



City of Cincinnati

801 Plum Street
Cincinnati, OH 45202

Agenda - Final-revised

Economic Growth & Zoning Committee

Vice Mayor Christopher Smitherman, Chairperson
Councilmember Steven Goodin, Vice-Chair
Councilmember Betsy Sundermann, Member
Councilmember Liz Keating, Member
Councilmember Jan Michele Lemon Kearney, Member

Tuesday, June 22, 2021

11:00 AM

Council Chambers, Room 300

PRESENTATIONS

AGENDA

- [202102032](#) **RESOLUTION** submitted by Paula Boggs Muething, City Manager, on 5/26/2021, **APPROVING** the *Mohawk Area Plan* as the planning guide for the Mohawk Area in the Over-the-Rhine neighborhood.

Sponsors: City Manager

Attachments: [Transmittal](#)
[Resolution](#)
[Exhibit A](#)
[Exhibit B](#)
[Legislative Record](#)
[CPC Memo to Clerk](#)
- [202102135](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 6/9/2021, **AUTHORIZING** the existing building located at 2215 Fulton Avenue in the Walnut Hills neighborhood to be renovated and used as an office NOTWITHSTANDING the provisions of Section 1405-05, "Land Use Regulations," of Chapter 1405, "Residential Multi-Family," and Section 1425-19-A, "Off-Street Parking and Loading Requirements," of Chapter 1425, "Parking and Loading Regulations," of the Cincinnati Zoning Code and any other applicable provisions of the Cincinnati Zoning Code and the Cincinnati Municipal Code.

Sponsors: City Manager

Attachments: [Transmittal](#)
[Ordinance](#)
[Exhibit A](#)
[Legislative Record](#)
[Other Legislative Record](#)
[CPC Memo to Clerk](#)

3. [202102149](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 6/9/2021, **ESTABLISHING** Urban Parking Overlay District #2, "Camp Washington," in the Camp Washington neighborhood as an urban parking overlay district to lift minimum off-street parking requirements in the area.
- Sponsors:** City Manager
- Attachments:** [Transmittal](#)
[Ordinance](#)
[Exhibit A](#)
[Legislative Record](#)
[Other Legislative Record](#)
[CPC Memo to Clerk](#)
4. [202102353](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 6/22/2021, **AUTHORIZING** the City Manager to design, install, and maintain a mural on the retaining wall located at the intersection of William Howard Taft Road and Woodburn Avenue in the East Walnut Hills neighborhood, notwithstanding any conflicting Department of Transportation and Engineering rules and regulations or any provision of the Cincinnati Municipal Code that would prohibit the installation and maintenance of the mural.
- Sponsors:** City Manager
- Attachments:** [Transmittal](#)
[Ordinance](#)
[Exhibit A](#)
[Legislative Record](#)
[CPC Memo to Clerk](#)
[Other Legislative Record](#)
5. [202102270](#) **PRESENTATION** submitted by Paula Boggs Muething, City Manager, dated 6/22/2021, regarding the presentation for Urban Parking Overlay District #2: Camp Washington for the Economic Growth & Zoning Committee.
- Sponsors:** City Manager
- Attachments:** [Transmittal](#)
[Presentation](#)
6. [202102271](#) **PRESENTATION** submitted by Paula Boggs Muething, City Manager, dated 6/22/2021, regarding a proposed Emergency Ordinance for a Notwithstanding Ordinance to permit an office use in a Residential Mixed (RMX) zoning district at 2215 Fulton Avenue and waive all associated parking requirements.
- Sponsors:** City Manager
- Attachments:** [Transmittal](#)
[Presentation](#)

7. [202102272](#) PRESENTATION submitted by Paula Boggs Muething, City Manager, dated 6/22/2021, regarding a proposed Notwithstanding Ordinance for a mural installation on the retaining wall located at the intersection of William Howard Taft and Woodburn Avenue in East Walnut Hills.
- Sponsors:** City Manager
- Attachments:** [Transmittal](#)
[Presentation](#)
8. [202102318](#) PRESENTATION submitted by Paula Boggs Muething, City Manager, dated 6/22/2021, regarding a proposed resolution to approve the Mohawk Area Plan in Over-the-Rhine.
- Sponsors:** City Manager
- Attachments:** [Transmittal](#)
[Presentation](#)
9. **202102393** REPORT, dated 6/22/2021, submitted by Paula Boggs Muething, City Manager, regarding Property Tax Working Group Recommendations. (REFERENCE DOCUMENTS #202000954, #202000951, #202000945)
- Sponsors:** City Manager
- Attachments:** Report

ADJOURNMENT

May 26, 2021

To: Mayor and Members of City Council

202102032

From: Paula Boggs-Muething, City Manager

Subject: Resolution - **APPROVING** the *Mohawk Area Plan* as the planning guide for the Mohawk Area in Over-the-Rhine.

Transmitted is a Resolution captioned:

APPROVING the *Mohawk Area Plan* as the planning guide for the Mohawk Area in the Over-the-Rhine neighborhood.

Summary

The area of Mohawk in Over-the-Rhine neighborhood of approached the Department of City Planning in 2016 to request the creation of a plan for their area of Over-the-Rhine called Mohawk. After five years of community engagement, the *Mohawk Area Plan* has been created as an implementation of the *Brewery District Master Plan* (2013). The *Mohawk Area Plan* was unanimously approved by the Over-the-Rhine Community Council in February 2020 and by the City Planning Commission on May 7, 2021, to serve as the City's official planning guide for the Mohawk Area. The *Mohawk Area Plan* is consistent with the Compete, Live, and Collaborate Initiative Areas of *Plan Cincinnati* (2012).

The Administration recommends passage of this Resolution.

cc: Katherine Keough-Jurs, AICP, Director, Department of City Planning



DBS

AWB

RESOLUTION NO. _____ - 2021

APPROVING the *Mohawk Area Plan* as the planning guide for the Mohawk area in the Over-the-Rhine neighborhood.

WHEREAS, beginning in 2016, a group of community stakeholders interested in the improvement and beautification of the Mohawk area of the Over-the-Rhine neighborhood have collaborated with the City at a series of public meetings and workshops designed to identify neighborhood assets, redevelopment goals, challenges, and strategies to achieve desired neighborhood quality of life and to further supplement and inform the implementation of existing plans affecting the area, including *Plan Cincinnati* (2012), the *Over-the-Rhine Comprehensive Plan* (2002), and the *Brewery District Master Plan* (2013); and

WHEREAS, this community stakeholder engagement led to the creation of the *Mohawk Area Plan* (“Plan”) to serve as the guiding instrument for the development and beautification of the Mohawk area in the Over-the-Rhine neighborhood; and

WHEREAS, the Mohawk area community stakeholders champion the Plan and desire for it to be approved by the Council so that it may serve as the City’s official planning guide for the Mohawk area; and

WHEREAS, the Plan is consistent with the Strategies for all five Initiative Areas of *Plan Cincinnati* (2012), particularly, the Compete Initiative Area goal to “[f]oster a climate conducive to growth, investment, stability, and opportunity” (page 102), the Connect Initiative Area goal to “[e]xpand options for non-automotive travel” (page 130), the Live Initiative Area goal to “[d]evelop and maintain inviting and engaging public spaces to encourage social interaction between different types of people” (page 150), the Sustain Initiative Area goal to “[p]reserve our natural and built environment” (page 193), and the Collaborate Initiative Area goal to “[u]nite our communities” (page 210); and

WHEREAS, at its meeting on May 7, 2021, the City Planning Commission reviewed the Plan and recommended it for approval; and

WHEREAS, a committee of Council considered and approved the plan, finding it in the interest of the public’s health, safety, morals, and general welfare; and

WHEREAS, Council considers the Plan to be in the best interests of the City and the public’s health, safety, morals, and general welfare; now, therefore,

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

Section 1. That the *Mohawk Area Plan* is in furtherance of the goals, strategies, and visions of the City of Cincinnati and its comprehensive plan, *Plan Cincinnati (2012)*.

Section 2. That the *Mohawk Area Plan*, attached hereto as Exhibit "A" and incorporated by reference herein, is hereby approved.

Section 3. That this resolution be spread upon the minutes of Council.

Passed: _____, 2021

John Cranley, Mayor

Attest: _____
Clerk

The Over-the-Rhine Brewery District's

MOHAWK AREA PLAN



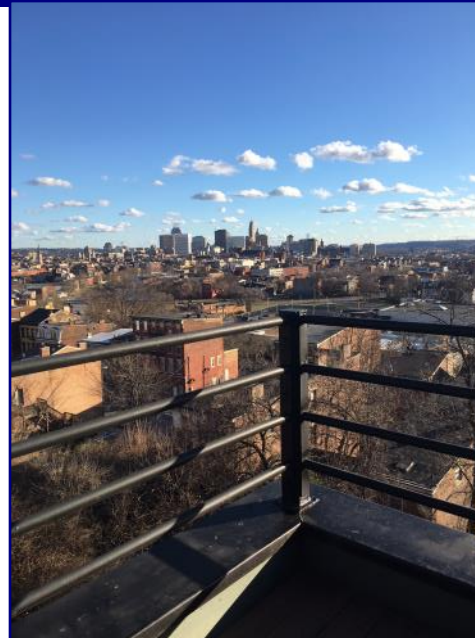
*Implementation of the
2013 Brewery District Master Plan
and the
2002 Over-the-Rhine Comprehensive Plan*

City Planning Commission passage: 5/7/21
City Council approval: _____

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Cover Photos: John Walter and Deb Kittner Johnson)

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Photos: John Walter

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Acknowledgements

Thank you to everyone who came together to work on this plan. From start to finish, this plan was made by the community, for the community.

Mayor of Cincinnati

John Cranley

Cincinnati City Council

Christopher Smitherman, Vice Mayor

Chris Seelbach, President Pro Tem

Greg Landsman

David Mann

Betsy Sundermann

Jan-Michele Lemon Kearney

Steve Goodin

Wendell Young

Liz Keating

City Manager's Office

Paula Boggs Muething, City Manager

John Juech, Assistant City Manager

Sheryl Long, Assistant City Manager

Chris Bigham, Assistant City Manager

City Planning Commission

Byron Stallworth, Chair

John Eby, Vice-Chair

City Manager Paula Boggs Muething

Vice Mayor Christopher Smitherman

Jacob Samad

Anne Sesler

Olivia McKinney

Mohawk Steering Committee

Denny Dellinger, Proprietor—Dellinger Architects

Julie Fay, Owner—Imperial Theatre

Steven Hampton, Executive Director—BDCURC

Deb Kittner Johnson, Co-owner—Robin Imaging

City Staff

Katherine Keough-Jurs, Director, Dept. of City Planning

Alex Peppers, Supervising City Planner, Dept. of City Planning

Caroline Kellam, Project Manager, Dept. of City Planning

Guilford Guthrie, AmeriCorps VISTA, Dept. of City Planning

Emily Ahouse, Zoning Administrator, Dept. of Buildings and Inspections

Beth Johnson, Urban Conservator, Dept. of Buildings and Inspections

Roy Hackworth, Manager, Dept. of Community and Economic

Development Housing Division

Diego Jordan, Planner, Dept. of Transportation and Engineering

The Mohawk Community

Hubert Allen
Nellie Allen
Dan Bascone
Daniella Beltran
Rory Benson
David Berger
Fred Berger
Brent Bielinski
David Bird
John Blatchford
Anthony Bradford
Brian Channel
Shawn Charton
Jerry Coleman
Mor Diallo
Fred Ellenberger
Lawrence F.
Todd Funhhauser
Tim Haines
Peter Hames
Doug Hart
Lee Hay
Michele Hobbs
David Holthaus
Susan House
Ryan Hunter
Melvin Jackson
Matt Jacob
Annabelle Johnson
Bill Johnson
Cade Johnson
Marilyn Johnson
Kate Kotschevar
Alan Krichavsky
Fred Lane
Ted Love
Cliff Meyer
Donna Meyer
Mick Meyer
Josh Mrvelj
Shane Neuringer
Cody Ossenbeck
Josh Paino
Jason Pastor

Guy Peters
Shawn Pfeil
Stephanie Phillips
Cathy Rafales
Harold Schuck
Stuart Schulman
Brent Schwas
Rona Shannon
Rod Sidley
Elisabeth Spinner
Otis Stevens
Tiffany Stewart
Lisa Storie
Greg Szumlay
Byron Thomas
Mike Uhlenhake
David Vorherr
John Walter
Tom Walter
Deqah Wetzal
Sam Wyatt
Prisbet Yanes
DAK

Plan Photos

Deb Johnson, Robin Imaging
John Walter
Philippus United Church of Christ
City Planning Staff

**Participation in the process does not signify agreement with all elements of the plan.*

Introduction

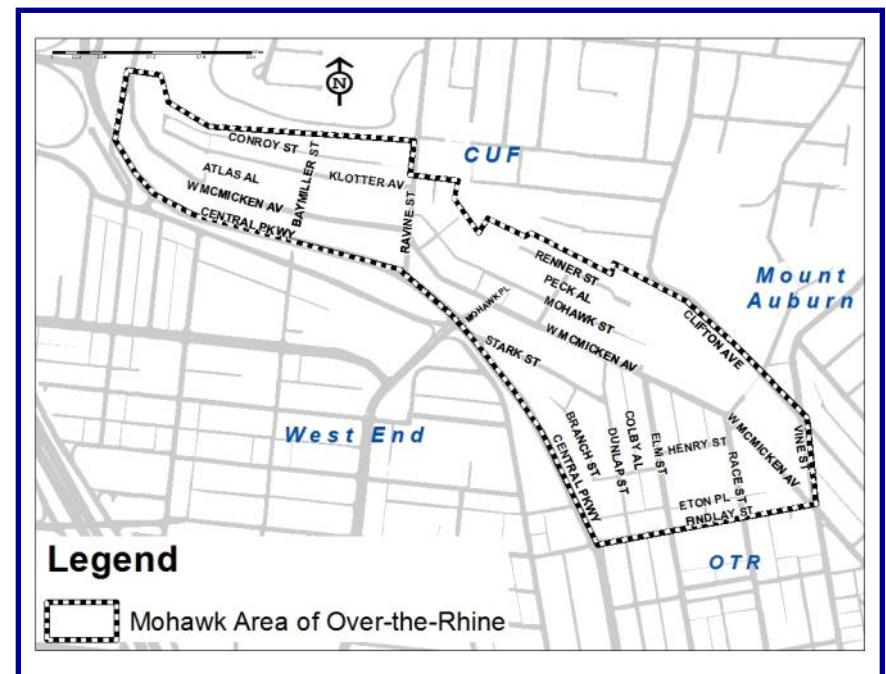
History

The Over-the-Rhine (OTR) neighborhood is located in the heart of Cincinnati's urban core. Just north of the Central Business District, OTR is also bordered by West End to the West, Clifton Heights and Mt. Auburn to the North, and Mt. Adams to the East.

Within the OTR neighborhood is the historic Brewery District. The Brewery District boundaries lie roughly within northern OTR, and the district itself is bordered by Liberty Street to the South, Central Parkway to the West, McMicken Avenue to the Northeast, and the Clifton Heights hillside to the North. Furthermore, within the Brewery District lies the Mohawk area. The Mohawk area of the Over-the-Rhine neighborhood is a narrow corridor surrounding McMicken Avenue between Vine Street and McMillan Street. Mohawk Street runs parallel to McMicken Avenue, and Mohawk Place connects Central Parkway to McMicken.

Mohawk, once a village along Hamilton Road (now known as McMicken), was established in 1792 along a trail to Hamilton, Ohio. As the Miami & Erie Canal was constructed in the 1820's, Mohawk grew along the canal and became an important industrial center. Mohawk's businesses used the canal to transport goods north towards Toledo and Lake Erie, and south towards the Ohio River. Mohawk's industrial history included metalworking, blacksmithing, leather tanning, slaughterhouses, tin shops, bakeries, and brewing.

As a result of Mohawk's industrial history and German heritage, the majority of the existing structures in Mohawk were built in the mid- to late-1800's. Architectural styles found in Mohawk include: Greek Revival, Italianate, Second Empire, and Rundbogenstil, a type of Romanesque Revival.



Background and Previous Plans

Since the beginning of the 21st century, the *Over-the-Rhine Comprehensive Plan* (2002) and the *Brewery District Master Plan* (2013) have outlined Cincinnati's dedication to revitalizing this historic neighborhood.



In 2002, Cincinnati City Council approved the *Over-the-Rhine Comprehensive Plan*. Within the plan, the Mohawk area was defined as the area north of Liberty along McMicken Avenue set at the base of the hillside. Mohawk was described as a Residential/Commercial Mixed-Use area with a mixture of one- and two-family units with some first floor commercial uses and some industrial uses. Throughout Mohawk there were vacant and underutilized parcels that were identified as potential new infill housing or redevelopment for other commercial or residential uses.

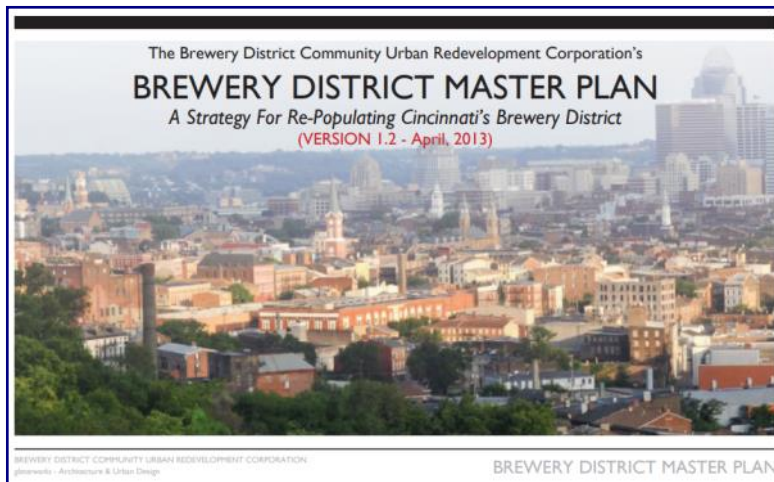
The *Over-the-Rhine Comprehensive Plan* recommended several priority goals in the Mohawk area. One of these goals was to designate a local historic district within the Mohawk Area, which was accomplished in 2018. (More details on these historic districts can be found on page 18.)

The plan also sought to rehabilitate or reconstruct multi-family rental units with a mixture of affordable and market rate. The Mohawk area was also identified as having potential for loft style housing and office uses, especially in the larger industrial buildings. For example, structures that once contained breweries and food processing plants could be adaptively reused for housing and commercial uses. The *Over-the-Rhine Comprehensive Plan* also encouraged improvements to the Hanna Recreation area and creation of an Over-the-Rhine gateway at the intersection of West Clifton, Vine, and Mulberry near West McMicken Avenue.

Background and Previous Plans (contd.)

In 2013, the *Brewery District Master Plan*—created by the Brewery District Community Urban Redevelopment Corporation—was approved by Cincinnati City Council. The *Brewery District Master Plan* recommended several priority goals in the Mohawk area:

- Create an Urban Mix (UM) zoning district to encourage the commercial, light industrial and residential uses.
- Create a loan program to promote small-scale structure rehabilitation.
- Rehabilitate existing and vacant residential parcels for new construction of single-family housing with views of downtown.
- Add landscaping and trees to recreational and park sites while making them more kid- and adult-friendly.
- Maintain and stabilize the greenspace along the hillside.
- Repair and restore historic façades.
- Rehabilitate underutilized warehouse structures for adaptive use.
- Preserve public steps.
- Make Mohawk more pedestrian and bicyclist friendly.



Neighborhood Associations and Organizations

It is important to note that Mohawk is not “starting from scratch.” The Mohawk Area of Over-the-Rhine is endowed with deeply-rooted community organizations and groups. These associations have been working, and will continue to work, on reviving Mohawk as a beautiful and thriving community.

The following organizations in particular have been instrumental in improving the Mohawk area:

- Over-the-Rhine Community Council (OTRCC)
- Brewery District Community Urban Redevelopment Corporation (BDCURC)
- Klotter/Conroy Residents Association
- West McMicken Improvement Association

Concurrent with the drafting of this plan, members of the Steering Committee have been working diligently on the creation of the Mohawk Neighborhood Business District (MNBD). The MNBD is intended to promote the identity of the Mohawk community, as well as engage in property acquisition for renovation and to create parking. Furthermore, the MNBD group will work on implementing many aspects of this plan, from dedicating a Mohawk Place gateway to organizing murals for the district.

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Existing Conditions

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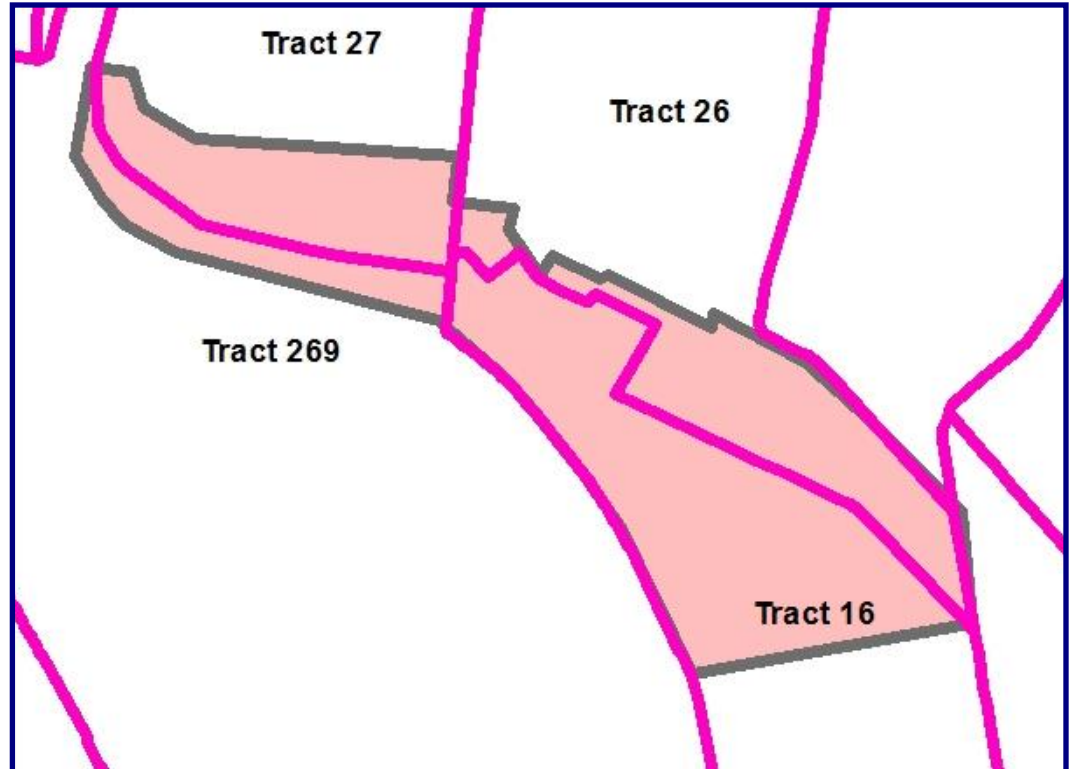
Photos: Deb Kittner Johnson

Demographics

Roughly half of the Mohawk area of Over-the-Rhine lies within Census Tract 16, while the rest of Mohawk is split between Census Tracts 26, 27, and 269. Due to the small size of the Mohawk area, and the multiple Census Tracts it overlaps, accurate demographic data is difficult to obtain.

The 2013-2017 American Community Survey estimates the following demographic information for Census Tract 16:

<i>Population:</i>	997
<i>% Male</i>	49.6%
<i>% Female</i>	50.4%
<i>Median Age</i>	34.8
<i>% White</i>	22.6%
<i>% African American</i>	68.8%
<i>% Other</i>	8.6%
<i>% In Poverty</i>	49.6%
<i>% Unemployed</i>	65.4%





Zoning

The Mohawk Area has a variety of zoning districts within its borders, predominantly: Residential Multi-family (RM-0.7, RM-1.2, and RM-2.0), Single-family Residential (SF-2), and Urban Mix (UM).

The general purposes of Residential Multi-family and Single-family Residential districts include:

- Maintaining and enhancing the multi-family neighborhoods and residential housing areas, respectively.
- Encouraging quality and variety in building and landscape design as well as compatibility in use and form.
- Allowing semi-public and non-residential uses, where appropriate.
- Establishing appropriate standards for reviewing proposals for new development and redevelopment.
- Ensuring the provision of public services and facilities needed to accommodate planned population densities.
- Maintaining and enhancing the availability and quality of life for owner-occupied housing units.

Urban Mix districts generally provide a balance of uses and amenities, including:

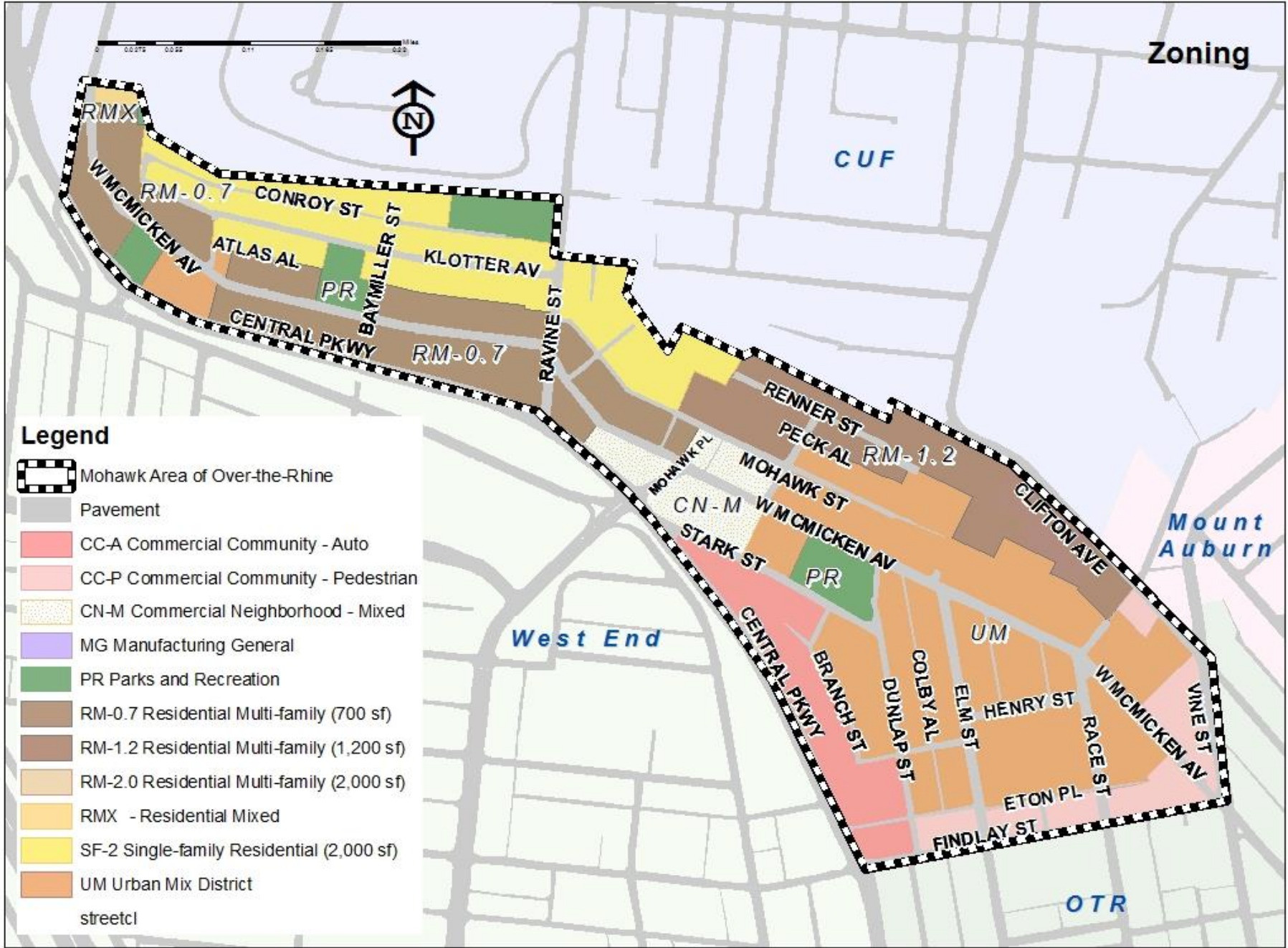
- Fostering a vital economic, livable and cultural area and enhance its urban, aesthetic qualities.
- Protecting and enhancing historic, cultural, economic and architectural resources.
- Preserving, creating, and enhancing pedestrian-oriented streets to encourage retail, entertainment, residential and office vitality and improve the quality of life for district residents, visitors and workers.
- Providing quality public spaces, such as urban street corridors, by maintaining the physical continuity of the street edge created by buildings.
- Bringing most daily activities within walking distance, giving the elderly, young and disabled increased independence of movement; reduce the number of automobile trips.

- Minimizing congestion, consumption of resources and air and noise pollution.

Mohawk also contains commercial districts: Commercial Community – Auto (CC-A), Commercial Community – Pedestrian (CC-P), and Commercial Neighborhood – Mixed (CN-M). The CC-A districts are more auto-oriented whereas the CC-P districts are more pedestrian-oriented. The variety of commercial districts generally encourage:

- Creating and enhancing new and existing commercial districts serving adjacent residential neighborhood areas.
- Creating neighborhood activity centers as focal points along transportation corridors.
- Quality and variety in building and landscape design as well as compatibility in use and form, where appropriate.
- Establishing appropriate standards for reviewing proposals for new development and redevelopment, where appropriate, in commercial areas.
- Allowing certain limited mixed commercial/residential uses, where appropriate.
- Maintaining and enhancing existing commercial districts, giving special consideration to type, scale, intensity and access.

(Please see Zoning map
on opposite page for more information.)



Land Use

The McMicken Avenue corridor contains some existing commercial and residential uses, while the streets running parallel to McMicken, such as Mohawk Street, Klotter Avenue, and Conroy Street, contain mostly residential uses. Worth noting is the high concentration of historic architecture, especially as displayed by the remaining brewery buildings. Most of the breweries along McMicken Avenue have access behind, and uphill, on Mohawk Street. When restored, these brewery buildings could be the center of an active and vibrant arts and entertainment district.

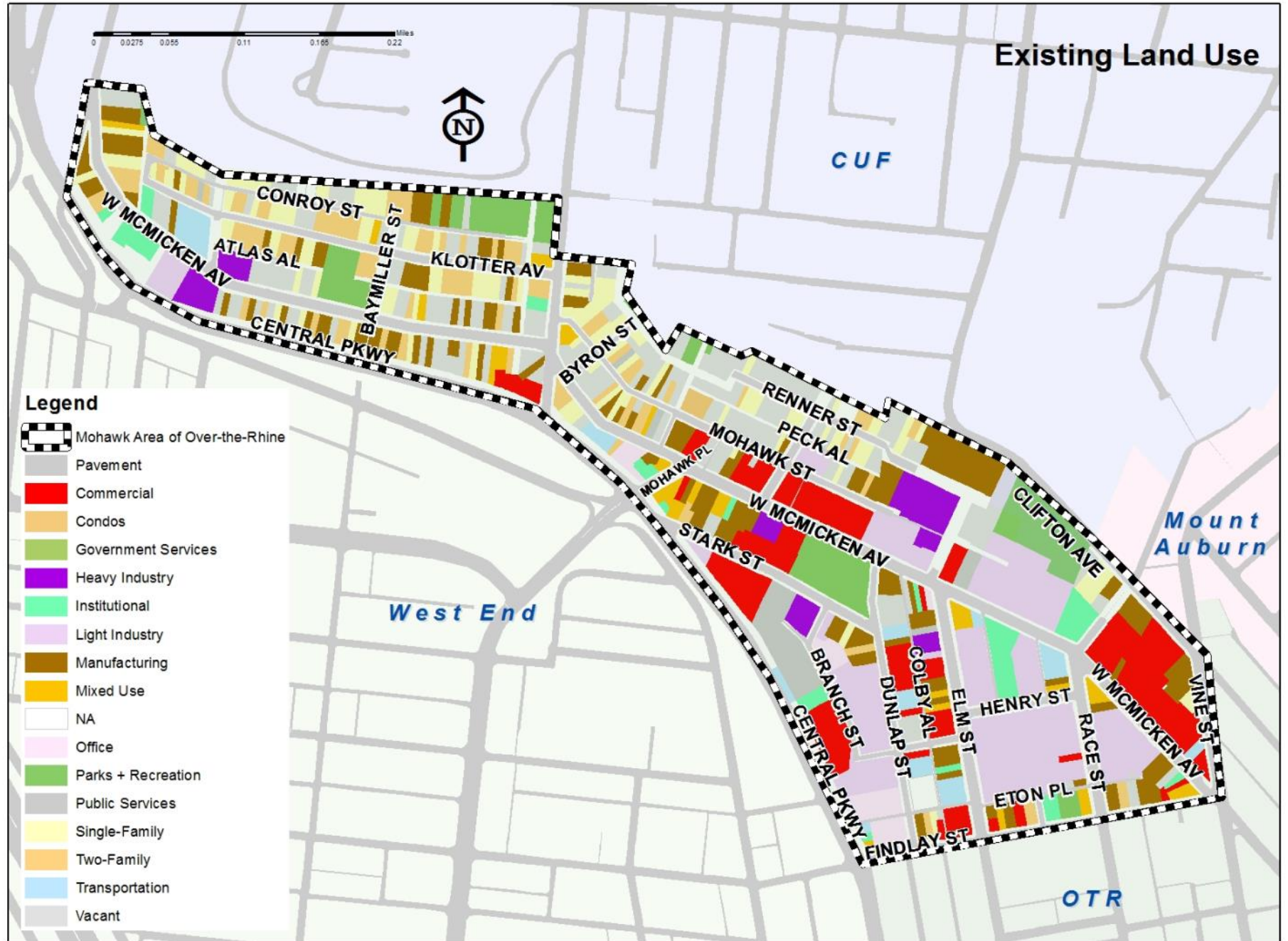
There are many vacant properties both along the commercial corridor as well as within the residential area. These vacant properties would be ideal locations for infill development that complements the surrounding properties.

Furthermore, the McMicken Avenue commercial corridor is well-suited for first-floor commercial and upper-floor residential uses. Mohawk Street, Klotter Avenue, and Conroy Street contain vacant lots used as greenspaces and proximity to parks that will suit single- and multi-family infill. Renner Street has a high concentration of vacant properties which could further add to the single and multi-family housing stock with well-planned development.

To the right is a table showing the number of parcels and acres per land usage.

<i>Land Use</i>	<i># of Parcels</i>	<i># of Acres</i>
Commercial	116	8.3
Condos	4	0.2
Government	0	0
Heavy Industry	30	2.4
Institutional	35	2.3
Light Industry	115	10.7
Manufacturing	0	0
Mixed Use	35	1.8
Multi-family	154	8.9
N/A	6	0.5
Office	18	1.4
Parks and Rec.	59	5.6
Public Services	9	1.7
Single-family	131	6
Transportation	34	1.8
Two-family	103	4.9
Vacant	230	10.7
<i>Total</i>	<i>1079</i>	<i>67.2</i>

(Please see Land Use map on opposite page for more information.)



Historic Districts

The National Register acts as a stamp of approval from the federal government. This stamp does not impose restrictions on your property, unless using Federal Funds (such as Section 106 Review and Mitigation) but does qualify income producing properties for Historic Tax Credits. The National Register can be used as a planning or educational tool by recognizing historic properties and can heighten consideration in planning federal and federally assisted projects.

Furthermore, the National Register also qualifies some projects for federal and state tax benefits, as well as federal grant assistance. The National Register does not prevent owner from remodeling, repairing, altering, selling, or demolishing with other than federal funds. Furthermore, the National Register does not obligate property owners to make repairs or improvements to their properties.

Cincinnati's Local Historic Districts authorize design guidelines for new development within historic districts and can be used as a tool to thoughtfully consider alternatives to demolition. Finally, these districts can stabilize declining neighborhoods, protect and enhance property values, and increase tourism and residency in protected historic districts.

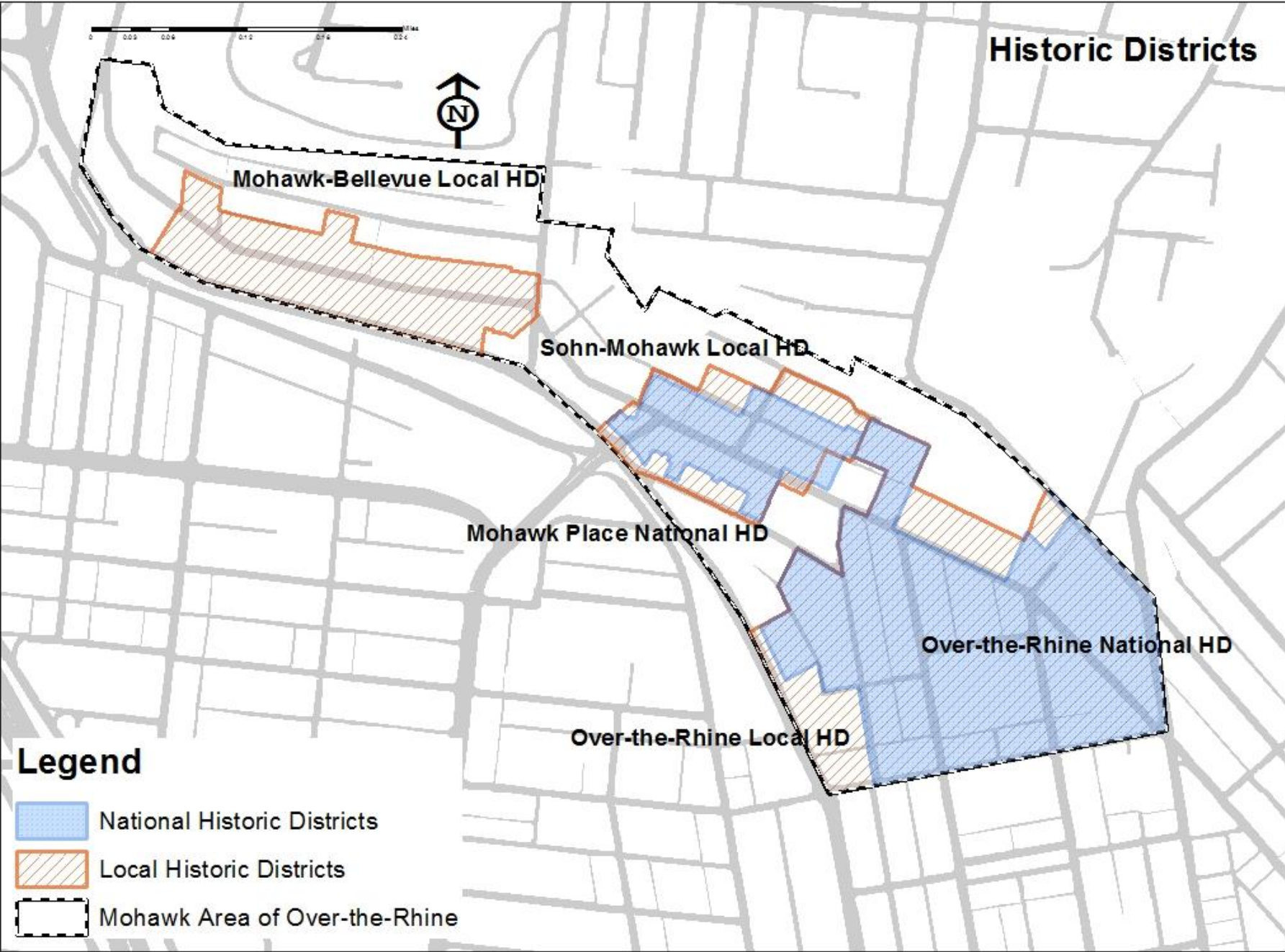
Local Historic Districts first and foremost provide protection of historic properties. Cincinnati's historic district legislation establishes an objective process for designating historic properties and districts to protect the integrity of designated historic properties.

Local Historic Districts do not require property owners to improve, change, or restore their properties, nor do they require that historic properties be open for tours. Furthermore, Local Historic Districts restrict neither interior changes or alterations nor the sale of property. Finally, Cincinnati's Local historic Districts do not prevent new construction within historic areas,

nor require approval for ordinary repair or maintenance. The Local District ordinances require that prior to exterior material changes, major alterations, or demolition to a designated historic resource, the Historic Preservation Board or Staff must approve a Certificate of Appropriateness (COA).

(Please see Historic Districts map on opposite page for more information.)

Historic Districts



Hillside Districts

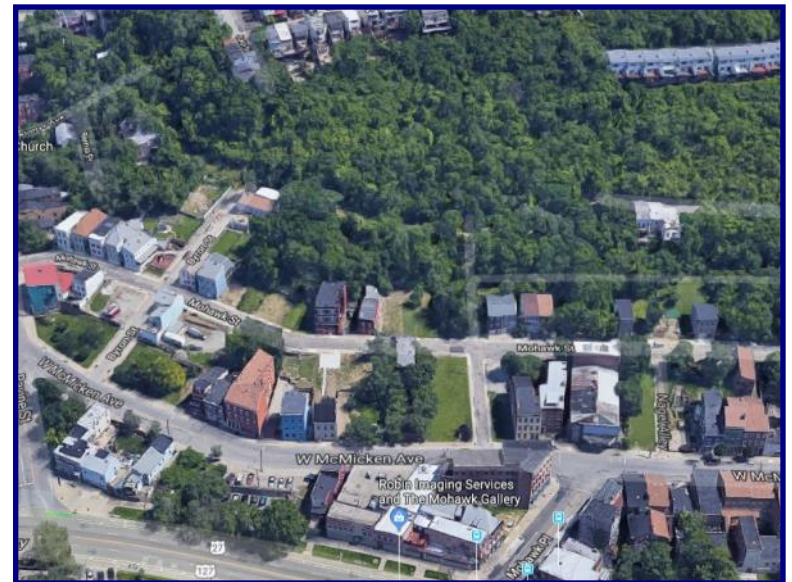
In hillside areas, with the potential for scenic city views offer attractive development opportunities. However, hillside development under conventional standards may create landslides or excessive soil erosion.

Hillside Overlay District regulations establish standards to assist in the development of land and structures in existing hillside areas. These regulations ensure that development will be compatible with the natural environment locations where the hillsides are of significant public value.

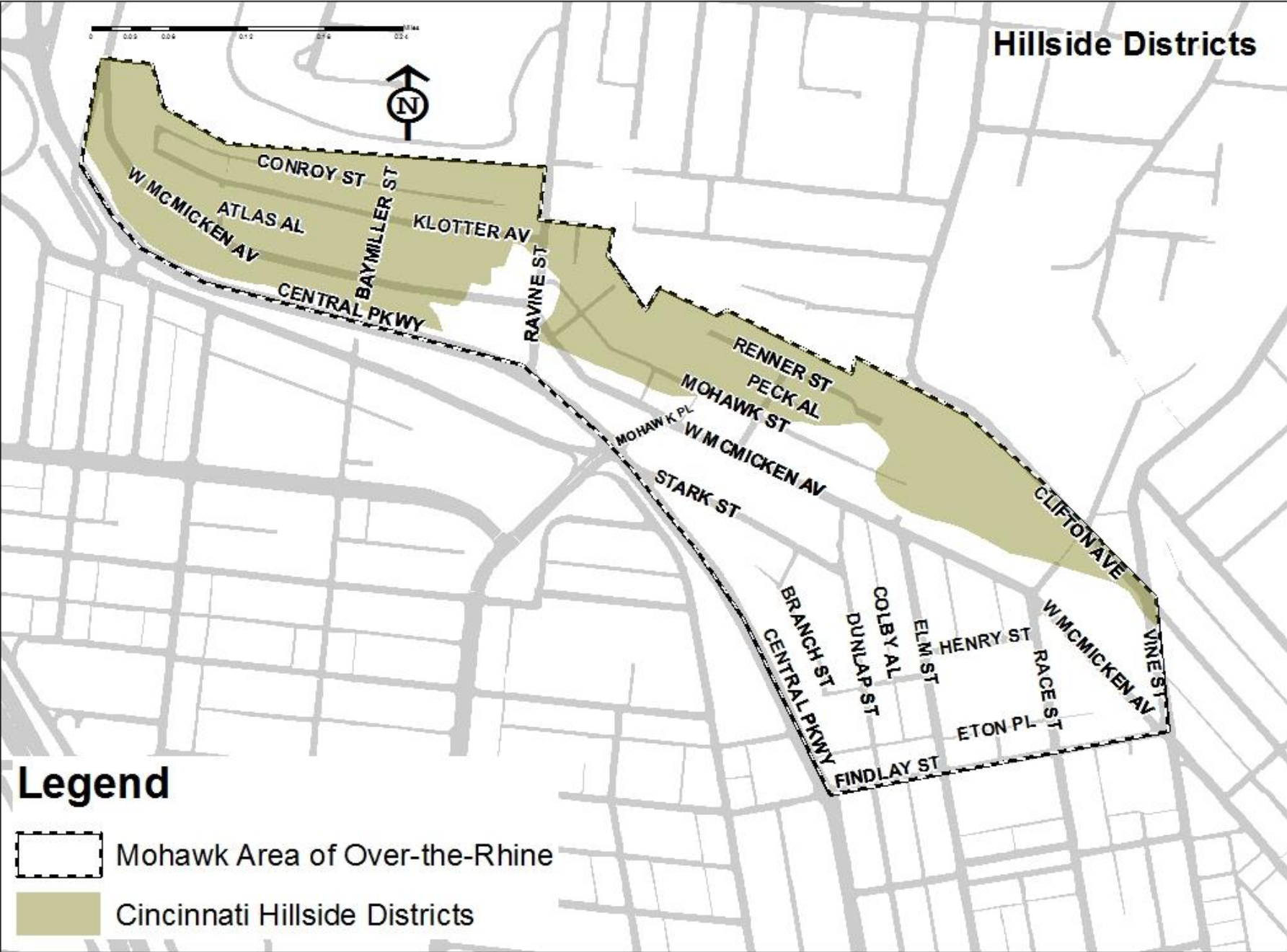
Examples of existing and ongoing hillside infill in Mohawk include Klotter Avenue and Conroy Street. Renner Street, which has a high number of vacant parcels, also sits within the hillside district and could perhaps support similar hillside development.

At the top right is a photo example of hillside infill development on the Klotter/Conroy streets. At the bottom right is a photo of Mohawk Street, where there is potential for infill development.



(Please see Hillside Districts map on opposite page for more information.)



Hillside Districts



Legend

-  Mohawk Area of Over-the-Rhine
-  Cincinnati Hillside Districts

Transportation

Mohawk is uniquely situated between the rest of Over-the-Rhine to the southeast, West End to the southwest, and CUF to the north. Mohawk also borders Central Parkway which connects to the west side of Cincinnati via the Western Hills Viaduct further north. In this unique position, Mohawk is in close proximity to many Metro bus routes, and directly serves routes 6, 17, 20, 21, 31, and 64.

