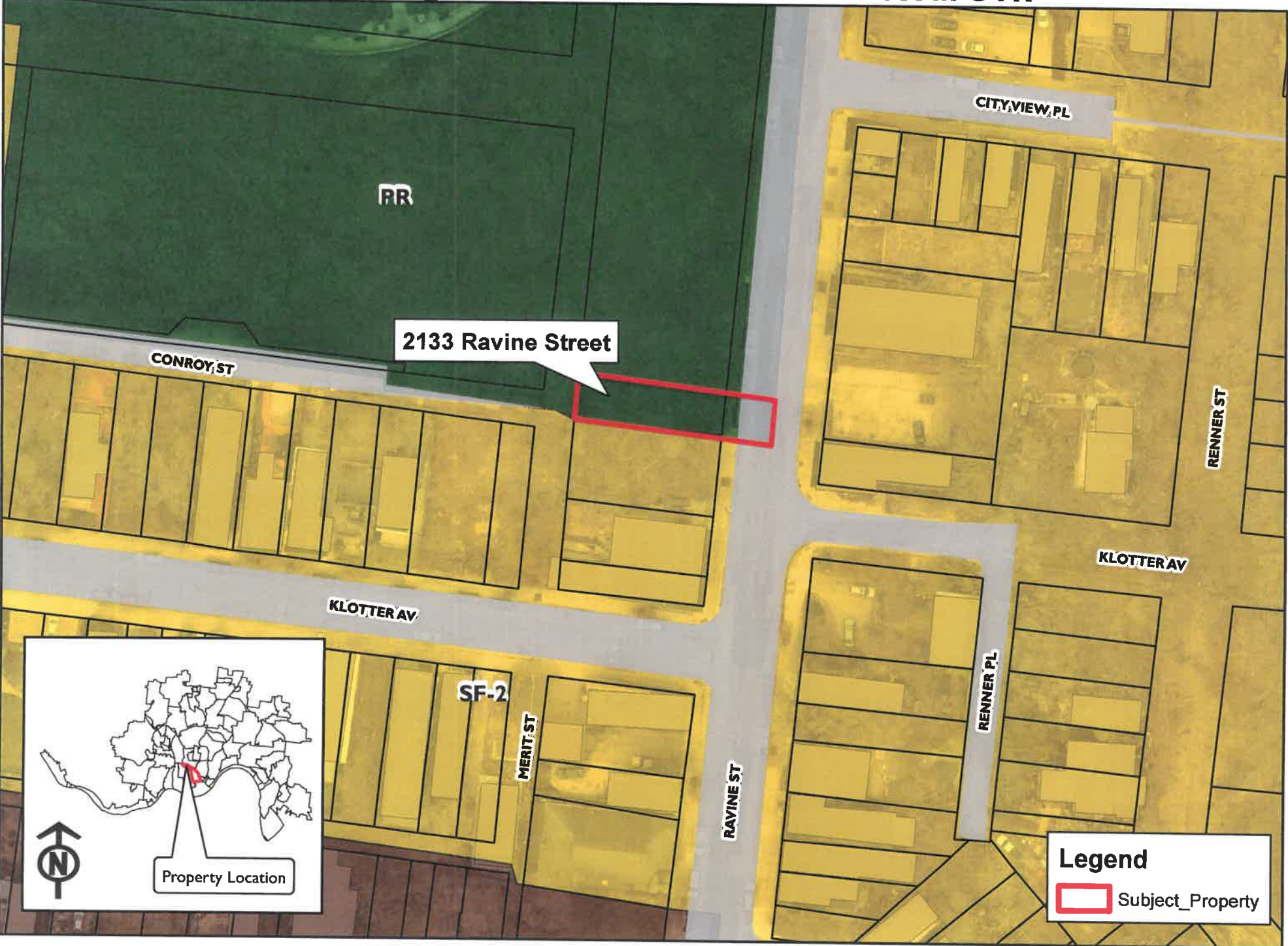
Approved:



Caroline Hardy Kellam, Senior City Planner
Department of City Planning and Engagement

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

Zone Change - PR to SF-2 - 2133 Ravine Street in OTR



Suder llc

Counsel for the
Built Environment

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February 23, 2023

VIA HAND DELIVERY, WITH COPY VIA EMAIL (kasandra.maynes@cincinnati-oh.gov)

Department of Buildings & Inspections
c/o Kasandra Maynes
City of Cincinnati
805 Central Avenue, Suite 500
Cincinnati, OH 45202

Re: Petition for Re-Zoning of 2133 Ravine Street, Cincinnati, OH 45214 (the "Property")

Honorable Members of the Planning Commission and City Council,

Please accept this letter in support of the petition for re-zoning of the above-referenced Property from the "PR" Park and Recreation District to the "SF-2" Single-family District. By way of background, the Property is a narrow, undeveloped lot in the neighborhood of Clifton Heights/University Heights/Fairview ("CUF").¹ The Property is on the southern end of CUF, just up the hill from Central Parkway, in an area characterized by single-family homes.

