

March 17, 2021

To: Mayor and Members of City Council

From: Paula Boggs Muething, City Manager **202100976**

Subject: Notwithstanding Ordinance – Renovation and New Construction on Goethe Street (City Gospel Mission)

Transmitted is a Notwithstanding Ordinance captioned:

AUTHORIZING the renovation of the three existing buildings located at 127-129, 131, and 141 Goethe Street in the Mt. Auburn neighborhood and the construction of a new three-story building on vacant land located at 211-219 Goethe Street in the Mt. Auburn neighborhood for use as transitional housing, **NOTWITHSTANDING** (i) the use and density limitations contained in Chapter 1403, “Single-Family Districts,” of the Cincinnati Municipal Code, (ii) the use and density limitations contained in Chapter 1405, “Residential Multi-Family Districts,” of the Cincinnati Municipal Code, (iii) the parking limitations contained in Chapter 1425, “Parking and Loading Regulations,” of the Cincinnati Municipal Code, and (iv) the development standards contained in Chapter 1433, “Hillside Overlay Districts,” of the Cincinnati Municipal Code.

The City Planning Commission recommended approval of the amendment at its March 5, 2021 meeting.

Summary:

The applicant, City Gospel Mission, requests a Notwithstanding Ordinance to permit the renovation of three existing structures at 127-129, 131, and 141 Goethe Street into permanent supportive housing and the new construction of a transitional housing facility at 211-219 Goethe Street in Mt. Auburn. City Gospel Mission operates an all-women recovery network, called Having the Courage to Change, in existing structures at 127-129, 131, and 141 Goethe Street. The current structures have six units and 35 beds. City Gospel Mission has had operations on these properties for over 20 years. They are proposing to transfer and expand their existing operations to a new building to be constructed at 211-219 Goethe Street that will house 33 residents. They will then renovate the existing structures into permanent supportive housing for participants in the later phases of the Having the Courage to Change program or program graduates. The renovated structures will house 19 residents total. The existing and proposed uses are considered transitional housing 5 and/or 6 according to the Sec. 1401-01-T of Cincinnati Zoning Code because they serve residential occupants who are

recuperating from the effects of drugs or alcohol and/or readjusting to society while housed under criminal justice supervision.

The City Planning Commission recommended the following on March 5, 2021, to City Council:

APPROVE the Notwithstanding Ordinance permitting the renovation of three existing structures at 127-129, 131, and 141 Goethe Street into permanent supportive housing and the new construction of a transitional housing facility at 211-219 Goethe Street in Mt. Auburn subject to the following conditions:

- 1) The new construction must substantially conform to the project specifications outlined in this report, including:
 - a. A three-story structure
 - b. Use as a transitional housing facility as outlined in Sec. 1401-01-T in the Cincinnati Zoning Code with no more than 33 residents
- 2) The renovations at 127-129, 131, and 141 Goethe Street must substantially conform to the project specifications outlined in this report, including:
 - a. Six dwelling units at 127-129 Goethe Street with no more than seven residents
 - b. Five dwelling units at 131 Goethe Street with no more than five residents
 - c. Single-family home with no more than seven unrelated residents at 141 Goethe Street
 - d. Use as a transitional housing facility as outlined in Sec. 1401-01-T in the Cincinnati Zoning Code or as permanent supportive housing
- 3) The applicant will provide the following items for review in the building permit application:
 - a. A geotechnical report which addresses relative hillside stability and includes recommendations for foundation design.
 - b. A landscaping plan showing plant installation to promote hillside stability.
 - c. Site and grading plan stamped by civil engineer or land surveyor showing existing and proposed grades, the proposed ASL (above sea level) data for the lowest floor and with ASL data also noted and correlated to the building section design; also information on trash dumpster location.
- 4) The Director of Buildings and Inspections will conduct a final review of the construction documents and geotechnical evaluation to ensure an appropriate factor of safety in the design. This review is intended to confirm that:
 - a. The structural design substantially conforms with the Hillside Development Standards of 1433-23 of the Zoning Code to ensure harmonious relationships with adjacent buildings and the hillside environment.

- b. The design of the foundation, retaining walls, and grading are consistent with the recommendations of the geotechnical report.
- 5) 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, the SF-2, "Single-family," zoning district or RMX, "Residential Mixed," zoning district.
- 6) The use of 211-219 Goethe Street should not be considered a nonconforming use.

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