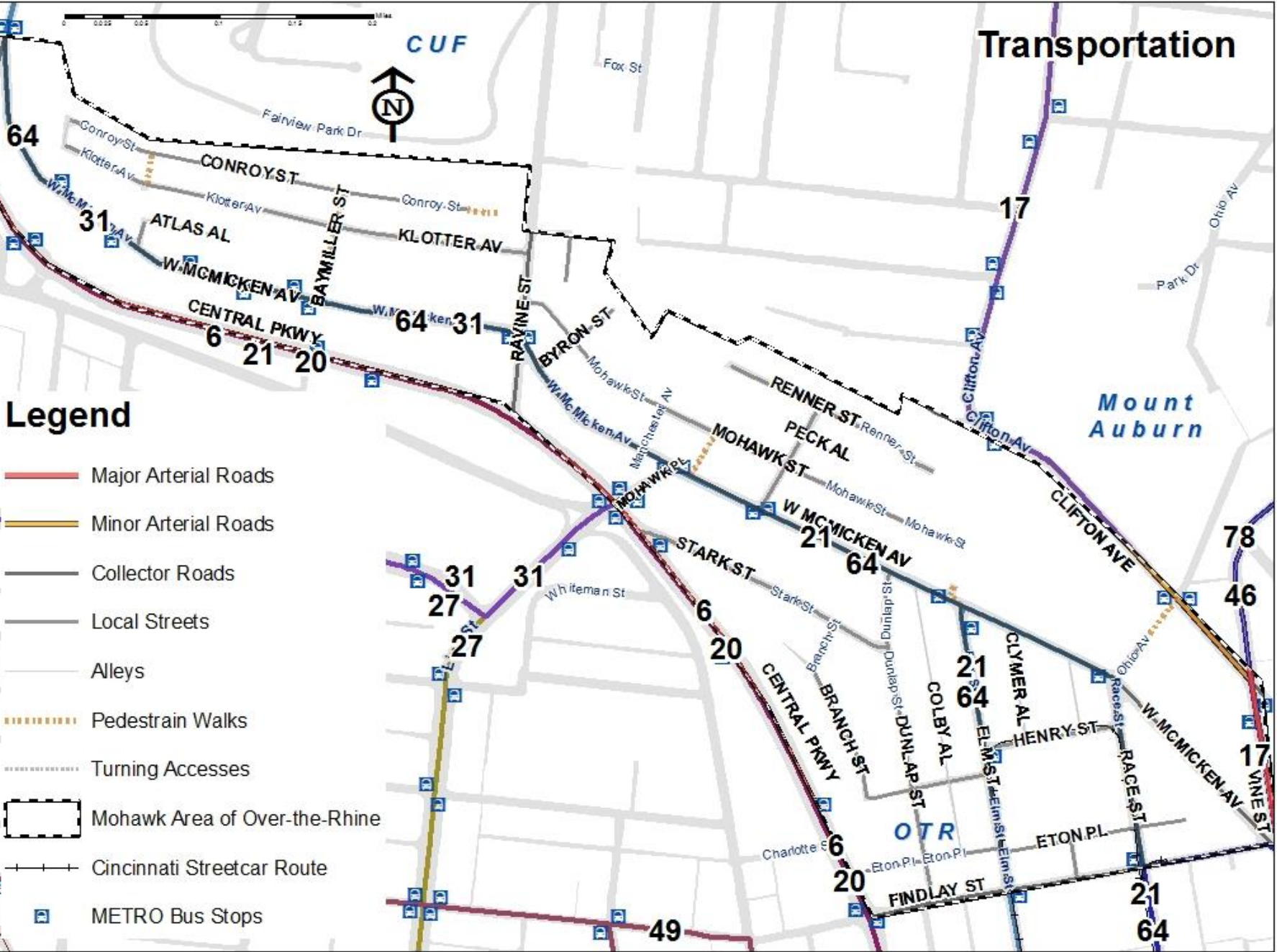
Should the Brighton Bridge be removed, DOTE will plan for the safest pedestrian crossing at the previous location of the bridge contingent on funds being available and the support of adjacent communities.

In the southern part of the Mohawk area, the streetcar runs north on Elm Street and returns south on Race Street. The streetcar connects important employment centers, arts, entertainment and businesses in Over-the-Rhine, the Central Business District, and the Banks. Furthermore, bike lanes on Central Parkway and an existing Red Bike station nearby in the West End encourages bicycling while also supporting alternative modes of transportation.

Given the existing transportation infrastructure in and around Mohawk, the neighborhood has significant potential for accessibility. With improved infrastructure and planning, Mohawk could become a destination neighborhood with proximity to University of Cincinnati and many of downtown's job centers. In coordination with residential and economic development, Mohawk itself could become an attractive and well-connected neighborhood to students, workers, and families alike.

(Please see Transportation map
on opposite page for more information.)

Transportation



Legend

- Major Arterial Roads
- Minor Arterial Roads
- Collector Roads
- Local Streets
- Alleys
- ⋯ Pedestrian Walks
- ⋯ Turning Accesses
- Mohawk Area of Over-the-Rhine
- Cincinnati Streetcar Route
- 🚏 METRO Bus Stops

Economic Incentives

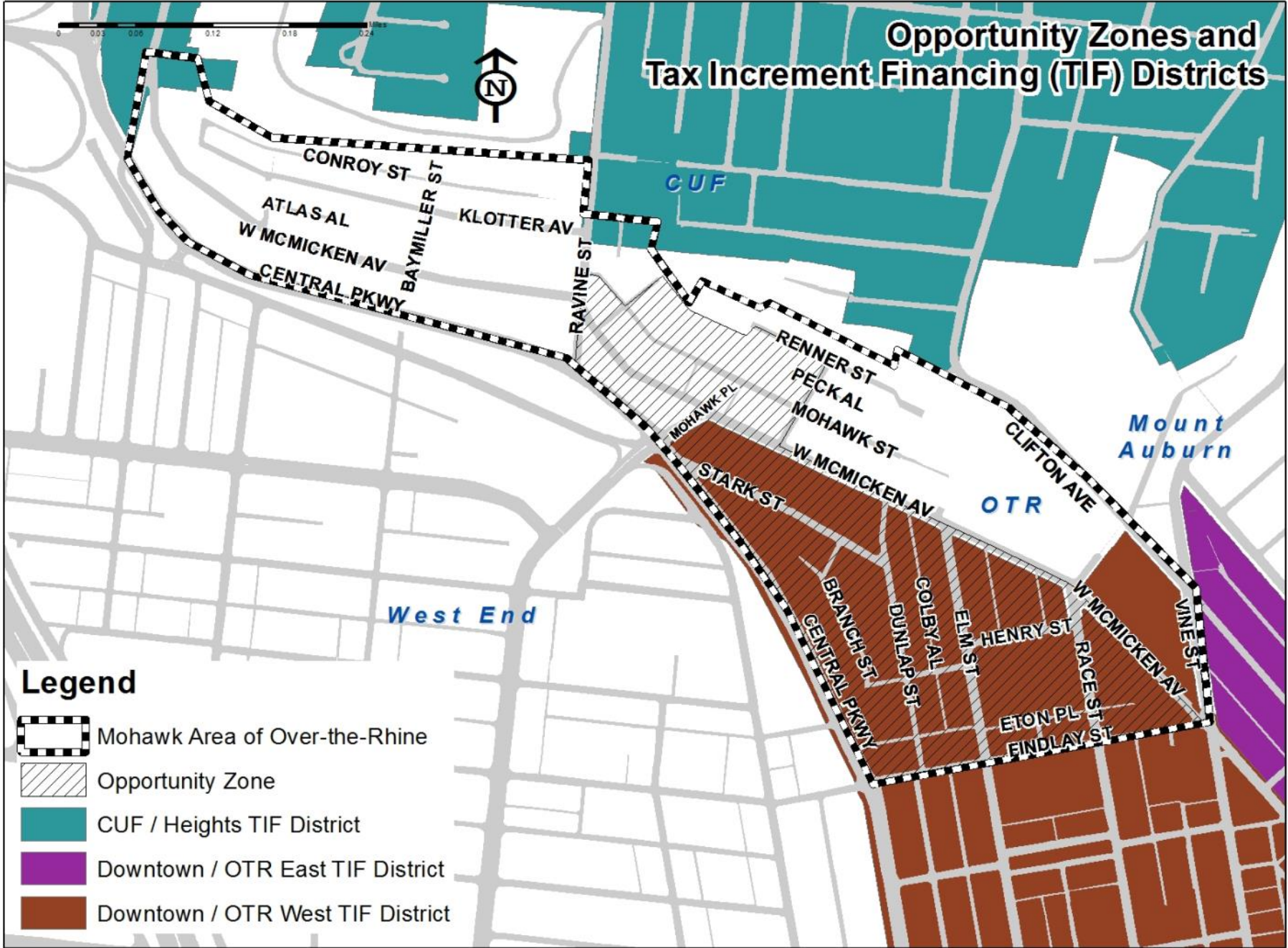
Opportunity Zones and Tax Increment Financing (TIF) Districts are two examples of development incentives that may help finance new commercial and residential projects in Mohawk. A TIF District represents an area where the City's Department of Community and Economic Development can review developer and community requests for public infrastructure improvements within that TIF District. While developers must still pay the property taxes on the value of the pre-investment property, the increment may be used for improvements. The Mohawk area in Over-the-Rhine contains two of these District TIFs: the CUF/Heights and Downtown/OTR West TIF Districts.

As a tool for funding public infrastructure improvements, TIF Districts can offer a wide variety of neighborhood benefits, such as roadway, lighting, sidewalk, and parking improvements. TIF Districts can also help leverage private funds for renovating and improving vacant buildings. These benefits can ultimately increase the amount of housing, residents, and retail within the TIF District.

Opportunity Zones were introduced in the 2017 Tax Cut and Jobs Act. Opportunity Zones operate by offering tax incentives for private investment in designated low-income Census Tracts. These tax incentives involve deferring capital gains taxes if those capital gains are reinvested in designated Opportunity Zones through "Opportunity Funds." Tax benefits increase based on how long those investments are held. In the Mohawk area, Census Tract 16 serves as the boundary for an Opportunity Zone. While the Department of Community and Economic Development does not administer Opportunity Zones, they are able to provide more information and resources.

(Please see Opportunity Zones and Tax Increment Financing (TIF) Districts map on opposite page for more information.)

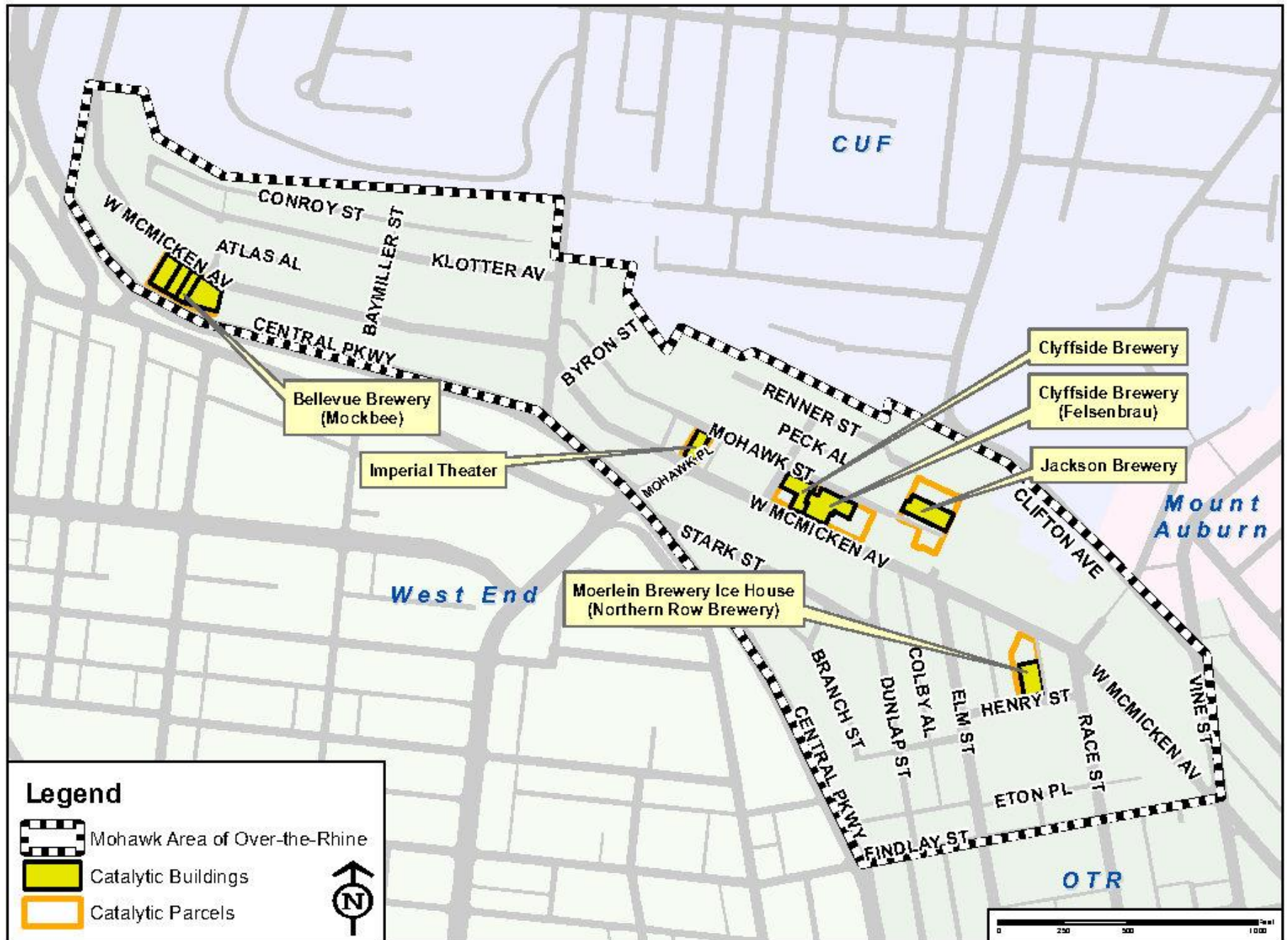
Opportunity Zones and Tax Increment Financing (TIF) Districts

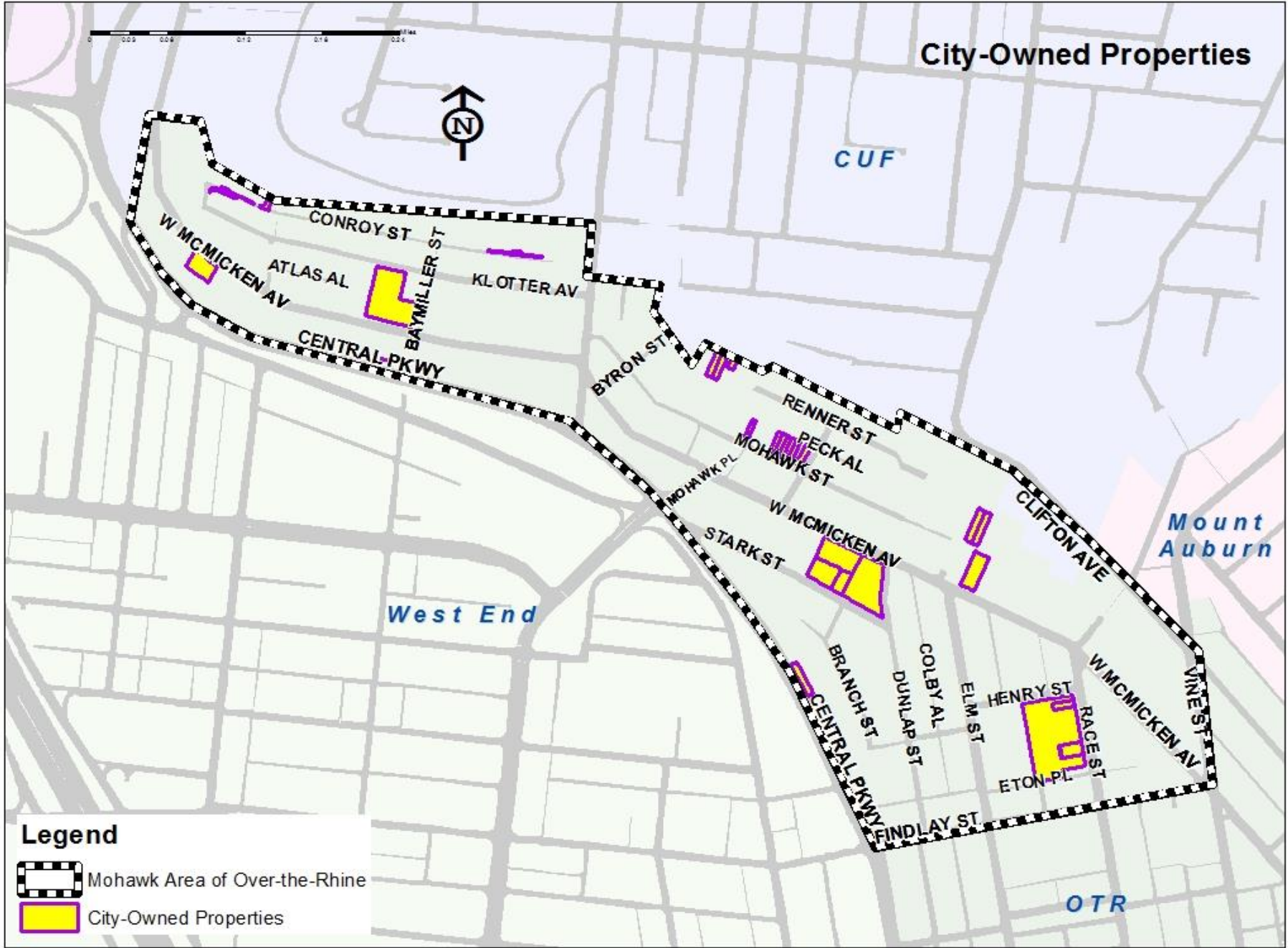


Legend

-  Mohawk Area of Over-the-Rhine
-  Opportunity Zone
-  CUF / Heights TIF District
-  Downtown / OTR East TIF District
-  Downtown / OTR West TIF District

Mohawk Catalytic Buildings





Process: 2016—2019

2016

In July 2016, members of the Mohawk community gathered at Philippus United Church of Christ with a mission: to improve and beautify this historic neighborhood.

Steve Hampton from the Brewery District Community Urban Redevelopment Corporation and Denny Dellinger, a local architect and neighborhood theatre resident, formed a Steering Committee. The Steering Committee ultimately included Deb Johnson, co-owner of Robin Imaging, and Julie Fay, owner of the Imperial Theater.



July 27th, 2016 Community Meeting

After deliberation the group decided on five key Vision areas: Economic Development, Housing, General Improvements, Connectivity, and Big Ideas and Challenges. The Steering Committee approached the Department of City Planning to draft a Mohawk Area Plan with this Vision to supplement and further direct the implementation of previous plans: *Plan Cincinnati* (2012), the *Over-the-Rhine Comprehensive Plan* (2002) and the *Brewery District Master Plan* (2013).

In July and September of 2016, the Mohawk Steering Committee hosted community meetings to conduct mapping exercises, helping highlight several different components of Mohawk's existing conditions: "Areas in Need of Help," "Assets," "Opportunities," and "Where I Live."

2017

In 2017, the Mohawk Steering Committee hosted additional community input meetings, as well as meetings with other stakeholders. In January, the Steering Committee hosted a working session in the Department of City Planning. Later, in May, the Steering Committee hosted a community planning meeting at Philippus United Church of Christ. In September, the planning group met with Liz Blume at Xavier University's Community Building Institute, and later with Michael Moore from the Department of Transportation and Engineering, to discuss housing and transportation in the neighborhood.

2018

In August 2018, the Steering Committee reconvened to update the Vision goals and action steps, as well as review previously-made maps of the Mohawk area. Furthermore, the Steering Committee, in partnership with the Department of City Planning, finalized a timeline to have the plan drafted and approved by Spring 2021.

On February 23rd, the Steering Committee hosted a Gallery Open House, where blank maps were attached to each of the ten Strategies, and community members were invited to “map out” how and where each Strategy could be implemented. The results from the Gallery Open House mapping exercise can be found in each of the Vision’s sections, where “implementation maps” were drafted by the Steering Committee with City Planning staff. About 25 members of the community attended.




2019 January 23rd, 2019 Community Meeting

In early January 2019, mailed notices and several email blasts were sent to the Mohawk community in notice of an upcoming meeting on January 23rd. At this meeting, about 50 members of the Mohawk community participated in a charrette workshop, where the community could review and prioritize the Mohawk Area Plan’s ten Vision Strategies. The results of this charette can be found at the end of the Plan, wherein the “Priority Score” for each of the Strategies reflects the amount of “priority dots” given to each item from the January 23rd, 2019 meeting.

On March 12th, over 20 members of the community convened again for a Public Review of the Mohawk Area Plan draft to date. The Public Review was an opportunity for members of the community to gather and learn about the work that had been done not only in 2019, but over the previous three years. Furthermore, this meeting allowed the public to provide more feedback on plan’s Vision and Prioritization.

After the meeting on March 12th, City Planning staff reviewed and refined the draft document prior to seeking Over-the-Rhine Community Council, Cincinnati City Planning Commission, and ultimately, the approval of Cincinnati City Council.

At this meeting, the community asked for more opportunities to give feedback, and so two more public events were scheduled.

<p>Mohawk Area Plan Gallery Open House</p> <p>Saturday, February 23rd 10:00 a.m. to 6:00 p.m.</p> <p>Philippus United Church of Christ 106 W. McMicken Avenue</p> <p>Help drive positive change in your neighborhood by attending this gallery-style open house! The Mohawk Area Plan strategies will be on display and open for feedback at Philippus from 10:00 am to 6:00 pm. Meet your neighbors and let your voice be heard!</p>  <p><small>If you cannot attend, or have any questions or comments, please submit them to Gillford Guthrie at gillford.guthrie@cincinnati-oh.gov.</small></p>	<p>Mohawk Neighborhood Plan Public Review</p> <p>Tuesday, March 12th at 6:00 p.m.</p> <p>Philippus United Church of Christ 106 W. McMicken Avenue Cincinnati, OH 45202</p> <p>You can help drive positive change in your neighborhood by attending this public meeting! We will review the community input received so far and gather final comments on the Mohawk Area Plan. Come let your voice be heard!</p> <p><small>If you cannot attend, or have any questions or comments, please submit them to Gillford Guthrie at gillford.guthrie@cincinnati-oh.gov.</small></p>
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Samples of public notice flyers

The Future of Mohawk

Zoning

Urban Mix (UM) and Commercial Neighborhood – Pedestrian (CN-P) offer the preferred mix of uses for Mohawk’s historic buildings. Changing the zoning to reflect these neighborhood values would offer greater opportunity for first-floor commercial and upper-floor residential uses along West McMicken.

Land Use

Opportunities for growth in Mohawk include vacant and underutilized buildings and properties. Increasing opportunities and incentives for reinvestment may assist existing and prospective property owners in improving the neighborhood, while also preserving historic architecture. The Mohawk neighborhood’s hillside will also offer unique opportunities and challenges for new development.

Housing

Mohawk’s historic buildings provide opportunities for both above-commercial residential apartments as well as homes for families. These opportunities should reflect the creative nature of the neighborhood, and encourage multigenerational families, accessible housing, co-housing and student housing, short-term rental, and others.

Identity

Mohawk’s business district has a natural focus on arts and entertainment, from the Imperial Theater and Robin Imaging to Rebel Mettle Brewery and Clyffside Events Center. New restaurants, coffee shops, and bars will provide a variety of locations for residents and visitors to work, play, and live, while taking advantage of Mohawk’s historic architecture and character.

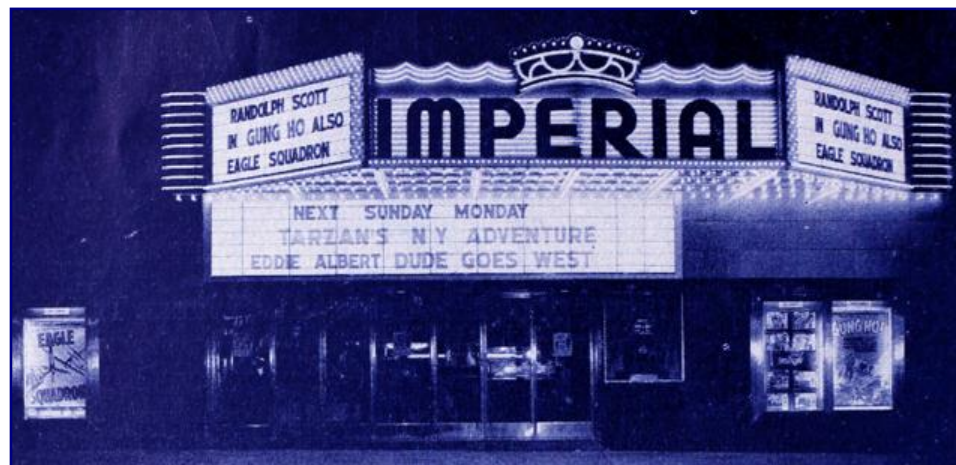


Photo: Imperial Theater Facebook page

Parking

Parking in Mohawk will become a greater concern as the neighborhood and Over-the-Rhine continue to grow. Property owners are encouraged to collaborate in order to anticipate parking demands and strategically create parking supply, so that housing and businesses are easily accessible to residents and visitors alike. Community members have called for a comprehensive parking study for Mohawk as it lies within Over-the-Rhine.

Nexus of Neighborhoods

The Mohawk neighborhood is nestled between West End, CUF, and Over-the-Rhine, and acts as a crossroads for these communities. Mohawk's future will greatly benefit as populations rise in these neighborhoods, and Mohawk is uniquely situated to be a centrally located arts and entertainment district that serves multiple communities.

Community

New organizations will be created by the Mohawk community, and for the Mohawk community. The public engagement process used to write this plan will continue to be reflected by residential organizations, business associations, property owner groups, and the Mohawk Neighborhood Business District. These organizations will work together collaboratively to promote the MNBD through events, generate new assets for the neighborhood through joint incentive applications, and renovate Mohawk's historic buildings from a shared goal of preservation. Together, Mohawk's residents, businesses, and property owners will encourage and welcome creative ideas to expand and improve this historic neighborhood.

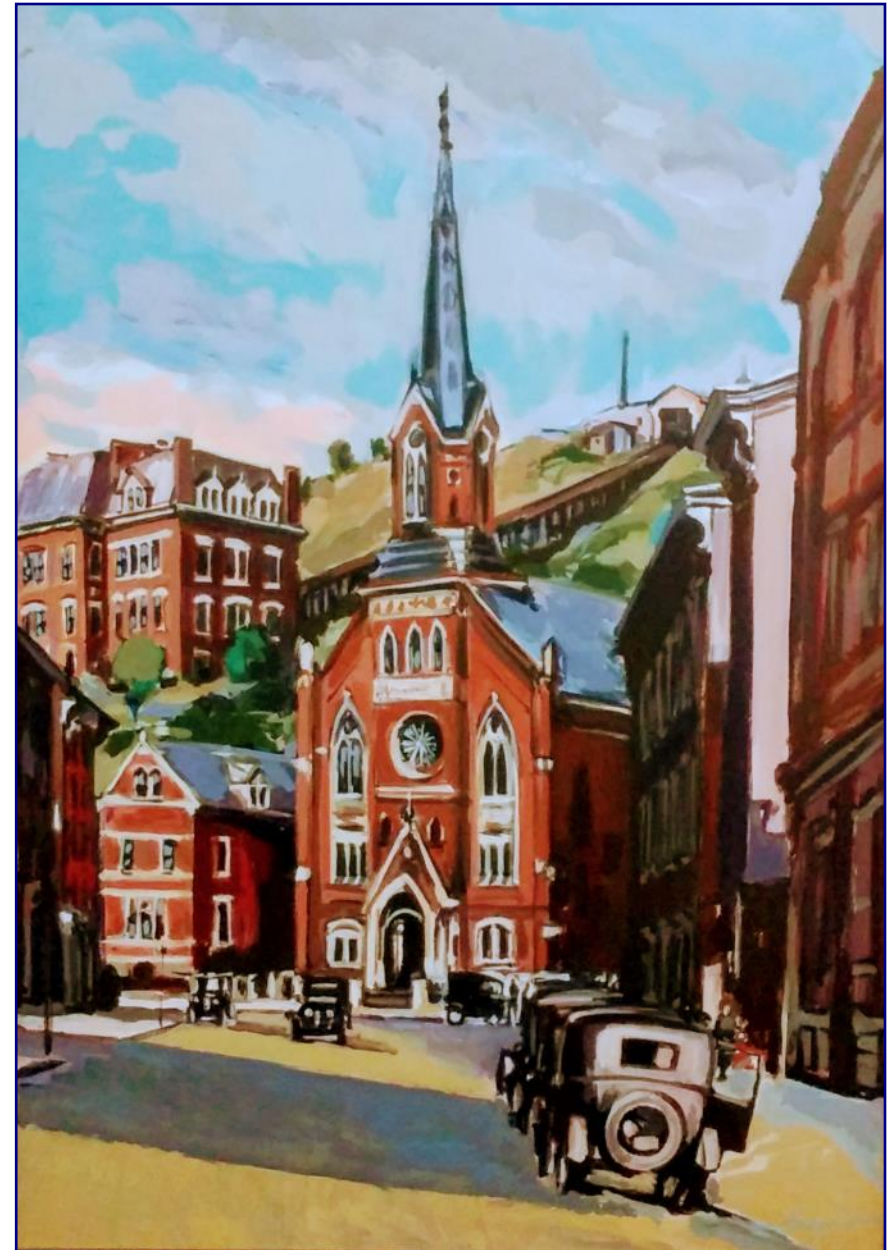


Photo: Philippus United Church of Christ

Vision

The vision of the Mohawk Area Plan is to make Mohawk a beautiful, connected, diverse, and welcoming community in which to live, work, and play.

Connectivity33

Goal: Develop Mohawk into a well-connected neighborhood that is safe and accessible for all modes of travel.

Economic Development.....35

Goal: Create a thriving business district in Mohawk with neighborhood specific development that highlights the history of the area.

General Improvements37

Goal: Create a safe and aesthetically pleasing Mohawk district that is attractive for residents, businesses, and visitors.

Housing.....39

Goal: Develop Mohawk to be a diverse and inclusive district that contains neighborhood-specific housing for all income levels.

Big Ideas and Challenges.....41

Goal: Develop Mohawk as an innovative and creative district that addresses challenges and implements big ideas.



Photos: John Walter

Connectivity

Goal: Develop Mohawk into a well-connected neighborhood that is safe and accessible for all modes of travel.

Strategy 1: Develop a walkable neighborhood business district/entertainment district.

- Change CN-M (Commercial Neighborhood Mixed) and RM-0.7 (Residential Multi-family) zoning where appropriate west of Ravine Street to CN-P (Commercial Neighborhood Pedestrian) or UM (Urban Mix), with a focus on McMicken Avenue, to enhance Mohawk's pedestrian-friendliness.
- Minimize curb cuts.
- Locate new buildings and structures with zero or minimal setbacks, where frontage is on or near sidewalks.
- Plant more street trees and streetscaping along main thoroughfares.
- Re-evaluate bus stop locations to maximize connectivity to the neighborhood.
- Maintain good sidewalk and historic stairway conditions including reporting needs for repairs and improvements.
- Increase sidewalk signs and ensure that crosswalks and crosswalk signs are clear and visible.
- Improve traffic calming along West McMicken.
- Improve pedestrian connectivity and safety by increasing crosswalk frequency and signage at key intersections such as Central Parkway/Mohawk Place/Linn Street, Ravine Street/McMicken Avenue, and Stonewall Street/McMicken Avenue.
- Connect the different areas of the neighborhood in a cohesive manner, including West End across Central Parkway and CUF at West McMicken Avenue.
- Should the Brighton Bridge be removed, DOTE will plan for the safest pedestrian crossing at the previous location of the bridge contingent on funds being available and the support of adjacent communities.

Strategy 2: Diversify available transit options to include walking, bussing, driving, and bicycling.

- Update and improve bus routes and stop locations with shelters and benches.
- Make neighborhood destinations and amenities more accessible by coordinating with Red Bike, Cincinnati Bell Connector, e-scooters, ride share, and Metro.
- Create new parking availability for businesses and residents, as well as in conjunction with multi-use building redevelopment and near access to transit.

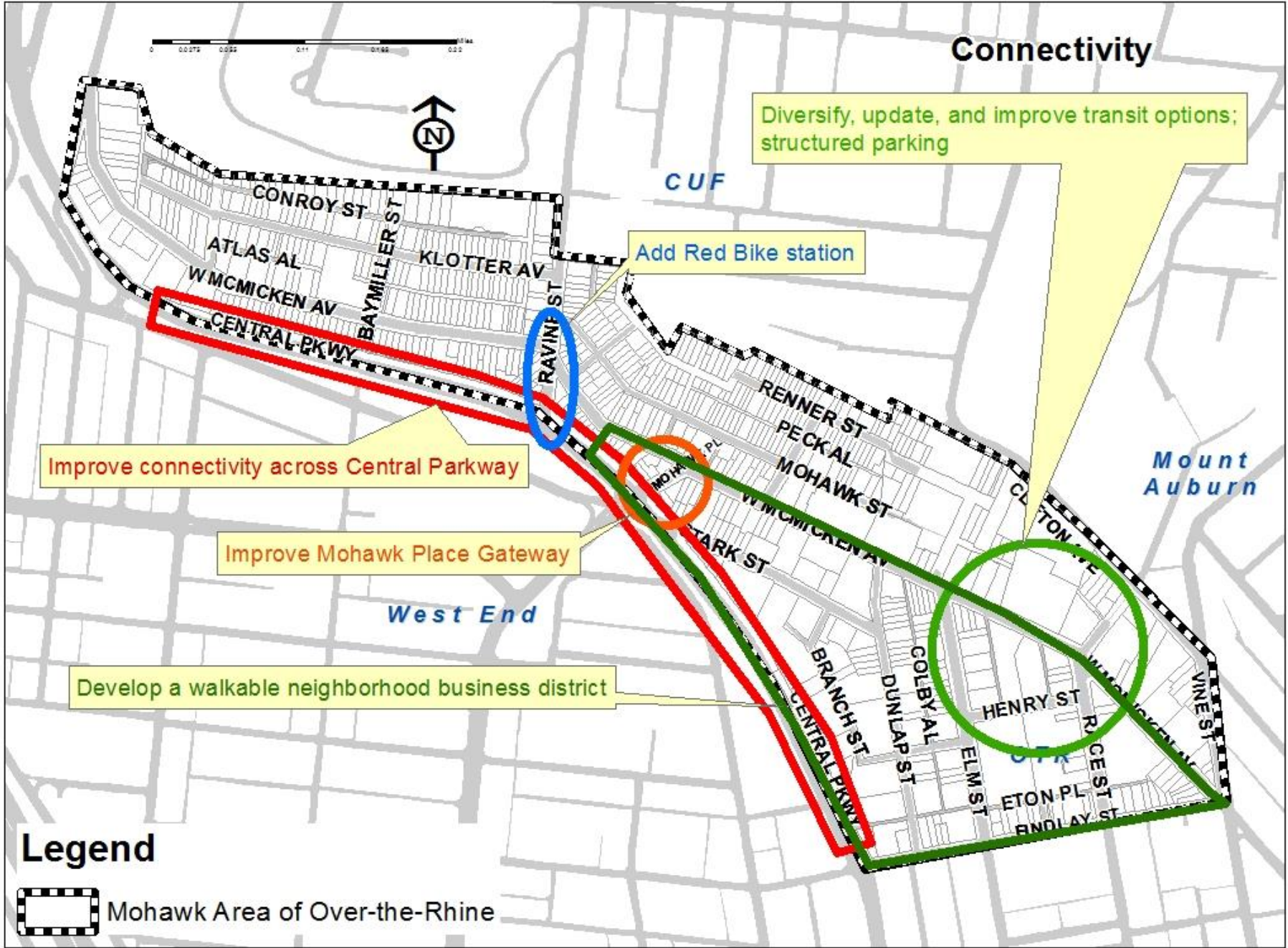
Strategy 3: Enhance the biking experience in the neighborhood business district.

- Evaluate existing bike lanes and create new bike infrastructure to maximize efficiency and connectivity to the neighborhood.
- Implement wayfinding tools such as biking signs to direct bike riders.

Strategy 4: Redesign the Mohawk area's gateway

- Transform the Central Parkway/Mohawk Place/West McMicken Avenue neighborhood entrance into a walkable plaza surrounded by businesses and residential uses that would be closed to vehicle traffic for special events.

(Please see Connectivity "Implementation Map" on opposite page for more information.)



Implementation Map from February 23rd, 2019 Gallery Open House

Economic Development

Goal: Create a thriving business district in Mohawk with neighborhood specific development that highlights the history of the area.

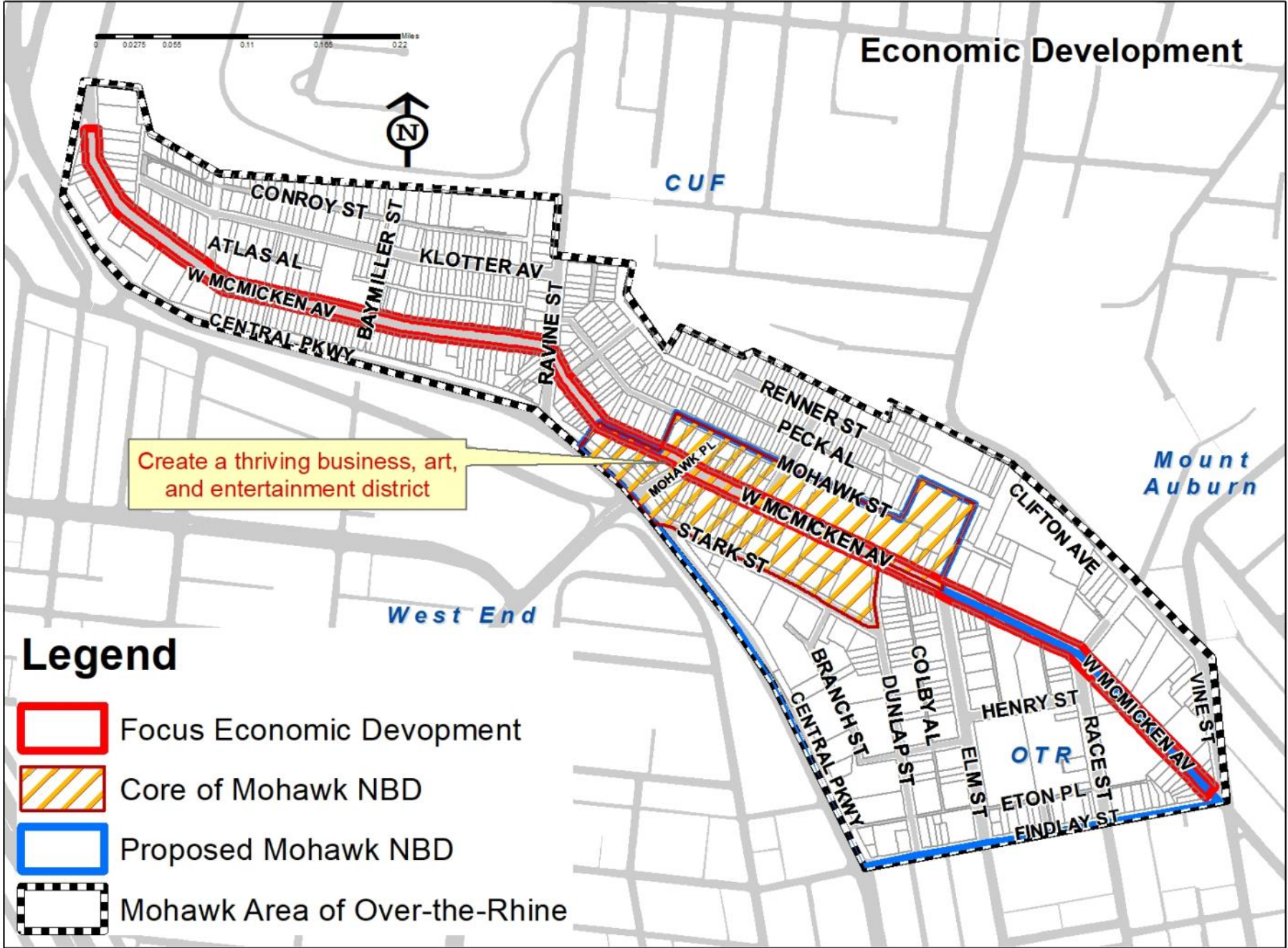
Strategy 1: Develop the business district.

- Coordinate with the Brewing Heritage Trail to celebrate the unique history of Mohawk, which includes brewing, the Miami & Erie Canal, packing houses, leather tanning, metalworking, and other cultural, social, and economic activities.
- Explore additional sources of funding (Federal or State Historic Tax Credits, TIF, New Market Tax Credits) to restore historic structures, such as the Imperial Theater, the Jackson Brewery, the Felsenbrau buildings, and the Sohn/Clyffside Brewery, as catalysts for future investment.
- Coordinate with property owners to learn more about the benefits and responsibilities of owning historic property in the Mohawk Historic District.
- Assist property owners on the processes and requirements of obtaining building permits, and work with property owners to ensure that proper permit procedures are followed.
- Establish a Mohawk business association and create a business district recognized by Cincinnati Neighborhood Business District United (CNBDU).
- Explore interest in implementing a façade program, streetscape improvements and additional parking options.

Strategy 2: Promote neighborhood-specific infill.

- Encourage future developers to rehabilitate Mohawk’s historic architecture and promote opportunities for new business growth.
- Educate property owners on property maintenance best practices and collaborate with the Department of Buildings and Inspections to ensure adequate property maintenance.
- Establish neighborhood associations to help residents easily communicate with one another as well as assemble funding for certain projects.
- Incentivize building and property owners to activate properties and participate in the revitalization of the neighborhood.

(Please see Economic Development “Implementation Map” on opposite page for more information.)



Legend

- Focus Economic Devopment
- Core of Mohawk NBD
- Proposed Mohawk NBD
- Mohawk Area of Over-the-Rhine

General Improvements

Goal: Create a safe and aesthetically pleasing Mohawk district that is attractive for residents, businesses, and visitors.

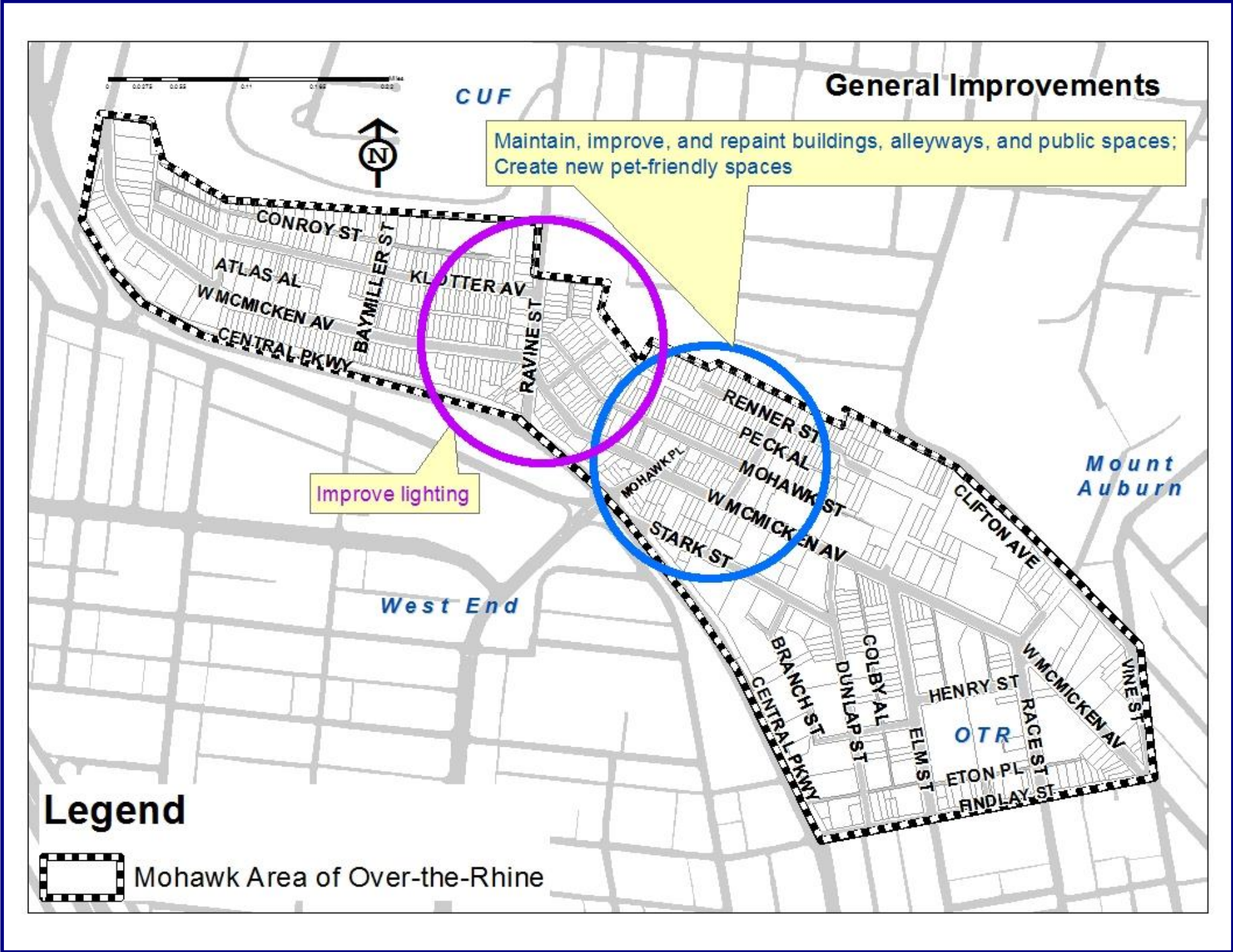
Strategy 1: Improve the built environment.

- Increase maintenance of alleyways and public spaces.
- Improve lighting in the Mohawk neighborhood.
- Inspire and encourage residents and businesses to participate in Mohawk's beautification by maintaining and repainting their buildings, as well as improving vacant properties.
- Increase amount of waste and recycling bins at regular intervals along walkways.

Strategy 2: Improve the experience of visitors, residents, and business owners.

- Expand Mohawk's welcoming aesthetic and replace graffiti through visible landscaping, art, architectural features, and murals near walkways.
- Establish a Neighborhood Block Watch to collaborate with community officers and improve public safety.
- Encourage community stakeholders, such as residents, business owners, and property owners, to report crime.
- Transform public green spaces, such as Hanna Park, into beautiful and welcoming locations for families, children, and visitors to the neighborhood.
- Create new pet-friendly spaces, which should include waste bins, bags, and water bowls, for owners, residents, and guests to exercise their pets.
- Create neighborhood associations to build community through events such as picnics, games, concerts, and art shows.