As shown in the attached map from CAGIS (Exhibit B), the dominant zoning designation in this part of CUF is SF-2. The notable carveout from that designation is the classification of PR for the land around Fairview Park Drive. Each parcel in Fairview Park is owned by the City of Cincinnati. The Property at issue is privately owned, is adjacent to the City's property, and is also zoned as PR. One might reasonably wonder whether this designation was accidental: the Property is the only parcel in this cluster of PR zoning that is privately owned and it is the only private parcel in the area to be zoned PR instead of SF-2.²

Whether intentional or not, the City's classification of the Property as PR is manifestly unreasonable. The purposes of the PR district are to "[p]reserve, protect and enhance a system of public parks, parkways, greenspace, and recreation areas [and to p]reserve natural and scenic areas, and protect sensitive natural resource areas."³ This might be appropriate for public parkland, but

¹ A true and accurate legal description of the Property is attached hereto as Exhibit A.

² A true and accurate survey plat depicting street right-of-way lines, existing zone lines, abutting property owners, and dimensions of the Property is attached hereto as Exhibit C.

³ Cincinnati Zoning Code ("CZC") § 1416-01.

it makes no sense for private property in a dense, residential, and largely developed neighborhood. “The substantial value of property lies in its use.”⁴ Although government may restrict that use for the public good, such regulation may not go so far as to deprive a property owner of all economically viable use of his property.⁵ Unfortunately, that is exactly what has occurred here: the PR district allows for no use that would be economically feasible on the Property, including the single-family dwelling use that is permitted on every nearby private parcel.⁶

Changing the Property’s zoning to SF-2 would remedy these legal deficiencies and also serve several important public interests. First, the petitioner would be able to use the Property in the same way as every other private property owner in the area, advancing the City’s interest “[f]oster[ing] convenient, harmonious and workable relationships among land uses.”⁷ Further, because the petitioner plans to build to single-family dwelling on the Property, re-zoning would “[p]rovide opportunities for economic development and new housing.”⁸ The most recent strategic plan for the CUF neighborhood likewise provides as a goal to “develop and maintain quality housing.”⁹

For all these reasons, the petitioner respectfully asks that the Planning Commission recommend, and that the City approve, a change in the Property’s zoning to SF-2. Thank you for your consideration.

Sincerely,



Sean Suder

C: J.P. Burleigh
Chinedum Ndukwe
Daniel Buchenroth
Rebecca Walker

⁴ *Akron v. Chapman*, 160 Ohio St. 382, 388, 116 N.E.2d 697 (1953).

⁵ *Lucas v. S.C. Coastal Council*, 505 U.S. 1003, 1017-18 (1992).

⁶ CZC § 1416-05.

⁷ CZC § 1400-03(c).

⁸ CZC § 1400-03(f).

⁹ *University Impact Area Solutions Study: A Strategic Plan for the Neighborhoods Surrounding the University of Cincinnati*, CITY OF CINCINNATI (2016), [https://www.cincinnati-oh.gov/sites/planning/assets/File/UIASS%20Final%20Approved%20Plan%20\(Web\)%20\(Reduced\)\(1\).pdf](https://www.cincinnati-oh.gov/sites/planning/assets/File/UIASS%20Final%20Approved%20Plan%20(Web)%20(Reduced)(1).pdf), at page 65.

Kellam, Caroline

From: Jim Hautz <jjhautz@gmail.com>
Sent: Tuesday, May 2, 2023 2:59 PM
To: Kellam, Caroline
Subject: [External Email] Re: 2133 Ravine Street - Zone change from PR to SF-2 in OTR

External Email Communication

Thank you for sending the link Caroline,

Unfortunately I have had something personal come up and will not be able to participate. I do want to say that both my wife and I support the zoning change as we feel any development will enhance our neighborhood. We are always glad to hear that properties are seeking improvement whether it be vacant lots or blighted buildings which we are all too familiar with. Unfortunately we have many of the latter described buildings surrounding us and we hope the city will start enforcing the vacant building codes with more force in the future.

Sincerely,

Jim Hautz

On Tue, May 2, 2023 at 12:09 PM Kellam, Caroline <Caroline.Kellam@cincinnati-oh.gov> wrote:



Hi there,

Caroline.Kellam@cincinnati-oh.gov is inviting you to a scheduled Zoom meeting.

[Join Zoom Meeting](#)

One tap
mobile:

US: [+16469313860](tel:+16469313860), [84581603396#](tel:+184581603396) or [+19292056099](tel:+19292056099), [84581603396#](tel:+184581603396)

Meeting
URL:

<https://cincinnati-oh.zoom.us/j/84581603396?pwd=cDljZU8zd1JJTUEyS0N5TIJEM0dRQT09>