

August 4, 2026

To: Members of the Housing & Growth Committee
From: Sheryl M.M. Long, City Manager 202602485
Subject: **Emergency Ordinance – Authorizing the City Manager to execute a Declaration of Easement in favor of 101 West Fifth, LLC**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the City Manager to execute a Declaration of Easement in favor of 101 West Fifth, LLC, pursuant to which the City will grant a no-build easement over a portion of its property known as 409 Race St., in the Central Business district of Cincinnati, in order to satisfy fire separation requirements established by the Ohio Building Code and allow 101 West Fifth, LLC as necessary to obtain certain permit approvals from the City of Cincinnati's Department of Buildings and Inspections.

I. LEGISLATIVE SUMMARY

Authorizing the execution of a Declaration of Easement in favor of 101 West Fifth, LLC (a subsidiary of 3CDC) to support the redevelopment of the former Saks Fifth Avenue building in Downtown. The execution of this no-build easement is necessary so a final Certificate of Occupancy can be obtained for the property.

This easement was approved by the Cincinnati City Planning Commission at its meeting on May 1, 2026.

The Administration recommends approval of this Emergency Ordinance.

Key Information:

- **Fair Market Value:** \$11,700.00
- **Sale Price:** No cost

Impact Statement

ADAPTIVE REUSE: Cincinnati has emerged as a national leader in adaptive reuse, consistently ranking among the top 10 cities in the U.S. for office-to-residential conversions. These projects support local retailers, restaurants, and transit systems, bring more residents to business districts, and preserve valuable building stock while reducing the environmental costs of demolition and new construction. By prioritizing adaptive reuse, Cincinnati is staying ahead of shifting economic trends and ensuring its urban core remains active, thriving, and positioned for long-term growth.

II. SITE INFORMATION

Address	409 Race Street
Neighborhood	Downtown

Property Map	Property Picture (if applicable)
Property Map Details: LOT 2 (top left) LOT 1 (middle right) LOT 3 (bottom right): 4TH AND RACE DEVELOPMENT SUBDIVISION P.B. 488 PG. 1 NO BUILD EASEMENT: 0.049 ACRES extending from elevation 544.33 to 716.00 145-0001-0458: 101 WEST FIFTH, LLC O.R. 15180 PG. 2406 1.0857 ACRE (DEED) P.B. 502 PG. 66 145-0001-0209: CINCINNATI FIFTH STREET HOTEL, LLC O.R. 13077 PG. 995 P.B. 252 PG. 65 BEARINGS ARE BASED ON 4TH AND RACE DEVELOPMENT SUBDIVISION AS RECORDED IN P.B. 488 PG. 1	Property Picture Details: SAKS FIFTH AVENUE (red-shaded lot) W 5th St Race Street Other Lot Numbers: 120, 100, 55, 430, 411, 409

III. DEVELOPER INFORMATION

Developer(s)	3CDC
Previous Projects/Experience:	The Annie, August Flats, Willkommen, Findlay Community Center, Crossroad Community Health Center

cc: Brandon Rudd, *Deputy Director*, Office of Strategic Growth