(Please see General Improvements "Implementation Map" on opposite page for more information.)



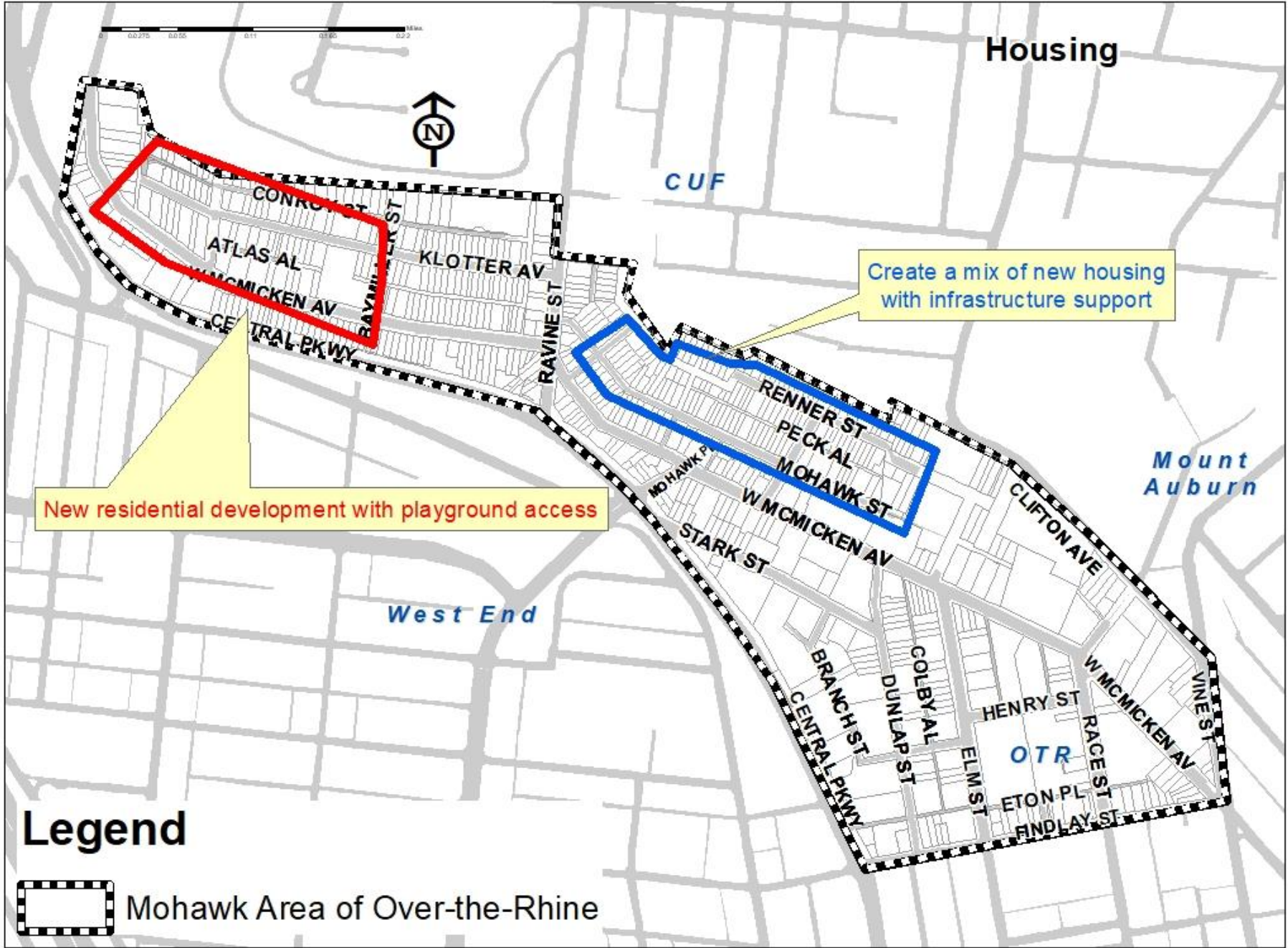
Housing

Goal: Develop Mohawk to be a diverse and inclusive district that contains neighborhood-specific housing for all income levels.

Strategy 1: Promote architecturally compatible and consistent housing infill.

- Encourage property owners to activate vacant units and prioritize filling residential units above street-level commercial spaces.
- Unify residential and business organizations to promote productive communication and apply for project funding.
- Require that residential infill, including but not limited to single - and multi-family structures, remain consistent with the architectural and pedestrian-friendly character and density of Mohawk within and surrounding the Sohn-Mohawk Historic District.
- The development of new market-rate housing will not happen at the detriment of low-income residents.
- Encourage and welcome new development at all levels of the housing market and ensure long-term sustainability of enough affordable housing to house current residents.

(Please see Housing “Implementation Map”
on opposite page for more information.)



Housing


CUF

Mount Auburn

West End

OTR

Legend

 Mohawk Area of Over-the-Rhine

Create a mix of new housing with infrastructure support

New residential development with playground access

Big Ideas and Challenges

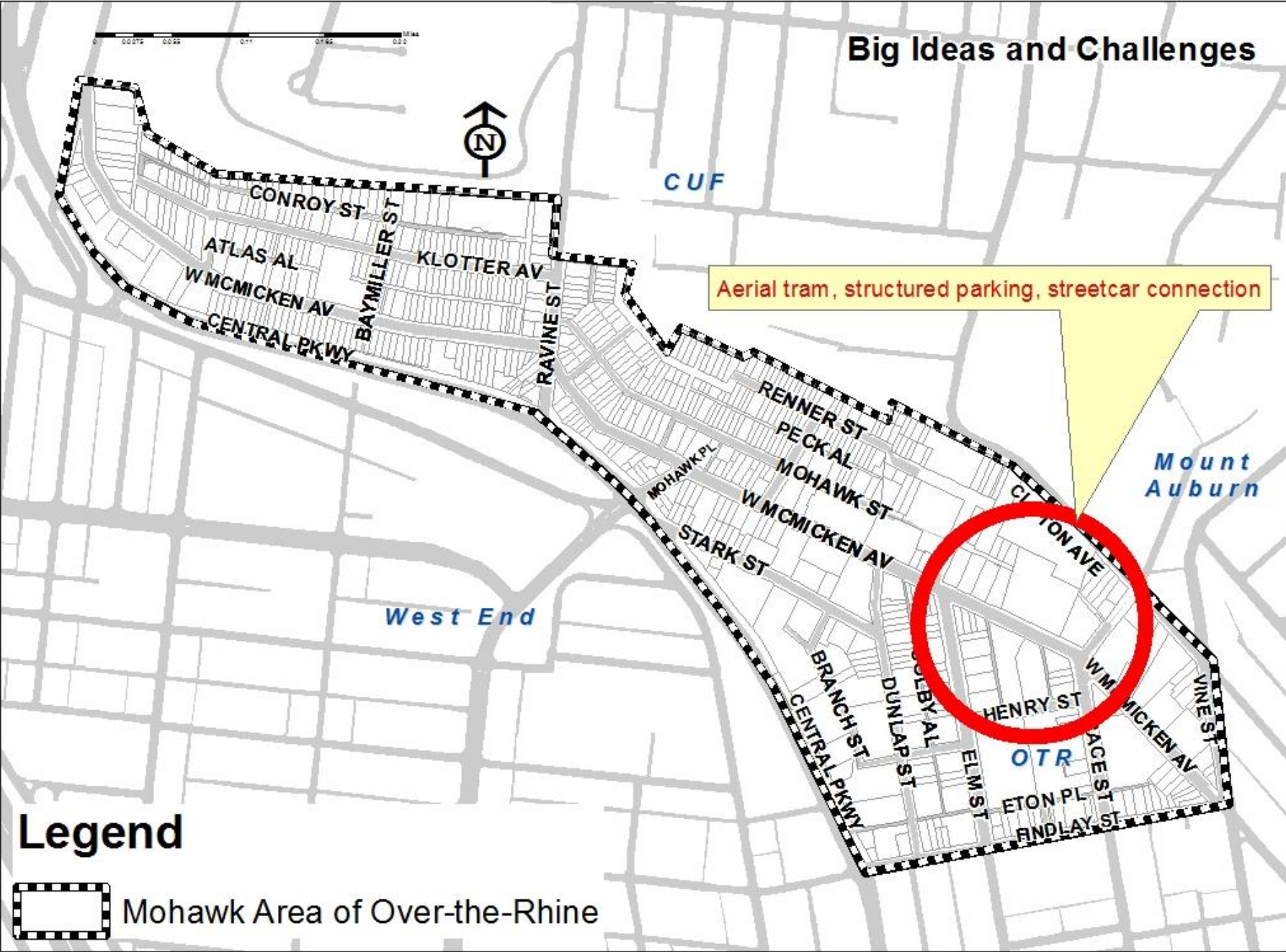
Goal: Develop Mohawk as an innovative and creative district that addresses challenges and implements big ideas.

Strategy 1: Establish an aerial tram/incline up to Bellevue Park and include a bar or restaurant to symbolize Cincinnati's rich history of inclines while also serving as an innovative transportation option.


- Collaborate with the Department of Transportation and Engineering and the Parks Department to devise a plan for the aerial tram implementation.

(Please see Big Ideas and Challenges "Implementation Map" on opposite page for more information.)

Big Ideas and Challenges



Legend

 Mohawk Area of Over-the-Rhine

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Prioritization

Notes

On Wednesday, January 23rd 2019, members of the Mohawk community participated in a public input session to prioritize the ten Vision strategies. The following table represents the results of that meeting, and the ten Vision strategies are organized in descending order based on their “priority score.” The “priority score” reflects the number of dots that the strategies received at that charette workshop.

The ten Strategies also contain action items, which are ordered by their suggested “Level of Difficulty,” as determined by city staff. As a reference, potential partners for completing those action items, as well as their theoretical timelines, are provided.

While the Prioritization Table reflects the community’s priorities and suggested timelines, the potential partners and timelines themselves are non-binding. The purpose of the priority table is designed to help coordinate community action, but the community may choose to complete action items in any order. Furthermore, it is important to note that these changes are driven by the community and for the community, in partnership with non-profits, non-governmental organizations, and the City of Cincinnati.

Key

In order to condense information in the table, the names of some organizations and city departments are abbreviated and shortened. Below is a key to those abbreviations:

- “Mohawk” = Mohawk residents, business owners, property owners, and all other members of the community
- “MNBD” = Mohawk Neighborhood Business District
- “OTRCC” = Over-the-Rhine Community Council
- “CNBDU” = Cincinnati Neighborhood Business Districts United
- “BDCURC” = Brewery District Community Urban Redevelopment Corporation
- “OTRCH” = Over-the-Rhine Community Housing
- “Model” = Model Group
- “CMHA” = Cincinnati Metropolitan Housing Authority
- “Planning” = City of Cincinnati Department of City Planning
- “DCED” = City of Cincinnati Department of Community and Economic Development
- “B&I” = City of Cincinnati Department of Buildings and Inspections
- “DOTE” = City of Cincinnati Department of Transportation and Engineering
- “SORTA” = Southwest Ohio Regional Transit Authority
- “Public Services” = City of Cincinnati Department of Public Services
- “Historic” = City of Cincinnati Historic Conservation Office
- “Parks” = City of Cincinnati Parks Department
- “CPD” = City of Cincinnati Police Department
- “City Council” = City of Cincinnati City Council
- “OTR CoC” = OTR Chamber of Commerce
- “MNCDC” = Mohawk Neighborhood Community Development Corporation

Vision	Strategy	Priority Score	Action Step	Partners	Level of Difficulty	Timeline
Economic Development	Develop the business district.	61	Coordinate with the Brewing Heritage Trail to celebrate the unique history of Mohawk, which includes brewing, the Miami & Erie Canal, packing houses, metalworking, and other cultural, social, and economic activities.	BDCURC; OTRCC; MNBD	Low	0-3 Years
			Coordinate with property owners to learn more about the benefits and responsibilities of owning historic property in the Mohawk Historic District.	Mohawk; MNBD; B&I; OTRCC; DCED; Historic	Low	0-3 Years
			Assist property owners on the processes and requirements of obtaining building permits, and work with property owners to ensure that proper permit procedures are followed.	Mohawk; MNBD; B&I	Low	0-3 Years
			Explore additional sources of funding (Federal or State Historic Tax Credits, TIF, New Market Tax Credits) to restore historic structures, such as the Imperial Theater, the Jackson Brewery, the Felsenbrau buildings, and the Sohn/Clyffside Brewery, as catalysts for future investment.	MNBD; BDCURC; DCED; City Council	Low	0-3 Years
			Establish a Mohawk business association and create a business district recognized by Cincinnati Neighborhood Business District United (CNBDU).	Mohawk; MNBD; OTRCC; DCED; CNBDU; Planning	Medium	0-3 Years
			Explore interest in implementing a façade program, streetscape improvements and additional parking options.	MNBD; BDCURC; DCED; City Council	Medium	3-5 Years
Economic Development	Promote neighborhood-specific infill.	61	Encourage future developers to rehabilitate Mohawk’s historic architecture and promote opportunities for new business growth.	Mohawk; MNBD; B&I; DCED	Low	Ongoing
			Educate property owners on property maintenance best practices and collaborate with the Department of Buildings and Inspections to ensure adequate property maintenance.	Mohawk; MNBD; B&I; OTRCC	Low	0-3 Years
			Establish neighborhood associations to help residents easily communicate with one another as well as assemble funding for certain projects.	Mohawk; MNBD; OTRCC, BOCURC	Low	0-3 Years
			Incentivize building and property owners to activate properties and participate in the revitalization of the neighborhood.	Mohawk; MNBD; DCED; City Council; OTRCC, BOCURC	Medium	0-3 Years

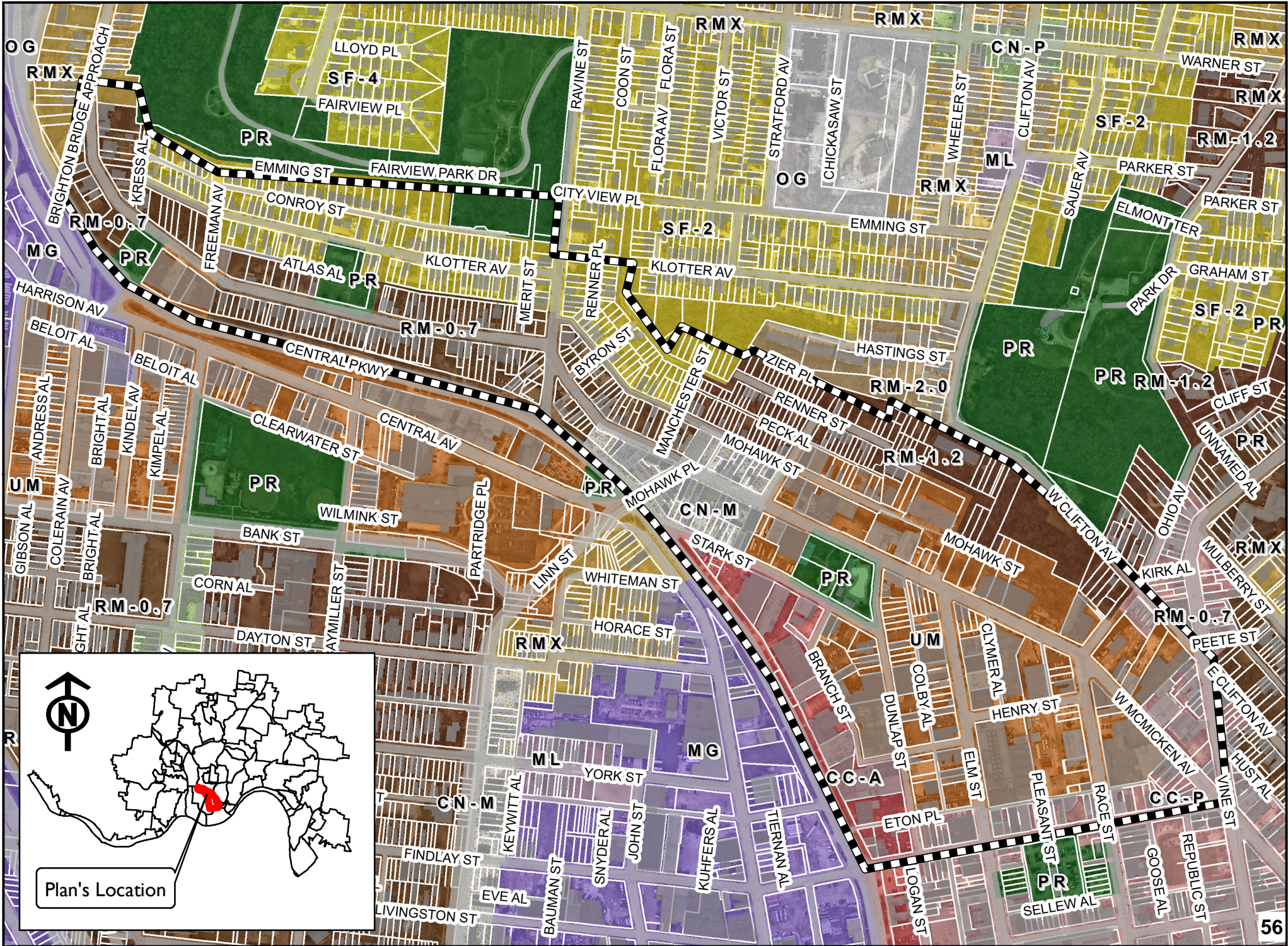
Vision	Strategy	Priority Score	Action Step	Partners	Level of Difficulty	Timeline
General Improvements	Improve the built environment.	57	Increase maintenance of alleyways and public spaces.	B&I; Public Services	Low	Ongoing
			Improve lighting in the Mohawk neighborhood.	DOTe; Public Services; MNBD	Low	0-3 Years
			Increase amount of waste and recycling bins at regular intervals along walkways.	Public Services	Low	0-3 Years
			Inspire and encourage residents and businesses to participate in Mohawk's beautification by maintaining and repainting their buildings, as well as improving vacant properties.	Mohawk; MNBD; B&I; DCED; OTRCC	Medium	0-3 Years
Big Ideas and Challenges	Establish an aerial tram/incline up to Bellevue Park and include a bar or restaurant to symbolize Cincinnati's rich history of inclines while also serving as an innovative transportation option.	55	Collaborate with the Department of Transportation and Engineering and the Parks Department to devise a plan for the aerial tram implementation.	Mohawk; City Council; OTRCC; BDCURC; DOTe; Parks; DCED, MNBD	High	5+ Years

Vision	Strategy	Priority Score	Action Step	Partners	Level of Difficulty	Timeline
Connectivity	Develop a walkable neighborhood business district/entertainment district.	52	Minimize curb cuts.	DOTe	Low	Ongoing
			Locate new buildings and structures with zero or minimal set-backs, where frontage is on or near sidewalks.	Planning; DCEd	Low	Ongoing
			Maintain good sidewalk and historic stairway conditions including reporting needs for repairs and improvements.	DOTe; Public Services	Low	Ongoing
			Change CN-M (Commercial Neighborhood Mixed) zoning to CN-P (Commercial Neighborhood Pedestrian) or UM (Urban Mix), with a focus on McMicken Avenue, to enhance Mohawk's pedestrian-friendliness.	Planning; OTRCC; City Council	Low	0-3 Years
			Plant more street trees and streetscaping along main thoroughfares.	Parks	Low	0-3 Years
			Increase sidewalk signs and ensure that crosswalks and crosswalk signs are clear and visible.	DOTe; Public Services	Low	0-3 Years
			Re-evaluate bus stop locations to maximize connectivity to the neighborhood.	SORTA; OTRCC; DOTe	Medium	3-5 Years
			Improve traffic calming along West McMicken.	DOTe; Public Services	Medium	3-5 Years
			Improve pedestrian connectivity by increasing crosswalk frequency and signage at key intersections such as Central Parkway/Mohawk Place/Linn Street, Ravine Street/McMicken Avenue, and Stonewall Street/McMicken Avenue.	DOTe	Medium	3-5 Years
			Connect the different areas of the neighborhood in a cohesive manner, including West End across Central Parkway and CUF at West McMicken Avenue.	DOTe	Medium	3-5 Years
Should the Brighton Bridge be removed, DOTe will plan for the safest pedestrian crossing at the previous location of the bridge contingent on funds being available and the support of adjacent communities.	DOTe	Medium	3-5 Years			

Vision	Strategy	Priority Score	Action Step	Partners	Level of Difficulty	Timeline
Connectivity	Diversify available transit options to include walking, bussing, driving, and bicycling.	46	Make neighborhood destinations and amenities more accessible by coordinating with Red Bike, Cincinnati Bell Connector, e-scooters, ride share, and Metro.	SORTA; DOTE; Red Bike	Medium	0-3 Years
			Update and improve bus routes and stop locations with shelters and benches.	SORTA; DOTE	Medium	3-5 Years
			Create new parking availability for businesses and residents, as well as in conjunction with multi-use building redevelopment and near access to transit.	DCED; DOTE; MNBD	Medium	3-5 Years
General Improvements	Improve the experience of visitors, residents, and business owners	35	Encourage community stakeholders, such as residents, business owners, and property owners, to report crime.	Mohawk; OTRCC; CPD; MNBD	Low	Ongoing
			Create neighborhood associations to build community through events such as picnics, games, concerts, and art shows.	Mohawk; MNBD; OTRCC; BDCURC	Low	Ongoing
			Expand Mohawk's welcoming aesthetic and replace graffiti through visible landscaping, art, architectural features, and murals near walkways.	Mohawk; Public Services; Cincinnati Art-Works; MNBD; BDCURC	Low	0-3 Years
			Establish a Neighborhood Block Watch to collaborate with community officers and improve public safety.	Mohawk; OTRCC; CPD	Low	0-3 Years
			Transform public green spaces, such as Hanna Park, into beautiful and welcoming locations for families, children, and visitors to the neighborhood.	OTRCC; Parks; Public Services	Medium	3-5 Years
			Create new pet-friendly spaces, which should include waste bins, bags, and water bowls, for owners, residents, and guests to exercise their pets.	OTRCC; Parks	Medium	3-5 Years

Vision	Strategy	Priority Score	Action Step	Partners	Level of Difficulty	Timeline
Housing	Promote architecturally compatible and consistent infill	31	Unify residential and business organizations to promote productive communication and apply for project funding.	Mohawk; MNBD; Planning; DCED; B&I; Historic	Low	Ongoing
			Require that residential infill, including but not limited to single- and multi-family structures, remain consistent with the architectural and pedestrian-friendly character and density of Mohawk within and surrounding the Sohn-Mohawk Historic District.	Mohawk; Historic ; MNBD; OTRCC	Medium	Ongoing
			Encourage property owners to activate vacant units and prioritize filling residential units above street-level commercial spaces.	Mohawk; Model; OTRCH; CMHA; B&I	Medium	3-5 Years
Connectivity	Redesign the Mohawk area's gateway	26	Transform the Central Parkway/Mohawk Place/West McMicken Avenue neighborhood entrance into a walkable plaza surrounded by businesses and residential uses that would be closed to vehicle traffic for special events.	OTRCC: DOTE	High	5+ Years
Connectivity	Enhance the biking experience in the neighborhood business district.	20	Implement wayfinding tools such as biking signs to direct bike riders.	DOTE; Public Services	Low	0-3 Years
			Evaluate existing bike lanes and create new bike infrastructure to maximize efficiency and connectivity to the neighborhood.	OTRCC: DOTE; Red Bike	Medium	3-5 Years

Mohawk Area Plan



SUBJECT: A report and recommendation on a proposed *Mohawk Area Plan* as the area's guiding comprehensive plan document in Over-the-Rhine.

BACKGROUND:

A small committee of Mohawk area residents approached the City in 2016 to create a plan that implements the *Brewery District Master Plan* (2013). Over two dozen public meetings were held from 2016 through 2019. Staff from the Department of City Planning, Department of Community and Economic Development, Department of Transportation and Engineering, Department of Health, Department of Buildings and Inspections (including the Historic Conservation Office) and numerous property owners and renters were all involved in creating the Mohawk Area Plan.

The *Over-the-Rhine Comprehensive Plan* (2002) is the most recent Plan for the entire community of Over-the-Rhine. The *Brewery District Master Plan* was approved in 2013. This *Mohawk Area Plan* is intended to assist in implementing the *Brewery District Master Plan* for the northern section of Over-the-Rhine. The boundaries of the Plan are roughly described as Central Parkway to the west, Conroy Street to the north, Clifton Avenue to the east and Findlay Street to the south. The draft *Mohawk Area Plan* was presented to the Over-the-Rhine Community Council in February 2020 and they voted to support the plan.

PLANNING PROCESS:

The planning process for the Mohawk Area Plan occurred from 2016-2019.

In July 2016, members of the Mohawk community gathered at Philippus United Church of Christ with a mission: to improve and beautify this historic neighborhood. A Steering Committee was formed and after deliberation the group decided on five key Vision areas: Economic Development, Housing, General Improvements, Connectivity, and Big Ideas and Challenges. The Steering Committee approached the Department of City Planning to draft a Mohawk Area Plan with this Vision to supplement and further direct the implementation of previous plans: Plan Cincinnati (2012), the Over-the-Rhine Comprehensive Plan (2002) and the Brewery District Master Plan (2013). In July and September of 2016, the Mohawk Steering Committee hosted community meetings to conduct mapping exercises, helping highlight several different components of Mohawk's existing conditions: "Areas in Need of Help," "Assets," "Opportunities," and "Where I Live."

In 2017, the Mohawk Steering Committee hosted additional community input meetings, as well as meetings with other stakeholders. In January, the Steering Committee hosted a working session in the Department of City Planning. Later, in May, the Steering Committee hosted a community planning meeting at Philippus United Church of Christ. In September, the planning group met with Xavier University's Community Building Institute, and later with the Department of Transportation and Engineering, to discuss housing and transportation in the neighborhood.

In August 2018, the Steering Committee reconvened to update the Vision goals and action steps, as well as review previously made maps of the Mohawk area. Furthermore, the Steering Committee, in partnership with the Department of City Planning, finalized a timeline to have the plan drafted and approved by Spring 2021.

In early January 2019, mailed notices and several email blasts were sent to the Mohawk community in notice of an upcoming meeting on January 23rd. At this meeting, about 50 members of the Mohawk community participated in a charrette workshop, where the community could review and prioritize the Mohawk Area Plan's ten Vision Strategies. The results of this charette can be found at the end of the Plan, wherein the "Priority Score" for each of the Strategies reflects the amount of "priority dots" given to each item from the January 23rd, 2019 meeting. At this meeting, the community asked for more opportunities to give feedback, and so two more public events were scheduled.

In February 2019, the Steering Committee hosted a Gallery Open House, where blank maps were attached to each of the ten Strategies, and community members were invited to "map out" how and where each Strategy could be implemented. The results from the Gallery Open House mapping exercise can be found in each of the Vision's sections, where "implementation maps" were drafted by the Steering Committee with City Planning staff. About 25 members of the community attended.

In March 2019, over 20 members of the community convened again for a Public Review of the Mohawk Area Plan draft to date. The Public Review was an opportunity for members of the community to gather and learn about the work that had been done not only in 2019, but over the previous three years. Furthermore, this meeting allowed the public to provide more feedback on plan's Vision and Prioritization.

After the meeting in March 2019, City Planning staff reviewed and refined the draft document prior to seeking Over-the-Rhine Community Council, Cincinnati City Planning Commission, and ultimately, the approval of Cincinnati City Council.

PLAN OVERVIEW:

Existing Conditions and Demographics:

According to the 2013-2017 American Community Survey estimates that Census Tract 16, the population of the Mohawk Area of Over-the-Rhine is 997 people. More detailed information can be found on page 12 in the Plan document.

Parks

There are a few small playgrounds and pocket parks within the plan area. More detailed information can be found on page 13 in the Plan document.

Zoning

The existing zoning is a mixture of multi-family residential, Urban Mix, some commercial and manufacturing mixed in the neighborhood. More detailed information can be found on pages 14-15 in the Plan document.

Land Use

Like many older neighborhoods in the City, the existing land use is relatively similar to existing zoning throughout Over-the-Rhine. More detailed information can be found on pages 16-17 in the Plan document.

Historic Districts

There is an existing Mohawk-Bellevue Local Historic District, the Over-the-Rhine Local Historic District, and the newly created Sohn-Mohawk Local Historic District. More detailed information can be found on pages 18-19 in the Plan document.

Hillside District

The northern portions of the Plan area are also in a Hillside District. More detailed information can be found on pages 20-21 in the Plan document.

Transportation

There are both Major Arterial and Minor Arterial Roads, Collector Roads and Local Streets within the Plan area. Also, the streetcar ends within the area of the Plan and there are several Metro Bus Stops in the Mohawk area. More detailed information can be found on pages 22-23 in the Plan document.

Economic Incentives

There are both Opportunity Zones and a Tax Increment Financing (TIF District). More detailed information can be found on pages 24-25 in the Plan document.

Catalytic Buildings

Buildings like the Bellevue Brewery (Mockbee), the Imperial Theatre, the Moerlein Brewery Ice House, the Cliffside Brewery, and the Jackson Brewery are the major catalytic Buildings in the Mohawk Area. More detailed information can be found on page 26 in the Plan document.

City-owned Properties

There are a few small City-owned properties within the Plan area. More detailed information can be found on page 27 in the Plan document.

THE FUTURE OF MOHAWK

The Urban Mixed and the Commercial Neighborhood - Pedestrian Zoning offer a preferred mix of uses. The Land Use included vacant sites and underutilized buildings offering development opportunities. The numerous breweries and Imperial Theater are part of the identity of the Mohawk Area. More detailed information can be found on pages 30-43 in the Plan document.

VISION

The community developed a vision for the future of Mohawk, which guides the goals and strategies throughout the rest of the Plan. That statement is “The vision of the Mohawk Area Plan is to make Mohawk a beautiful, connected, diverse, and welcoming community in which to live, work, and play.”

GOALS AND STRATEGIES

Each of these goals and strategies are mapped throughout this document.

Connectivity

Goal: Mohawk is a well-connected business district that is safe and accessible for all modes of travel.

Strategy 1: Develop a walkable neighborhood business district/entertainment district.

- A1. Implement way finding tools such as walking signs to direct pedestrians.
- A2. Maintain good sidewalk conditions.
- A3. Ensure that crosswalks and crosswalk signage are clear and visible.
- A4. Re-establish Baymiller Bridge to improve pedestrian connectivity.
- A5. Connect the different areas of the neighborhood in a cohesive manner.

Strategy 2: Increase the use of available public transit.

- A1. Create a “park and ride” concept by locating a parking structure near access to transit.
- A2. Consider Red Bike, streetcar, and bus stop access-coordinate accessibility of these

with neighborhood destinations and amenities.

Strategy 3: Enhance the biking experience in the neighborhood business district.

A1. Implement designated bike lanes where possible and provide bike racks.

A2. Implement way finding tools such as biking signs to direct bike riders.

Economic Development

Goal: Mohawk is a thriving business district that promotes neighborhood specific development that highlights the history of the area.

Strategy 1: Brand the business district.

A1. Establish the Brewers Boulevard.

A2. Restore the Imperial Theater as a catalyst for future investment.

A3. Ensure that the historic district is contiguous.

A4. Improve gateways that highlight neighborhood assets and incorporate greenspace.

Strategy 2: Promote neighborhood specific infill.

A1. Address topographic issues on hillside development.

A2. Establish a neighborhood or homeowners association to help residents easily communicate with one another as well as assemble funding for certain projects.

A3. Change zoning, if needed, to make NBD more pedestrian and mixed friendly.

General Improvements

Goal: Mohawk is a safe and aesthetically pleasing district that is attractive for both residents and visitors.

Strategy 1: Improve the built environment.

A1. Maintain the alleyways and public spaces.

A2. Improve the lighting in the business district.

A3. Coordinate with vacant property owners to be held responsible for conditions of their buildings.

A4. Work with property owners to repaint their buildings.

Strategy 2: Improve the experience of visitors, residents, and business owners.

A1. Better policing and reporting of drugs, crime, and prostitution.

A2. Make greenspaces destinations.

Housing

Goal: Mohawk is a diverse and inclusive district that contains neighborhood specific housing for all income levels.

Strategy 1: Promote neighborhood specific housing infill.

A1. Establish a neighborhood or homeowners association to help residents easily communicate with one another as well as assemble funding for certain projects.

A2. Residential infill should remain consistent with the content of each residential area of the neighborhood.

Big Ideas and Challenges

Goal: Mohawk is an innovative and creative district that addresses challenges and implements big ideas.

Strategy 1: Define a method to save the Brighton Approach as a possible historic landmark.

Strategy 2: Establish the aerial tram/incline as well as a bar/restaurant to reflect on the history.

PLAN IMPLEMENTATION AND PRIORITIZATION:

A meeting was held in January 2019 and members of the community prioritized the ten vision strategies in descending order based on the “priority score” These strategies also contain action items and are organized

by their Level of Difficulty” as determined by City Staff. More detailed information can be found on pages 44-49 in the Plan document.

ADMINISTRATIVE AND NEIGHBORHOOD REVIEW:

The draft *Mohawk Area Plan* has been posted on the Department of City Planning’s website since 2019 with revisions to the draft being updated regularly. The draft Mohawk Area Plan was presented to the Over-the-Rhine Community Council in February 2020 where they voted to support the Plan. Work on all neighborhoods was temporarily put on hold during the COVID-19 pandemic in 2020.

The draft *Mohawk Area Plan* was sent to all City Departments for review and feedback. An internal City staff meeting was held on March 12, 2019. Attendees included representatives from the Department of Community and Economic Development (DCED), and the Department of Transportation and Engineering (DOTE). There were no major concerns identified at the meeting and all in attendance supported the goals and strategies proposed.

CONSISTENCY WITH PLAN CINCINNATI AND NEIGHBORHOOD PLANS:

The Mohawk Area Plan is consistent with all five Initiative Areas of *Plan Cincinnati* (2012), specifically in the following areas:

Compete Initiative Area: Goal to “foster a climate conducive to growth, investment, stability, and opportunity” (page 103) and the Strategy to “target investment to geographic areas where there is already economic activity” (page 115).

Connect Initiative Area: Strategies to “expand options for non-automotive travel” (page 130) and “support regional and intercity transportation initiatives (page 144).

Live Initiative Area: Goals to “build a robust public life” (page 149) and “create a more livable community” (page 156) and the Strategies to “develop and maintain inviting and engaging public spaces to encourage social interaction between different types of people” (page 150), to “become more walkable” (page 157), and to “support and stabilize our neighborhoods” (page 160).

Sustain Initiative Area: Goals to “become a healthier Cincinnati” (page 181) and to “preserve our natural and built environment” (page 193) and with the Strategies to “protect our natural resources” (page 194) and “preserve our built history” (page 197).

Collaborate Initiative Area: Strategy to “unite our communities” (page 210).

Also, this Plan is consistent with the *Over-the-Rhine Comprehensive Plan* (2002) in numerous areas of the Plan. A few examples include creating a Mohawk Neighborhood Business District (page 32), promoting single-family infill (page 48), and create a Mohawk Local Historic District (page 58).

In addition, this Plan furthers the ideas from the *Brewery District Master Plan* (2013) by implementing these goals and strategies to further the revitalization of the Mohawk Area and its brewery heritage.

RECOMMENDATION:

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

APPROVE the *Mohawk Area Plan* as the area's guiding comprehensive plan document.

Respectfully submitted:



Caroline Hardy Kellam, Senior City Planner
Department of City Planning

Approved:



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

May 26, 2021

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

Dear Members of Council:

We are transmitting herewith a Resolution captioned as follows:

APPROVING the *Mohawk Area Plan* as the planning guide for the Mohawk area in the Over-the-Rhine neighborhood.

Summary:

The area of Mohawk in the Over-the-Rhine neighborhood approached the Department of City Planning in 2016 to request the creation of a plan for their area of Over-the-Rhine called Mohawk. After five years of community engagement, the *Mohawk Area Plan* has been created as an implementation of *Brewery District Master Plan* (2013). The *Mohawk Area Plan* was unanimously approved by the Over-the-Rhine Community Council in February 2020 and by the City Planning Commission on May 7, 2021, to serve as the City's official planning guide for the Mohawk Area. The *Mohawk Area Plan* is consistent with the Compete, Live, and Collaborate Initiative Areas of *Plan Cincinnati* (2012).

The City Planning Commission unanimously approved this item at their May 7, 2021, meeting.

Motion to Approve:	Mr. Samad	Ayes:	Mr. Smitherman Ms. McKinney Mr. Juech Mr. Samad Mr. Stallworth
Seconded:	Mr. Smitherman		

THE CITY PLANNING COMMISSION

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

June 9, 2021

To: Mayor and Members of City Council 202102135
From: Paula Boggs Muething, City Manager
Subject: Emergency Ordinance – Notwithstanding Ordinance Authorizing Use of 2215 Fulton Avenue as Offices and Waiving Parking Requirements for First Step Home

Transmitted is an Emergency Ordinance captioned:

AUTHORIZING the existing building located at 2215 Fulton Avenue in the Walnut Hills neighborhood to be renovated and used as an office NOTWITHSTANDING the provisions of Section 1405-05, “Land Use Regulations,” of Chapter 1405, “Residential Multi-Family,” and Section 1425-19-A, “Off-Street Parking and Loading Requirements,” of Chapter 1425, “Parking and Loading Regulations,” of the Cincinnati Zoning Code and any other applicable provisions of the Cincinnati Zoning Code and the Cincinnati Municipal Code.

The City Planning Commission recommended approval of the amendments at its June 4, 2021 meeting.

Summary

First Step Home requested a Notwithstanding Ordinance to permit an office use in a Residential Mixed (RMX) zoning district at 2215 Fulton Avenue and waive all associated parking requirements. Approval of the requested Notwithstanding Ordinance will allow First Step Home to respond to the increased demand for their services in the community and expand their offerings of treatment services while preserving an existing building.

First Step Home proposes using 2215 Fulton Avenue as the Family Unity Center that will house the new Child Resiliency Program as well as administrative personnel, group treatment facilities, and admissions staff. First Step Home also seeks relief from any associated parking requirements for the office use. Most of the women receiving treatment at First Step Home do not have a car and often utilize public transportation, rideshare companies, or are dropped off by family or friends. First Step Home does have several parking spaces among their properties located on Fulton Avenue and has a long-standing relationship with the church across the street which allows access to four parking spaces for staff and/or clients. Additionally, on-street parking exists along Fulton Avenue.

The requested relief through the Notwithstanding Ordinance has been found to be reasonable considering the use of Notwithstanding Ordinances for First Step Home on this block and the parking arrangements that have already been made. The proposed Notwithstanding Ordinance is consistent with portions of the *Walnut Hills Reinvestment Plan* (2017) and *Plan Cincinnati* (2012).

The Department of City Planning has consistently taken the position to not support any Notwithstanding Ordinances for land use decisions because they do not comply with the zoning laws that the department is charged with developing and enforcing.

The City Planning Commission recommended the following on June 4, 2021 to City Council:

APPROVE the Notwithstanding Ordinance to permit an office use in the Residential Mixed (RMX) zoning district at 2215 Fulton Avenue in Walnut Hills with the following conditions:

- 1) The renovations at 2215 Fulton Avenue must substantially conform to the project specifications outlined in this report and the applicant will provide all required items for building permit review.
- 2) The Notwithstanding Ordinance does not provide a variance from any other laws of the City of Cincinnati, and the properties shall remain subject to all other provisions of the Cincinnati Municipal Code, RMX, "Residential Mixed," zoning district.
- 3) The use of the property should not be considered a nonconforming use.

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



EMERGENCY

City of Cincinnati

DBS

AWB

An Ordinance No. _____

- 2021

AUTHORIZING the existing building located at 2215 Fulton Avenue in the Walnut Hills neighborhood to be renovated and used as an office NOTWITHSTANDING the provisions of Section 1405-05, "Land Use Regulations," of Chapter 1405, "Residential Multi-Family," and Section 1425-19-A, "Off-Street Parking and Loading Requirements," of Chapter 1425, "Parking and Loading Regulations," of the Cincinnati Zoning Code and any other applicable provisions of the Cincinnati Zoning Code and the Cincinnati Municipal Code.

WHEREAS, First Step Home ("Petitioner") owns the real property located at 2215 Fulton Avenue in the Walnut Hills neighborhood ("Property"), which property is presently zoned RMX, "Residential Mixed," and consists of one parcel containing an existing residential structure; and

WHEREAS, the Petitioner has operated the First Step Home on the nearby property at 2203 Fulton Avenue for over 20 years as a non-profit organization that helps women break the cycle of addiction and abuse and become self-sufficient by providing individual and group counseling, access to medical services, mental health assessments, life skills training, financial assistance, on-site childcare, and connections to job readiness programs; and

WHEREAS, the Petitioner now wishes to renovate the existing building on the Property for use as an office that will house the administrative personnel, group treatment facilities, and admissions staff that are necessary to accommodate its growth and to facilitate the creation of additional treatment programs and jobs ("Project"); and

WHEREAS, the Petitioner has requested authorization to complete the Project notwithstanding certain zoning code provisions that would otherwise prevent the Property's use as an office; and

WHEREAS, reasonable deviations from zoning code provisions that would otherwise prevent the Property's use as an office will provide substantial public benefits in the form of expanded treatment services for women seeking to break the cycles of addiction and abuse as well as additional enhanced services for those participants; and

WHEREAS, the City Planning Commission, at its regularly scheduled meeting on June 4, 2021, upon considering the factors set forth in Cincinnati Municipal Code ("CMC") Section 111-5, recommended the adoption of a notwithstanding ordinance authorizing the Project subject to certain conditions; and

WHEREAS, a committee of Council held a public hearing on this ordinance following due and proper notice pursuant to CMC Section 111-5, and upon considering the factors in CMC Section 111-5 and the recommendation of the City Planning Commission, the committee approved the ordinance, finding that authorizing the Project notwithstanding the zoning code provisions that

would otherwise restrict it will not have an adverse effect on the character of the area or the public health, safety, and welfare, and further finding that permitting the Project to proceed is consistent with the purposes of the CMC and the zoning district in which it is located; and

WHEREAS, a legislative variance authorizing the Project is consistent with the *Walnut Hills Reinvestment Plan (2017)* and the Action Item to “[i]nvest in people, places, and homes” (page 42); and

WHEREAS, a legislative variance authorizing the Project is further consistent with *Plan Cincinnati (2012)* in the Sustain Initiative Area, specifically the goal to “[b]ecome a healthier Cincinnati” (page 81); and

WHEREAS, the Council finds that the Project will preserve the quality and character of the neighborhood by improving and rehabilitating an existing building that will fit within the context of Fulton Avenue and the Walnut Hills community; and

WHEREAS, the Council additionally finds that permitting the Project will not have an adverse effect on the character of the area or the public health, safety, and welfare because, among other things, it provides for a reasonable expansion of treatment services that have long operated on the street, the program expansion will facilitate the delivery of enhanced services and programming to program participants that further serves to mitigate any potential negative impacts associated with the program, if any; and

WHEREAS, the Council additionally finds that a legislative variance from applicable zoning code provisions related to use and parking to authorize the Project will not have an adverse effect on the character of the area or the public health, safety, and welfare, and it is in the best interests of the City and the public's health, safety, morals, and general welfare; now, therefore,

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

Section 1. That, after its own independent review and consideration, the City Council incorporates the foregoing recitals as if fully rewritten herein, and it hereby confirms that the legislative variance criteria set forth in Section 111-5 of the Cincinnati Municipal Code are satisfied in all respects.

Section 2. That the Council specifically finds that a legislative variance authorizing the renovation of the existing building located at 2215 Fulton Avenue in the Walnut Hills neighborhood for use as an office (“Project”), which property is depicted on the map attached hereto as Exhibit A and incorporated herein by reference, will not have an adverse effect on the

character of the surrounding area or the public's health, safety, and general welfare and that it is consistent with the purposes of the Cincinnati Municipal Code and the zoning district within which the property is located.

Section 3. That the Council authorizes the construction of the Project and its use as an office, subject to the terms and conditions set forth in this ordinance. This authorization is granted notwithstanding (i) the use limitations contained in Chapter 1405, "Residential Multi-Family," of the Cincinnati Municipal Code; and (ii) the parking limitations contained in Chapter 1425, "Parking and Loading Regulations," of the Cincinnati Municipal Code, and any other applicable zoning regulations that would restrict the construction of the Project and its use as an office.

Section 4. That the Council authorizes the construction of the Project and its use as an office subject to the following conditions:

- a. That the renovations at 2215 Fulton Avenue must substantially conform to the project specifications outlined in the Department of City Planning staff report, and the property owner must provide all required items for building permit review.
- b. That this ordinance does not provide a variance from any other laws of the City of Cincinnati, and the property shall remain subject to all other provisions of the Cincinnati Municipal Code and the RMX, "Residential Mixed," zoning district.
- c. That the use of the property shall not be considered a nonconforming use of land by virtue of this ordinance.

Section 5. That the City Manager and the appropriate City officials are authorized to take all necessary and proper actions to implement this ordinance, including by issuing building permits and related approvals, provided they conform to applicable building codes, housing codes, accessibility laws, or other laws, rules, or regulations.

Section 6. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is

the immediate need for the property owner to obtain building permits to complete the Project so the City may benefit from the Project at the earliest possible time.

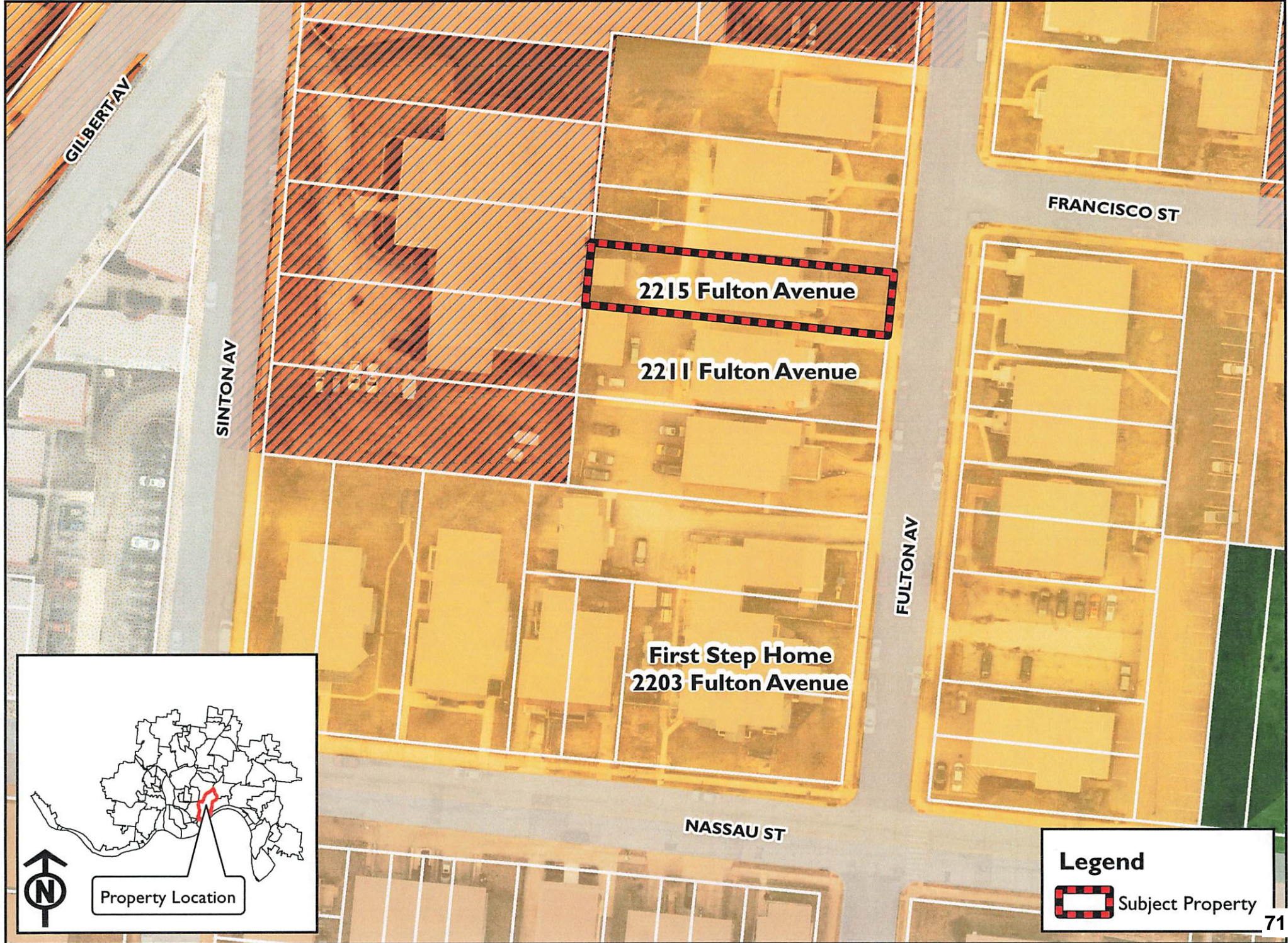
Passed: _____, 2021

John Cranley, Mayor

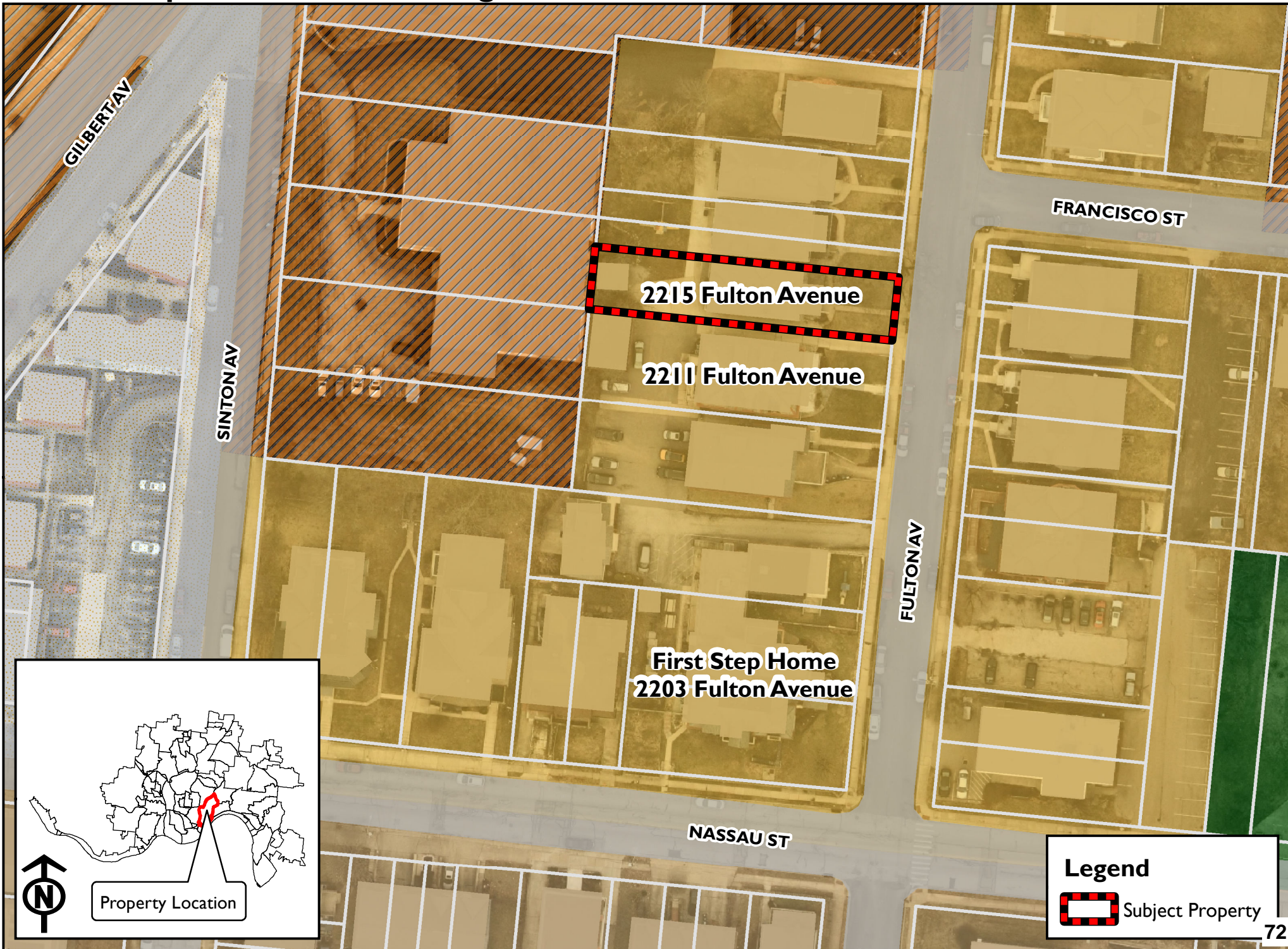
Attest: _____
Clerk

EXHIBIT A

Proposed Notwithstanding Ordinance at 2215 Fulton Avenue in Walnut Hills



Proposed Notwithstanding Ordinance at 2215 Fulton Avenue in Walnut Hills



June 4, 2021

Honorable City Planning Commission
Cincinnati, Ohio

SUBJECT: A report and recommendation on a proposed Notwithstanding Ordinance to permit an office use with no parking requirements in a Residential Mixed (RMX) zoning district at 2215 Fulton Avenue in Walnut Hills.

GENERAL INFORMATION:

Location: 2215 Fulton Avenue
Cincinnati OH 45206

Petitioner: First Step Home Inc.
2203 Fulton Avenue
Cincinnati, OH 45206

EXHIBITS:

Provided in addition to this report are the following exhibits:

- Exhibit A Location Map
- Exhibit B Application
- Exhibit C Letter of Support

BACKGROUND:

The applicant, First Step Home, requests a Notwithstanding Ordinance to permit the rehabilitation of an existing residential structure at 2215 Fulton Avenue into office space in Walnut Hills. The subject property is located on Fulton Avenue, approximately 150-feet north of First Step Home's main administrative building at 2203 Fulton Avenue. The subject property is zoned Residential Mixed (RMX).

First Step Home is a non-profit organization that helps women break the cycle of addiction and abuse and become self-sufficient. The agency provides individual and group counseling, access to medical services, mental health assessments, life skills training, financial assistance, on-site childcare, and connections to job readiness programs. In addition, First Step Home offers a comprehensive child and family development program. Through the programs offered at First Step Home, women learn self-sufficiency and gain the ability to live drug-free with their children.

In 1999, First Step Home purchased the property at 2203 Fulton Avenue for use as a residential treatment facility. The property provided residential services to women and their children with some additional outpatient services. In 2010, First Step Home applied for a Notwithstanding Ordinance to allow the nonconforming use (transitional housing) to continue and to convert the existing carriage house into program space at 2203 Fulton Avenue. City Council granted the Notwithstanding Ordinance (Ordinance No. 2010-00222). This took place before the City Planning Commission reviewed Notwithstanding Ordinances for land use matters.

First Step Home applied for an additional Notwithstanding Ordinance in 2013 for their property located at 2211 Fulton Avenue. At that time, they proposed using the building exclusively for offices and meeting space to support the transitional housing property at 2203 Fulton Avenue. The City Planning Commission recommended approval of the Notwithstanding Ordinance, which City Council granted (Ordinance No. 2013-00098).

PROPOSED NOTWITHSTANDING ORDINANCE:

First Step Home is requesting a third Notwithstanding Ordinance to permit an office use in an RMX zoning district at 2215 Fulton Avenue and to waive any associated parking requirements. First Step Home proposes using 2215 Fulton Avenue as the Family Unity Center that will house the new Child Resiliency Program as well as administrative personnel, group treatment facilities, and admissions staff. The Family Unity Center is a place for holistic services which will include treatment to enhance the bonding between women and their children. There is a focus on treatment for the whole family, including significant others, as First Step Home recognizes success in recovery requires the support of those close to the client and their children.

As part of their Notwithstanding Ordinance application, First Step Home also seeks relief from any associated parking requirements for the office use. Most of the women receiving treatment at First Step Home do not have a car and often utilize public transportation, rideshare companies, or are dropped off by family or friends. First Step Home does have several parking spaces among their properties located on Fulton Avenue and has a long-standing relationship with the church across the street which allows access to four parking spaces for staff and/or clients. Additionally, on-street parking exists along Fulton Avenue.

Approval of the requested Notwithstanding Ordinance will allow First Step Home to enhance and continue its services at 2215 Fulton Avenue.

Rehabilitation of 2215 Fulton Avenue

The rehabilitation will convert the existing residential building from housing to become the Family Unity Center offices where family outpatient programs take place. The first, second, and third floors will be included in the rehabilitation. Improvements to the first floor will make it ADA compliant. The first floor will have office spaces for a speech pathologist and child therapist, a child activity area, reception area and bathroom. The second floor will house treatment and administrative offices in addition to a bathroom. The third floor will be prepared for group offices for administration and programming, in addition to a bathroom and a small storage area.

The applicant is requesting relief through the Notwithstanding Ordinance for the following:

Use (Sec. 1405-05)

The proposed office use is not permitted in the RMX zoning district per Sec. 1405-05 of the Cincinnati Zoning Code. The proposed Notwithstanding Ordinance would formalize permission to use the property for offices.

Parking (Sec. 1425-19-A)

Per Sec. 1425-19-A of the Cincinnati Zoning Code, office uses require parking at a ratio of one space per 400 square feet. Based on the 3,552 square feet of gross floor area, nine parking spaces would be required for 2215 Fulton Avenue. The applicant is proposing zero off-street parking spaces.

PUBLIC COMMENT AND NOTIFICATION:

The Department of City Planning held a virtual public staff conference on this proposed Notwithstanding Ordinance on May 17, 2021. Notices were sent to property owners within a 400-foot radius of the subject property and the Walnut Hills Area Council. There were four members of the petitioner's team present,

in addition to Department of City Planning staff members. No members of the public requested access to the meeting.

All property owners within a 400-foot radius of the subject property and the Walnut Hills Area Council were notified of the City Planning Commission meeting on May 20, 2021. The Walnut Hills Area Council submitted a letter of support for the proposed Notwithstanding Ordinance (Exhibit C). The letter highlights the importance of First Step Home's work and their history of being a good neighbor. Staff has not received any additional correspondence to-date.

ANALYSIS:

The Department of City Planning has consistently taken a position to not support any Notwithstanding Ordinances because they do not comply with the Cincinnati Zoning Code that the department is charged with developing and enforcing. However, Cincinnati Municipal Code Section 111-5 establishes a list of factors by which a City Council committee may consider a notwithstanding ordinance application. As such, the City Planning Commission shall consider the following when making a recommendation on notwithstanding ordinances to City Council:

- 1) Whether the proposed application will not have an adverse effect on the character of the area or the public health, safety and welfare;

The proposed use and rehabilitation of the building at 2215 Fulton Avenue will not have an adverse effect on the area. The rehabilitation and use of the building will provide much needed services and keep the older building in use.

- 2) Whether the proposed application is consistent with the purposes of this code and the zoning district where the subject property is located including but not limited to:

- (a) Providing a guide for the physical development of the city.

Not applicable to this application.

- (b) Preserving the character and quality of residential neighborhoods.

The proposed Notwithstanding Ordinance would permit the rehabilitation of an existing residential structure at 2215 Fulton Avenue into office space. By using the existing building, the character of the neighborhood is preserved, and the quality of the building will be improved as it undergoes a rehabilitation.

- (c) Fostering convenient, harmonious and workable relationships among land uses.

The predominant land use surrounding the subject property is transitional and multi-family housing which is compatible with the area. While the proposed use of 2215 Fulton Avenue is for offices, it will retain its appearance and blend seamlessly with the rest of the street.

First Step Home owns the properties along the west side of Fulton Avenue on this block. Several adjacent properties have apartments for women going through treatment. The addition of services allows First Step Home to provide a safe, effective campus for the women they serve.

- (d) Achieving the arrangement of land uses described in the comprehensive plan for the development of the city as may have been adopted by council.

The proposed Notwithstanding Ordinance is consistent with Plan Cincinnati (2012) (see "Consistency with Plans" for further analysis).

- (e) Promoting the economic stability of existing land uses and protecting them from intrusions by inharmonious or harmful land uses.

First Step Home has operated on Fulton Avenue for over 20 years. The proposed Notwithstanding Ordinance will permit them to expand their operations in a building designed to meet the needs of their programs.

- (f) Providing opportunities for economic development and new housing for all segments of the community.

Not applicable to this application.

- (g) Creating pedestrian-friendly environments to reduce reliance on the automobile for travel.

The subject property is located within 0.10 miles walking distance of Gilbert Avenue and 0.20 miles of the E. McMillan Street and Gilbert Avenue intersection. The location provides staff and clients of First Step Home with access to twelve bus stops along four bus lines (SORTA Routes 1, 4, 11, and 31), all within a five-minute walk.

- (h) Preventing excessive population densities and overcrowding of land or buildings.

The proposed Notwithstanding Ordinance would permit an office use in a building currently being used in a residential capacity; no additional density or overcrowding is anticipated.

- (i) Ensuring the provision of adequate open space for light, air and fire safety.

The proposed Notwithstanding Ordinance does not provide a variance from any other laws of the City of Cincinnati. The owner would need to abide by the building code and fire regulations outlined in the Cincinnati Municipal Code.

- (j) Ensuring that development is compatible with the environment, particularly on the hillsides and along the riverfront.

Not applicable to this application.

- (k) Promoting the conservation, protection, restoration and enhancement of the historic resources of the city.

The subject property is not located within a historic district. The proposed Notwithstanding Ordinance would permit the rehabilitation of an existing buildings, preserving the built character on the street.

- (l) Lessening congestion in the public streets by providing for off-street parking and loading areas for commercial vehicles.

According to Sec. 1425-19-A of the Cincinnati Zoning Code, a total of nine parking spaces are required for the offices at 2215 Fulton Avenue. The proposal

does not provide any off-street parking, and thus seeks relief through the Notwithstanding Ordinance. As previously stated, many of the women receiving treatment at First Step Home do not have a car and often utilize public transportation, rideshare companies, or are dropped off by family or friends. There is parking provided among their properties and at the church across the street, in addition to on-street parking.

- (m) Providing effective signage that is compatible with the surrounding urban environment.

Proposed signage for the building was not submitted as part of the application. However, a condition of the proposed Notwithstanding Ordinance is that the property shall remain subject to all other provisions of the Cincinnati Municipal Code, including the RMX, "Residential Mixed," zoning district. This would include any signage regulations.

- (n) Setting standards by which a nonconforming use may continue to function and to provide for the adaptive reuse of nonconforming buildings.

One of the recommended conditions, should the City Planning Commission approve the proposed Notwithstanding Ordinance, is that the use of the property should not be considered a nonconforming use.

CONSISTENCY WITH PLANS:

Plan Cincinnati (2012)

The proposed Notwithstanding Ordinance is consistent with *Plan Cincinnati* (2012) in the Sustain Initiative Area, specifically the Goal to "Become a healthier Cincinnati" (page 81). First Step Home empowers women to overcome substance abuse disorders and mental health related issues. The proposed Notwithstanding Ordinance would permit First Step Home to expand their existing social services.

Walnut Hills Reinvestment Plan (2017)

The proposed Notwithstanding Ordinance and this specific area of the neighborhood are not addressed in the *Walnut Hills Reinvestment Plan* (2017). The Plan does have an *Action Item* to "Invest in People, Places, and Homes" (page 42). First Step Home's mission to "help women achieve self-sufficiency and provide a safe and nurturing environment for their children" speaks directly to investing in people.

CONCLUSIONS:

The proposed Notwithstanding Ordinance would permit an office use in an RMX zoning district at 2215 Fulton Avenue and waive all associated parking requirements. Approval of the requested Notwithstanding Ordinance will allow First Step Home to respond to the increased demand for their services in the community and expand their offerings of treatment services while preserving an existing building. The requested relief through the Notwithstanding Ordinance has been found to be reasonable considering the use of Notwithstanding Ordinances for First Step Home on this block and the parking arrangements that have already been made. The proposed Notwithstanding Ordinance is consistent with portions of the *Walnut Hills Reinvestment Plan* (2017) and *Plan Cincinnati* (2012).

The Department of City Planning has consistently taken the position to not support any Notwithstanding Ordinances for land use decisions because they do not comply with the zoning laws that the department is charged with developing and enforcing.

RECOMMENDATION:

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

DENY the Notwithstanding Ordinance to permit an office use in the Residential Mixed (RMX) zoning district at 2215 Fulton Avenue in Walnut Hills.

- 1) The Department of City Planning cannot support any Notwithstanding Ordinances for land use decisions because the ordinances do not comply with the zoning laws that the Department of City Planning is charged with developing and enforcing.

If the City Planning Commission decides to recommend approval of the Notwithstanding Ordinance, the City Planning Commission should consider the following conditions:

- 1) The renovations at 2215 Fulton Avenue must substantially conform to the project specifications outlined in this report and the applicant will provide all required items for building permit review.
- 2) The Notwithstanding Ordinance does not provide a variance from any other laws of the City of Cincinnati, and the properties shall remain subject to all other provisions of the Cincinnati Municipal Code, RMX, "Residential Mixed," zoning district.
- 3) The use of the property should not be considered a nonconforming use.

Respectfully submitted:



Stacey Hoffman, Senior City Planner
Department of City Planning

Approved:



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

Proposed Notwithstanding Ordinance at 2215 Fulton Avenue in Walnut Hills

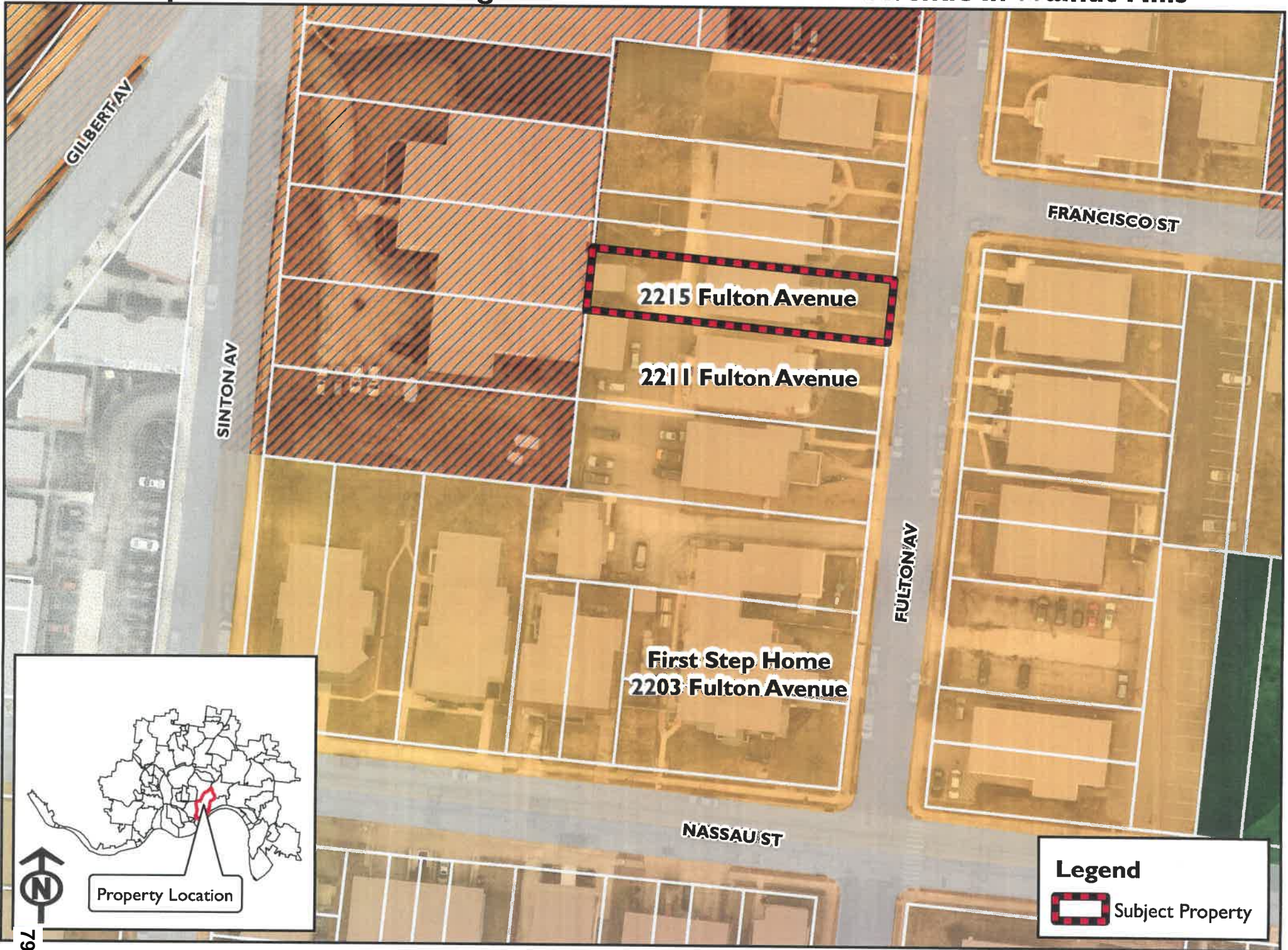


Exhibit B



805 CENTRAL AVE, SUITE 720
 CINCINNATI OHIO 45202
 P 513 352 3271
 F 513 352 2579
 WWW.CINCINNATI-OH.GOV
 CAGIS.HAMILTON-CO.ORG

Notwithstanding Ordinance Application
INITIALIZED BY _____

Part A - Identification

Subject Property Address (Please print in blue or black ink only) 2215 Fulton Ave.		
Applicant - Name (Print) First Step Home, Margo Spence, President & CEO	Phone No 513.961.4663 ext. 106	E-mail Address margo.spence@firststephome.org
Street Number & Name 2211 Fulton Ave.	City / State / Zip Code Cincinnati, OH 45206	Phone No / Fax No 513.961.4663
Relationship of Applicant to Owner: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Lessee <input type="checkbox"/> Attorney		
Property Owner - Name (Print) First Step Home, Margo Spence, President & CEO	Phone No 513.961.4663 ext. 106	E-mail Address margo.spence@firststephome.org
Street Number & Name 2211 Fulton Ave.	City / State / Zip Code Cincinnati, OH 45206	Phone No / Fax No 513.961.4663

Part B - Submission Requirements (Please provide the following for a complete application)

1. A copy of the zoning map showing the subject property. A copy may be obtained through the Zoning Administration by emailing zoninginfo@cincinnati-oh.gov or by calling (513) 352-2430.
2. A written statement outlining all of the practical difficulties created by following existing legislative and administrative procedures.
3. Submit one (1) paper copy and one (1) digital copy of the application to the Director of City Planning at 805 Central Avenue, Suite 720, Cincinnati, Ohio 45202. Payment must be included with the application. (Payable to the City of Cincinnati)

Part C - Authorization

The applicant or agent undersigned does hereby certify that the information and statements given on the application, drawings, and inspections are to the best of their knowledge, true and correct. The undersigned further certifies their authorization to grant consent to the inspection by employees of the City of Cincinnati of the described premises at any time when work on those premises is ongoing and hereby grants their consent.

Applicant's Signature Margo Spence  Digitally signed by Margo Spence
Date: 2021.03.24 09:22:02 -0400 Date 3-24-2021

FOR OFFICE USE ONLY

Reviewed By:  Processing Fee \$1000 PD BY ✓ # 58884
 City Planning Staff _____ Date Application Complete 4/23/2021

Notwithstanding Ordinance Application

General Information:

Location: 2215 Fulton Ave, Cincinnati, Ohio 45206

Petitioner: First Step Home Inc.

Petitioner's Address: 2203 Fulton Ave, Cincinnati, Ohio 45206

Attachment: Zoning Map

Background:

First Step Home Inc. ("FSH") is the owner of 2215 Fulton Ave, Cincinnati, Ohio 45206.

First Step Home is requesting a notwithstanding ordinance for 2215 Fulton Ave. to continue to better serve the women and their children receiving treatment and living on its campus. FSH's mission is to empower women to overcome substance abuse disorders so that they can achieve self-sufficiency and provide a safe and nurturing environment for their children.

Currently, 2215 Fulton Ave. is zoned RMX (Residential Mixed) which prohibits office use. The existing two-family residential facility currently contains approximately 3,940 square foot of residential space.

FSH is requesting a notwithstanding ordinance which will allow the property to be used for offices, therefore, allow us to provide a safe, effective campus for the women FSH serves. Increased demand for services in our community necessitates FSH's expansion of treatment services. The current RMX zoning does not allow FSH to appropriately respond to that demand. FSH's main administrative building is located at 2203 Fulton with additional offices at 2211 Fulton. Both properties have received notwithstanding ordinances, in 2010 and 2013 respectively. Several adjoining properties have apartments for the women going through treatment. The City has provided notwithstanding ordinances in the past to support FSH's treatment of women and their children in our community. The NWO has been the most effective and efficient mechanism for the City to respond in a timely fashion as other methods are not readily available.

The rehabilitation will include first, second and third story rehab and construction:

- Rehabilitation of 2215 Fulton Ave from housing to become the Family Unity Center offices and family outpatient programs
- Electrical and HVAC work in basement
- Making the first floor ADA accessible with a ramp and wheelchair accessible bathroom
- Making the first floor ready for a Child Resiliency Program office, 'play-room' for the children in treatment, including therapist room, waiting/greeting area in the front hall, kitchenette, and rehabbed bath.
- Making the second floor ready for treatment and administrative offices and bathroom
- Making a new staircase from the second floor to the third floor
- Making the third floor ready for group offices for administration and programming

The Family Unity Center will house the new Child Resiliency Program as well as administrative personnel, group treatment facilities and admissions staff. The Family Unity Center is a place for holistic services which will include treatment to enhance the bonding between women and their babies and children. There will be a strong emphasis on trauma and other mental health related issues, with a focus on

treatment for the whole family, including significant others, as FSH recognizes success in recovery requires the support of those close to the client and their children.

The first floor will have office spaces for a speech pathologist and child therapist, a child activity area, reception area and bathroom. The second floor will have offices for the associate accountant, an assistant accountant, and a development associate, a bathroom and a small storage area. The third floor will have offices for two Intensive Outpatient Therapists, project manager, and other personnel. Rehabbing the third floor allows us room for growth as an agency and frees up space in our main treatment facility, bringing staff over to create more room for beds for clients and their children in residential treatment.

FSH also respectfully requests that any associated parking requirement for office use at the property also be waived or included in the notwithstanding ordinance. Most of the women receiving treatment at FSH do not have a car. They utilize public transportation, rideshare companies like Uber/Lyft or are dropped off by friends or family. FSH does have a number of parking spaces "on campus" and has a long-standing relationship with the church across the street which allows access to 4 parking spaces for staff and/or clients. On any given day, there is adequate availability of parking in the general vicinity of the property including on-street parking.

2236 GILBERT LLC
7395 DRAKE RD
CINCINNATI, OH 45243

ADVANCE LINKS LLC
3745 HARVARD ACRES
CINCINNATI, OH 45227

ATAMAN, CLAIRE NEMIDE
2158 SINTON AVE
CINCINNATI, OH 45206

BERGER, KIMBERLY
2160 SINTON AVE
CINCINNATI, OH 45206

BINFORD PROPERTIES LLC
2471 LEGENDS WAY
FT MITCHELL, KY 41017-3480

BROWN, TIANNA
927 NASSAU ST
CINCINNATI, OH 45206

BYES, KENNETH
919 NASSAU ST
CINCINNATI, OH 45206

CABLE HOUSE PROPERTIES LLC
2245 GILBERT AVE
CINCINNATI, OH 45206

CARGILE, OBIE L @11
2225 ST JAMES AVE
CINCINNATI, OH 45206

CINCINNATI CHURCH OF THE
BRETHREN
950 NASSAU ST
CINCINNATI, OH 45206

CINCINNATI METROPOLITAN
HOUSING AUTHORITY
1635 WESTERN AVE
CINCINNATI, OH 45214

FIRST STEP HOME HOLDINGS LLC
2211 FULTON AVE
CINCINNATI, OH 45206

THE FIRST STEP HOME INC
2118 ST MICHAEL ST
CINCINNATI, OH 45204

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FULTON CHATEAU LTD
7778 E KEMPER RD
CINCINNATI, OH 45249

FULTON HOTEL INC
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GILBERT AVENUE
DEVELOPMENT 2020 LLC
2550 WOODBURN AVE
CINCINNATI, OH 45206

GONZALEZ, JULIO
4159 ALLENDALE DR APT
CINCINNATI, OH 45209

GOODMAN, FREDERICK
2221 SAINT JAMES AVE
CINCINNATI, OH 45206-2614

HAJJAR, MAJED
906 NASSAU ST
CINCINNATI, OH 45206

HAMILTON COUNTY LAND
REUTILIZATION CORPORATION
3 EAST FOURTH STREET
CINCINNATI, OH 45202

HOME STAY I LLC
3608 EASTERN AVE
CINCINNATI, OH 45226

HYDE PARK REALTY INVESTMENTS
4960 RIDGE AVE
CINCINNATI, OH 45209

IKUBO, TOMO
3081 PROMENADE CIR
ANN ARBOR, MI 48108

JACKSON, KATRINA & JOHN
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POINDEXTER, DAVID & BRENDA
800 STANTON AVE
TERRACE PARK, OH 45174

RICHARD, LISA &
STEVEN WESLEY CROUT
957 NASSAU ST
CINCINNATI, OH 45206-2624

ROTH, DAVID
c/o RAW PROPERTY MGMT
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RUFFIN, MYKEA
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WITRY, JOHN
963 FRANCISCO ST
CINCINNATI, OH 45206

YOUNGBLOOD, DORENE
961 FRANCISCO
CINCINNATI, OH 45206

WALNUT HILLS AREA COUNCIL
2640 KEMPER LANE
CINCINNATI, OH 45206



area
council

2640 Kemper Lane
Cincinnati, Ohio 45206

www.wearewalnuthills.org

August 28, 2020

Honorable Mayor John Cranley
City Council Members
801 Plum Street
Cincinnati, Ohio 45202

Delightful Day:

The Walnut Hills Area Council (WHAC) supports First Step Home's ongoing efforts to enhance their services to children through the Child Resiliency Program. The WHAC has been a supporter of First Step Home since they first joined the fabric of our community over twenty-years ago. The ability of First Step Home to recognize the importance of the mothers' role, in breaking the cycle of addiction and returning to society as productive mothers and citizens - without separating parent & child has been an innovation that the WHAC has fully supported. The Child Resiliency Program which enhances mental health, speech and medical services for children in their care is First Step Home's next innovation.

Launched in 2019 the Child Resiliency Program has been a success during its first year. It does require additional and coordinated space to provide specialized services for the children of their clients and First Step Home has identified one of the homes that they currently own as the Family Unity Center. The house is located at 2215 Fulton Avenue. The building will provide them a reasonable investment level compared with buying a new building or using a building that would need extensive additions. First Step Home shared with the WHAC they anticipate treating about 150 children, women, and families in the Family Unity Center next year.

As I stated earlier, the WHAC has been a supporter of First Step Home since they first joined the fabric of our community over twenty-years ago; we are impressed with the work they do and the resources they rally around women who are in need of services and housing.

Share your joy,

A handwritten signature in black ink that reads 'K. Gardette'.

Kathryne Gardette
President, Walnut Hills Area Council

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961 FRANCISCO
CINCINNATI, OH 45206

WALNUT HILLS AREA COUNCIL
2640 KEMPER LANE
CINCINNATI, OH 45206

June 9, 2021

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

Dear Members of Council:

We are transmitting hereith an Emergency Ordinance captioned as follows:

AUTHORIZING the existing building located at 2215 Fulton Avenue in the Walnut Hills neighborhood to be renovated and used as an office NOTWITHSTANDING the provisions of Section 1405-05, "Land Use Regulations," of Chapter 1405, "Residential Multi-Family," and Section 1425-19-A, "Off-Street Parking and Loading Requirements," of Chapter 1425, "Parking and Loading Regulations," of the Cincinnati Zoning Code and any other applicable provisions of the Cincinnati Zoning Code and the Cincinnati Municipal Code.

Summary:

First Step Home requested a Notwithstanding Ordinance to permit an office use in a Residential Mixed (RMX) zoning district at 2215 Fulton Avenue and waive all associated parking requirements. Approval of the requested Notwithstanding Ordinance will allow First Step Home to respond to the increased demand for their services in the community and expand their offerings of treatment services while preserving an existing building.

First Step Home proposes using 2215 Fulton Avenue as the Family Unity Center that will house the new Child Resiliency Program as well as administrative personnel, group treatment facilities, and admissions staff. First Step Home also seeks relief from any associated parking requirements for the office use. Most of the women receiving treatment at First Step Home do not have a car and often utilize public transportation, rideshare companies, or are dropped off by family or friends. First Step Home does have several parking spaces among their properties located on Fulton Avenue and has a long-standing relationship with the church across the street which allows access to four parking spaces for staff and/or clients. Additionally, on-street parking exists along Fulton Avenue.

The requested relief through the Notwithstanding Ordinance has been found to be reasonable considering the use of Notwithstanding Ordinances for First Step Home on this block and the parking arrangements that have already been made. The proposed Notwithstanding Ordinance is consistent with portions of the *Walnut Hills Reinvestment Plan (2017)* and *Plan Cincinnati (2012)*.

The Department of City Planning has consistently taken the position to not support any Notwithstanding Ordinances for land use decisions because they do not comply with the zoning laws that the department is charged with developing and enforcing.

The City Planning Commission recommended the following on June 4, 2021 to City Council:

APPROVE the Notwithstanding Ordinance to permit an office use in the Residential Mixed (RMX) zoning district at 2215 Fulton Avenue in Walnut Hills with the following conditions:

- 1) The renovations at 2215 Fulton Avenue must substantially conform to the project specifications outlined in this report and the applicant will provide all required items for building permit review.

- 2) The Notwithstanding Ordinance does not provide a variance from any other laws of the City of Cincinnati, and the properties shall remain subject to all other provisions of the Cincinnati Municipal Code, RMX, "Residential Mixed," zoning district.
- 3) The use of the property should not be considered a nonconforming use.

Motion to Approve: Mr. Samad

Ayes:

Mr. Juech

Ms. McKinney

Seconded: Mr. Smitherman

Mr. Samad

Mr. Smitherman

Mr. Stallworth

THE CITY PLANNING COMMISSION



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

June 9, 2021

To: Sheila Andrews, Office of the Clerk of Council

From: Katherine Keough-Jurs, AICP, Director *KKJ*
Department of City Planning and Engagement

Copies to: Stacey Hoffman, Senior City Planner

Subject: Emergency Ordinance – Notwithstanding Ordinance Authorizing Use of 2215
Fulton Avenue as Offices and Waiving Parking Requirements for First Step
Home

The above referenced emergency ordinance is ready to be scheduled for Committee. We are requesting that this item be scheduled for the next available meeting of the Economic Growth & Zoning Committee. This item requires a public hearing following a required 14-day notification period by mail and in the City Bulletin.

Included in this submission are the following items:

- 1) The transmittal letter to the Economic Growth & Zoning Committee;
- 2) A copy of the City Planning Commission staff report dated June 4, 2021;
- 3) The Emergency Ordinance **AUTHORIZING** the existing building located at 2215 Fulton Avenue in the Walnut Hills neighborhood to be renovated and used as an office **NOTWITHSTANDING** the provisions of Section 1405-05, "Land Use Regulations," of Chapter 1405, "Residential Multi-Family," and Section 1425-19-A, "Off-Street Parking and Loading Requirements," of Chapter 1425, "Parking and Loading Regulations," of the Cincinnati Zoning Code and any other applicable provisions of the Cincinnati Zoning Code and the Cincinnati Municipal Code;
- 4) The mailing labels for notification of all property owners within the 400-feet of the subject property and the Walnut Hills Area Council; and
- 5) A copy of the mailing labels for your records

June 9, 2021
202102149

To: Mayor and Members of City Council
From: Paula Boggs Muething, City Manager
Subject: Ordinance – Urban Parking Overlay District #2: Camp Washington

Transmitted is an Ordinance captioned:

ESTABLISHING Urban Parking Overlay District #2, “Camp Washington,” in the Camp Washington neighborhood as an urban parking overlay district to lift minimum off-street parking requirements in the area.

Summary

On August 7, 2013, Cincinnati City Council approved Ordinance 259-2013 which allows City Council to create Urban Parking Overlay Districts over certain portions of the City. On September 19, 2019, Cincinnati City Council approved Ordinance 293-2018 which created Urban Parking Overlay District #1: Urban Core over Downtown, Over-the-Rhine, Pendleton, and parts of Mt. Auburn and West End.

On March 1, 2021, the Camp Washington Community Board formally requested an Urban Parking Overlay District, along with a map of the desired boundary. The proposal is to create Urban Parking Overlay District #2, “Camp Washington”, in a portion of Camp Washington, as an overlay district to eliminate all off-street parking requirements in the area within the Overlay District, except for the physical location of parking, should any be provided.

Minimum parking requirements are not designed to promote a high-density, walkable, pedestrian-friendly, and mixed-use environment, as well as a strong sense of character of place. The Camp Washington Community Board made the request, and the Camp Washington Community Council and Business Association have provided letters of support. This proposal is consistent with the approved Camp Washington neighborhood plan: *Made in Camp* (2018) and *Plan Cincinnati* (2012).

The City Planning Commission voted to approve the zone change at their June 4, 2021 meeting.

The Administration recommends Approval of this Ordinance.

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



City of Cincinnati

DBS

AWB

An Ordinance No. _____

- 2021

ESTABLISHING Urban Parking Overlay District #2, “Camp Washington,” in the Camp Washington neighborhood as an urban parking overlay district to lift minimum off-street parking requirements in the area.

WHEREAS, the Camp Washington neighborhood contains a high-density, mixed-use, urban environment that promotes and encourages walkability and provides the foundation for a healthy and attractive neighborhood; and

WHEREAS, lifting minimum off-street parking requirements in certain designated areas of the Camp Washington neighborhood will encourage and promote physical development that strengthens the desirable characteristics of the urban neighborhood; and

WHEREAS, the reduction or elimination of minimum off-street parking requirements will further promote development in Camp Washington as these requirements increase the cost of development and therefore pose a major obstacle to the redevelopment of Camp Washington, the reutilization of existing buildings, and the conversion of existing buildings to more productive uses; and

WHEREAS, the proposed urban parking overlay district applies only to off-street parking regulations and will not affect the off-street loading requirements of the Cincinnati Municipal Code; and

WHEREAS, the City Planning Commission at its regularly scheduled meeting on June 4, 2021 affirmatively recommended that the City Council establish an urban parking overlay district for the Camp Washington neighborhood to lift minimum off-street parking requirements in that area; and

WHEREAS, a committee of Council held a public hearing on the proposed urban parking overlay district following due and proper notice pursuant to Cincinnati Municipal Code Section 111-1, and the committee approved the establishment of an urban parking overlay district for the Camp Washington neighborhood, finding it in the interest of the general public’s health, safety, and welfare; and

WHEREAS, the Council finds that establishing an urban parking overlay district for the Camp Washington neighborhood is consistent with Plan Cincinnati (2012), including the Strategy under Goal 2 in the Live Initiative Area to “Become more walkable” (p. 157) and the Strategy under Goal 2 of the Sustain Initiative Area to “Preserve our built history,” which specifically recommends that the City “develop changes to zoning regulations to remove barriers to the adaptive reuse of buildings” (p.197); and

WHEREAS, the Council finds that establishing an urban parking overlay district for the Camp Washington neighborhood is consistent with the Made in Camp Plan (2018), including the recommendation to “[d]o something dramatic to jumpstart the business district” (p.19) and to “analyze parking requirements and make necessary changes” (p. 23); and

WHEREAS, the Council further finds that the proposed urban parking overlay district is in the interest of the general public’s health, safety, and welfare; now, therefore,

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

Section 1. That, pursuant to Cincinnati Municipal Code 1425-04, the area of the City of Cincinnati’s official zoning map shown on the map attached hereto as Exhibit A and incorporated by reference is hereby amended to superimpose Urban Parking Overlay District #2, “Camp Washington,” over the existing zoning district within the designated area.

Section 2. That Cincinnati Municipal Code Sections 1425-03, 1425-05, 1425-07, 1425-09, 1425-19, and 1425-21 are hereby declared inoperable in Urban Parking Overlay District #2, “Camp Washington,” to the extent they require the establishment, provision, or maintenance of off-street parking requirements. That Cincinnati Municipal Code Sections 1425-03, 1425-05, 1425-07, 1425-09, 1425-19, and 1425-21 shall continue to have an operative effect in Urban Parking Overlay District #2, “Camp Washington,” to the extent they require the establishment, provision, or maintenance of loading facilities.

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

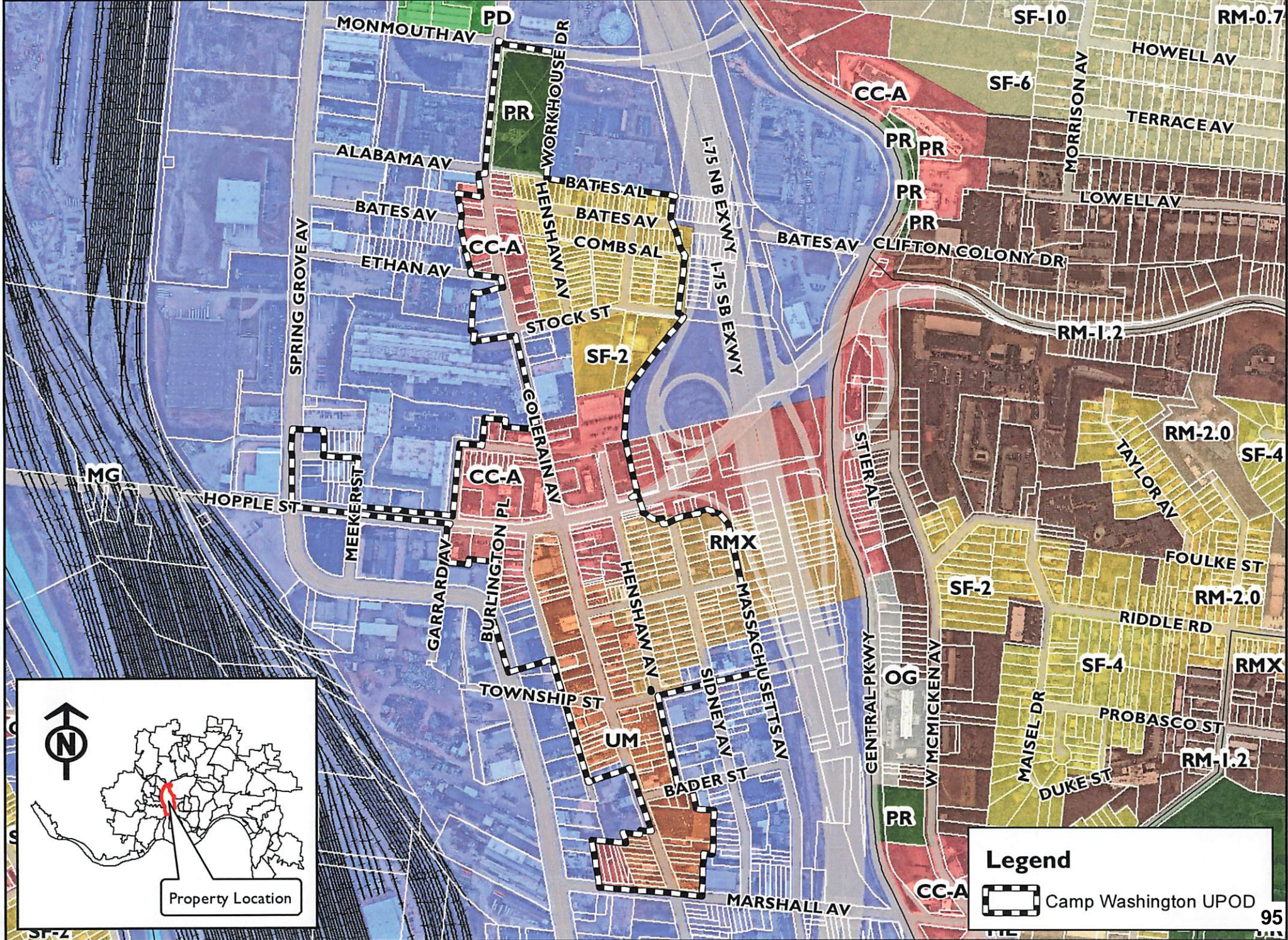
Passed: _____, 2021

John Cranley, Mayor

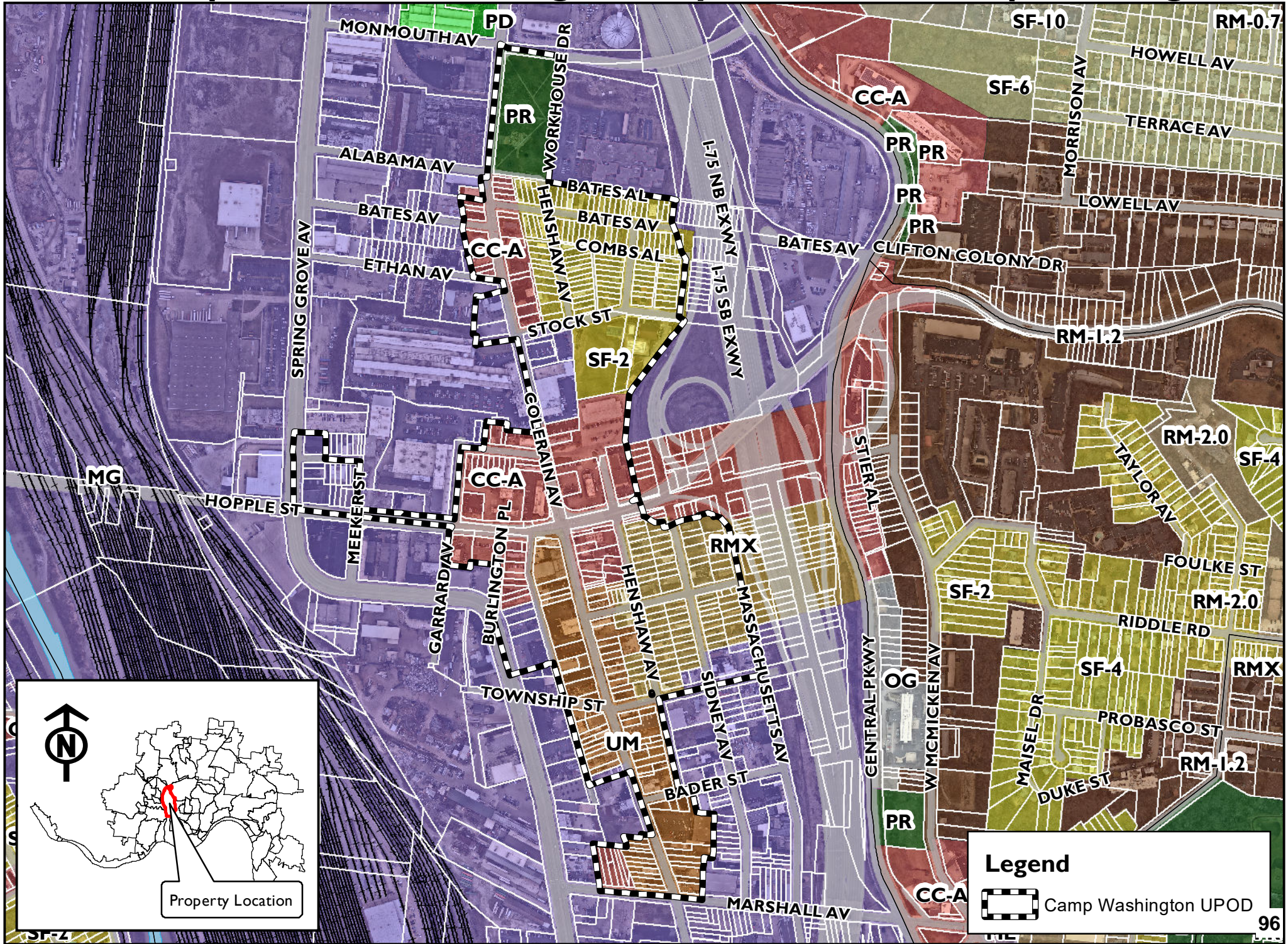
Attest: _____
Clerk

EXHIBIT A

Ex.A: Proposed Urban Parking Overlay District #2: Camp Washington



Ex.A: Proposed Urban Parking Overlay District #2: Camp Washington



June 4, 2021

Honorable City Planning Commission
Cincinnati, Ohio

SUBJECT: A report and recommendation on a proposed map amendment to add Urban Parking Overlay District #2: "Camp Washington", as outlined in § 1425-04 - Urban Parking Overlay Districts in the Cincinnati Zoning Code, to a portion of Camp Washington.

ATTACHMENTS:

Provided, in addition to this report, are the following attachments:

- Exhibit A – Location Map
- Exhibit B – Request for an Urban Parking Overlay District from Camp Washington Community Board
- Exhibit C – Letter of Support from Camp Washington Community Council
- Exhibit D – Letter of Opposition from Christopher Cain

BACKGROUND:

On August 7, 2013, Cincinnati City Council approved Ordinance 259-2013 for text amendments to the Cincinnati Zoning Code (CZC) to modify Chapter 1411, "Downtown Development Districts" and Chapter 1425, "Parking and Loading Regulations" to reduce the minimum parking requirements for residential uses in the Downtown neighborhood of Cincinnati and to create Urban Parking Overlay Districts to make it possible for City Council to eliminate minimum parking requirements in the areas it determines to be appropriate. § 1425-04 of the CZC, that allows City Council to establish Urban Parking Overlay Districts within which the provisions of Sections 1425-03, 1425-05, 1425-07, 1425-09, 1425-11, 1425-13, 1425-17, 1425-19, 1425-21, and 1425-23 of the Zoning Code, do not apply.

In early 2019, Camp Washington requested a zone change in the southern portion of their Neighborhood Business District (NBD) to Urban Mix to fulfill a recommendation of the recently approved *Made in Camp* (2018) plan to create a mixed-use NBD (p.11). During the zone change process, Urban Parking Overlay District no. 1: "Walkable Urban Core" was being established in Downtown, Over-the-Rhine, Pendleton, and portions of Mount Auburn and West End. Seeing this, Camp Washington leaders and some property owners expressed interest in potentially applying an Urban Parking Overlay District (UPOD) in a portion of Camp Washington.

On March 1, 2021, the Camp Washington Community Board formally requested an Urban Parking Overlay District, along with a map of the desired boundary (Exhibit B). The proposal is to create Urban Parking Overlay District #2, "Camp Washington", in a portion of Camp Washington, as an overlay district to eliminate all off-street parking requirements in the area within the Overlay District, except for the physical location of parking, should any be provided.

The boundary, which was requested by the Camp Washington Community Board as shown in Exhibit B, contains all of the non-Manufacturing General zoning that isn't I-75 right-of-way, with the exception of Planned Development 39 (PD-39) and Planned Development 90 (PD-90). It also includes the northwest corner of Spring Grove Avenue and Hopple Street as these buildings have commercial or residential character.

PUBLIC COMMENT:

A public staff conference was held on May 18, 2021. Notice was sent to every property owner in the proposed Urban Parking Overlay District, along with the Camp Washington Community Board and Camp Washington Community Council. Eight members of the public attended the public staff conference. Everyone was generally in support of the proposal, including some business owners who were waiting for this proposal to go through before making additional investments in the neighborhood. There were questions as to what might happen for residential property that does not have off-street parking, as Camp Washington continues to revitalize. The Camp

Washington Community Board stated they are working on a public parking lot for the Camp Washington Neighborhood Business District (NBD), which should help. The UPOD could be modified or eliminated based on the wishes of the neighborhood or combined with other programs, such as residential permit parking.

Staff has also received several emails phone calls on this proposal. The correspondence received has either been in support of the proposal or questions as to why a notice was sent and how the proposal would affect the property owner. Staff did receive one letter of opposition, which is attached as Exhibit D.

ANALYSIS:

The existing parking regulations do not promote a high-density, walkable, pedestrian-friendly, and mixed-use environment, as well as a strong sense of character of place. Lifting existing parking requirements can help create and maintain the urban form desired in Camp Washington, which is an area of higher density, established before both automobiles and zoning regulations were common practice.

Under existing regulations, the minimum parking requirements for much of Camp Washington are already effectively eliminated or severely reduced. For all commercial uses in Camp Washington, the first 2,000 square feet of gross floor area is exempt from the parking requirements and may be further reduced or eliminated if within 600 feet of existing parking.

Camp Washington contains a high-density, mixed-use urban environment that promotes and encourages walkability and provides the foundation for a healthy and attractive neighborhood. *Plan Cincinnati* (2012) supports the enhancement and increase of compact and walkable development, as does *Made in Camp* (2018). This is a desirable goal that will promote larger societal goals, such as environmental and fiscal sustainability, equity, small business development, and preservation of historic architecture.

The proposed elimination of minimum off-street parking requirements removes an obstacle to the redevelopment of the Camp Washington, reutilization of existing buildings, and the conversion of buildings to more productive uses.

CONSISTENCY WITH PLANS:

Plan Cincinnati (2012) recommends, in the short range, to “Revise the City’s Building and Zoning Codes [...] with standards that emphasize traditional neighborhood development over suburban development” (p. 157) and to “Develop changes to zoning regulations to remove barriers to the adaptive reuse of buildings” (p. 197).

Made in Camp (2018) recommends to “Do something dramatic to jumpstart the business district” (p.19) and to “analyze parking requirements and make necessary changes” (p. 23).

The existing minimum parking regulations emphasize suburban development patterns, obstruct the renovation and rehabilitation of existing buildings, and endanger the urban fabric and historic character of the city, by attempting to provide parking for all vehicles, contrary to the recommendations of these plans.

CONCLUSIONS:


Minimum parking requirements are not designed to promote a high-density, walkable, pedestrian-friendly, and mixed-use environment, as well as a strong sense of character of place. The Camp Washington Community Board made the request, and the Camp Washington Community Council has provided a letter of support. *Made in Camp* (2018) and *Plan Cincinnati* (2012) do not support minimum parking requirements in urban neighborhoods. The existing parking requirements within the neighborhood are already relaxed, therefore eliminating them would not result in a significantly adverse impact to Camp Washington.

RECOMMENDATION:

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


APPROVE the proposed map amendment to add Urban Parking Overlay District #2: “Camp Washington”, as outlined in § 1425-04 - Urban Parking Overlay Districts in the Cincinnati Zoning Code, to a portion of Camp Washington.

Respectfully Submitted:



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

Approved:



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

Ex.A: Proposed Urban Parking Overlay District #2: Camp Washington

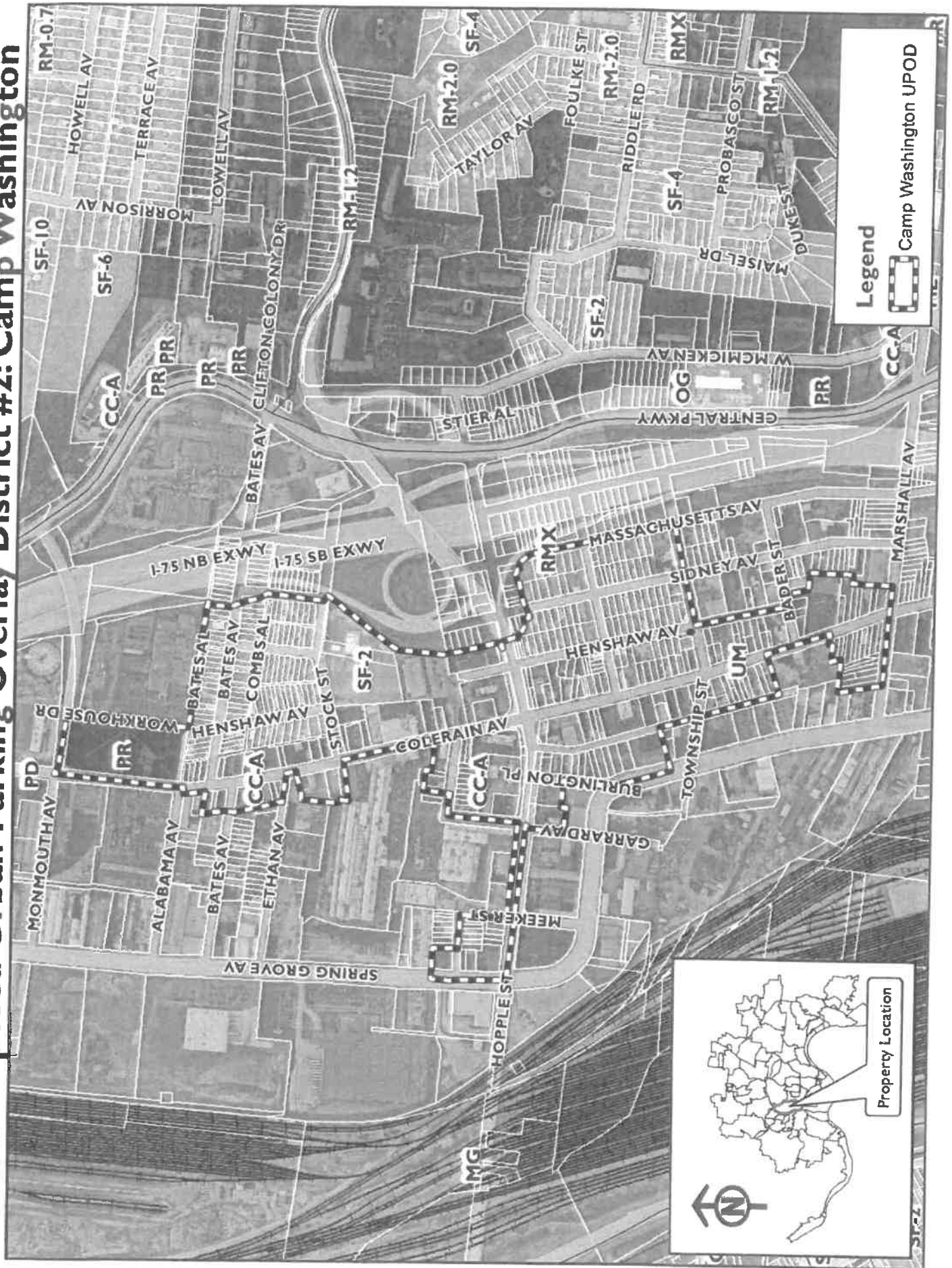


Exhibit B

March 1st, 2021

City of Cincinnati



City of Cincinnati,

On behalf of Camp Washington Community Board, I am requesting that you consider a Parking Overlay for Camp Washington. Over the past month, we have been working with the City of Cincinnati Department of Community and Economic Development to come up with a map of that we believe would be most beneficial of the Parking Overlay. We have also reached out to the City of Cincinnati's Planning Department to gather more information about the Parking Overlay and to make sure it would benefit the community.

In addition to speaking with city representatives, we have also presented the idea and map at the Camp Washington Community Council meeting and the Camp Washington Business Association. We received little feedback or concern for implementing the Parking Overlay, which secured our decision to request the City of Cincinnati to review the materials.

Thank you for your time and we look forward to working with you all on this project.

Sincerely,

Sidney Nation

Sidney Nation
Executive Director
Camp Washington Community Board

Exhibit B



Exhibit C



5-10-21

City of Cincinnati
Planning Commission
Two Centennial Plaza
805 Central Avenue, Suite 720
Cincinnati, OH 45202

Dear City of Cincinnati Planning Commission,

I am writing to state that the Camp Washington Community Council supports the Urban Parking Overlay for Camp Washington and believe that it will provide more opportunity for property owners.

The proposed project will alleviate the stress of parking requirements for commercial and residential property owners in Camp Washington, which has been an issue that restricted many of our property owners.

The Urban Overlay will:

1. Improve the number of vacant residential and commercial properties in Camp Washington
2. Spark the revitalization of the Camp Washington Neighborhood Business District
3. Remove the need to apply for parking variances to do necessary repairs or improvements to properties.

The success of the Urban Overlay is vital to the economic growth and vibrancy of Camp Washington's Neighborhood Business District and to the reactivation of vacant properties in the neighborhood.

Thank you for your consideration of this overlay and the investment into the neighborhood of Camp Washington.

Sincerely,

Justin Leach
President, Camp Washington Community Council

CHRISTOPHER A. CAIN

FURNITURE CRAFTSMAN

May 18, 2021

James Weaver, Sr. City Planner
 Dept. of City Planning
 2 Centennial Plaza
 805 Central Avenue
 Cincinnati, Ohio

Mr. Weaver,

I am writing in opposition to the proposed Urban Parking Overlay District over a portion of Camp Washington. As a property and business owner on Colerain Avenue for over 20 years, parking is already an issue. Most properties have no off-street parking leaving residents to park continuously on the street, coupled with daily business parking, there are already not enough spaces to go around. For example at my end of Colerain, there are two barber shops (one has less than 500 sq.ft.) that generate parking all day, particularly on Thursday and Friday. Two currently vacant buildings, 2815 and 2819-21 are scheduled for renovation bringing many new residents, and neither building has off street parking.

There needs to be an updated concerted effort to address the need for off street parking throughout the neighborhood. At our end of Colerain, Direct Xpress has a large vacant lot next to the barber shop and one of the soon to be renovated buildings, and on Marshall there is a vacant lot which could service properties fronting on Colerain. We need to look at alternatives to a growing parking problem before we just give up and let chaos reign.

Sincerely

Christopher A. Cain

2817 COLERAIN AVENUE

CINCINNATI, OHIO 45225 (513) 555-600-9840



May 28, 2021

Honorable Mayor John Cranley
City of Cincinnati
801 Plum Street, Suite 150
Cincinnati, OH 45202

Dear Mayor Cranley:

The Camp Washington Business Association supports to add Urban Parking Overlay District #2: Camp Washington.

The Business Association wants to see Camp Washington's continued revitalization and believe this is a critical piece to that end.

We respectfully request your cooperation with and support of Mr. Weaver's proposal.

With warm regards,

A handwritten signature in black ink, appearing to read "Matthew Wagner". The signature is fluid and cursive.

Matthew Wagner, President
Camp Washington Business Association

1315 HOPPLE LLC
1315 HOPPLE ST
CINCINNATI OH 45225

1326 HOPPLE CINCINNATI LLC
600 HAMILTON ST SUITE 500
ALLENTOWN PA 18101

1373 AVON PLACE LLC
1368 AVON PL
CINCINNATI OH 45225

2855 COLERAIN LLC
1546 KNOWLTON ST
CINCINNATI OH 45223

2906 SIDNEY AVENUE LLC
PO BOX 14506 %NORTHSIDE MEAT CO
CINCINNATI OH 45250

2906 SIDNEY LLC
PO BOX 14056
CINCINNATI OH 45250

2906 SYDNEY AVENUE LLC
3114 SPRING GROVE AVE
CINCINNATI OH 45225

2917 SIDNEY LLC
2910 SIDNEY AVE
CINCINNATI OH 45225

2938 SIDNEY AVENUE LLC
2906 SIDNEY AVE
CINCINNATI OH 45225

2949 MASS LLC
2910 SYDNEY AVE
CINCINNATI OH 45202

2953 MASS LLC
2906 SYDNEY AVE
CINCINNATI OH 45202

2964 BURLINGTON LLC
1317 HOPPLE ST
CINCINNATI OH 45225

3010 COLERAIN AVENUE LLC
3010 COLERAIN AVE
CINCINNATI OH 45255

3025 COLERAIN LLC
4680 MISSION LN
CINCINNATI OH 45223

AFFORDABLE THRU-WALL A/C LLC
2958 HENSHAW
CINCINNATI OH 45225

ALLEN FRANCES M & REBECCA L PYLES
3070 SYDNEY AVE
CINCINNATI OH 45225

ALNAJAR KHALID
1327 HOPPLE ST
CINCINNATI OH 45225

ALTERDOYLE HOMES LLC
7808 E KEMPER RD
CINCINNATI OH 45249

ARTIST CITY PROPERTIES LLC
2940 COLERAIN AVE
CINCINNATI OH 45225

ASH PATRICIA ANN
2953 SIDNEY AVE
CINCINNATI OH 45225-2134

ASSAS MOHAMED A & NASSIMA
ELKAMAL
2375 MONTANA AVE #519
CINCINNATI OH 45211

BAILEY CRAIG
3603 NEWTON AVE
CINCINNATI OH 45207

BAILEY DAVID & MARY VIDOUREK
2806 COLERAIN AVE
CINCINNATI OH 45225

BAILEY LINDA S
2972 SIDNEY AVE
CINCINNATI OH 45225

BAILEY VICTOR
2093 PHILADELPHIA PIKE
CLAYMONT DE 19703

BAKER KEITH
2813 COLERAIN AVE
CINCINNATI OH 45225

BARBER RANDY & MARSHA
3079 HENSHAW AVE
CINCINNATI OH 45225-1836

BARBER RANDY LEE
3076 SIDNEY AVE
CINCINNATI OH 45225-1819

BARNES SUZANNA M @ 3
1066 RACHEL ST
CINCINNATI OH 45225

BARNETT ERIC
1230 BATES AVE
CINCINNATI OH 45225

BEILER LORI A
28977 BARBER RD
WEST HARRISON IN 47060

BELGHITI HAMID
1070 RACHEL ST
CINCINNATI OH 45225

BLOOM THERESA R
1235 BATES AVE
CINCINNATI OH 45225-1339

BNK DEVELOPMENT LLC
120 MARKET ST
INDIANAPOLIS IN 46204

BOMKAMP KEVIN L
2915 COLERAIN AVE
CINCINNATI OH 45244

BONOMINI JOSEPH L
3281 WOODS RD
LAWRENCEBURG IN 47025

BOONE TYREL D
3061 SIDNEY AVE
CINCINNATI OH 45225

BOWMAN BRENDYN TR
256 MOHAWK ST
CINCINNATI OH 45214

BOYLE CASEY AUSTIN
2855 HENSHAW AVE
CINCINNATI OH 45225

BOYLE EDNA J
2962 HENSHAW AVE
CINCINNATI OH 45225

BROWN STEVEN
1369 AVON PL
CINCINNATI OH 45225

BUFORD MARIA L
1314 ELAM ST
CINCINNATI OH 45225-1808

CAIN CHRISTOPHER A & LINDA
GOLDENHAR
2817 COLERAIN AVE
CINCINNATI OH 45225

CAMP WASHINGTON CHILI INC
3005 COLERAIN AVE
CINCINNATI OH 45225

CAMP WASHINGTON COMMUNITY
BOARD INC
2951 SIDNEY AVE
CINCINNATI OH 45225-2134

CAMP WASHINGTON REALTY LLC
1020 KIELEY PL
CINCINNATI OH 45217

CAMPER 29 LLC
2692 MADISON RD STE N1 #210
CINCINNATI OH 45208

CANTEY SARAH M & KARMA J NUTTER
3073 SIDNEY AVE
CINCINNATI OH 45225

CAPITAL COALITION LLC
3106-3108 COLERAIN AVE
CINCINNATI OH 45225

CARDER STEVEN G
2873 COLERAIN AVE
CINCINNATI OH 45225

CG HOUSING LLC
413 HUNTLEY CT
LEBANON OH 45036

CINCINNATI CONCESSION CO
1320 ETHAN AVE
CINCINNATI OH 45225

CINCINNATI METROPOLITAN HOUSING
AUTHORITY
1635 WESTERN AVE
CINCINNATI OH 45214

CINNANTA PROPERTIES LLC
817 WADE FARM DR
AUSTELL GA 30168

CLARK RUTH A & WILLIAM J
2911 SIDNEY AVE
CINCINNATI OH 45225

COLEMAN HARVEY D & DEBRA J
2921 HENSHAW AVE
CINCINNATI OH 45225

COLERAIN HOLDINGS LLC C/O
REALIANT PROPERTY MGMT
3103 COLERAIN AVE
CINCINNATI OH 45225

COOK BARBARA
3086 HENSHAW AVE
CINCINNATI OH 45225-1835

COOPER LARRY
10976 NORTH HOGAN RD
AURORA IN 47001

CULLEN GEOFFREY CHARLES &
CALCAGNO HEATHER
3631 HIGHLAND GREEN
CINCINNATI OH 45245

CUTIE PIE PROPERTIES III LLC
P O BOX 19129
CINCINNATI OH 45219

D & B REALTY ASSOCIATES LTD
15 REILY RD
CINCINNATI OH 45215

DANIELS DARRYL
1320 ELAM ST
CINCINNATI OH 45225

DAVIS BENTLEY S
2977 SIDNEY AVE #2
CINCINNATI OH 45225

DAVIS BETTY J
2937 SIDNEY AVE
CINCINNATI OH 45225

DAY DONALD @ 4
2954 HENSHAW AVE
CINCINNATI OH 45225-2122

DWYER JOHN
1197 W EIGHTH ST
CINCINNATI OH 45203

EDMERSON ANTHONY
919 FINDLAY IL ST
CINCINNATI OH 45214

EUBANKS MICHAEL J & YOLANDA
1637 PULTE ST
CINCINNATI OH 45225

EXCEL DEVELOPMENT CO INC
2403 AUBURN AVE
CINCINNATI OH 45219

FERRARI ANTONIO
2941 MASSACHUSETTS AVE
CINCINNATI OH 45225

FERRARI ANTONIO F
2925 SIDNEY AVE
CINCINNATI OH 45225

FIFTH THIRD BANK
38 FOUNTAIN SQUARE MD 10ATA1
CINCINNATI OH 45263

FOR RENT PROPERTIES LLC
P O BOX 498484 ATTN JAMES COLLIER
CINCINNATI OH 45249

FORD GERALD A
1223 BATES AVE
CINCINNATI OH 45225-1339

FORD LAVERNE
3067 HENSHAW AVE
CINCINNATI OH 45225-1836

FREDETTE SCOTT
4370 HAMILTON AVE
CINCINNATI OH 45223

GIBSON JOCELYN M & JUSTIN A LEACH
1211 BATES AVE
CINCINNATI OH 45225

GILLESPIE DENNIS
5563 BOOMER RD
CINCINNATI OH 45247-7922

GILLISPIE ROBERT
5620 ST RTE 128
CLEVES OH 45002

GORMAN SAMUEL T
2936 SIDNEY AVE
CINCINNATI OH 45225

GRANT INVESTMENTS LLC
PO BOX 46307 KYRENE BUILDING
CINCINNATI OH 45246

GRILLI PAUL WILLIAM & NATALIE
MANCINO
3066 HENSHAW AVE
CINCINNATI OH 45255

HACKER JOHN F
3071 MASSACHUSETTS AVE
CINCINNATI OH 45225-1816

HAL MFG COMPANY
3116 SPRING GROVE AVE
CINCINNATI OH 45225

HALSTEAD PROPERTIES LLC
PO BOX 9392
CINCINNATI OH 45214

HAMILTON COUNTY COMMRS BOARD
OF
138 E COURT ST
CINCINNATI OH 45202

HAPKEY LLC
3104 SPRING GROVE AVE
CINCINNATI OH 45225

HARRIS MARK & CARMEL BUCKLEY
7797 SHAWNEE RUN RD
CINCINNATI OH 45243

HART BRIAN D
2964 SIDNEY
CINCINNATI OH 45214

HIGGINBOTHAN JAMMIE E
2921 SIDNEY AVE
CINCINNATI OH 45225

HILL ROY J
2820 COLERAIN AVE
CINCINNATI OH 45225

HOGAN CURT E
1316 ELAM ST
CINCINNATI OH 45225

HOLLOWAY ERIN & LARAY HAMILTON
4571 KIRBY AVE
CINCINNATI OH 45223

HOLMES DENNIS M
4235 MAD ANTHONY ST APT 2
CINCINNATI OH 45223

HORTON DONALD & HORTON JAMES
3071 HENSHAW
CINCINNATI OH 45219

HUDDLE REAL ESTATE LLC
2917 COLERAIN AVE
CINCINNATI OH 45225

J & J BROTHERS LEASING LLC
2841 COLERAIN AVE
CINCINNATI OH 45225

JOHNSON LASHON
7809 LENNOXSHIRE LN
CHARLOTTE NC 28210

JOHNSON RONALD LEE
2822 COLERAIN AVE
CINCINNATI OH 45225

JOHNSON TAWANDA
1234 BATES AVE
CINCINNATI OH 45225-1308

JUSTICE DAVID C JR
1239 BATES AVE
CINCINNATI OH 45225

KAPLAN FRED M & CHRISTINA L ZYCH
1218 BATES AVE
CINCINNATI OH 45225

KELTY WANDA R
7596 DOG TROT
CINCINNATI OH 45248

KENT VENUS
3063 HENSHAW AVE
CINCINNATI OH 45225

KILEY TYLER L
597 TERRACE AVE
CINCINNATI OH 45220

KITE VINCENT PROPERTIES LLC
521 SAGE RUN DR
LEBANON OH 45036

KLEINE-KREUTZMANN CATHERINE
1313 ELAM ST
CINCINNATI OH 45225-1807

KLOR KLEEN INC
3118 SPRING GROVE AVE
CINCINNATI OH 45225

KNIGHT ROBERT & PAMELA
15 W FOURTH ST UNIT 307
CINCINNATI OH 45202

KNODLE ELIZABETH & JASON H
HOUNSHELL
1311 ELAM ST
CINCINNATI OH 45225

KNUE JOSEPH H JR & JOANN T
9633 HARRISON PIKE
CLEVES OH 45002

KNUTSON CHAD
3092 COLERAIN AVE
CINCINNATI OH 45225

KSL INVESTMENTS PROPERTIES CORP
1095 SPRUCEGLEN DR
CINCINNATI OH 45224

KUERTZ SAVANNA LYNN
1060 TOWNSHIP ST
CINCINNATI OH 45225

KUROWSKI HENRY & MYRTLE
3122 COLERAIN AVE
CINCINNATI OH 45225-1312

LANDERS KAREN P
1246 BATES AVE
CINCINNATI OH 45225

LESNIAK JEREMY Q
2939 SIDNEY AVE
CINCINNATI OH 45225

LOCAL 98 D A L U AFL-CIO
3118 COLERAIN AVE
CINCINNATI OH 45225

LUKE HENRY & MAYMAY CHAN
8126 BRIDLEMAKER LN
CINCINNATI OH 45249

MARSHALL GEORGE B
8386 FRANE LN
CINCINNATI OH 45236

MARSHALL WILLIAM K & JODI M
1319 ELAM ST
CINCINNATI OH 45225

MASJID AS SUNNAH INC
1254 BATES AVE
CINCINNATI OH 45225

MATTHEWS JOE & YVONNE
2965 SIDNEY AVE
CINCINNATI OH 45225

MAYNARD SHAILAH A & JOHN M
STANKOVICH
1311 CHASE AVE
CINCINNATI OH 45223

MAYO ROBERT III & ROMONA J
BRIGHT-MAYO
3646 SOLAR VISTA PLACE
CINCINNATI OH 45213

MCINTOSH ALICE
3069 HENSHAW AVE
CINCINNATI OH 45225

MCKINLEY ANDREW
2930 SPRING GROVE AVE
CINCINNATI OH 45225

MEYER TOOL INC
3064 COLERAIN AVE
CINCINNATI OH 45225

MI JINGYI
3969 LOWRY AVE
CINCINNATI OH 45229

MIDDLE EARTH PROPERTIES
PO BOX 14508
CINCINNATI OH 45250

MILLER STEVEN JOSEPH
1231 BATES AVE
CINCINNATI OH 45225

MOORE JOHN MICHAEL
1207 BATES AVE
CINCINNATI OH 45225-1307

MORRIS ROBERT J
2853 COLERAIN AVE
CINCINNATI OH 45225

MULBERRY VIEWS LLC
8824 FALMOUTH DR
CINCINNATI OH 45231

MUTTERS RONALD & VIRGINIA
3074 HENSHAW AVE
CINCINNATI OH 45225-1835

NEWSOME TINA M
1236 BATES AVE
CINCINNATI OH 45225-1308

NORTHSIGHTED LLC
P O BOX 11674
CINCINNATI OH 45211

OAKLEAF REALTY CO INC
5966 STEWART RD
CINCINNATI OH 45227

OCHS-NADERER CHRISTINE M & CALEB
A
3065 SIDNEY AVE
CINCINNATI OH 45225

OEHLSCHLAEGER PRISCILLA @2
3088 HENSHAW AVE
CINCINNATI OH 45255

OHARA TERRELL L
2166 CRANE AVE
CINCINNATI OH 45207

OMEGA PROPERTIES LLC
3202 COLERAIN AVE
CINCINNATI OH 45225

ORNELLA PRESTON & SHERRY
5899 FROST RD
GEORGETOWN OH 45121

OVERBEY GREGORY A
2908 COLERAIN AVE
CINCINNATI OH 45225

P S IMAGINATION LLC
2864 SPRING GROVE AVE
CINCINNATI OH 45225

PARTIN DILLARD & MARY H
3068 HENSHAW AVE
CINCINNATI OH 45225-1835

PICKETT ROSALIE
1243 BATES AVE
CINCINNATI OH 45225

PITTMAN JEREMIAH
2926 HENSHAW AVE
CINCINNATI OH 45225-2106

PITTMAN LINDA
2924 HERSHOW AVE
CINCINNATI OH 45225

PLAZA FOUR INVESTORS LLC
3210 NEW YEAR DR
CINCINNATI OH 45251

PREME INVESTMENT GROUP LLC
10574 LATINA CT
CINCINNATI OH 45218

PRIDE RESOURCES LLC
2737 COLERAIN AVE
CINCINNATI OH 45225

PSIHOUNTAKIS MANOUSO G &
ANASTASIA M
126 SPYGLASS CT
CINCINNATI OH 45238

QUIGGIE PROPERTIES LLC
536 EVANSWOOD PL
CINCINNATI OH 45220

RAMSEY LILLIE M
1244 BATES AVE
CINCINNATI OH 45225-1308

REHAB IN PROCESS LLC
5423 GRAFTON
CINCINNATI OH 45237

RICHARDS WAYNE G
4672 DRYRIDGE
CINCINNATI OH 45252

RILEY BRENT C
1393 KENROSS CT
CINCINNATI OH 45240

RLB HOLDINGS LLC
46 SHERIDAN AVENUE
FT. THOMAS KY 40175

RLG PROPERTY MANAGEMENT LLC
5516 RACEVIEW AVE
CINCINNATI OH 45248

ROGERS JORDIN
3073 MASSACHUSETTS AVE
CINCINNATI OH 45225

ROI ENTERPRISES LLC
PO BOX 53769
CINCINNATI OH 45253-0769

ROOK MARY M
2945 MASSACHUSETTS AVE
CINCINNATI OH 45225

ROUSE VICKIE L
2950 HENSHAW AVE
CINCINNATI OH 45225

SANDUSKY BOYD
2933 SIDNEY AVE
CINCINNATI OH 45225

SANREGRET ADAM
3071 SIDNEY AVE
CINCINNATI OH 45255

SAVOCA THOMAS M
650 E MCMILLIAN SUITE 100
CINCINNATI OH 45202

SCHERER MICHAEL E
3074 SIDNEY
CINCINNATI OH 45225

SCHERTZ MATTHEW RICHARD &
DEBORAH ROCHELLE
2952 BURLINGTON PL
CINCINNATI OH 45255

SCHMIDT INGRID A
3078 HENSHAW AVE UNIT 1
CINCINNATI OH 45225

SCOTT RAY & NORMA J
3064 HENSHAW AVE
CINCINNATI OH 45225-1835

SEILER CARY E
2870 JESSAMINE ST
CINCINNATI OH 45225

SMITH JOSHUA A & HANNAH L
FOUREMAN
3083 HENSHAW AVE
CINCINNATI OH 45225

SMITH NEDRA B
2934 SIDNEY AVE
CINCINNATI OH 45225-2125

SPROWLS GARRY M & JANET M
2911 COLERAIN AVE
CINCINNATI OH 45225

STATE OF OHIO
505 S STATE ROUTE 741
LEBANON OH 45036

STEVE'S COMMUNITY SHENANIGANS
LLC
1145 GLENNA DRIVE
CINCINNATI OH 45238

T L C PROPERTIES INC
PO BOX 66338
BATON ROUGE LA 70896

TALLARIGO JOANNE W
3260 GLENDORA AVE
CINCINNATI OH 45220

THE COMPOUND LLC
1828 FREEMAN AVE
CINCINNATI OH 45214

THOMAS CEDRIC D
6400 ELWYNNE DR
CINCINNATI OH 45236

THOMAS CEDRIC D TR
6400 ELWYNE DR
CINCINNATI OH 45236

THOMPSON AMBER M
2340 OAKTREE PL
CINCINNATI OH 45238

THRIVING INVESTMENTS LLC
9569 COLEGATE WAY
HAMILTON OH 45011

TOLENTINO MATTHEW A & DANIELLE
BENIGNUS
1255 BATES AVE
CINCINNATI OH 45225

TRB INVESTMENTS LTD
2908 SPRING GROVE AVE
CINCINNATI OH 45225

TUCKER JAMES
1515 MARKET ST
CINCINNATI OH 45215

TWENTY NINE SEVENTY FOUR LLC
2974 COLERAIN AVE
CINCINNATI OH 45225

TWO STORIES PROPERTY LLC
261 MOHAWK ST
CINCINNATI OH 45214

UNITED COALITION FOR ANIMALS
2828 COLERAIN AVE
CINCINNATI OH 45225

UNITED RELIANCE LLC
PO BOX 23158
CINCINNATI OH 45223

URBAN OVERLAP LLC
1709 CHASE AVE
CINCINNATI OH 45223

VERMILION CAPITAL PARTNERS
PO BOX 32098
CINCINNATI OH 45232

VOLZ KAREN J
1210 BATES AVE
CINCINNATI OH 45225-1308

WALKER LUECREASIA M
1216 BATES AVE
CINCINNATI OH 45225

WASHINGTON EVANG CHURCH THE
2950 SIDNEY AVE
CINCINNATI OH 45225

WATSON DANIEL
1241 BATES AVE
CINCINNATI OH 45225

WATTS MINNIE P
1253 BATES AVE
CINCINNATI OH 45225-1343

WATTS TARA M
3082 HENSHAW AVE
CINCINNATI OH 45225

WELCH MELINDA E & KEVIN M
3059 SIDNEY AVE
CINCINNATI OH 45225

WENDYS PROPERTIES LLC
ONE DAVE THOMAS BLVD C/O THE
WENDYS COMPANY
DUBLIN OH 43017

WESLEY RUSSELL C
1245 BATES AVE
CINCINNATI OH 45225

WHITE C DON TR
3096 COLERAIN AVE
CINCINNATI OH 45225

WHITE CATHERINE LOUISE
1237 BATES AVE
CINCINNATI OH 45225

WHITE DON
4221 COLERAIN AVE
CINCINNATI OH 45225

WHITEHEAD PATRICIA
2921 MASSACHUSETTS AVE
CINCINNATI OH 45225

WILEY LARK A@3
3021 CARROLL AVE
CINCINNATI OH 45248

WILSON GREG
2867 COLERAIN AVE
CINCINNATI OH 45225

WINANS PAULA J
3085 MASSACHUSETTS AVE
CINCINNATI OH 45225

WOOD STEPHEN D
PO BOX 69
MORNING VIEW KY 41063

ZAHNEIS FAMILY REAL ESTATE III LLC
6605 POWNER FARM DR
CINCINNATI OH 45248

CAMP WASHINGTON COMMUNITY
COUNCIL
2951 Sidney Ave
CINCINNATI OH 45225

1315 HOPPLE LLC
1315 HOPPLE ST
CINCINNATI OH 45225

1326 HOPPLE CINCINNATI LLC
600 HAMILTON ST SUITE 500
ALLENTOWN PA 18101

1373 AVON PLACE LLC
1368 AVON PL
CINCINNATI OH 45225

2855 COLERAIN LLC
1546 KNOWLTON ST
CINCINNATI OH 45223

2906 SIDNEY AVENUE LLC
PO BOX 14506 %NORTHSIDE MEAT CO
CINCINNATI OH 45250

2906 SIDNEY LLC
PO BOX 14056
CINCINNATI OH 45250

2906 SYDNEY AVENUE LLC
3114 SPRING GROVE AVE
CINCINNATI OH 45225

2917 SIDNEY LLC
2910 SIDNEY AVE
CINCINNATI OH 45225

2938 SIDNEY AVENUE LLC
2906 SIDNEY AVE
CINCINNATI OH 45225

2949 MASS LLC
2910 SYDNEY AVE
CINCINNATI OH 45202

2953 MASS LLC
2906 SYDNEY AVE
CINCINNATI OH 45202

2964 BURLINGTON LLC
1317 HOPPLE ST
CINCINNATI OH 45225

3010 COLERAIN AVENUE LLC
3010 COLERAIN AVE
CINCINNATI OH 45255

3025 COLERAIN LLC
4680 MISSION LN
CINCINNATI OH 45223

AFFORDABLE THRU-WALL A/C LLC
2958 HENSHAW
CINCINNATI OH 45225

ALLEN FRANCES M & REBECCA L PYLES
3070 SYDNEY AVE
CINCINNATI OH 45225

ALNAJAR KHALID
1327 HOPPLE ST
CINCINNATI OH 45225

ALTERDOYLE HOMES LLC
7808 E KEMPER RD
CINCINNATI OH 45249

ARTIST CITY PROPERTIES LLC
2940 COLERAIN AVE
CINCINNATI OH 45225

ASH PATRICIA ANN
2953 SIDNEY AVE
CINCINNATI OH 45225-2134

ASSAS MOHAMED A & NASSIMA
ELKAMAL
2375 MONTANA AVE #519
CINCINNATI OH 45211

BAILEY CRAIG
3603 NEWTON AVE
CINCINNATI OH 45207

BAILEY DAVID & MARY VIDOUREK
2806 COLERAIN AVE
CINCINNATI OH 45225

BAILEY LINDA S
2972 SIDNEY AVE
CINCINNATI OH 45225

BAILEY VICTOR
2093 PHILADELPHIA PIKE
CLAYMONT DE 19703

BAKER KEITH
2813 COLERAIN AVE
CINCINNATI OH 45225

BARBER RANDY & MARSHA
3079 HENSHAW AVE
CINCINNATI OH 45225-1836

BARBER RANDY LEE
3076 SIDNEY AVE
CINCINNATI OH 45225-1819

BARNES SUZANNA M @ 3
1066 RACHEL ST
CINCINNATI OH 45225

BARNETT ERIC
1230 BATES AVE
CINCINNATI OH 45225

BEILER LORI A
28977 BARBER RD
WEST HARRISON IN 47060

BELGHITI HAMID
1070 RACHEL ST
CINCINNATI OH 45225

BLOOM THERESA R
1235 BATES AVE
CINCINNATI OH 45225-1339

BNK DEVELOPMENT LLC
120 MARKET ST
INDIANAPOLIS IN 46204

BOMKAMP KEVIN L
2915 COLERAIN AVE
CINCINNATI OH 45244

BONOMINI JOSEPH L
3281 WOODS RD
LAWRENCEBURG IN 47025

BOONE TYREL D
3061 SIDNEY AVE
CINCINNATI OH 45225

BOWMAN BRENDYN TR
256 MOHAWK ST
CINCINNATI OH 45214

BOYLE CASEY AUSTIN
2855 HENSHAW AVE
CINCINNATI OH 45225

BOYLE EDNA J
2962 HENSHAW AVE
CINCINNATI OH 45225

BROWN STEVEN
1369 AVON PL
CINCINNATI OH 45225

BUFORD MARIA L
1314 ELAM ST
CINCINNATI OH 45225-1808

CAIN CHRISTOPHER A & LINDA
GOLDENHAR
2817 COLERAIN AVE
CINCINNATI OH 45225

CAMP WASHINGTON CHILI INC
3005 COLERAIN AVE
CINCINNATI OH 45225

CAMP WASHINGTON COMMUNITY
BOARD INC
2951 SIDNEY AVE
CINCINNATI OH 45225-2134

CAMP WASHINGTON REALTY LLC
1020 KIELEY PL
CINCINNATI OH 45217

CAMPER 29 LLC
2692 MADISON RD STE N1 #210
CINCINNATI OH 45208

CANTEY SARAH M & KARMA J NUTTER
3073 SIDNEY AVE
CINCINNATI OH 45225

CAPITAL COALITION LLC
3106-3108 COLERAIN AVE
CINCINNATI OH 45225

CARDER STEVEN G
2873 COLERAIN AVE
CINCINNATI OH 45225

CG HOUSING LLC
413 HUNTLEY CT
LEBANON OH 45036

CINCINNATI CONCESSION CO
1320 ETHAN AVE
CINCINNATI OH 45225

CINCINNATI METROPOLITAN HOUSING
AUTHORITY
1635 WESTERN AVE
CINCINNATI OH 45214

CINNANTA PROPERTIES LLC
817 WADE FARM DR
AUSTELL GA 30168

CLARK RUTH A & WILLIAM J
2911 SIDNEY AVE
CINCINNATI OH 45225

COLEMAN HARVEY D & DEBRA J
2921 HENSHAW AVE
CINCINNATI OH 45225

COLERAIN HOLDINGS LLC C/O
REALIANT PROPERTY MGMT
3103 COLERAIN AVE
CINCINNATI OH 45225

COOK BARBARA
3086 HENSHAW AVE
CINCINNATI OH 45225-1835

COOPER LARRY
10976 NORTH HOGAN RD
AURORA IN 47001

CULLEN GEOFFREY CHARLES &
CALCAGNO HEATHER
3631 HIGHLAND GREEN
CINCINNATI OH 45245

CUTIE PIE PROPERTIES III LLC
P O BOX 19129
CINCINNATI OH 45219

D & B REALTY ASSOCIATES LTD
15 REILY RD
CINCINNATI OH 45215

DANIELS DARRYL
1320 ELAM ST
CINCINNATI OH 45225

DAVIS BENTLEY S
2977 SIDNEY AVE #2
CINCINNATI OH 45225

DAVIS BETTY J
2937 SIDNEY AVE
CINCINNATI OH 45225

DAY DONALD @ 4
2954 HENSHAW AVE
CINCINNATI OH 45225-2122

DWYER JOHN
1197 W EIGHTH ST
CINCINNATI OH 45203

EDMERSON ANTHONY
919 FINDLAY IL ST
CINCINNATI OH 45214

EUBANKS MICHAEL J & YOLANDA
1637 PULTE ST
CINCINNATI OH 45225

EXCEL DEVELOPMENT CO INC
2403 AUBURN AVE
CINCINNATI OH 45219

FERRARI ANTONIO
2941 MASSACHUSETTS AVE
CINCINNATI OH 45225

FERRARI ANTONIO F
2925 SIDNEY AVE
CINCINNATI OH 45225

FIFTH THIRD BANK
38 FOUNTAIN SQUARE MD 10ATA1
CINCINNATI OH 45263

FOR RENT PROPERTIES LLC
P O BOX 498484 ATTN JAMES COLLIER
CINCINNATI OH 45249

FORD GERALD A
1223 BATES AVE
CINCINNATI OH 45225-1339

FORD LAVERNE
3067 HENSHAW AVE
CINCINNATI OH 45225-1836

FREDETTE SCOTT
4370 HAMILTON AVE
CINCINNATI OH 45223

GIBSON JOCELYN M & JUSTIN A LEACH
1211 BATES AVE
CINCINNATI OH 45225

GILLESPIE DENNIS
5563 BOOMER RD
CINCINNATI OH 45247-7922

GILLISPIE ROBERT
5620 ST RTE 128
CLEVES OH 45002

GORMAN SAMUEL T
2936 SIDNEY AVE
CINCINNATI OH 45225

GRANT INVESTMENTS LLC
PO BOX 46307 KYRENE BUILDING
CINCINNATI OH 45246

GRILLI PAUL WILLIAM & NATALIE
MANCINO
3066 HENSHAW AVE
CINCINNATI OH 45255

HACKER JOHN F
3071 MASSACHUSETTS AVE
CINCINNATI OH 45225-1816

HAL MFG COMPANY
3116 SPRING GROVE AVE
CINCINNATI OH 45225

HALSTEAD PROPERTIES LLC
PO BOX 9392
CINCINNATI OH 45214

HAMILTON COUNTY COMMRS BOARD
OF
138 E COURT ST
CINCINNATI OH 45202

HAPKEY LLC
3104 SPRING GROVE AVE
CINCINNATI OH 45225

HARRIS MARK & CARMEL BUCKLEY
7797 SHAWNEE RUN RD
CINCINNATI OH 45243

HART BRIAN D
2964 SIDNEY
CINCINNATI OH 45214

HIGGINBOTHAN JAMMIE E
2921 SIDNEY AVE
CINCINNATI OH 45225

HILL ROY J
2820 COLERAIN AVE
CINCINNATI OH 45225

HOGAN CURT E
1316 ELAM ST
CINCINNATI OH 45225

HOLLOWAY ERIN & LARAY HAMILTON
4571 KIRBY AVE
CINCINNATI OH 45223

HOLMES DENNIS M
4235 MAD ANTHONY ST APT 2
CINCINNATI OH 45223

HORTON DONALD & HORTON JAMES
3071 HENSHAW
CINCINNATI OH 45219

HUDDLE REAL ESTATE LLC
2917 COLERAIN AVE
CINCINNATI OH 45225

J & J BROTHERS LEASING LLC
2841 COLERAIN AVE
CINCINNATI OH 45225

JOHNSON LASHON
7809 LENNOXSHIRE LN
CHARLOTTE NC 28210

JOHNSON RONALD LEE
2822 COLERAIN AVE
CINCINNATI OH 45225

JOHNSON TAWANDA
1234 BATES AVE
CINCINNATI OH 45225-1308

JUSTICE DAVID C JR
1239 BATES AVE
CINCINNATI OH 45225

KAPLAN FRED M & CHRISTINA L ZYCH
1218 BATES AVE
CINCINNATI OH 45225

KELTY WANDA R
7596 DOG TROT
CINCINNATI OH 45248

KENT VENUS
3063 HENSHAW AVE
CINCINNATI OH 45225

KILEY TYLER L
597 TERRACE AVE
CINCINNATI OH 45220

KITE VINCENT PROPERTIES LLC
521 SAGE RUN DR
LEBANON OH 45036

KLEINE-KREUTZMANN CATHERINE
1313 ELAM ST
CINCINNATI OH 45225-1807

KLOR KLEEN INC
3118 SPRING GROVE AVE
CINCINNATI OH 45225

KNIGHT ROBERT & PAMELA
15 W FOURTH ST UNIT 307
CINCINNATI OH 45202

KNODLE ELIZABETH & JASON H
HOUNSHELL
1311 ELAM ST
CINCINNATI OH 45225

KNUE JOSEPH H JR & JOANN T
9633 HARRISON PIKE
CLEVES OH 45002

KNUTSON CHAD
3092 COLERAIN AVE
CINCINNATI OH 45225

KSL INVESTMENTS PROPERTIES CORP
1095 SPRUCEGLEN DR
CINCINNATI OH 45224

KUERTZ SAVANNA LYNN
1060 TOWNSHIP ST
CINCINNATI OH 45225

KUROWSKI HENRY & MYRTLE
3122 COLERAIN AVE
CINCINNATI OH 45225-1312

LANDERS KAREN P
1246 BATES AVE
CINCINNATI OH 45225

LESNIAK JEREMY Q
2939 SIDNEY AVE
CINCINNATI OH 45225

LOCAL 98 D A L U AFL-CIO
3118 COLERAIN AVE
CINCINNATI OH 45225

LUKE HENRY & MAYMAY CHAN
8126 BRIDLEMAKER LN
CINCINNATI OH 45249

MARSHALL GEORGE B
8386 FRANE LN
CINCINNATI OH 45236

MARSHALL WILLIAM K & JODI M
1319 ELAM ST
CINCINNATI OH 45225

MASJID AS SUNNAH INC
1254 BATES AVE
CINCINNATI OH 45225

MATTHEWS JOE & YVONNE
2965 SIDNEY AVE
CINCINNATI OH 45225

MAYNARD SHAILAH A & JOHN M
STANKOVICH
1311 CHASE AVE
CINCINNATI OH 45223

MAYO ROBERT III & ROMONA J
BRIGHT-MAYO
3646 SOLAR VISTA PLACE
CINCINNATI OH 45213

MCINTOSH ALICE
3069 HENSHAW AVE
CINCINNATI OH 45225

MCKINLEY ANDREW
2930 SPRING GROVE AVE
CINCINNATI OH 45225

MEYER TOOL INC
3064 COLERAIN AVE
CINCINNATI OH 45225

MI JINGYI
3969 LOWRY AVE
CINCINNATI OH 45229

MIDDLE EARTH PROPERTIES
PO BOX 14508
CINCINNATI OH 45250

MILLER STEVEN JOSEPH
1231 BATES AVE
CINCINNATI OH 45225

MOORE JOHN MICHAEL
1207 BATES AVE
CINCINNATI OH 45225-1307

MORRIS ROBERT J
2853 COLERAIN AVE
CINCINNATI OH 45225

MULBERRY VIEWS LLC
8824 FALMOUTH DR
CINCINNATI OH 45231

MUTTERS RONALD & VIRGINIA
3074 HENSHAW AVE
CINCINNATI OH 45225-1835

NEWSOME TINA M
1236 BATES AVE
CINCINNATI OH 45225-1308

NORTHSIGHTED LLC
P O BOX 11674
CINCINNATI OH 45211

OAKLEAF REALTY CO INC
5966 STEWART RD
CINCINNATI OH 45227

OCHS-NADERER CHRISTINE M & CALEB
A
3065 SIDNEY AVE
CINCINNATI OH 45225

OEHLSCHLAEGER PRISCILLA @2
3088 HENSHAW AVE
CINCINNATI OH 45255

OHARA TERRELL L
2166 CRANE AVE
CINCINNATI OH 45207

OMEGA PROPERTIES LLC
3202 COLERAIN AVE
CINCINNATI OH 45225

ORNELLA PRESTON & SHERRY
5899 FROST RD
GEORGETOWN OH 45121

OVERBEY GREGORY A
2908 COLERAIN AVE
CINCINNATI OH 45225

P S IMAGINATION LLC
2864 SPRING GROVE AVE
CINCINNATI OH 45225

PARTIN DILLARD & MARY H
3068 HENSHAW AVE
CINCINNATI OH 45225-1835

PICKETT ROSALIE
1243 BATES AVE
CINCINNATI OH 45225

PITTMAN JEREMIAH
2926 HENSHAW AVE
CINCINNATI OH 45225-2106

PITTMAN LINDA
2924 HERSHOW AVE
CINCINNATI OH 45225

PLAZA FOUR INVESTORS LLC 3210 NEW YEAR DR CINCINNATI OH 45251	PREME INVESTMENT GROUP LLC 10574 LATINA CT CINCINNATI OH 45218	PRIDE RESOURCES LLC 2737 COLERAIN AVE CINCINNATI OH 45225
PSIHOUNTAKIS MANOUSO G & ANASTASIA M 126 SPYGLASS CT CINCINNATI OH 45238	QUIGGIE PROPERTIES LLC 536 EVANSWOOD PL CINCINNATI OH 45220	RAMSEY LILLIE M 1244 BATES AVE CINCINNATI OH 45225-1308
REHAB IN PROCESS LLC 5423 GRAFTON CINCINNATI OH 45237	RICHARDS WAYNE G 4672 DRYRIDGE CINCINNATI OH 45252	RILEY BRENT C 1393 KENROSS CT CINCINNATI OH 45240
RLB HOLDINGS LLC 46 SHERIDAN AVENUE FT. THOMAS KY 40175	RLG PROPERTY MANAGEMENT LLC 5516 RACEVIEW AVE CINCINNATI OH 45248	ROGERS JORDIN 3073 MASSACHUSETTS AVE CINCINNATI OH 45225
ROI ENTERPRISES LLC PO BOX 53769 CINCINNATI OH 45253-0769	ROOK MARY M 2945 MASSACHUSETTS AVE CINCINNATI OH 45225	ROUSE VICKIE L 2950 HENSHAW AVE CINCINNATI OH 45225
SANDUSKY BOYD 2933 SIDNEY AVE CINCINNATI OH 45225	SANREGRET ADAM 3071 SIDNEY AVE CINCINNATI OH 45255	SAVOCA THOMAS M 650 E MCMILLIAN SUITE 100 CINCINNATI OH 45202
SCHERER MICHAEL E 3074 SIDNEY CINCINNATI OH 45225	SCHERTZ MATTHEW RICHARD & DEBORAH ROCHELLE 2952 BURLINGTON PL CINCINNATI OH 45255	SCHMIDT INGRID A 3078 HENSHAW AVE UNIT 1 CINCINNATI OH 45225
SCOTT RAY & NORMA J 3064 HENSHAW AVE CINCINNATI OH 45225-1835	SEILER CARY E 2870 JESSAMINE ST CINCINNATI OH 45225	SMITH JOSHUA A & HANNAH L FOUREMAN 3083 HENSHAW AVE CINCINNATI OH 45225
SMITH NEDRA B 2934 SIDNEY AVE CINCINNATI OH 45225-2125	SPROWLS GARRY M & JANET M 2911 COLERAIN AVE CINCINNATI OH 45225	STATE OF OHIO 505 S STATE ROUTE 741 LEBANON OH 45036
STEVE'S COMMUNITY SHENANIGANS LLC 1145 GLENNA DRIVE CINCINNATI OH 45238	T L C PROPERTIES INC PO BOX 66338 BATON ROUGE LA 70896	TALLARIGO JOANNE W 3260 GLENDORA AVE CINCINNATI OH 45220

THE COMPOUND LLC
1828 FREEMAN AVE
CINCINNATI OH 45214

THOMAS CEDRIC D
6400 ELWYNNE DR
CINCINNATI OH 45236

THOMAS CEDRIC D TR
6400 ELWYNNE DR
CINCINNATI OH 45236

THOMPSON AMBER M
2340 OAKTREE PL
CINCINNATI OH 45238

THRIVING INVESTMENTS LLC
9569 COLEGATE WAY
HAMILTON OH 45011

TOLENTINO MATTHEW A & DANIELLE
BENIGNUS
1255 BATES AVE
CINCINNATI OH 45225

TRB INVESTMENTS LTD
2908 SPRING GROVE AVE
CINCINNATI OH 45225

TUCKER JAMES
1515 MARKET ST
CINCINNATI OH 45215

TWENTY NINE SEVENTY FOUR LLC
2974 COLERAIN AVE
CINCINNATI OH 45225

TWO STORIES PROPERTY LLC
261 MOHAWK ST
CINCINNATI OH 45214

UNITED COALITION FOR ANIMALS
2828 COLERAIN AVE
CINCINNATI OH 45225

UNITED RELIANCE LLC
PO BOX 23158
CINCINNATI OH 45223

URBAN OVERLAP LLC
1709 CHASE AVE
CINCINNATI OH 45223

VERMILION CAPITAL PARTNERS
PO BOX 32098
CINCINNATI OH 45232

VOLZ KAREN J
1210 BATES AVE
CINCINNATI OH 45225-1308

WALKER LUECREASIA M
1216 BATES AVE
CINCINNATI OH 45225

WASHINGTON EVANG CHURCH THE
2950 SIDNEY AVE
CINCINNATI OH 45225

WATSON DANIEL
1241 BATES AVE
CINCINNATI OH 45225

WATTS MINNIE P
1253 BATES AVE
CINCINNATI OH 45225-1343

WATTS TARA M
3082 HENSHAW AVE
CINCINNATI OH 45225

WELCH MELINDA E & KEVIN M
3059 SIDNEY AVE
CINCINNATI OH 45225

WENDYS PROPERTIES LLC
ONE DAVE THOMAS BLVD C/O THE
WENDYS COMPANY
DUBLIN OH 43017

WESLEY RUSSELL C
1245 BATES AVE
CINCINNATI OH 45225

WHITE C DON TR
3096 COLERAIN AVE
CINCINNATI OH 45225

WHITE CATHERINE LOUISE
1237 BATES AVE
CINCINNATI OH 45225

WHITE DON
4221 COLERAIN AVE
CINCINNATI OH 45225

WHITEHEAD PATRICIA
2921 MASSACHUSETTS AVE
CINCINNATI OH 45225

WILEY LARK A@3
3021 CARROLL AVE
CINCINNATI OH 45248

WILSON GREG
2867 COLERAIN AVE
CINCINNATI OH 45225

WINANS PAULA J
3085 MASSACHUSETTS AVE
CINCINNATI OH 45225

WOOD STEPHEN D
PO BOX 69
MORNING VIEW KY 41063

ZAHNEIS FAMILY REAL ESTATE III LLC
6605 POWNER FARM DR
CINCINNATI OH 45248

CAMP WASHINGTON COMMUNITY
COUNCIL
2951 Sidney Ave
CINCINNATI OH 45225

June 9, 2021



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

Dear Members of Council:

We are transmitting herewith an Ordinance captioned as follows:

ESTABLISHING Urban Parking Overlay District #2, "Camp Washington," in the Camp Washington neighborhood as an urban parking overlay district to lift minimum off-street parking requirements in the area.

Summary:

On August 7, 2013, Cincinnati City Council approved Ordinance 259-2013 which allows City Council to create Urban Parking Overlay Districts over certain portions of the City. On September 19, 2019, Cincinnati City Council approved Ordinance 293-2018 which created Urban Parking Overlay District #1: Urban Core over Downtown, Over-the-Rhine, Pendleton, and parts of Mt. Auburn and West End.

On March 1, 2021, the Camp Washington Community Board formally requested an Urban Parking Overlay District, along with a map of the desired boundary. The proposal is to create Urban Parking Overlay District #2, "Camp Washington", in a portion of Camp Washington, as an overlay district to eliminate all off-street parking requirements in the area within the Overlay District, except for the physical location of parking, should any be provided.

Minimum parking requirements are not designed to promote a high-density, walkable, pedestrian-friendly, and mixed-use environment, as well as a strong sense of character of place. The Camp Washington Community Board made the request, and the Camp Washington Community Council and Business Association have provided letters of support.

This proposal is consistent with the approved Camp Washington neighborhood plan: *Made in Camp* (2018) and *Plan Cincinnati* (2012).

The City Planning Commission voted to approve the zone change at their June 4, 2021 meeting.

Motion to Approve:	Mr. Samad	Ayes:	Mr. Juech
			Mr. Eby
Seconded:	Mr. Smitherman		Mr. Smitherman
			Ms. McKinney
			Mr. Stallworth
			Ms. Sesler
			Mr. Samad

THE CITY PLANNING COMMISSION

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

KKJ: jmw
Encl.: Staff Report, Ordinance

June 22, 2021

To: Mayor and Members of City Council

From: Paula Boggs Muething, City Manager *LB for PBM* *202102353*

Subject: Emergency Ordinance – Mural Installation at William Howard Taft Road and Woodburn Avenue in East Walnut Hills

Transmitted is an Emergency Notwithstanding Ordinance captioned:

AUTHORIZING the City Manager to design, install, and maintain a mural on the retaining wall located at the intersection of William Howard Taft Road and Woodburn Avenue in the East Walnut Hills neighborhood, notwithstanding any conflicting Department of Transportation and Engineering rules and regulations or any provision of the Cincinnati Municipal Code that would prohibit the installation and maintenance of the mural.

The City Planning Commission recommended approval of the ordinance at its March 19, 2021 meeting.

Summary

The East Walnut Hills Assembly, the official community council for the East Walnut Hills neighborhood, has received a \$15,000 grant from the Haile Foundation. The East Walnut Hills Assembly intends to use the funds for a wall mural to serve as an entrance into the East Walnut Hills Business District. The East Walnut Hills Assembly requests the proposed Notwithstanding Ordinance (NWO) to permit the installation of a mural within the City-owned right-of-way. The proposed mural would be installed on a curved stone retaining wall in a portion of City-owned right-of-way at the northwest corner of William Howard Taft Road and Woodburn Avenue. The wall is approximately 1,977 square feet. In order to allow for the installation of the mural, City Council would need to approve the NWO, which would allow the City to designate one or more agents or contractors, including the East Walnut Hills Assembly, to carry out all or a portion of the proposed work required to install and maintain the mural.

The City Planning Commission recommended the following on March 19, 2021 to City Council:

APPROVE the Notwithstanding Ordinance permitting the installation of a mural in City-owned right-of-way along William Howard Taft Road and Woodburn Avenue in East Walnut Hills with the following conditions:

- 1) That the mural installation size, location, and design be reviewed and approved by the Department of Transportation and Engineering at the time of permit review; and
- 2) The petitioner shall coordinate with the City regarding the donation of the mural in the right-of-way including a contract with the City in a similar form as the City of Cincinnati Artwork Donation Agreement (Exhibit C); and
- 3) All artists involved in the creation and installation of the artwork shall provide the City with a Waiver of Rights pursuant to the Visual Artists Rights Act (Exhibit D).

cc: Katherine Keough-Jurs, AICP, Director, Department of City Planning and Engagement *KKJ*



EMERGENCY

City of Cincinnati

JRS

AWB

An Ordinance No. _____

- 2021

AUTHORIZING the City Manager to design, install, and maintain a mural on the retaining wall located at the intersection of William Howard Taft Road and Woodburn Avenue in the East Walnut Hills neighborhood, notwithstanding any conflicting Department of Transportation and Engineering rules and regulations or any provision of the Cincinnati Municipal Code that would prohibit the installation and maintenance of the mural.

WHEREAS, the City of Cincinnati wishes to install a mural (“Artwork”), as depicted in Exhibit A to this ordinance, on the retaining wall located at the intersection of William Howard Taft Road and Woodburn Avenue in the East Walnut Hills neighborhood to enliven the space and promote public awareness of the arts; and

WHEREAS, the City may designate one or more agents or contractors, including the East Walnut Hills Assembly (“EWHA”), to carry out all or a portion of the work required to design, install, and maintain the Artwork; and

WHEREAS, the City may also accept donations from one or more persons, including the EWHA, in order to offset the cost and expense associated with the design, installation, and maintenance of the Artwork and to ensure the design, installation, and maintenance of the Artwork shall have little or no impact on the General Fund of the City of Cincinnati; and

WHEREAS, the design, installation, and maintenance of the Artwork shall be performed under the management of the City Manager or her designee, and any agents or contractors of the City, including the EWHA, shall comply with rules and regulations established by the City Manager and the City’s Department of Transportation and Engineering (“DOT”) regarding the design, installation, and maintenance of the mural, including rules and regulations concerning its location, size, materials, means of installation, and maintenance as necessary to ensure public safety; and

WHEREAS, the City’s design, installation, and maintenance of the Artwork is the City’s own expression, constitutes government speech, and does not signify the City’s intent to create a free speech forum; and

WHEREAS, the City will own the Artwork created under this project, will maintain complete control over the surrounding public rights-of-way as necessary for public safety, and will require the artists who design, install, and maintain the Artwork to waive their rights in and to the Artwork, including waiving all applicable rights under the federal Visual Artists Rights Act of 1990, 17 U.S.C. §§ 106A and 113(d), so as to ensure that expression made through the Artwork constitutes government speech; and

WHEREAS, the extent of maintenance and repair of the Artwork shall remain within the City's discretion, and the Artwork shall remain subject to removal by the City, in part or in whole, at any time; and

WHEREAS, prior to installation, DOTE will review the final design and placement of the Artwork to ensure it will not detract from, interfere with, or obscure official traffic control devices, will be safe, and will not unreasonably interfere with the use of William Howard Taft Road and Woodburn Avenue by pedestrians and motorists; and

WHEREAS, the City has an interest in promoting the arts, including within the public right-of-way, notwithstanding the provisions of the Cincinnati Municipal Code that would normally prohibit such displays, when the proposed display will not negatively impact the health, safety, or welfare of residents and users of the right-of-way; and

WHEREAS, the City Council finds that the design, installation, and maintenance of the Artwork in the East Walnut Hills neighborhood will beautify the public rights-of-way, enhance civic pride, and advance public health and wellness goals; and

WHEREAS, the design, installation, and maintenance of this Artwork is consistent with the "Live" goal to "[c]reate a more livable community" as described on page 156 of Plan Cincinnati (2012); now, therefore,

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

Section 1. That the City Council hereby declares the design, installation, and maintenance of the mural depicted on the attached Exhibit A ("Artwork"), incorporated herein by reference, on the retaining wall located at the intersection of William Howard Taft Road and Woodburn Avenue in the East Walnut Hills neighborhood to be a matter of significant public interest, and it hereby resolves to raise public awareness of the arts through the design, installation, and maintenance of this conspicuous visual art; further that, notwithstanding the provisions of the Cincinnati Municipal Code that would normally restrict such displays within the public right-of-way, Council has determined that the design, installation, and maintenance of the Artwork is in the interest of the public health, safety, morals, and general welfare and will not negatively impact the health, safety, morals, or welfare of residents and users of the public right-of-way.

Section 2. That the City's design, installation, and maintenance of the Artwork is the City's own expression, constitutes government speech, and does not signify the City's intent to create a free speech forum.

Section 3. That the City Manager is hereby authorized to design, install, and maintain the Artwork on the retaining wall located at the intersection of William Howard Taft Road and Woodburn Avenue in the East Walnut Hills neighborhood, which Artwork shall be substantially consistent with the design depicted on the attached Exhibit A, incorporated herein by reference, and shall be located in the area depicted on the same, notwithstanding any conflicting Department of Transportation and Engineering ("DOTE") rules and regulations, and any applicable provisions of the Cincinnati Municipal Code.

Section 4. That the design, installation, and maintenance of the Artwork shall be performed under the management of the City Manager or her designee, and any agents or contractors of the City, including the East Walnut Hills Assembly, shall comply with rules and regulations established by the City Manager and the City's Department of Transportation and Engineering ("DOTE") regarding the design, installation, and maintenance of the Artwork, including rules and regulations concerning its colors, symbols, styles, location, size, materials, and means of installation and maintenance as necessary to ensure public safety.

Section 5. That the City Manager is authorized to engage one or more agents or contractors to assist with the City's design, installation and maintenance of the Artwork on such terms and conditions that the City Manager determines are in the best interests of the City, and any work performed by the agents and contractors so engaged by the City Manager shall be performed under the management of the City Manager or her designee, who shall have the sole authority to approve the design, location, size, materials, and means of installation and

maintenance of the mural and to establish rules and regulations for the same as necessary to ensure public safety.

Section 6. That the extent of maintenance and repair of the Artwork shall remain within the City's discretion, and the Artwork shall remain subject to removal by the City, in whole or in part, at any time.

Section 7. That the City will own the Artwork created under this project, will maintain complete control over the right of way as necessary for public safety, and will require the artists who design, install, and maintain the Artwork to waive their rights to the design, installation, including waiving all applicable rights to the Artwork under the federal Visual Artists Rights Act of 1990, 17 U.S.C. §§ 106A and 113(d), so as to ensure that expression made through the Artwork constitutes government speech.

Section 8. That the City Manager is authorized to accept donations, including materials, labor, money, and in-kind services, on such terms and conditions that the City Manager determines are in the best interests of the City, to offset the cost and expense associated with the design, installation, and maintenance of the Artwork, so that the design, installation, and maintenance of the Artwork shall have minimal impact on the General Fund of the City of Cincinnati.

Section 9. That the proper City officials are hereby authorized to do all things necessary and proper to comply with the terms of Sections 1 through Section 8 hereof.

Section 10. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to allow the public art project described in this ordinance to

proceed to allow the corresponding benefits to the City and the East Walnut Hills neighborhood to be realized at the earliest possible time.

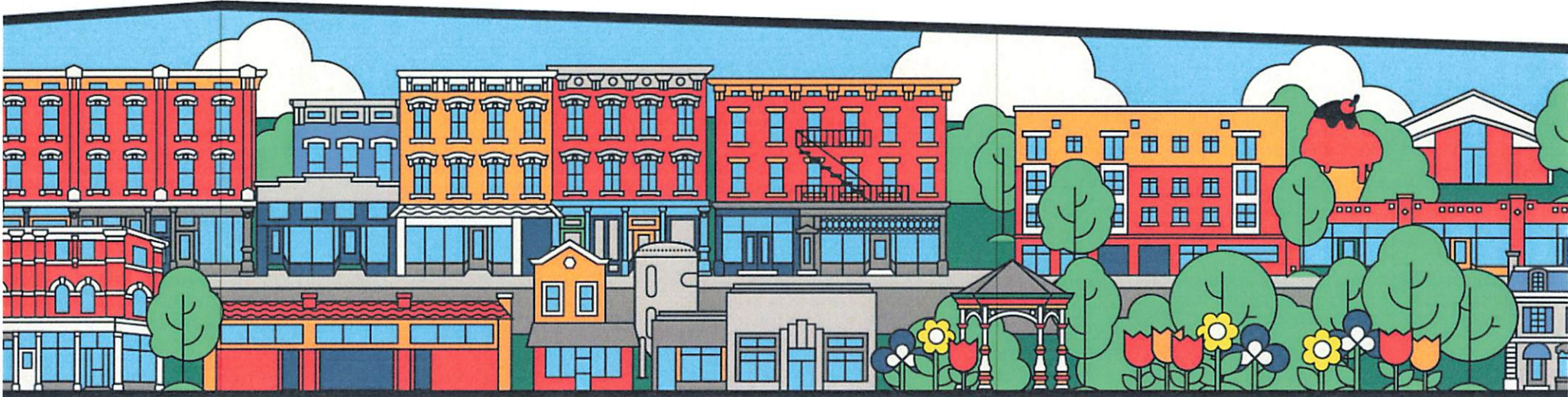
Passed: _____, 2021

John Cranley, Mayor

Attest: _____

Clerk

EXHIBIT A



Woodburn Avenue Historic District

Madison Avenue Business District



BILATTER STUDIO

Architectural studio of architecture and design



© 2014



Honorable City Planning Commission
Cincinnati, Ohio

March 19, 2021

SUBJECT: A report and recommendation on a proposed Notwithstanding Ordinance permitting the installation of a mural in City-owned right-of-way along William Howard Taft Road and Woodburn Avenue in East Walnut Hills.

GENERAL INFORMATION:

Location: Auditor's Parcel No. 062-0001-0114-90
Petitioner: East Walnut Hills Assembly
Petitioner's Address: P.O. Box 68050 Cincinnati, OH 45206

ATTACHMENTS:

Provided in addition to this report are the following attachments:

- Exhibit A - Location Map
- Exhibit B - Notwithstanding Ordinance (NWO) Application
- Exhibit C - City of Cincinnati Artwork Donation Agreement
- Exhibit D - Waiver of Rights Pursuant to the Visual Artists Rights Act (VARA)

BACKGROUND:

The East Walnut Hills Assembly, the official community council for the East Walnut Hills neighborhood, has received a \$15,000 grant from the Haile Foundation. The East Walnut Hills Assembly intends to use the funds for a wall mural to serve as an entrance into the East Walnut Hills Business District. The East Walnut Hills Assembly requests the proposed Notwithstanding Ordinance (NWO) to permit the installation of a mural within the City-owned right-of-way.

The proposed mural would be installed on a curved stone retaining wall in a portion of City-owned right-of-way at the northwest corner of William Howard Taft Road and Woodburn Avenue. The wall is approximately 1,977 square feet. In order to allow for the installation of the mural, City Council would need to approve the NWO, which would allow the City to designate one or more agents or contractors, including the East Walnut Hills Assembly, to carry out all or a portion of the proposed work required to install and maintain the mural.

Under the requested NWO, the East Walnut Hills Assembly would serve as the City's designee to install the mural on the entire front surface of the wall, budget permitting. The plans for the mural are in the early stages, but the project is intended to reflect the creative vision of the community. A steering committee comprised of community members is proposed to guide the project and gather community feedback. This feedback will be used to then make a call for artists. The committee will then narrow the field of artists. The selected artists will provide a creative brief and the community members will provide input on the preferred mural design. This process is proposed to occur over the course of the spring of 2021, with the goal of installing the mural in the summer of 2021.

The installation and maintenance of the mural would be performed under the management of the Department of Transportation and Engineering (DOTe), and any agents or contractors of the City, including East Walnut Hills Assembly, would be required to comply with the rules and regulations concerning the mural's location, size, materials, and means of installation and maintenance. After installation, the City would own the mural and would continue to maintain complete control over the public right-of-way as necessary for public safety, and will require the artists who installed and maintain

the mural to waive the rights to the installation, therefore a Waiver of Rights Pursuant to the Visual Artists Rights Act (VARA) will be necessary to be executed between the artists and the City (Exhibit D).

Section 111-5 of the Cincinnati Municipal Code allows for community councils, including an organization participating in the neighborhood support program, to apply for an NWO through the Director of City Planning as long as the need for the relief from existing legislative and administrative procedures is outlined. In the application, the East Walnut Hills Assembly outlined that the requested NWO would allow for the installation of the mural within City right-of-way that would otherwise not be permitted without a change to existing legislation, or the implementation of a special program through the Department of Transportation and Engineering.

PUBLIC COMMENT AND NOTIFICATION:

The East Walnut Hills Assembly discussed the proposed mural, including the timeline and process for City approvals, at their February 2, 2021 meeting. Community members made several comments in support of the project and there were no comments against the project. No official vote was taken. Notice for the March 19, 2021 City Planning Commission was sent to property owners within 400 feet of the proposed mural site. No comments have been received to-date.

ANALYSIS:

The Department of City Planning has consistently taken a position to not support any Notwithstanding Ordinances because they do not comply with the Cincinnati Zoning Code that the Department is charged with developing and enforcing. However, Cincinnati Municipal Code Section 111-5 establishes certain factors for evaluation by the City Council committee that considers a Notwithstanding Ordinance application, and the Department will therefore provide input on the following factors. The City Planning Commission shall consider the following when making a recommendation on NWOs to City Council:

- 1) Whether the proposed application will not have an adverse effect on the character of the area or the public health, safety and welfare;

The mural is not expected to have any negative impact on the character of the proposed location area, or the public health, safety, and welfare as the mural is intended for the enjoyment and benefit of the public.

- 2) Whether the proposed application is consistent with the purposes of this code and the zoning district where the subject property is located including but not limited to:

- (a) Providing a guide for the physical development of the city.

Not applicable to this application.

- (b) Preserving the character and quality of residential neighborhoods.

The mural is not expected to have any negative impact on the quality of residential neighborhoods and is intended for the enjoyment and benefit of the public. The mural will serve as an entrance into the East Walnut Hills Business District and provide a sense of community pride.

- (c) Fostering convenient, harmonious and workable relationships among land uses.

Not applicable to this application.

- (d) Achieving the arrangement of land uses described in the comprehensive plan for the development of the city as may have been adopted by council.

The Notwithstanding Ordinance is consistent with Plan Cincinnati (see “Consistency with Plan Cincinnati” for further information in this staff report).

- (e) Promoting the economic stability of existing land uses and protecting them from intrusions by inharmonious or harmful land uses.

Not applicable to this application.

- (f) Providing opportunities for economic development and new housing for all segments of the community.

Not applicable to this application.

- (g) Creating pedestrian-friendly environments to reduce reliance on the automobile for travel.

Not applicable to this application.

- (h) Preventing excessive population densities and overcrowding of land or buildings.

Not applicable to this application.

- (i) Ensuring the provision of adequate open space for light, air and fire safety.

Not applicable to this application.

- (j) Ensuring that development is compatible with the environment, particularly on the hillsides and along the riverfront.

Not applicable to this application.

- (k) Promoting the conservation, protection, restoration and enhancement of the historic resources of the city.

Not applicable to this application.

- (l) Lessening congestion in the public streets by providing for off-street parking and loading areas for commercial vehicles.

Not applicable to this application.

- (m) Providing effective signage that is compatible with the surrounding urban environment.

The design for the mural has not been finalized. The Department of Transportation and Engineering will review the graphics when the permit is applied for by the applicant.

- (n) Setting standards by which a nonconforming use may continue to function and to provide for the adaptive reuse of nonconforming buildings.

Not applicable to this application.

CONSISTENCY WITH PLANS:

Plan Cincinnati (2012)

The Notwithstanding Ordinance is consistent with *Plan Cincinnati (2012)*, specifically the Guiding Geographic Principle to “Focus revitalization on existing centers of activity” (p. 86). East Walnut Hills is characterized as an Evolve neighborhood. Evolve neighborhoods like East Walnut Hills may lack visible Neighborhood Business District boundaries (p. 89). The proposed mural would mark the southern

end of the East Walnut Hills Neighborhood Business District.

The request is also consistent with the Compete Initiative Area's Goals to "Cultivate our position as the most vibrant and economically healthiest part of our region (p. 114) and "Become nationally and internationally recognized as a vibrant and unique city" (p. 121). Specifically, it is consistent with the Strategy to "Promote Cincinnati's lifestyle" (p. 122). The proposed mural would support neighborhood pride and community and promote vibrancy in the business district.

CONCLUSIONS:

The Notwithstanding Ordinance to permit the installation of the mural at the specific location within the portion of City-owned right-of-way of William Howard Taft Road and Woodburn Avenue will permit a landmark indicating the southern end of the East Walnut Hills Business District and will provide community pride.

The Department of City Planning has consistently taken the position to not support any Notwithstanding Ordinances for land use decisions because they do not comply with the zoning laws that the department is charged with developing and enforcing.

RECOMMENDATION:

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

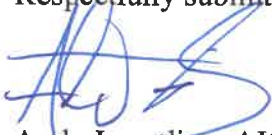
DENY the Notwithstanding Ordinance permitting the installation of a mural in City-owned right-of-way along William Howard Taft Road and Woodburn Avenue in East Walnut Hills for the following reason:

- 1) The Department of City Planning cannot support any Notwithstanding Ordinances for land use decisions because the ordinances do not comply with the zoning laws that the Department of City Planning is charged with developing and enforcing.

If the City Planning Commission decides to recommend approval of the Notwithstanding Ordinance, the City Planning Commission should consider the following conditions:

- 1) That the mural installation size, location, and design be reviewed and approved by the Department of Transportation and Engineering at the time of permit review; and
- 2) The petitioner shall coordinate with the City regarding the donation of the mural in the right-of-way including a contract with the City in a similar form as the City of Cincinnati Artwork Donation Agreement (Exhibit C); and
- 3) All artists involved in the creation and installation of the artwork shall provide the City with a Waiver of Rights pursuant to the Visual Artists Rights Act (Exhibit D).

Respectfully submitted:



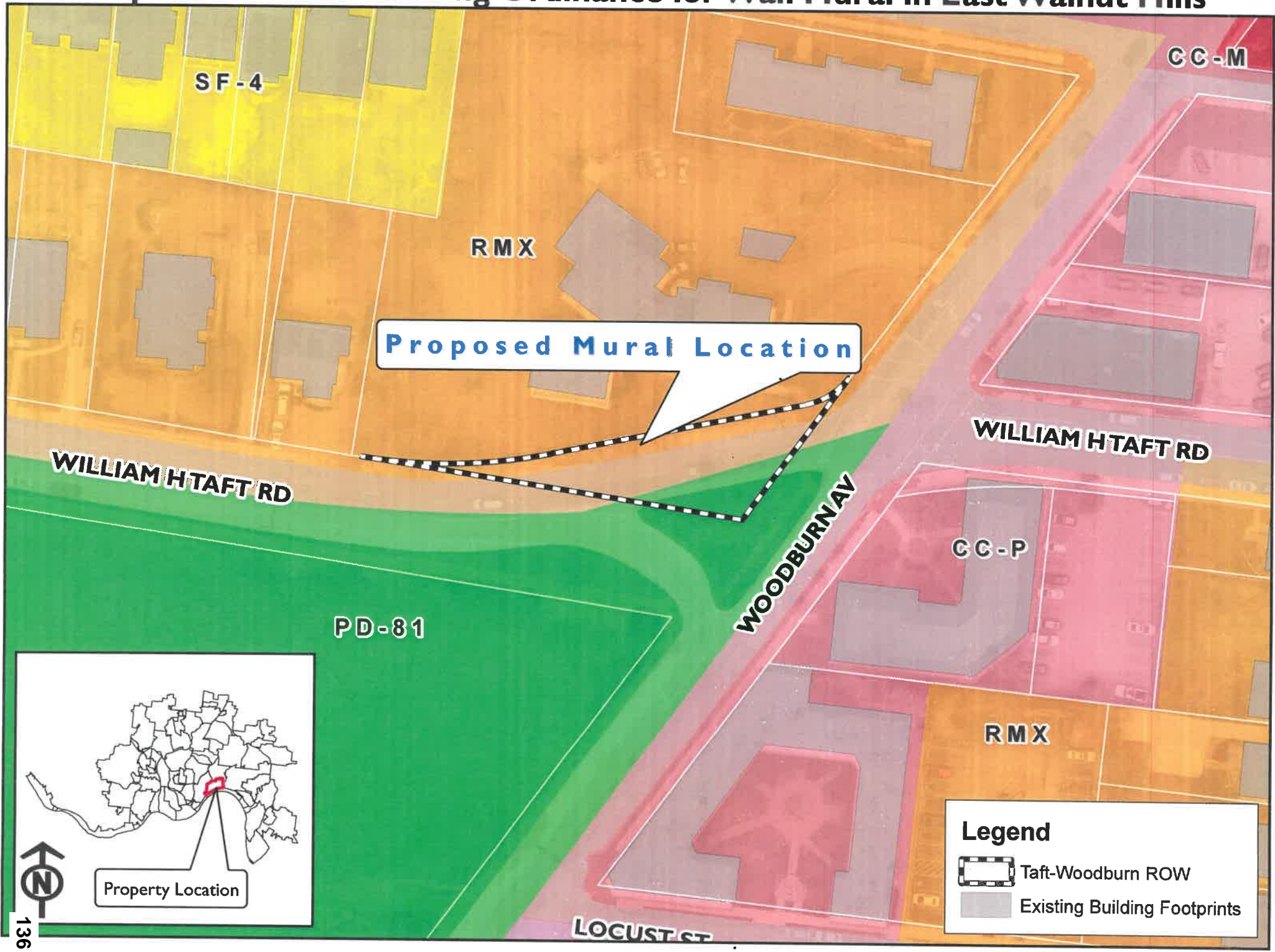
Andy Juengling, AICP, Senior City Planner
Department of City Planning

Approved:



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

Proposed Notwithstanding Ordinance for Wall Mural in East Walnut Hills





805 CENTRAL AVE, SUITE 720
 CINCINNATI OHIO 45202
 P 513 352 3271
 F 513 352 2579
 WWW.CINCINNATI-OH.GOV
 CAGIS.HAMILTON-CO.ORG

Notwithstanding Ordinance Application
INITIALIZED BY

Part A - Identification

Subject Property Address (Please print in blue or black ink only) Taft / Woodburn NW (aka Taft / Woodburn Wall); Parcel 006200020112		
Applicant - Name (Print) East Walnut Hills Assembly (Sam Lieberman)	Phone No 513-382-3229	E-mail Address liebermans@gmail.com
Street Number & Name 1301 Burdett Ave	City / State / Zip Code Cincinnati / OH / 45206	Phone No / Fax No
Relationship of Applicant to Owner: <input type="checkbox"/> Owner <input type="checkbox"/> Lessee <input type="checkbox"/> Attorney		
Property Owner - Name (Print) City of Cincinnati	Phone No	E-mail Address
Street Number & Name	City / State / Zip Code	Phone No / Fax No

Part B - Submission Requirements (Please provide the following for a complete application)

1. **A copy of the zoning map showing the subject property. A copy may be obtained through the Zoning Administration by emailing zoninginfo@cincinnati-oh.gov or by calling (513) 352-2430.**
2. **A written statement outlining all of the practical difficulties created by following existing legislative and administrative procedures.**
3. **Submit one (1) paper copy and one (1) digital copy of the application to the Director of City Planning at 805 Central Avenue, Suite 720, Cincinnati, Ohio 45202. Payment must be included with the application. (Payable to the City of Cincinnati)**

Part C - Authorization

The applicant or agent undersigned does hereby certify that the information and statements given on the application, drawings, and inspections are to the best of their knowledge, true and correct. The undersigned further certifies their authorization to grant consent to the inspection by employees of the City of Cincinnati of the described premises at any time when work on those premises is ongoing and hereby grants their consent.

Applicant's Signature Sam Lieberman Digitally signed by Sam Lieberman Date 02/05/2021
Date: 2021.02.05 08:44:25 -05'00'

FOR OFFICE USE ONLY

Reviewed By: Wirtz Palmer Processing Fee
 City Planning Staff Date Application Complete 2/11/2021



805 CENTRAL AVE, SUITE 720
 CINCINNATI OHIO 45202
 P 513 352 3271
 F 513 352 2579
 WWW.CINCINNATI-OH.GOV
 CAGIS.HAMILTON-CO.ORG

Notwithstanding Ordinance Application
INITIALIZED BY

Part A - Identification

Subject Property Address (Please print in blue or black ink only)		
Taft / Woodburn NW (aka Taft / Woodburn Wall); Parcel 006200020112		
Applicant - Name (Print)	Phone No	E-mail Address
East Walnut Hills Assembly (Sam Lieberman)	513-382-3229	liebermans@gmail.com
Street Number & Name	City / State / Zip Code	Phone No / Fax No
1301 Burdett Ave	Cincinnati / OH / 45206	
Relationship of Applicant to Owner:		
<input type="checkbox"/> Owner	<input type="checkbox"/> Lessee	<input type="checkbox"/> Attorney
Property Owner - Name (Print)	Phone No	E-mail Address
City of Cincinnati		
Street Number & Name	City / State / Zip Code	Phone No / Fax No

Part B - Submission Requirements (Please provide the following for a complete application)

1. **A copy of the zoning map showing the subject property. A copy may be obtained through the Zoning Administration by emailing zoninginfo@cincinnati-oh.gov or by calling (513) 352-2430.**
2. **A written statement outlining all of the practical difficulties created by following existing legislative and administrative procedures.**
3. **Submit one (1) paper copy and one (1) digital copy of the application to the Director of City Planning at 805 Central Avenue, Suite 720, Cincinnati, Ohio 45202. Payment must be included with the application. (Payable to the City of Cincinnati)**

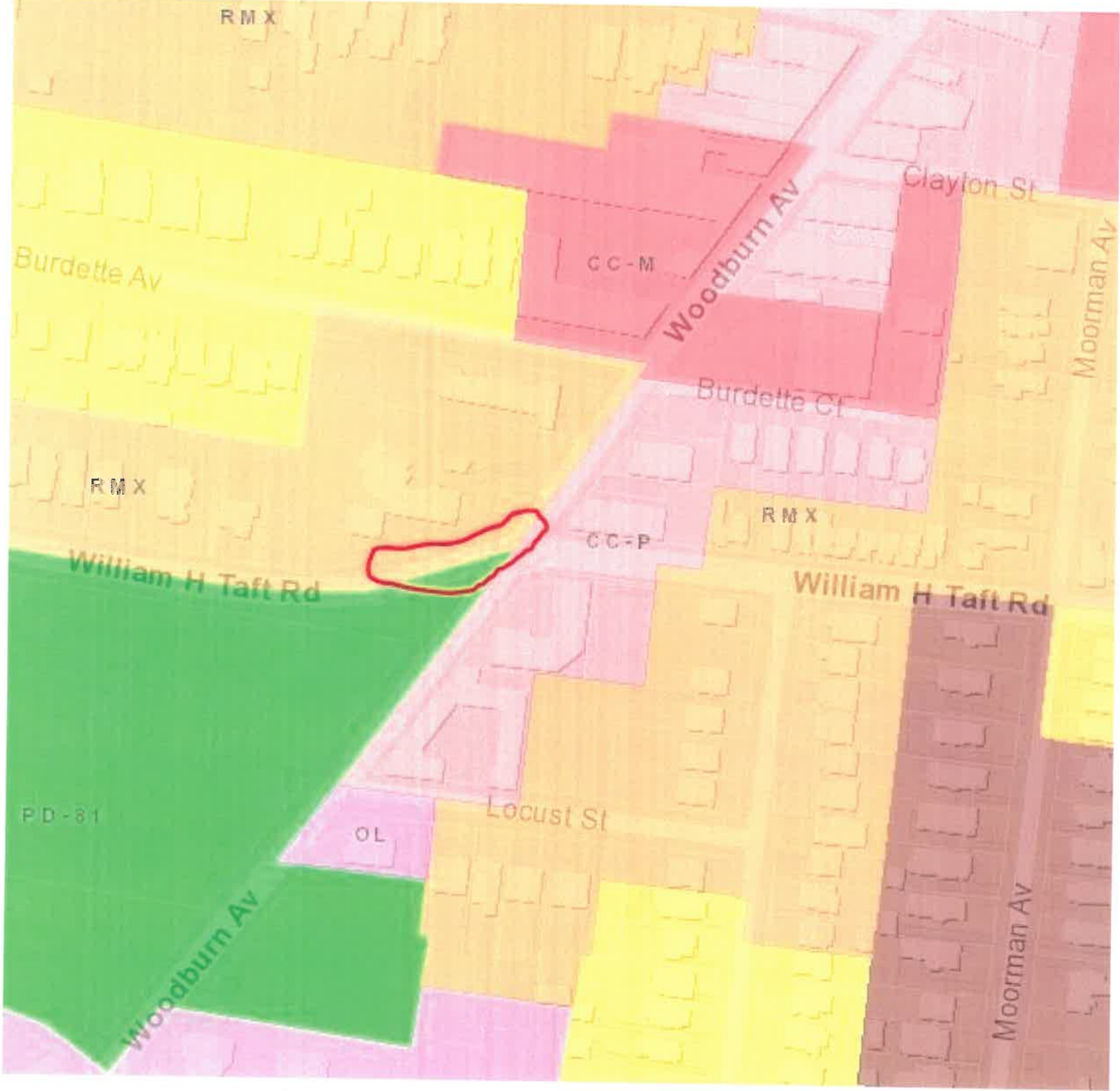
Part C - Authorization

The applicant or agent undersigned does hereby certify that the information and statements given on the application, drawings, and inspections are to the best of their knowledge, true and correct. The undersigned further certifies their authorization to grant consent to the inspection by employees of the City of Cincinnati of the described premises at any time when work on those premises is ongoing and hereby grants their consent.

Applicant's Signature Sam Lieberman Digitally signed by Sam Lieberman
Date: 2021.02.05 08:44:25 -05'00' Date 02/05/2021

FOR OFFICE USE ONLY

Reviewed By: _____ Processing Fee _____
 City Planning Staff _____ Date Application Complete _____





East Walnut Hills Assembly Taft/Woodburn Wall Mural Project

By following the existing legislation, the installment of the proposed mural would not be possible without a change in the legislation, or the implementation of a program that allows for this type of installation.

A mural is proposed for the stone wall that curves around the northwest corner of the William Howard Taft Rd and Woodburn Ave intersection. The wall sits in the right-of-way and is owned by the City of Cincinnati. This mural will provide a bright and vibrant work of art in a high traffic area that will give the community a sense of pride. It will be an eye catching landmark that marks the southern end of the East Walnut Hills business district, complementing DeSales plaza which marks the northern end.

The mural will be the creative vision of a local artist informed by the desires of the community. The East Walnut Hills Assembly will strive to engage the community throughout this project in a few ways. A steering committee of community members will be created to guide the project. The steering committee will develop and deploy a survey to provide the opportunity for community members to have input on high-level design direction. Following a call for artists the selection will be narrowed by the committee to three artists who will be compensated to respond to a specific creative brief that incorporates the community's vision and the community will be asked to vote on their preferred design. As COVID allows, we plan to incorporate a community mural paint day and a mural unveiling celebration.

The East Walnut Hills Assembly was graciously granted \$15,000 by the Haile Foundation and those funds will be used for this project. A final line-item budget is not yet available, however a majority of the funds will be used to compensate artists.

We hope to unveil the mural in late summer. In order to do so we will be forming the steering committee, gathering high-level community input, and making a call for artists by the end of March 2021. By the end of May 2021 a designer and mural design will have been selected by the community to initiate wall prep. This will allow the designer to work on the mural beginning in July 2021. This timeline necessitates a parallel path of progress toward (and details of) the mural in conjunction with the NWO and RSP application processes.

ARTWORK DONATION AGREEMENT

The CITY OF CINCINNATI, an Ohio municipal corporation, 801 Plum Street, Cincinnati, Ohio 45202 (the "City"), and [APPLICANT NAME], [an Ohio limited liability company] [a neighborhood community group] [an individual], the address of which is [full address] ("Applicant"), hereby enter this agreement for the installation of an artistic depiction, artwork, graphic design, or other artistic idea (the "Artwork") to be owned and displayed by the City as its own expression, which Artwork is depicted in Exhibit A (Depiction of Artwork) attached hereto and will be installed in the area shown on Exhibit B (Location) hereto (the "Location").

WHEREAS, the City of Cincinnati operates various artwork programs through which it reviews and approves proposals to create public art on certain City owned structures and/or within the right-of-way of certain City streets; and

WHEREAS, the City takes ownership and displays as its own expression artwork that is successfully selected through its programs; and

WHEREAS, the Applicant has been selected by the City through its artwork program to install the artwork, which the Applicant has agreed to donate to the City upon the terms and conditions contained herein; and

NOW THEREFORE, the terms and conditions of this Agreement are as follows:

1. APPROVAL AND INSTALLATION

a. Application. In accordance with The City of Cincinnati, Department of Transportation policies and guidelines, the Applicant has submitted an application and required fees, which include a detailed proposal for how the Artwork will look, what materials will be used, and any other relevant details about the installation of the Artwork and about the Location (the "Proposal"). The City has approved the installation of the Artwork, and it has agreed to assume ownership of the Artwork and display it at the Location.

b. Access. The Applicant shall be permitted to install the Artwork at the Location. No other installation, painting, or encroachment of any kind shall be permitted in any other location in the City's right-of-way or other City property or structures.

c. Changes; Approval. The Applicant shall make whatever additional changes to the Artwork plans as may be required by the City's Department of Transportation and Engineering ("DOTE"), and the Applicant shall not commence installation until DOTE has approved the final plans.

d. Before Installation. The Applicant agrees to notify all households and businesses within one city block of the Location at least fourteen (14) days before starting installation of the Artwork. The Applicant will provide notice by posting it on doors and if a door is not present, by regular mail to the owner. This requirement may be waived in writing by DOTE.

e. No Transfer. This Agreement is personal to the Applicant and shall not inure to the benefit of the Applicant's successors-in-interest. This Agreement also may not be assigned without the prior written consent of the City. This Agreement shall not be recorded in the public records.

f. Installation. The Applicant agrees to complete the installation of the Artwork as detailed in the Proposal within the timeframe provided by DOTE, and it agrees the installation of the Artwork shall otherwise remain under the direction and control of DOTE. The Artwork installation and the art contained therein shall not deviate in any way from the Proposal accepted and agreed to by the City or its departments.

g. Permits. The Applicant agrees to obtain all necessary permits and pay all necessary fees for such permits, including a Street Blocking Permit from the Cincinnati Police Department, as are necessary

for the installation of the Artwork.

h. Prompt Notification. The Applicant shall notify DOTE upon completion of the Artwork.

i. Materials. The Applicant shall provide all paint, materials, equipment, services, and know-how used in connection with the installation of the Artwork for the benefit of the City, and the City accepts the provision of the materials, equipment services, and know-how. The Applicant acknowledges and agrees to comply with all design and material criteria as provided by DOTE. The Applicant shall not bring or permit to be brought onto the right-of-way any hazardous materials or other contaminants or substances that are harmful to the public or to the environment. DOTE may set standards for, and the Applicant will ensure compliance with, any other requirement regarding materials applicable to the Artwork.

j. Cleanliness of Site. The Applicant shall not store, use, or dispose of any toxic or hazardous materials without the prior written consent of the City, and shall keep the Location, and surrounding area, free from accumulation of waste materials or rubbish caused by any installation or operation. Upon completion of the Artwork, the Applicant shall remove all waste materials, rubbish, artistic tools, construction equipment, machinery, and surplus materials. If the Applicant fails to clean up as provided herein, the City may do so, and the full costs thereof shall be charged to the Applicant.

2. MAINTENANCE. The Applicant acknowledges and understands the City has no responsibility to maintain the Artwork and artwork after the installation. The Applicant acknowledges damage may occur as a result of utility work, road maintenance, road cleaning, reconstruction of road and right-of-way, and any other such work, and the City shall not be responsible for any repairs or maintenance. The Applicant may apply to repair the Artwork eighteen (18) months after the installation is completed; provided, however, the approval to repair the Artwork shall remain within the sole discretion of the City.

3. EXPENSES. All expenses associated with the installation, maintenance, repair, and removal of the Artwork, and the Applicant's use of the Location, shall be borne by the Applicant. The Applicant agrees to donate the Artwork and artwork and any time, materials, or talents necessary for the installation of the Artwork to the City. The Applicant shall be solely responsible for compensation of any and all individuals, including any contractors or subcontractors, providing services to install or maintain the Artwork. The City shall not be responsible for any costs associated with the Artwork or the Applicant's use of the Location.

4. NO CITY WARRANTIES; APPLICANT WAIVER OF CLAIMS FOR DAMAGE. The Applicant acknowledges and agrees that working within a public right-of-way is inherently dangerous, and it requires that the Applicant take appropriate measures and precautions to protect itself, and its agents, employees, contractors, and subcontractors from harm. The City makes no representations or warranties to the Applicant concerning the condition of the Location or its suitability for the installation of the Artwork. The City shall have no responsibility or liability for loss or damage to the Artwork or any items of personal property that may at any time be on the Location, including, without limitation, damage caused by the general public, trespassers, graffiti, thrown objects, wind, hail, fire, or other casualty, no matter how such damage is caused. The Applicant hereby waives, as against the City and its employees, agents, and contractors, all claims and liability, and on behalf of the Applicant's insurers, rights of subrogation, with respect to property damaged or destroyed by fire or other casualty or any other cause, no matter how caused.

5. CITY OWNERSHIP, RIGHT TO MODIFY OR REMOVE. The Applicant hereby transfers all ownership interest in the Artwork and the artwork contained in the Artwork to the City, and the City shall own all rights in the Artwork, the Proposal, and any art therein except as specified below. The Applicant acknowledges the Artwork is temporary and the City may, in its sole discretion, paint over, remove, resurface or allow the installation of different artwork, in part or in whole, at any time the City decides.

6. COPYRIGHT, VARA WAIVER.

a. Applicant Warranty. The Applicant warrants and represents neither the Proposal, the Artwork, nor any artwork contained therein violates any copyright or infringes on the copyright of any third party

or on any other intellectual property rights of any third party. The Applicant further represents it holds full title to any artwork transferred to the City and it is not licensing or sub-licensing any such artwork and has the right and authority to enter into this Agreement.

b. Copyright. The Applicant transfers to the City all ownership interest in all rights including rights under the federal Visual Artists Rights Act of 1990 ("VARA"), 17 U.S.C. §§ 106A and 113(d) in the Proposal, the Artwork, and the artwork contained therein. The artist or artists who have been or will be involved in designing or installing the Artwork or in creating the Proposal have waived their rights under VARA by completing and signing a waiver of rights under VARA, which is attached hereto as Exhibit C (*Signed VARA Waiver*).

c. Artists Intellectual Property License. The City hereby grants to the Applicant the limited and revocable license to make, display, and distribute, and authorize the making, displaying, and distribution of photographs and other reproductions of the Artwork. The Applicant may use such reproductions for advertising, educational and promotional materials, brochures, books, flyers, postcards, print, broadcast, film, and electronic and multimedia publicity. The Applicant may not license or sublicense its rights for any private or commercial purpose. This license granted hereunder does not include the right to sell photographs or reproductions of the Artwork.

7. CITY AND UTILITY ACCESS.

a. City's Right to Enter upon Property. The Applicant acknowledges that the City and its authorized representatives have the unlimited right to enter upon the Location and the Artwork at any time for any purpose, including without limitation to inspect the Location and the Artwork. The Applicant further acknowledges its ability to enter upon the Location shall always be subject to the City's direction and control. The City shall have no duty to inspect.

b. Rights of Utility Companies. The authorization herein granted to the Applicant to install the Artwork and to use the Location are subject and subordinate to the rights of any and all utility companies that may now or hereafter have utility lines and/or other utility installations within the Location. The Applicant shall not alter, relocate, or otherwise interfere with such utility lines and installations and shall not do anything that will impair such utility companies' right to enter upon the Location from time to time for all purposes associated with the operation, maintenance, repair, replacement or removal of such utility lines and installations. Such utility companies have continued access to the Location 24 hours per day, 7 days per week, 52 weeks per year.

8. COMPLIANCE WITH LAWS, REGULATIONS, AND PROGRAMS. The Applicant shall comply with all applicable statutes, ordinances, regulations, and rules of the federal government, the State of Ohio, the County of Hamilton, and the City of Cincinnati.

9. INDEMNIFICATION OF THE CITY. The Applicant shall indemnify, defend, and save the City, its employees, agents, and contractors harmless from and against any and all losses, damages, settlements, costs, charges professional fees, and other expenses and liabilities of every kind and character (including without limitation attorney fees) arising out of or related to any and all claims, liens, demands, obligations, actions, proceedings, or causes of action of every kind and character in connection with the Applicant's installation, maintenance, or removal of the Artwork, use of the Location, or violation of the provisions set forth in this Agreement, including without limitation any of the foregoing that may arise or be claimed with respect to any death, personal injury, or loss of or damage to property on or about the Location, including any such death, injury, or loss related to the materials used in installation, maintenance, or removal of the Artwork. The Applicant shall assume the defense (with counsel acceptable to the City) and settlement of any and all such suits or other legal proceedings brought against the City and shall pay all judgments entered in such suits or other legal proceedings. The assumption of liability and indemnity obligations of the Applicant under this Agreement shall survive the termination of this Agreement with respect to matters arising prior thereto.

10. NOTICES. All notices given hereunder by either party shall be in writing and shall be personally

delivered or mailed by U.S. Mail to the parties at the following addresses:

To City:
City of Cincinnati
Dept. of Transportation & Engineering
City Hall, Room 450
801 Plum Street
Cincinnati, OH 45202

To the Applicant:

11. LAW TO GOVERN. This Agreement is entered into and is to be performed in the State of Ohio. The City and the Applicant agree that the law of the State of Ohio shall govern the rights, obligations, duties and liabilities of the parties to this Agreement and shall govern the interpretation of this Agreement.

12. FORUM SELECTION. The Applicant acknowledges and agrees that all state courts of record sitting in Hamilton County, Ohio, shall be the exclusive forum for the filing, initiation, and prosecution of any suit or proceeding arising from or out of, or relating to, this Agreement, or attachment thereto, including any duty owed by the Applicant to the City in connection therewith.

13. AMENDMENT. This Agreement may not be modified or amended.

14. ENTIRETY. This Agreement and the exhibits attached hereto contain the entire agreement between the parties as to the matters contained herein. Any oral representations or modifications concerning this Agreement shall be of no force and effect.

[Signature Page Follows]

This Artwork Agreement is executed by the parties on the dates set forth below.

CITY OF CINCINNATI

By: _____
Paula Boggs Muething, Interim City Manager

Date: _____

Recommended by:

John S. Brazina, Director
Department of Transportation and Engineering

Approved as to Form:

Assistant City Solicitor

ACCEPTED AND AGREED TO BY:

[APPLICANT NAME]

By: _____

Printed name: _____

Title: _____

Date: _____

EXHIBIT A – Depiction of Artwork

SEE ATTACHED

EXHIBIT B – Location

SEE ATTACHED

EXHIBIT C – Signed VARA Waiver

SEE ATTACHED

**WAIVER OF RIGHTS PURSUANT TO
THE VISUAL ARTISTS RIGHTS ACT**

Description of Artwork (type, medium, colors, design): _____

Title (if applicable): _____

Date Created: _____

Dimensions (estimated): _____

Location: _____

The above-described artwork may be considered to be a "work of visual art" subject to the provisions of the federal Visual Artists Rights Act of 1990, 17 U.S.C. §106A and 113(d) ("**VARA**"), specifically the rights of certain authors to attribution and integrity codified in §106A(a).

I am an author of the artwork and am authorized to waive the rights conferred under VARA in accordance with the waiver provision 17 U.S.C. §106A(e)(1).

I hereby voluntarily and permanently waive my rights to attribution and integrity with respect to the artwork pursuant to VARA, and any identical or similar rights pursuant to any other applicable federal law, state law, or foreign or international law. I hereby waive my right to prevent any intentional distortion, mutilation, or other modification of the artwork.

I acknowledge that because of this waiver, the City of Cincinnati, and its officers, employees, agents, contractors, licensees, successors, or assigns ("**City**"), have the absolute right to change, modify, move, relocate, transport, remove, replace, repair, or restore the artwork located within the City, in whole or in part, in the City's sole discretion.

I understand the effect of this waiver and hereby acknowledge that I am surrendering the rights described herein with respect to the artwork.

Signature of Artist: _____

Printed Name: _____

Date Signed: _____

June 16, 2021

To: Sheila Andrews, Office of the Clerk of Council

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

Copies to: Andy Juengling, AICP, Senior City Planner

Subject: Emergency Ordinance – Mural Installation at William Howard Taft Road and
Woodburn Avenue in East Walnut Hills

The above referenced Emergency Ordinance is ready to be scheduled for Committee. We are requesting that this item be scheduled for the June 22, 2021 meeting of the Economic Growth & Zoning Committee.

Included in this submission are the following items:

- 1) The transmittal letter to the Economic Growth & Zoning Committee;
- 2) A copy of the City Planning Commission staff report dated March 19, 2021;
- 3) The Emergency Ordinance Notwithstanding authorizing the installation of a mural on a retaining wall at the intersection of William Howard Taft Road and Woodburn Avenue in East Walnut Hills;

June 16, 2021

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

Dear Members of Council:

We are transmitting herewith an Emergency Ordinance captioned as follows:

AUTHORIZING the City Manager to design, install, and maintain a mural on the retaining wall located at the intersection of William Howard Taft Road and Woodburn Avenue in the East Walnut Hills neighborhood, notwithstanding any conflicting Department of Transportation and Engineering rules and regulations or any provision of the Cincinnati Municipal Code that would prohibit the installation and maintenance of the mural.

Summary:

The East Walnut Hills Assembly, the official community council for the East Walnut Hills neighborhood, has received a \$15,000 grant from the Haile Foundation. The East Walnut Hills Assembly intends to use the funds for a wall mural to serve as an entrance into the East Walnut Hills Business District. The East Walnut Hills Assembly requests the proposed Notwithstanding Ordinance (NWO) to permit the installation of a mural within the City-owned right-of-way. The proposed mural would be installed on a curved stone retaining wall in a portion of City-owned right-of-way at the northwest corner of William Howard Taft Road and Woodburn Avenue. The wall is approximately 1,977 square feet. In order to allow for the installation of the mural, City Council would need to approve the NWO, which would allow the City to designate one or more agents or contractors, including the East Walnut Hills Assembly, to carry out all or a portion of the proposed work required to install and maintain the mural.

The City Planning Commission recommended the following on March 19, 2021 to City Council:

APPROVE the Notwithstanding Ordinance permitting the installation of a mural in City-owned right-of-way along William Howard Taft Road and Woodburn Avenue in East Walnut Hills with the following conditions:

- 1) That the mural installation size, location, and design be reviewed and approved by the Department of Transportation and Engineering at the time of permit review; and
- 2) The petitioner shall coordinate with the City regarding the donation of the mural in the right-of-way including a contract with the City in a similar form as the City of Cincinnati Artwork Donation Agreement (Exhibit C); and
- 3) All artists involved in the creation and installation of the artwork shall provide the City with a Waiver of Rights pursuant to the Visual Artists Rights Act (Exhibit D).

Motion to Approve: Mr. Samad

Ayes:

Mr. Juech
Ms. McKinney
Mr. Samad
Ms. Sesler
Mr. Smitherman
Mr. Stallworth

Seconded: Mr. Smitherman

THE CITY PLANNING COMMISSION



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

June 22, 2021

202102270

To: Mayor and Members of City Council

From: Paula Boggs Muething, City Manager

Subject: **Presentation – Urban Parking Overlay District #2: Camp Washington**

Attached is the presentation for Urban Parking Overlay District #2: Camp Washington for the Economic Growth & Zoning Committee.

cc: Katherine Keough-Jurs, AICP, Director *KKJ*
Department of City Planning and Engagement



PROPOSED URBAN PARKING OVERLAY DISTRICT IN CAMP WASHINGTON

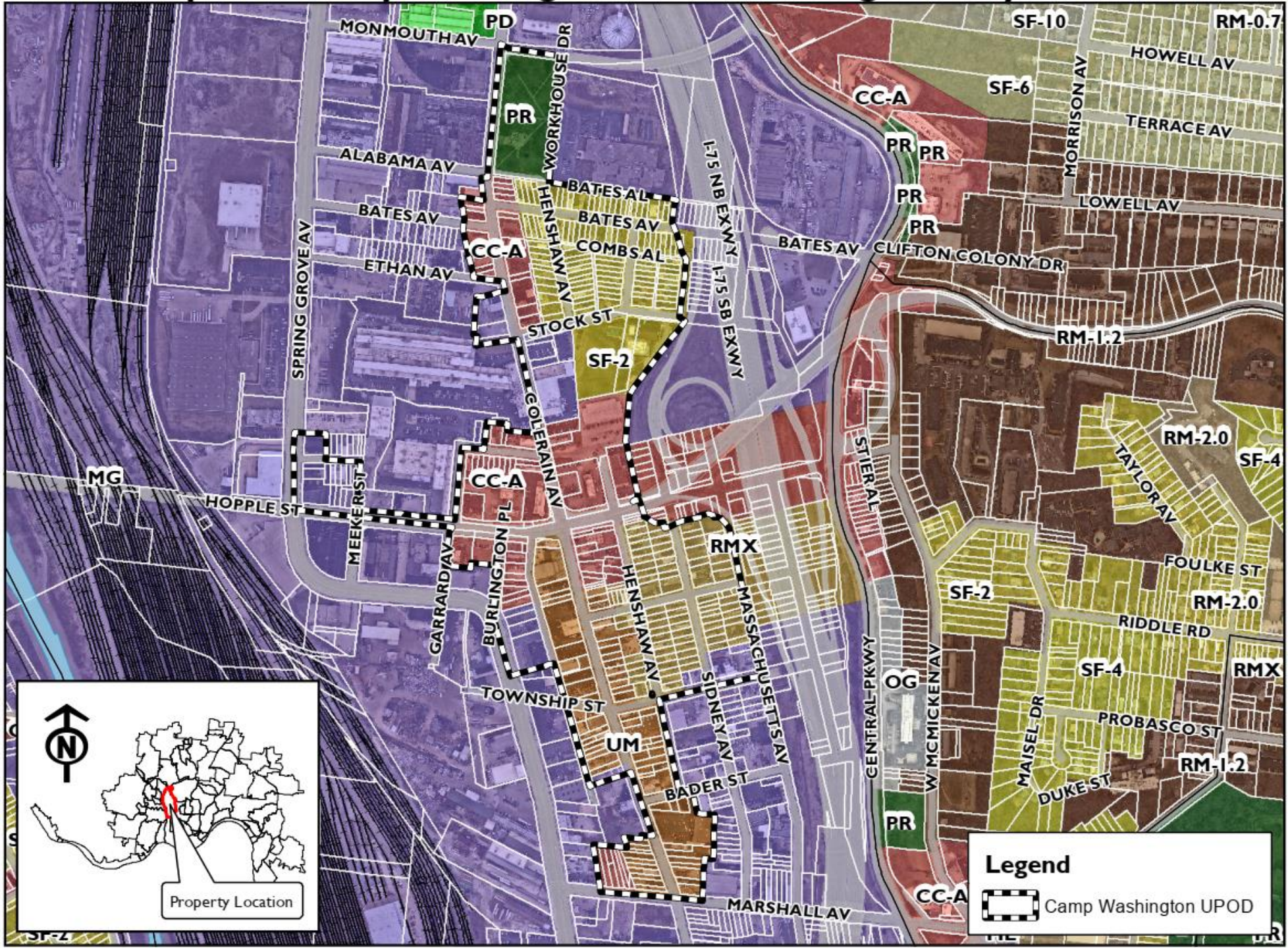
Economic Growth & Zoning Committee | June 22, 2021

BACKGROUND


- August 7, 2013 - Cincinnati City Council approved Ordinance 259-2013 for text amendments to the Cincinnati Zoning Code to Create Urban Parking Overlay Districts (UPODs)
- Urban Parking Overlay Districts eliminate all off-street parking requirements within the boundary
 - Parking can still be put in based on need, but is not required by the Zoning Code
 - All other standards, such as location of parking (if provided) and loading zones (if necessary) still apply

BACKGROUND

- In early 2019, Camp Washington re-zoned part of their Neighborhood Business District to Urban Mix (UM)
- UPOD #1: Urban Core was being discussed during this time
 - Camp Washington expressed interest in a UPOD at that time but wasn't ready to move forward
- March 1, 2021 – The Camp Washington Community Board formally requested a UPOD for Camp Washington



Legend

 Camp Washington UPOD

PUBLIC COMMENT

- Notices sent to property owners within the proposed UPOD, along with the Camp Washington Community Council and Camp Washington Community Board
- Virtual Staff Conference held on May 18, 2021
 - Eight members of the public attended, including several members of the Camp Washington Community Board
 - Most in support, but some questions about what happens if parking becomes an issue in the future
- Letters of support from Camp Washington Community Council and Camp Washington Business Association
- Letter of opposition from a business owner

CONSISTENCY WITH *MADE IN CAMP* (2018)

- “Do something dramatic to jumpstart the business district” (p.19)
- “Analyze parking requirements and make necessary changes” (p. 23)

CONSISTENCY WITH *PLAN CINCINNATI* (2012)

LIVE INITIATIVE AREA

- **Strategy:** “Become more walkable”
- **Action Step:** “Revise the City’s Building and Zoning Codes [...] with standards that emphasize traditional neighborhood development over suburban development”

SUSTAIN INITIATIVE AREA

- **Goal 2:** “Preserve our built history”
- **Strategy:** “Develop changes to zoning regulations to remove barriers to the adaptive reuse of buildings”

ANALYSIS

- The existing parking requirements were not intended for historic, dense urban areas
- Between parking exemptions (first 2,000 square feet in most commercial districts, streetcar reductions, etc.) and variances, existing parking requirements are not currently being met

CONCLUSIONS

- Minimum parking requirements are not designed to promote a high-density, walkable, pedestrian-friendly, and mixed-use environment, as well as a strong sense of character of place.
- The Camp Washington Community Board made the request, and the Camp Washington Community Council has provided a letter of support.
- *Made in Camp* (2018) and *Plan Cincinnati* (2012) do not support minimum parking requirements in urban neighborhoods

RECOMMENDATION

The City Planning Commission recommends that the City Council take the following action:

APPROVE the proposed map amendment to add Urban Parking Overlay District #2: “Camp Washington”, as outlined in § 1425-04 - Urban Parking Overlay Districts in the Cincinnati Zoning Code, to a portion of Camp Washington

June 22, 2021

TO: Mayor and Members of City Council


FROM: Paula Boggs Muething, City Manager

202102271

SUBJECT: Presentation – Emergency Ordinance – Notwithstanding Ordinance for First Step Home

Attached is the presentation for a proposed Emergency Ordinance for a Notwithstanding Ordinance to permit an office use in a Residential Mixed (RMX) zoning district at 2215 Fulton Avenue and waive all associated parking requirements.

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



NOTWITHSTANDING ORDINANCE FOR FIRST STEP HOME AT 2215 FULTON AVENUE IN WALNUT HILLS

Economic Growth and Zoning Committee | June 22, 2021

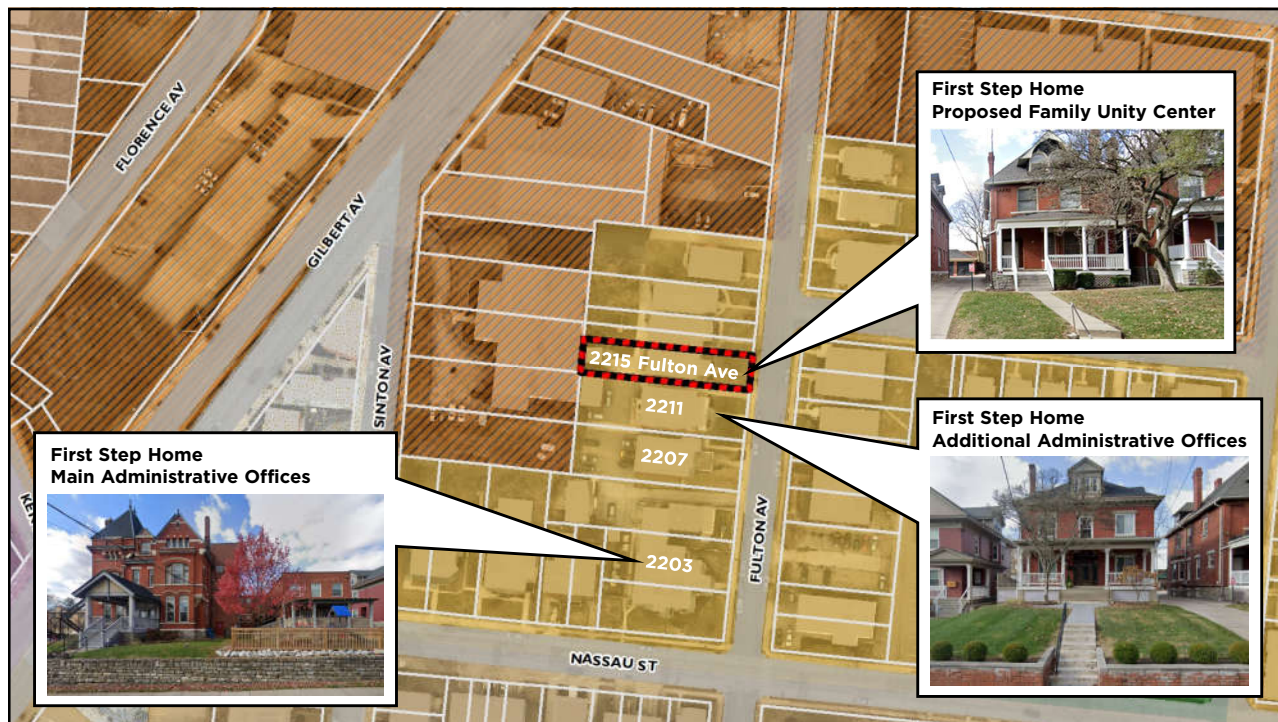
1

PROJECT LOCATION



Legend
Subject Property

2




3

PROPOSED NOTWITHSTANDING ORDINANCE

Authorizes the rehabilitation of an existing residential structure for use as offices notwithstanding:

- **Use limitations** contained in Chapter 1405 “**Residential Multi-Family Districts**”
 - Permitted: Offices are not permitted as principal use
 - Proposed: Use of building as offices
- **Parking limitations** contained in Chapter 1425, “**Parking and Loading Regulations**”
 - Required: 9 off-street parking spaces
 - Proposed: 0 off-street parking spaces

 | 4

4

ANALYSIS

Section 111-5 of the Cincinnati Municipal Code

The committee of council shall consider the following when making a recommendation to council:

- Whether the proposed application will not have an adverse effect on the character of the area or the public health, safety and welfare;
- Whether the proposed application is consistent with the purposes of this code and the zoning district where the subject property is located and includes fourteen items (see staff report for details)

ANALYSIS

- (b) Preserving the character and quality of residential neighborhoods
- (c) Fostering convenient, harmonious and workable relationships among land uses
- (g) Creating pedestrian-friendly environments to reduce reliance on the automobile for travel
- (l) Lessening congestion in the public streets by providing for off-street parking

PUBLIC COMMENT

- **Notice of Staff Conference and City Planning Commission** sent to all property owners within 400' and the Walnut Hills Area Council
- **Virtual Public Staff Conference held on May 17, 2021**
 - City staff and Applicant Team in attendance
- **Letter of Support received from the Walnut Hills Area Council**
- **No additional correspondence received to date**

7

CONSISTENCY WITH PLANS

Plan Cincinnati (2012)

Sustain Initiative Area

Goal: “Become a healthier Cincinnati”

Walnut Hills Reinvestment Plan (2017)

Action Item: “Invest in People, Places, and Homes”

8

CONCLUSIONS

- The proposed NWO:
 - Would permit an office use in the Residential Mixed zoning district and waive all parking requirements
 - Would allow First Step Home to respond to increased demand for their services and expand their offerings while preserving an existing building
 - Is consistent with *Plan Cincinnati* and the *Walnut Hills Reinvestment Plan*
- City Planning has consistently taken the position to not support any Notwithstanding Ordinances for land use decisions because they do not comply with the zoning laws that the department is charged with developing and enforcing.

RECOMMENDATION

The City Planning Commission recommends that City Council take the following action:

APPROVE the Notwithstanding Ordinance to permit an office use in the Residential Mixed (RMX) zoning district at 2215 Fulton Avenue in Walnut Hills with the following conditions:

- 1) The renovations at 2215 Fulton Avenue must substantially conform to the project specifications outlined in the report and the applicant will provide all required items for building permit review.
- 2) The Notwithstanding Ordinance does not provide a variance from any other laws of the City of Cincinnati, and the property shall remain subject to all other provisions of the Cincinnati Municipal Code, RMX, "Residential Mixed," zoning district.
- 3) The use of the property should not be considered a nonconforming use.

June 22, 2021

TO: Mayor and Members of City Council

FROM: Paula Boggs Muething, City Manager 202102272

SUBJECT: Presentation – Notwithstanding Ordinance – Mural Installation at William Howard Taft and Woodburn Avenue in East Walnut Hills

Attached is the presentation for a proposed Notwithstanding Ordinance for a mural installation on the retaining wall located at the intersection of William Howard Taft and Woodburn Avenue in East Walnut Hills

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

Notwithstanding Ordinance for the Installation of a Mural in City-owned right-of-way in East Walnut Hills

Economic Growth & Zoning Committee | June 22, 2021

1



2

Existing Retaining Wall



3

Background

- East Walnut Hills Assembly (EWHA) received \$15,000 grant from Haile Foundation
- EWHA proposes installation of a 1,977 sq. ft. mural on retaining wall within City-owned right-of-way
- EWHA would serve as City's designee to install mural
- Installation goal of Summer 2021

4



5

Analysis & Conclusion

- Mural installation will support neighborhood pride and promote vibrancy in the business district.
- February 2, 2021 – East Walnut Hills Assembly discussion
 - No opposition
- Notice was sent to all adjacent property owners and the East Walnut Hills Assembly
 - No comments been received to date

6

Consistency with *Plan Cincinnati* (2012)

Compete Initiative Area

- Goal:** Cultivate our position as the most vibrant and economically healthiest part of our region (page 114)
- Goal:** Become nationally and internationally recognized as a vibrant and unique city (page 121)
- Strategy:** Promote Cincinnati's lifestyle (page 122)



7

Recommendation

The City Planning Commission recommends that City Council take the following action:

APPROVE the Notwithstanding Ordinance permitting the installation of a mural in City-owned right-of-way along William Howard Taft Road and Woodburn Avenue in East Walnut Hills with the following conditions:

- 1) That the mural installation size, location and design be reviewed and approved by the Department of Transportation and Engineering at the time of permit review; and
- 2) The petitioner shall coordinate with the City regarding the donation of the mural in the right-of-way including a contract with the City in a similar form as the City of Cincinnati Artwork Donation Agreement (Exhibit C); and
- 3) All artists involved in the creation and installation of the artwork shall provide the City with a Waiver of Rights pursuant to the Visual Artists Rights Act (Exhibit D)



8

June 22, 2021

To: Mayor and Members of City Council
From: Paula Boggs Muething, City Manager
Subject: Resolution - Mohawk Area Plan

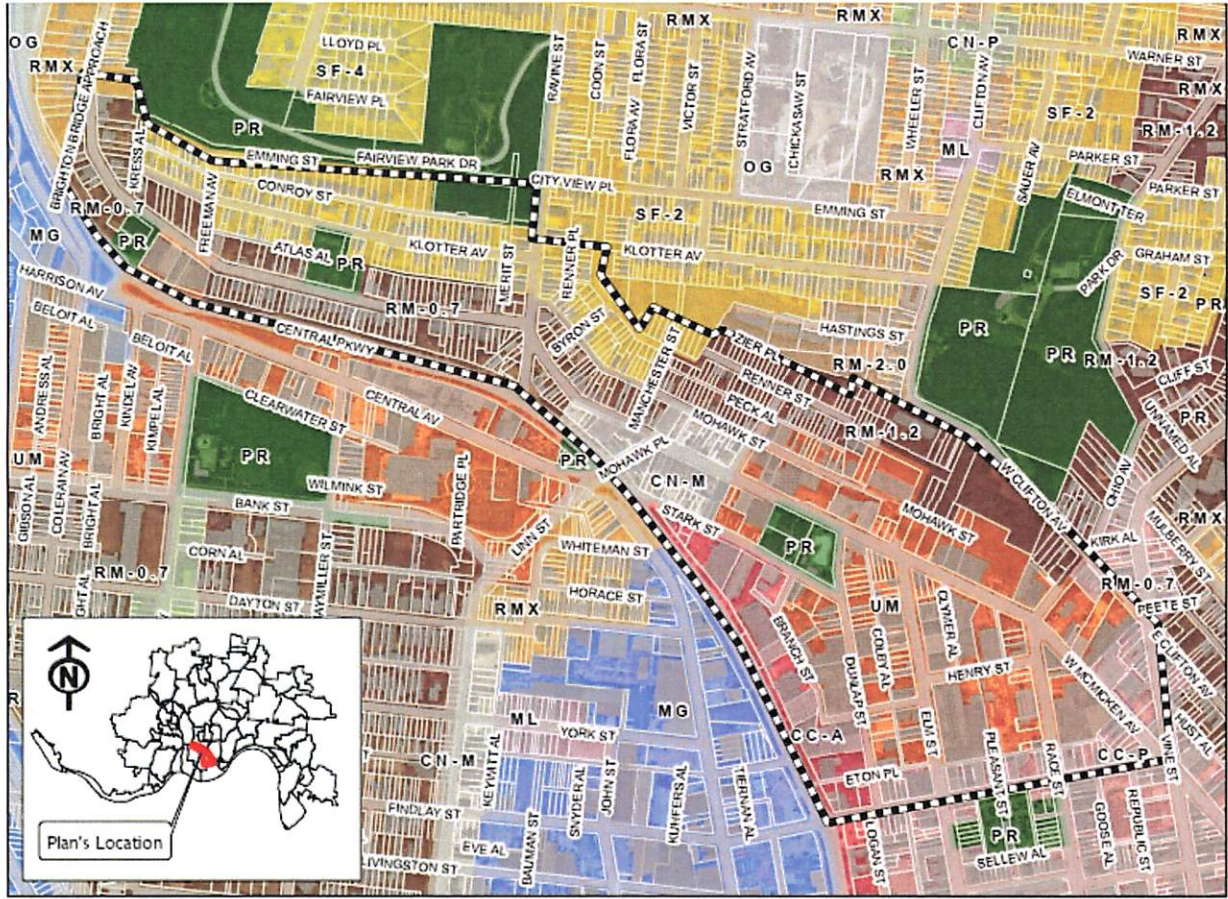
Attached is a presentation for June 22, 2021, Economic Growth & Zoning Committee for a proposed resolution to approve the Mohawk Area Plan in Over-the-Rhine.

cc: Katherine Keough-Jurs, AICP, Director, Department of City Planning



MOHAWK AREA PLAN IN OVER-THE-RHINE

Economic Growth and Zoning | June 22, 2021



BACKGROUND

- Small committee Mohawk residents approached the City in 2016 to create a plan that implements the *Brewery District Master Plan* (2013)
- Two dozen public meetings were held in the community with residents and City staff

FUTURE OF MOHAWK

- **Vision** - “ The vision of the Mohawk Area Plan is to make Mohawk a beautiful, connected, diverse, and welcoming community in which to live, work, and play”

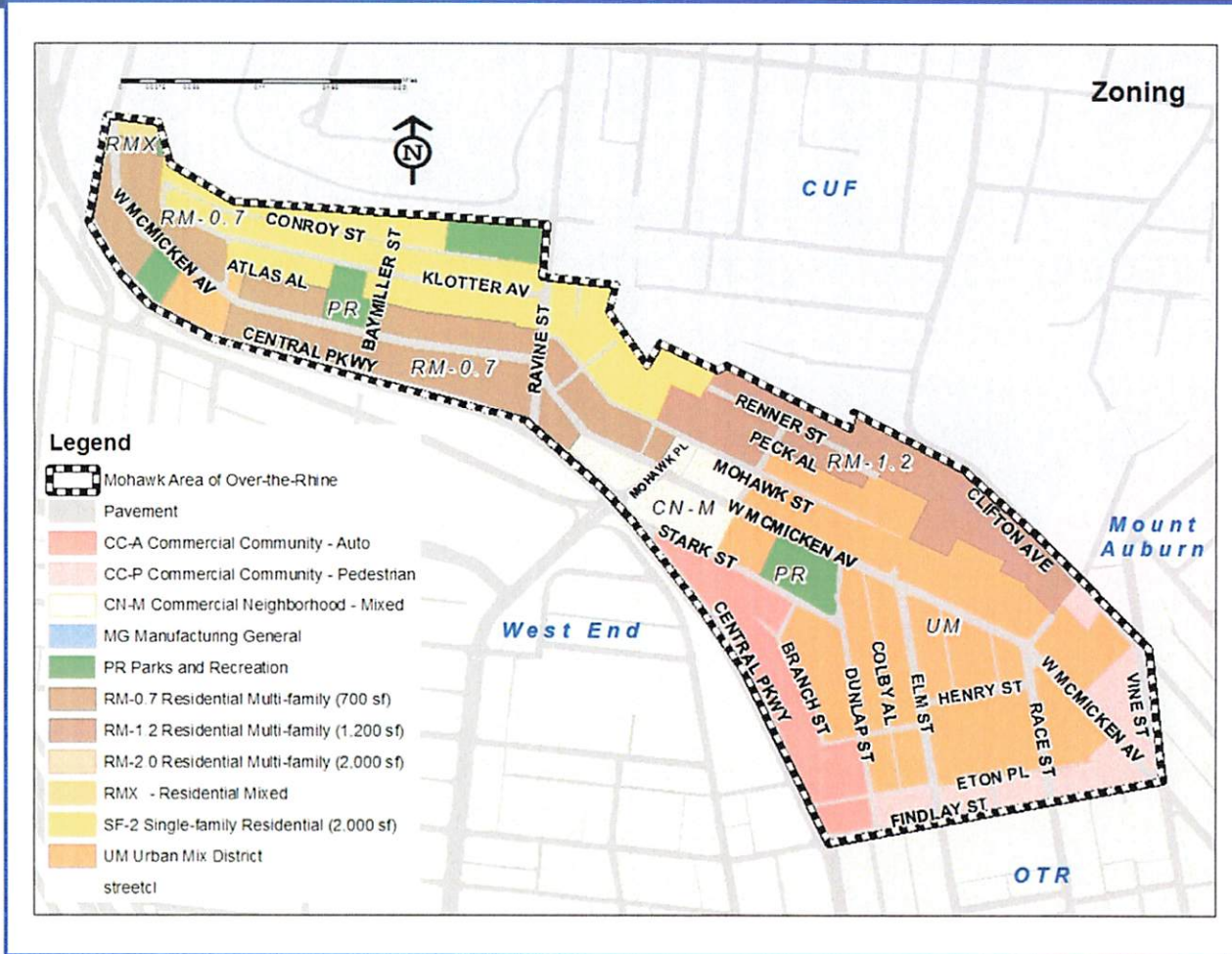
BACKGROUND

- They decided on five key Vision areas: Economic Development, Housing, General Improvements, Connectivity, and Big Ideas and Challenges
- There were additional meetings with mapping exercises and a charrette workshop
- At the workshop they prioritized the Plan's ten Vision Strategies which can be found at the end of the plan
- In February 2019 a Gallery Open House was held in the community where they mapped out how and where each strategy could be implemented

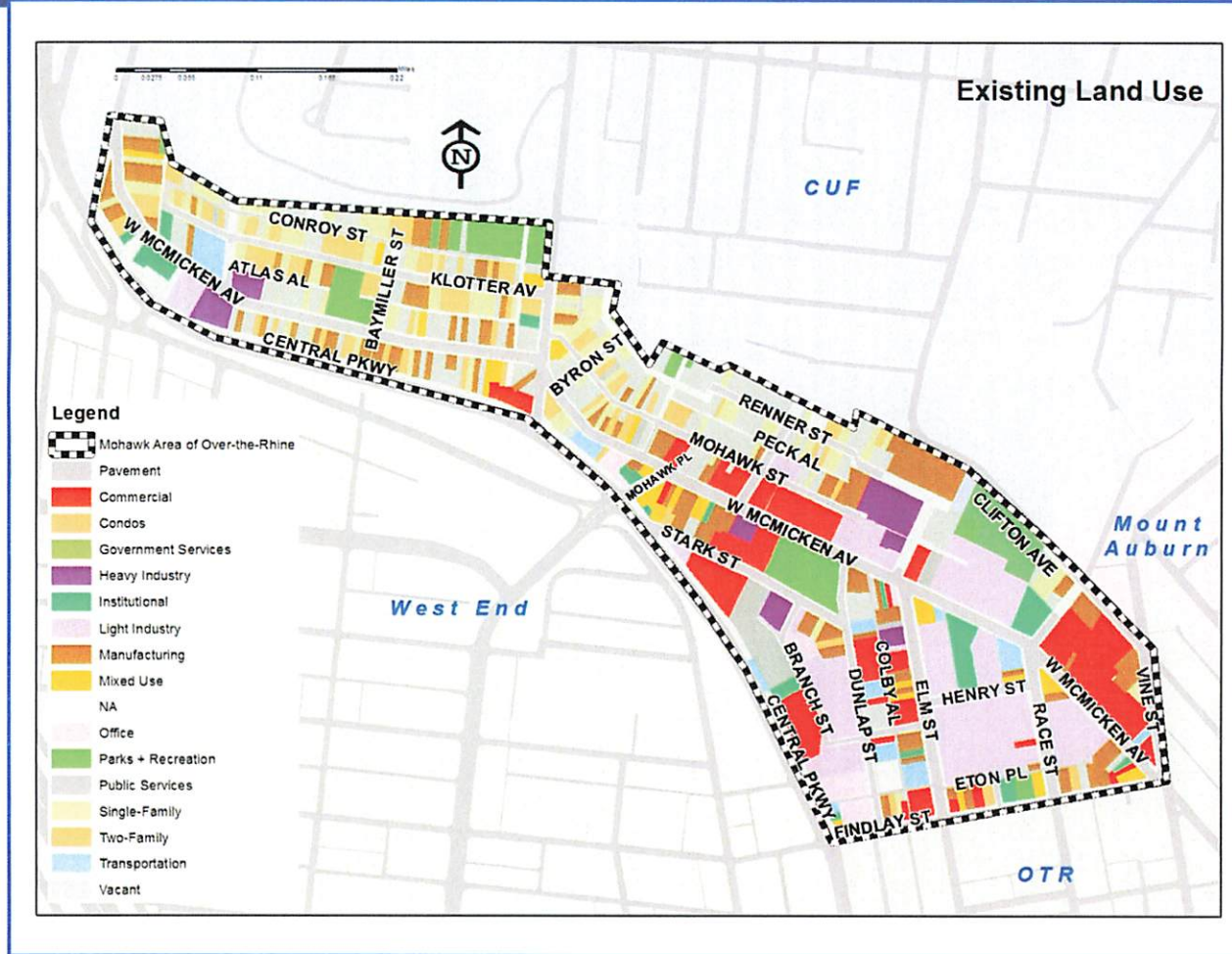
BACKGROUND

- Another meeting was held in March 2019 where the committee gave an overview of the planning process over the previous three years
- Provided more opportunity to give feedback on the plan's Vision and Prioritization

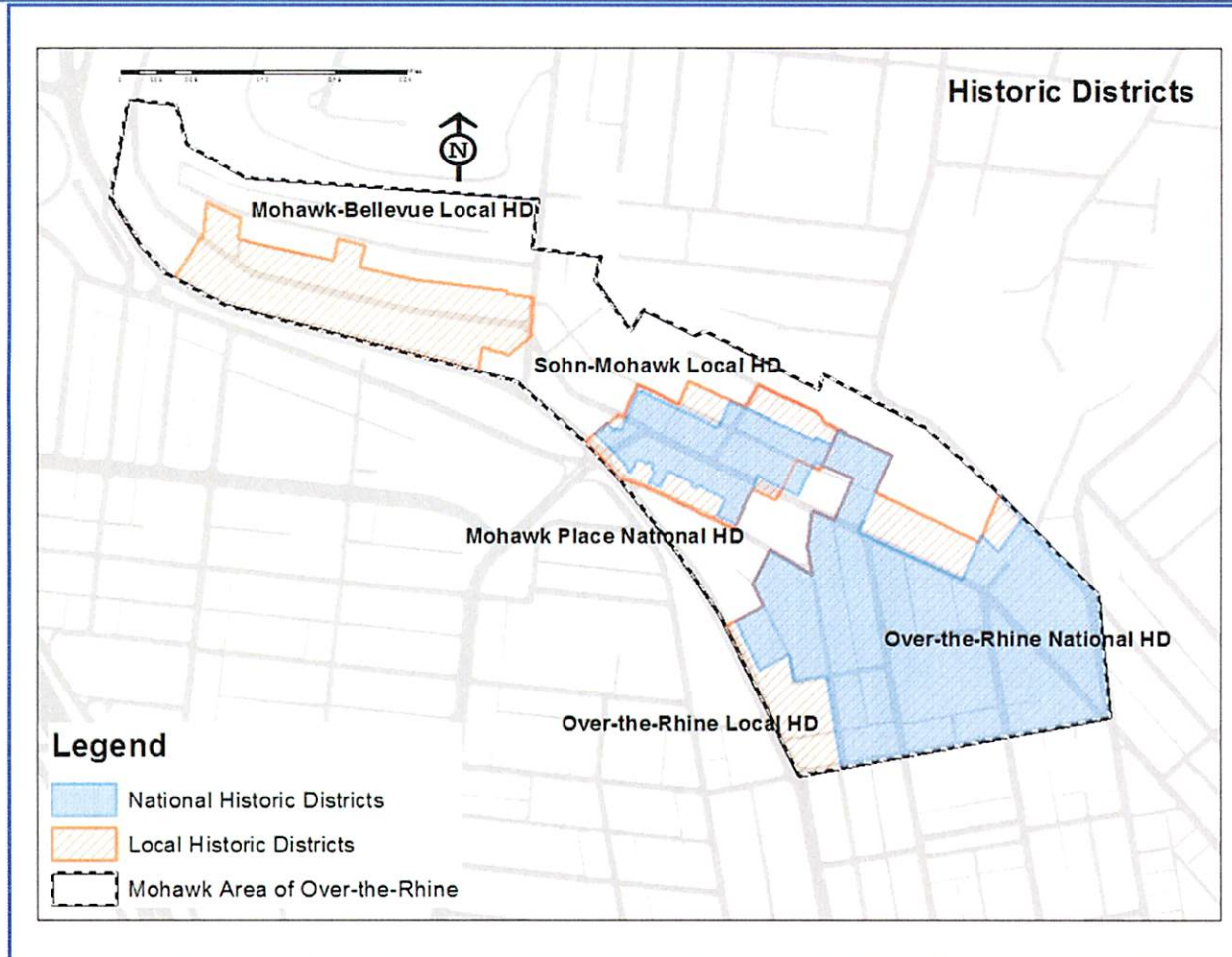
ZONING



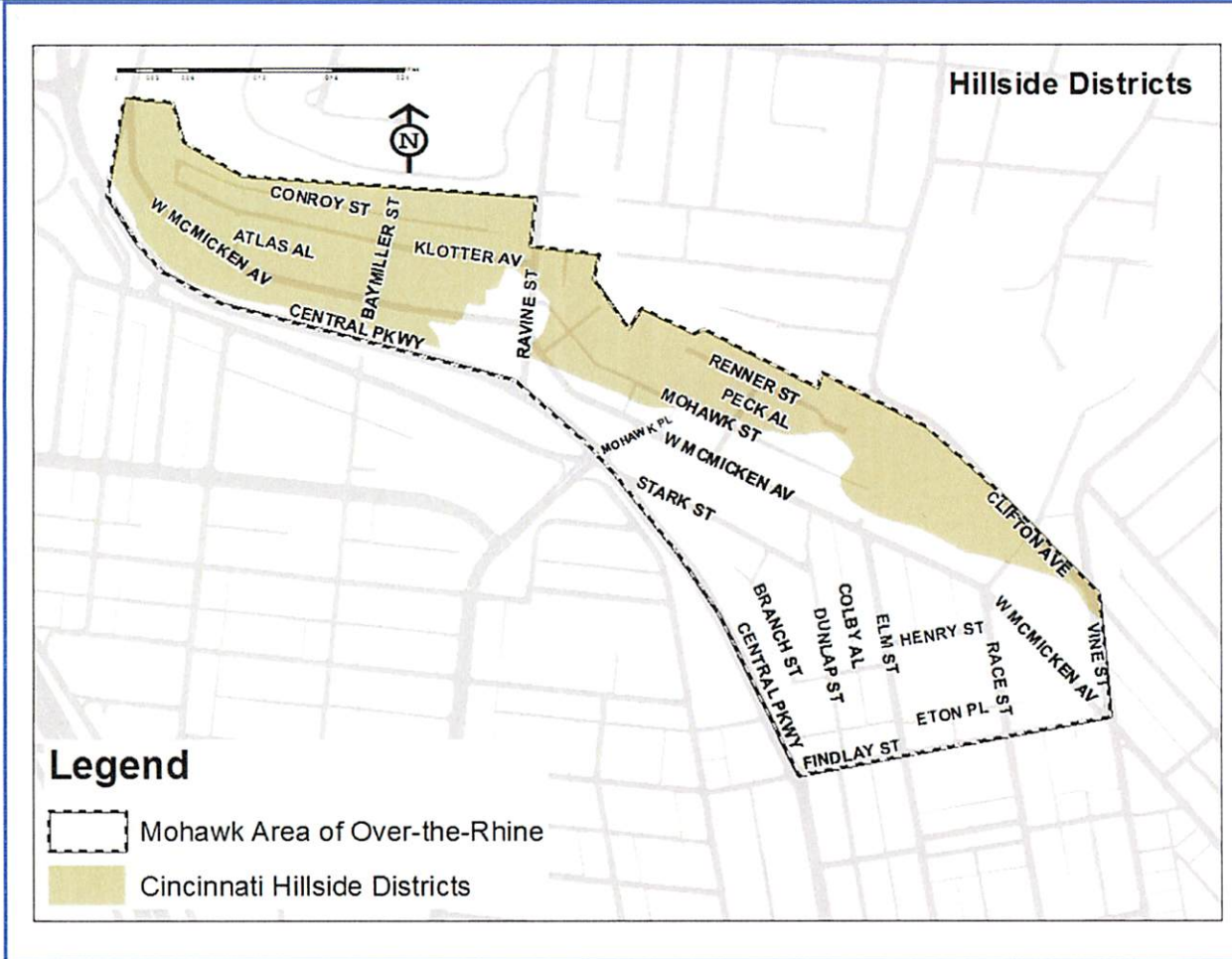
EXISTING LAND USE



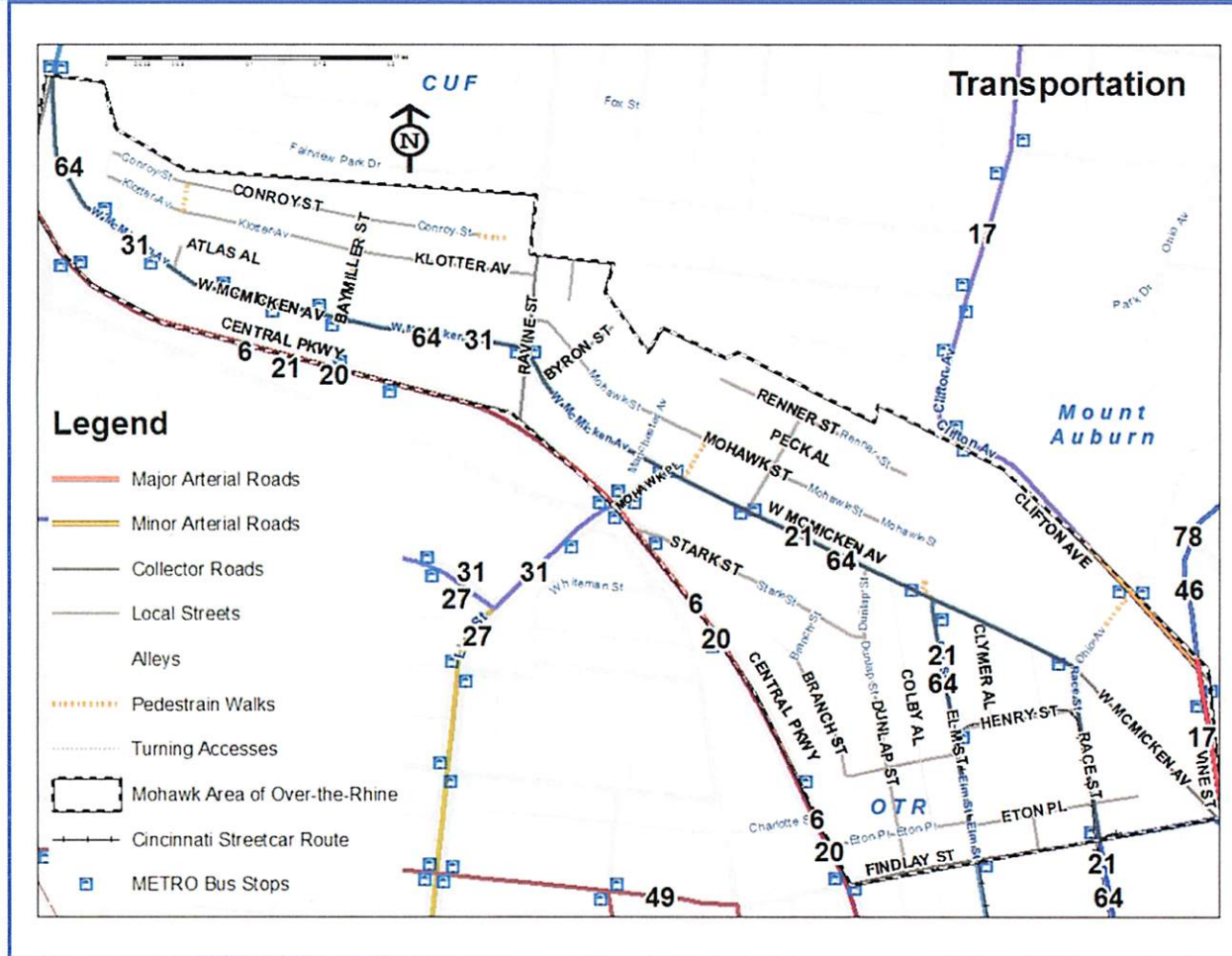
HISTORIC DISTRICTS



HILLSIDE DISTRICTS

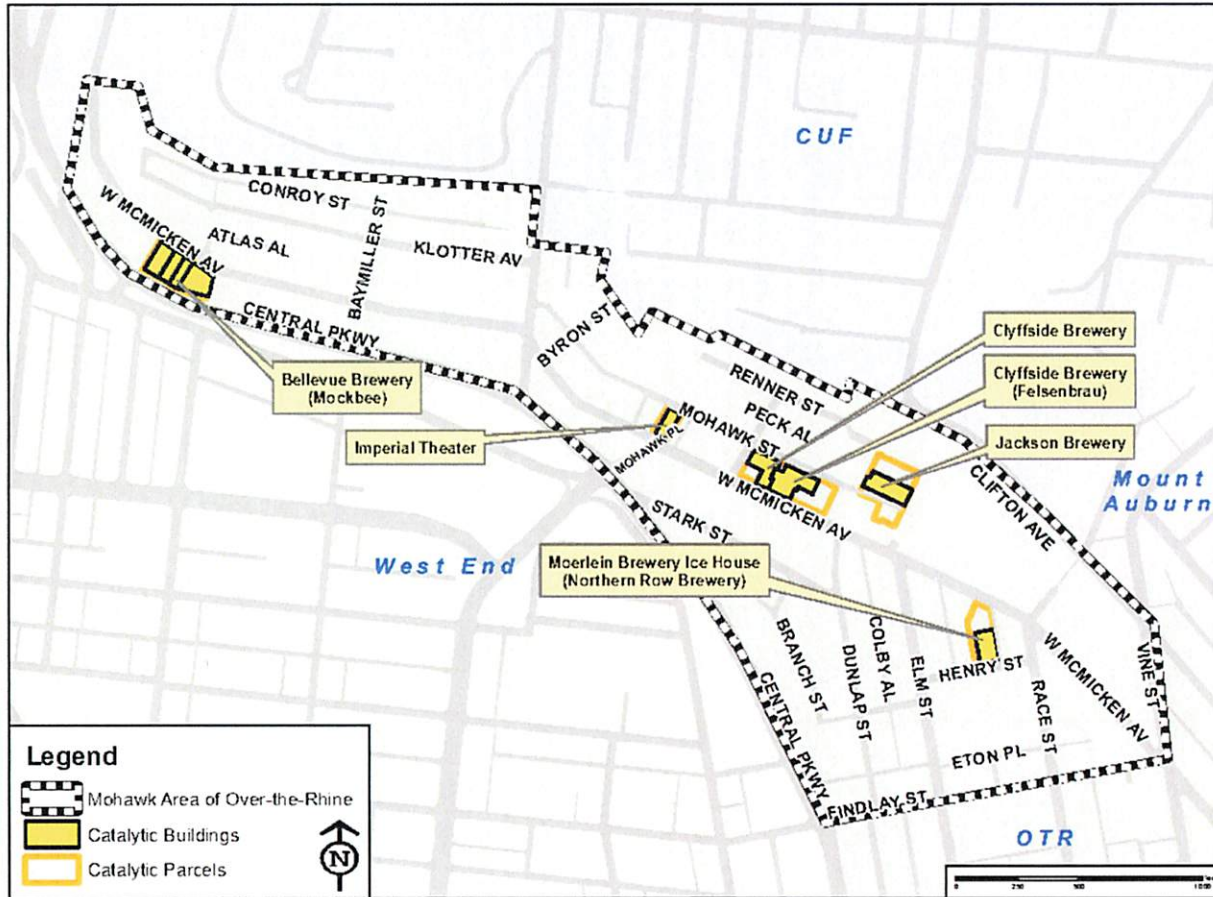


TRANSPORTATION



CATALYTIC BUILDINGS

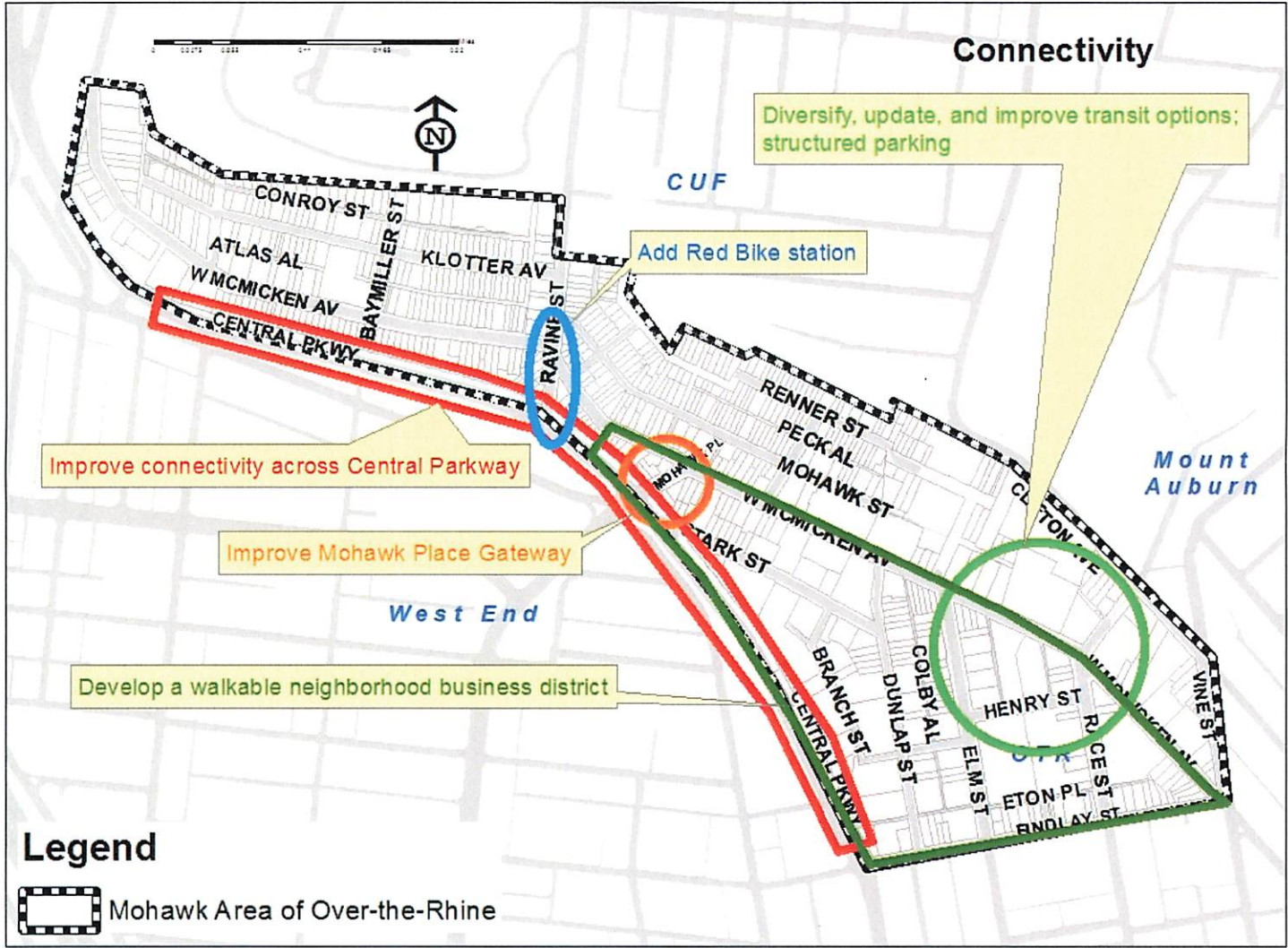
Mohawk Catalytic Buildings



GOALS AND STRATEGIES

Connectivity Goal

Mohawk is a well-connected business district that is safe and accessible for all modes of travel



Connectivity

Diversify, update, and improve transit options; structured parking


Add Red Bike station

Improve connectivity across Central Parkway

Improve Mohawk Place Gateway

Develop a walkable neighborhood business district

Legend

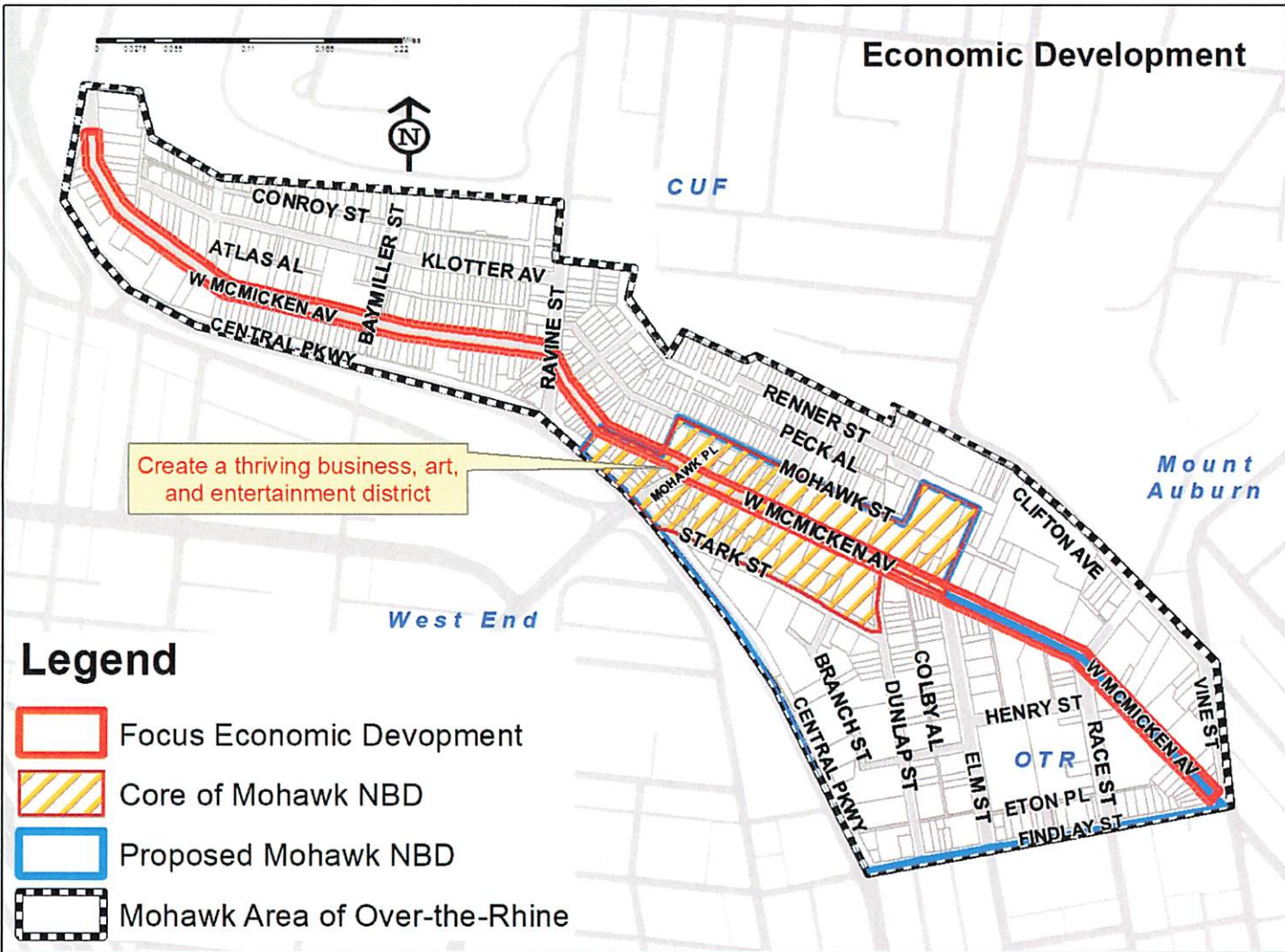
 Mohawk Area of Over-the-Rhine

GOALS AND STRATEGIES

Economic Development Goal

Mohawk is a thriving business district that promotes neighborhood specific development that highlights the history of the area

Economic Development



Create a thriving business, art, and entertainment district

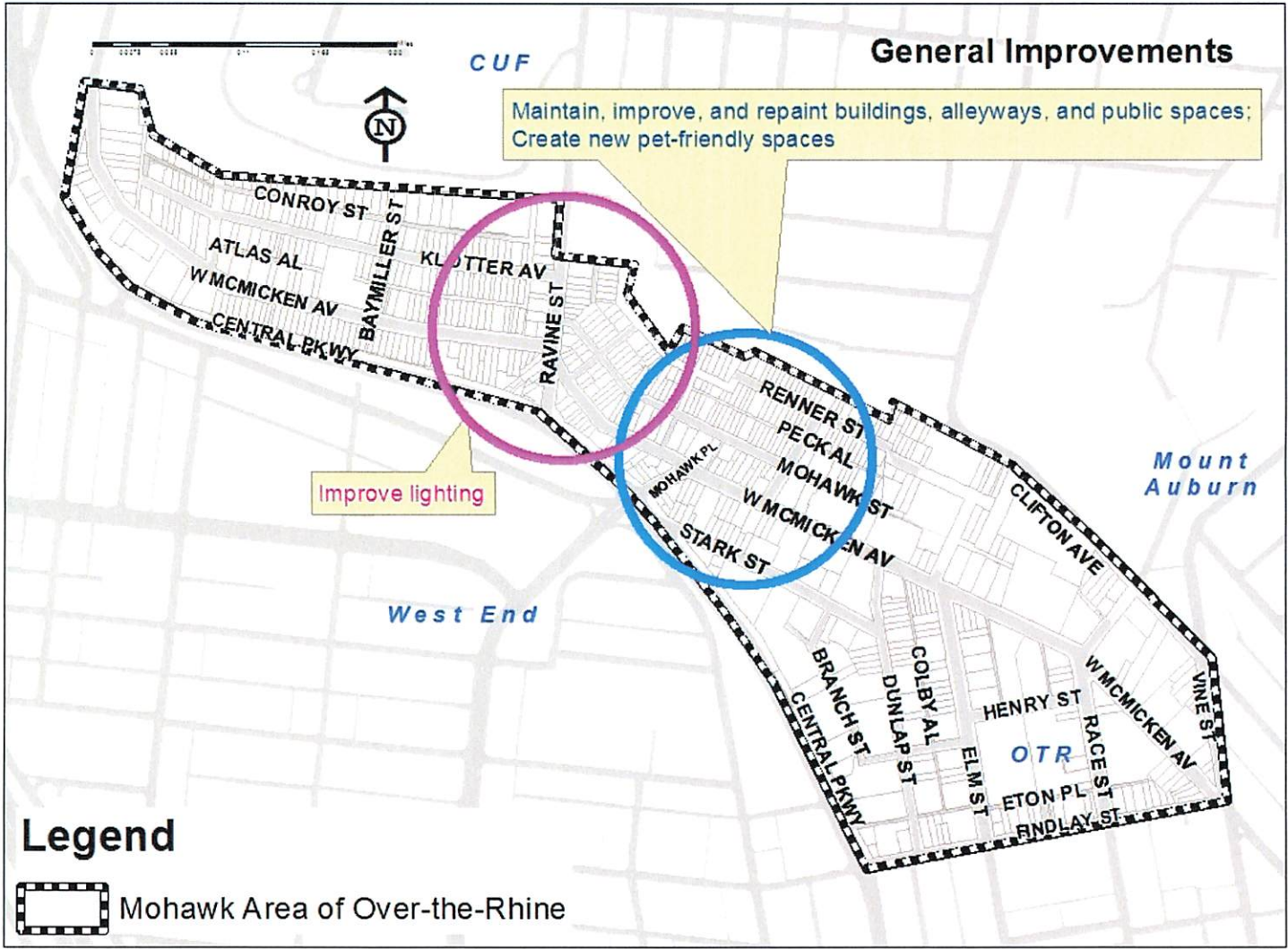
Legend

- Focus Economic Devopment
- Core of Mohawk NBD
- Proposed Mohawk NBD
- Mohawk Area of Over-the-Rhine

GOALS AND STRATEGIES

General Improvements Goal

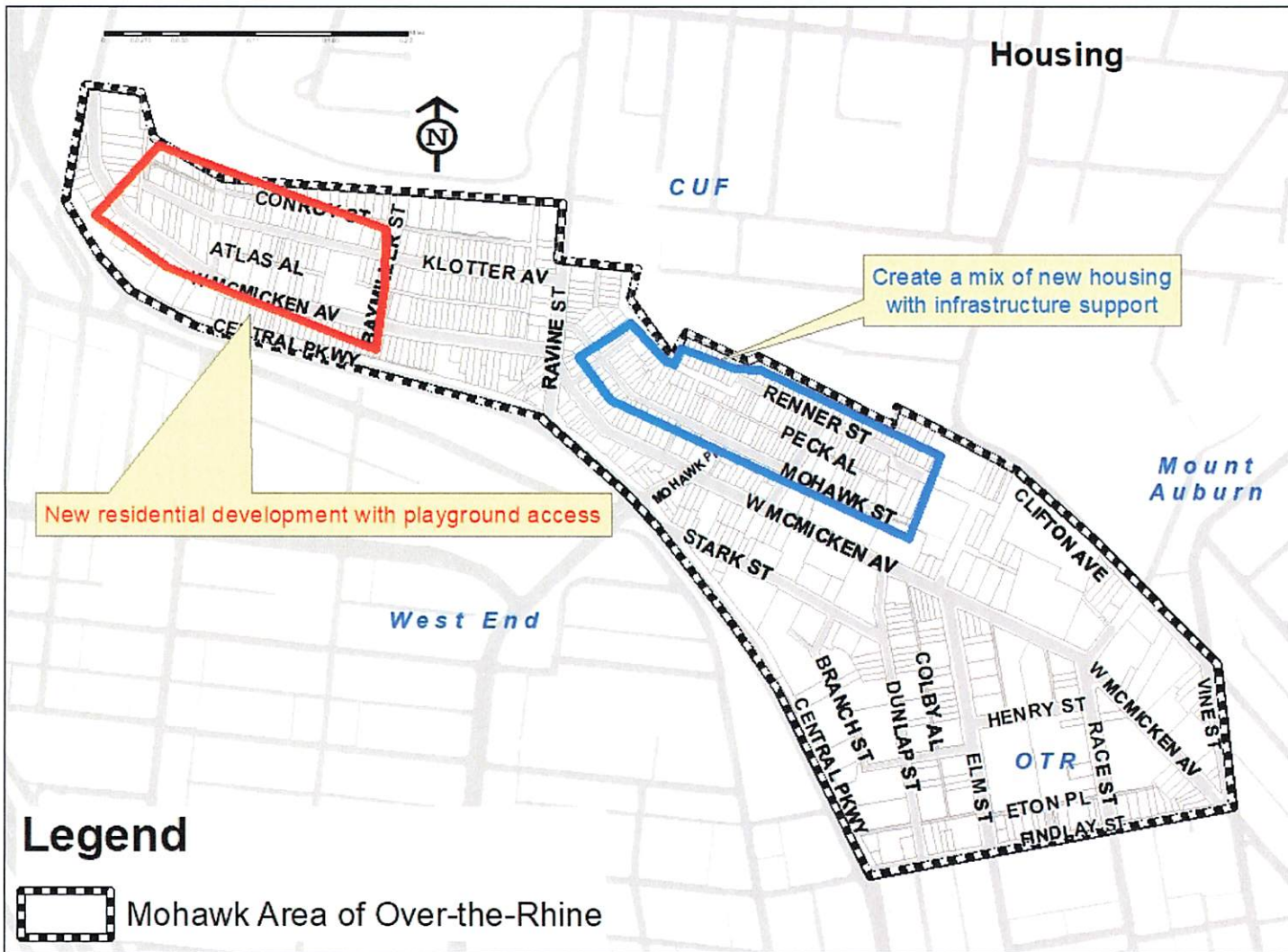
Mohawk is a safe and aesthetically pleasing district that is attractive for both resident and visitors



GOALS AND STRATEGIES

Housing Goal

Mohawk is a diverse and inclusive district that contains neighborhood specific housing for all income levels

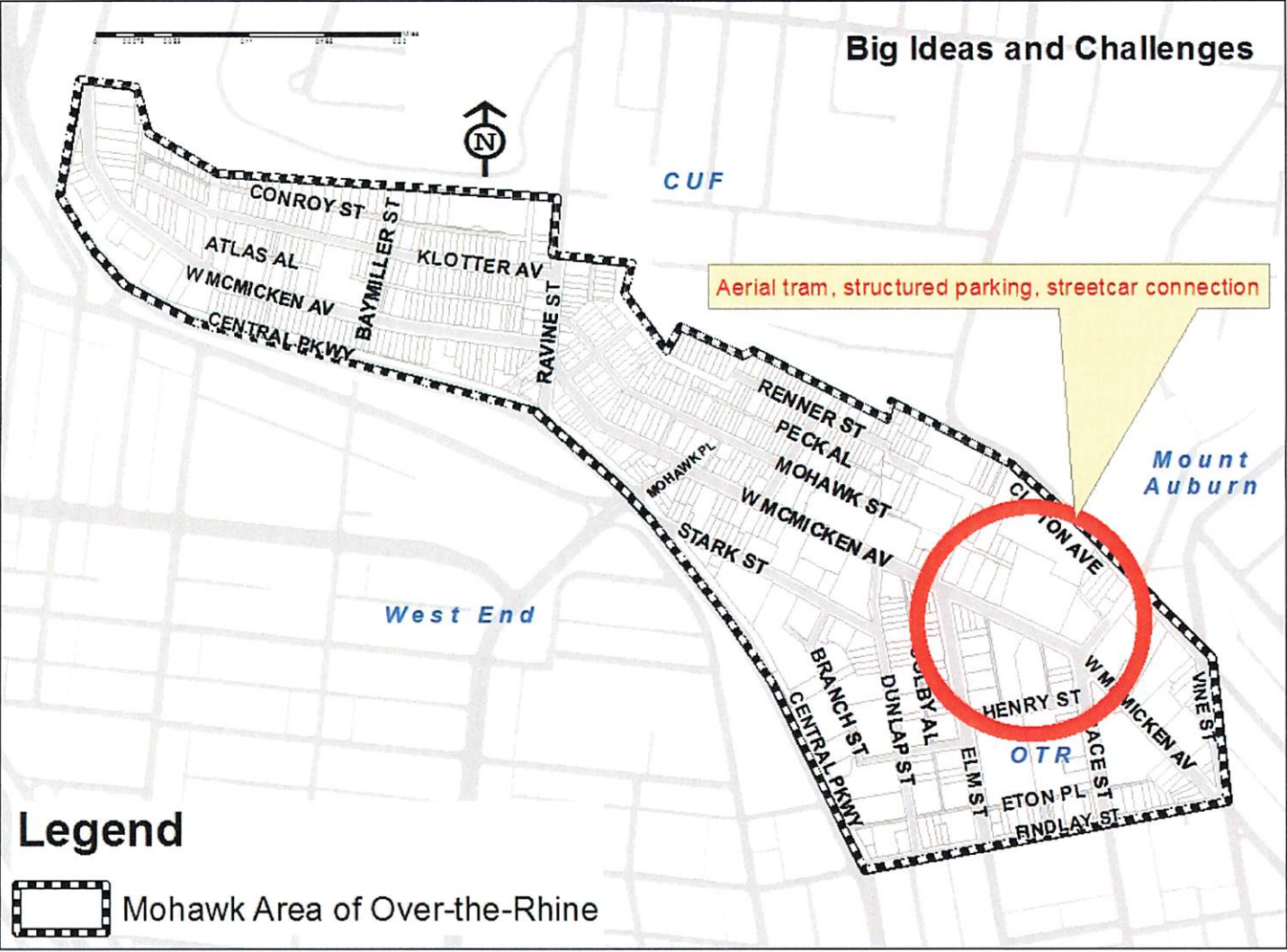


GOALS AND STRATEGIES


Big Ideas and Challenges Goal

Mohawk is an innovative and creative district that addresses challenges and implements big ideas

Big Ideas and Challenges



Legend

 Mohawk Area of Over-the-Rhine

PLAN IMPLEMENTATION AND PRIORITIZATION

- January 2019 meeting members of the community prioritized the ten vision strategies in descending order based on the “priority score”
- Strategies contain action items organized by level of difficulty as determined by City Staff

ADMINISTRATIVE AND NEIGHBORHOOD REVIEW

- Draft Plan has been posted on the Department of City Planning's website since 2019 with revisions updated regularly
- The Plan was shared with City departments on March 12, 2019 and all were supportive of the Plan
- Over-the-Rhine Community Council reviewed the plan and approved it in February 2020

CONSISTENCY WITH PLAN CINCINNATI AND NEIGHBORHOOD PLANS

The Plan is consistent with all five Initiative Areas of *Plan Cincinnati* (2012)

The Plan is also consistent with the *Over-the-Rhine Comprehensive Plan* (2002) and the *Brewery District Master Plan* (2013)

RECOMMENDATION

The City Planning Commission voted on May 7, 2021, for City Council to take the following action:

APPROVE the *Mohawk Area Plan* as the area's guiding comprehensive plan document

June 22, 2021

To: Mayor and Members of City Council 202102393
From: Paula Boggs Muething, City Manager
Subject: Property Tax Working Group Recommendations

REFERENCE DOCUMENTS #202000954, #202000951, #202000945

On September 1, 2020, the Economic Growth and Zoning Committee referred the following for a report:

MOTION, dated July 28, 2020 submitted by Vice Mayor Smitherman and Councilmember Mann, The Property Tax Working Group (PTWG) was created by motion on September 5, 2018 to study trends related to property taxes. Especially important were rising property taxes in areas experiencing significant levels of development, helping senior citizens remain in their homes and communities and reporting on best practices of other cities and states. (Please see the attach motion and vote by Cincinnati City Council). The Property Tax Working Group had its final meeting on Thursday, July 23, 2020. This group was Chaired by Carol Gibbs, President/CEO Mt. Auburn Community Development Corporation (MACDC) and Vice Mayor Christopher Smitherman. The idea for the PTWG was the brainchild of Mrs. Carol Gibbs. (Balance of motion on file in the Clerk's Office)

The Property Tax Working Group (PTWG), officially established by Council in September 2018, Document #201801401, gathered feedback from community members through two online surveys and a series of public meetings. From feedback and discussions, two major thematic areas emerged: (i) property taxes and seniors, legacy residents, and individuals living with disabilities; and (ii) residential tax abatement review. The PTWG then spilt into three focus areas: (i) Limited Income Individuals, (ii) Seniors/Persons Living with Disabilities, and (iii) Residential Tax Abatement Review. These three subgroups discussed problems, root causes, potential solutions, information needed, and generated a list of recommendations for City Council's consideration. The following report contains responses by the Administration to these recommendations at the request of the Economic Growth and Zoning Committee.

I. LIMITED INCOME INDIVIDUALS (Doc. #202000954)

Recommendation 1

Create an online portal with programs and resources for residents - both homeowners and renters. (This portal would be like the open data portal managed by the Office of Performance and Data Analytics (OPDA). The portal should be user friendly but include deep connections in its logic. For example, users would input age, veteran's status, etc. and the portal would respond with the programs that are available to them. This helps with the goal to proactively identify homeowners who need help with repairs, so the burden does not only fall to the homeowner.)

Response: From an operational perspective, the City is not a direct service provider of these programs and services and instead funds partner organizations to deliver these types of services to limited income residents. These individual partner organizations conduct outreach to their various target beneficiaries as part of the scope of services with the City and are well positioned to understand how best to reach these individuals and respond to their needs. Therefore, the Administration does not recommend a direct-to-resident portal approach for this function, however, Council could provide additional funding to expand the scope of work with a partner organization in order to include this as a component of their work.

Recommendation 2

Create a housing court with a dedicated support staff who are housing experts and can connect residents to resources. (Convert a Common Pleas seat into a housing court seat. Community members can advocate for this by lobbying the Common Pleas judges directly, as well ask their City representatives to support creation of a housing court. Cleveland is a good reference for this recommendation.

Response: The Administration, working with the Mayor's office, continues its efforts at the County and State levels to create a Housing Court at the Hamilton County Court of Common Pleas and is actively engaged with the judiciary and state legislature. Over the last six years, the Administration has prepared draft legislation to amend the Ohio Revised Code and has been engaged in discussions with state legislators, judges, the Ohio Supreme Court administrative staff, and interested community organizations and members. A majority of the Hamilton Court Common Pleas Court judges must vote to proceed with the establishment of a housing court in order for the Ohio Supreme Court and state legislature to take the next steps in furtherance of this initiative. Members of the Property Tax Working Group and the public can assist in this effort by directly contacting their local state representatives and judicial officers at the Court to express their support for a Housing Court.

Recommendation 3

Make housing a priority by creating a position like the Chief Advocacy Officer Role that would lead housing efforts for the City. This position would act as a Connector/Czar. This position would connect with the City Manager, City Council, Mayor, City Departments, and residents, and is guided by an advisory board. This position has the responsibility to manage the portal.

Response: This Administration has made housing efforts a priority and in furtherance of those efforts has created the new Office of Human Services. The Office of Human Services will provide additional attention and staffing capacity to focus on housing needs, address the issue of homelessness in our City, and act as the central repository and connection for service agencies to share their concerns regarding emerging issues related to housing, among other things. Additionally, recent restructuring in the City Manager's Office and in the Department of Community and Economic Development has increased staff capacity to focus more resources on housing needs, service delivery, and advocacy.

Recommendation 4

When a code complaint is filed in a geographic area with high development activity, require a social worker to accompany the building inspector to provide information on funds to help with repairs and directions to the portal. (Helps with goal to proactively identify homeowners who need help with repairs, so the burden does not only fall to the homeowner.)

Response: On March 17, 2021, Council passed Ordinance No. 75-2021, which established the position of Housing Services Coordinator in the City’s Department of Buildings and Inspections. This position will assist in the issues identified in the recommendation, and the Department of Buildings and Inspections intends to advertise and fill this position in the fall of 2021.

Recommendation 5

Create a lending program for minority and women-owned contractors who work fairly with seniors and low-income households. (This lending program would have a revolving line of credit with favorable rates aimed to restore the small contractors who lost their businesses in Cincinnati. Information on these licensed contractors would be housed on the portal.)

Response: The City has two existing small business loan programs for which City-based construction businesses are eligible. These programs are housed in the Department of Community and Economic Development (DCED), which can provide technical assistance to any interested organizations. Additionally, Council has recently appropriated significant American Rescue Plan funding to specifically support women-owned and minority-owned businesses, including the Cincy*Ascend Program and a partnership with Main Street Ventures. Interested companies can contact DCED for additional information.

Recommendation 6

Provide funding for organizations that work with homeowners to help them stay in their homes. (Information on these organizations would be on the portal)

Response: The City currently funds People Working Cooperatively and Legal Aid for Housing Repair Services, CARE, and Emergency Mortgage Assistance programs. These programs collectively represent 19% of the approximately \$12 million annual community development block grant budget. Please refer to “Attachment 1” for additional information on these existing programs. Increasing funding to these organizations or creating new programs without reducing funding to existing programs will require Council appropriation of additional resources to this type of programming.

Recommendation 7

Look to other cities on how they are addressing recommendations 1-6.

Response: During Council recess in the summer of 2021 the City Administration will conduct additional research of activities by other cities and will issue those findings in a supplemental report.

Recommendation 8

Lobby the state to make changes that benefit home retention for individuals with low or limited income, disabilities, seniors, etc.

Response: With additional funding, the City Administration could expand the scope of its state lobbying contract to include these and related initiatives. The chief impediment is the identification of policy initiatives that would have the desired impact; these initiatives can be presented by Councilmembers, or by citizens to elected officials, or through partner organizations. The Administration does not have a full-time position or policy team working specifically on these issues, but the Administration will provide and support legislative initiatives as they come to our attention during our daily operations.

II. SENIORS/PEOPLE LIVING WITH DISABILITIES (Doc. #202000951)

Section 1. Tax Relief Qualifications

Recommendation 1

Discount and Deferrals for seniors and people living with disabilities.

Response: This recommendation will require modification to state law, likely Ohio's Homestead Exemption. With additional funding, the City Administration could expand the scope of its state lobbying contract to include these and related initiatives.

Section 2. Tax Fairness

Recommendation 1

If a property receives any of these tax benefits/assistance measures, it is not permitted to be registered on the City's Short-Term Rental Registry as anything other than "hosted."

Response: In order to provide a response on this recommendation, the City Administration will undertake further analysis of possible financial impacts of this proposal, including potential reduction in revenue from the City's short-term rental excise tax. The City Administration will complete this analysis during Council's summer recess and will issue a supplemental report with a response on this recommendation.

Section 3. Other Measures

Recommendation 1

Change Zoning Code to permit accessory dwellings/granny flats with stipulations that:

- a. Either the larger or smaller residence must be occupied as the primary residence
- b. Require landlord training on fair housing, sample rental contracts, landlord best practice and more

Response 1(A): The Administration will develop and propose legislation for the inclusion of Accessory Dwelling Units (ADU) in the Zoning Code. ADUs have the potential to provide housing for different family sizes and configurations, and people with varying incomes and needs. Additionally, an ADU policy is consistent with multiple strategies within *Plan Cincinnati* (2012). It supports the City's commitment to increasing its AARP Livability Index score and being a community for people of all ages. Please refer to "Attachment 2," and "Appendix 1," for additional information.

Response 1(B): The City's existing landlord training, hosted by the Solicitor's Office, has been updated to include this recommendation.

Recommendation 2

Streamline approvals and waive fees for building permits related to accessibility, such as widening doorways and hallways, curb less showers, step free entries, cabinetry modifications for wheel-in space. Extra sound insulation can be considered as well.

Response: Building Permit approval processes relating to accessibility are currently streamlined through the existing Tier 1 same day walk through B&I permit service. The waiver of permit fees requires legislative action and can have legal implications. Without an identified offsetting revenue source or appropriation, the Administration does not recommend fee waivers of this nature, as fee revenue is utilized to directly support the operations and services provided for that fee.

Recommendation 3

Increase funding, including grants and loans, for programs that assist the elderly and people with disabilities and families with dependents that have a disability in maintaining and modifying their residences for accessibility. A sliding scale for eligibility.

Response: The City currently funds People Working Cooperatively and Legal Aid for programs like Housing Repair Services, CARE, and Emergency Mortgage Assistance. These programs collectively represent 19% of the approximately \$12 million annual community development block grant budget. Please refer to “Attachment 1” for additional information on these existing programs. Increased funding would require an additional appropriation from Council to expand these types of services.

Recommendation 4

Education and information for homeowners and small contractors.

- a. Create an online portal with programs and resources for residents, both homeowners and renters, and contractors
- b. Use this information to create fliers that can be included in tax bill mailings and set out at the permit officers and other points of contact.
- c. Expand the pool and build the capacity of small contractors. Use the compiled info on all programs and resources to educate them so they can use the info as a marketing tool to find new customers. (Have fliers about these educations/marketing opportunities at stores serving contractors e.g. hardware, plumbing supply, electrical supply, etc)

Response 4: As described above, the City is not a direct service provider of these types of services but relies on partner organizations for service delivery. These partners are in the best position to complete outreach to target beneficiaries and are the organizations contracting with vendors to deliver those services. Council could provide additional funding to expand the scope of work with partner organizations in order to include or expand their work. Through the contract with each partner organization the City also enforces the requirements under Chapter 323 of the Cincinnati Municipal Code regarding the City’s small business enterprise and local business enterprise programs and under Chapter 324 regarding the minority and women owned business enterprise programs.

Recommendation 5

Avoid Housing harassment by fining entities having more than one unsolicited contact with a property owner. (Find out if it is possible to track on-line property maintenance complaints if a complainant is submitting complaints on multiple properties. If possible, these complainants will receive a warning. If they continue, it should be considered harassment and they would receive a fine.

Response 5: Based on feedback from the Law Department, this recommendation presents constitutional concerns and is therefore not recommended to be implemented as drafted.

Recommendation 6

Provide education to landlords about the importance of allowing tenants who are seniors or persons with a disability to modify properties to its original condition upon move out. Educate landlords on the importance of this.

Response: The City’s existing landlord training, hosted by the Solicitor’s Office, incorporates information regarding legal obligations of Landlords. This training will be updated to include additional information based on this recommendation.

III. RESIDENTIAL TAX ABATEMENT POLICY (Doc. #202000945)

Section 1. Immediate Recommendations

Recommendation 1

Residential buildings with up to and including four units should be eligible for residential tax abatements

Response: This recommendation was incorporated in Ordinance No. 370-2020, which was passed on November 12, 2020.

Section 2. Long Term Recommendations

Recommendation 1

Explore a tiered approach to residential tax abatements based on extensive study. (If a tiered approach is implemented, then increase staff to meet need for long-term monitoring)

Response: This recommendation was incorporated in Ordinance No. 333-2020, which was passed on September 30, 2020, to fund a third-party study of the program and provide recommendations on program modifications, including a potential tiered approach. DCED released an RFP to identify a qualified consultancy firm to conduct the study and responses are now under review.

Recommendation 2

Consider a stipulation that would prohibit properties that receive residential tax abatements from being able to register on the City's Short-term Rental Registry as anything other than "hosted."

Response: A response to this recommendation requires additional analysis and will be included in the supplemental report, referenced above relating to this issue.

Recommendation 3

Explore possible incentives for local renter co-ops.

Response: All property tax incentives (residential CRA, commercial CRA, project TIF, district TIF funding, etc.) currently available to the broader development community would be available to a developer of a renter co-op project, contingent upon project need and underwriting. To add additional incentives, Council could explore possible changes to the commercial CRA program to expressly address renter co-ops or could appropriate additional specific funding to facilitate these types of development.

Attachments